COMBATING TERRORISM: IMPLEMENTATION AND STATUS OF THE DEPARTMENT OF DEFENSE DOMESTIC PREPAREDNESS PROGRAM

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL AFFAIRS, AND CRIMINAL JUSTICE

OF THE

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

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COMBATING TERRORISM: IMPLEMENTATION AND STATUS OF THE DEPARTMENT OF DEFENSE DOMESTIC PREPAREDNESS PROGRAM

FRIDAY, OCTOBER 2, 1998

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL AFFAIRS, AND CRIMINAL JUSTICE,
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:07 a.m., in room 2154, Rayburn House Office Building, Hon. Mark E. Souder (acting chairman of the subcommittee) presiding.

Present: Representatives Hastert, Souder, and Barrett.

Staff present: Robert B. Charles, staff director/chief counsel; Michele Lang, special counsel; Andrew Richardson, professional staff member; Amy Davenport, clerk; and Michael Yaeger and David Rapallo, minority counsels.

Mr. SOUDER. Good morning. The subcommittee on National Security, International Affairs, and Criminal Justice will come to order.

In light of the perceived increase in the probability of a terrorist attack on American soil involving weapons of mass destruction, today the subcommittee will examine several aspects of the Department of Defense Domestic Preparedness Program. Commonly referred to as the Nunn-Lugar-Domenici plan, it is designed to prepare local government authorities, such as police, fire, and emergency services personnel for a terrorist incident involving a chemical, biological, or nuclear weapon.

Although the program is run primarily through the Defense Department, many other departments, notably Justice and Health and Human Services, have important roles to play in preparing our Nation for the consequences of a terrorist incident.

The Domestic Preparedness Program has matured to the point where we can fairly evaluate its performance, and we have many concerns regarding the manor in which this program is being implemented. Issues such as the criteria for choosing cities which are to receive Federal aid, the apparent duplication in training and equipment loans, the sustaining of equipment once delivered, and the lack of a valid threat and risk assessment demand closer scrutiny.

Regarding this last point, the subcommittee took corrective action this year. The subcommittee maintains that implementation of

this program should be closely linked to a valid threat and risk assessments.

We worked with the House National Security Committee on this year's defense authorization bill to include language required in the Department of Justice to perform such assessments. This requirement is now in title XIV of the Defense Conference Report which has passed both the House and the Senate. As we continue our examination of this program, we may decide that further legislative action is necessary to correct other deficiencies.

I now yield to Mr. Hastert, the subcommittee chairman for a statement.

[The prepared statement of Hon. Dennis J. Hastert follows:]

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Opening Statement of
the Honorable J. Dennis Hastert
Chairman
Subcommittee on National Security,
International Affairs and Criminal Justice
October 2, 1998

Good morning. I want to thank the Vice Chairman for chairing this hearing. We are here today to examine another aspect of U.S. efforts to combat terrorism. Our focus today is on the domestic response to terrorism, which I believe is very timely given the events that have occurred during the last few months.

To say that this issue "hits home" would be an understatement. Experts disagree on the severity of the terrorist threat in the U.S., and some believe it is remote. However, it has been the opinion of Congress that a terrorist attack involving a weapon of mass destruction has the potential to be so devastating that we must be fully prepared to respond. As Members of the oversight committee, we have the important responsibility of determining whether or not the Domestic Preparedness Program will adequately prepare local fire, police, and emergency service personnel for such a terrible scenario.

This examination of the Domestic Preparedness Program is part of a Subcommittee review of all Federal government terrorism-related programs. As part of this investigation, we requested extensive information from the executive branch regarding these programs. I would like to thank those departments and agencies that have been timely with their submissions, which are currently under review by Subcommittee staff.

Thank you Mr. Souder.

Mr. HASTERT. Thank you Mr. Chairman. Good morning. I want to thank the vice chairman for chairing this hearing.

We are here today to examine another aspect of the U.S. efforts to combat terrorism. Our focus today is on the domestic response, which I believe is very timely given the events that occurred in the last few months.

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As a member of the oversight committee, we have an important responsibility of determining whether or not the Domestic Preparedness Program will adequately prepare local fire, police, and emergency service personnel for such a terrible scenario. This examination of the Domestic Preparedness Program is part of the subcommittee review of all Federal Government terrorism-related programs.

As part of this investigation, we requested extensive information from the executive branch regarding these programs. I would like to thank those departments and agencies that have been timely with their submissions, which are currently under review by the subcommittee staff.

Thank you, Mr. Souder, and I yield back.

Mr. SOUDER. Thank you, Mr. Chairman. I now yield to Mr. Barrett, the ranking minority member, for an opening statement.

Mr. BARRETT. Thank you, Mr. Souder, and good morning to our distinguished witnesses on both panels.

This is the subcommittee's third hearing on U.S. efforts to combat terrorism at home and abroad. Today we plan to examine the accomplishments and challenges of the Nunn-Lugar-Domenici Domestic Preparedness Program, which is designed to improve the Federal Government's ability to prevent and respond to terrorist attacks involving weapons of mass destruction.

Although it is a Federal program, the primary point is to improve the emergency response capabilities of local agencies that will be the first to respond on the scene. Given the size of our country, the limitations of our Federal budget, and the ill-defined nature of the threat, this is no easy task.

We've seen dramatic changes in our Government's approach to terrorism. Just this past May, the President announced an effort to ensure the critical infrastructures in our country: our system of telecommunications, banking and finance, energy, transportation, and essential Government services. The President also unveiled the new management approach to our counterterrorism efforts, creating a new National Coordinator of Security, Infrastructure Protection and Counterterrorism, responsible for interagency coordination.

Effects of these changes and others, including the proposed transfer of agency authority for domestic preparedness, will, hopefully, be among our topics of discussion today.

I understand that a great many first responders and local officials have given praise to the training and equipment that they

have received under the program. The General Accounting Office, however, has raised a number of questions about the planning and execution of our Federal effort to manage the consequences of a terrorist attack.

At the most fundamental level, GAO concludes that the effort is not guided by an overarching strategy to reach defined goals. GAO also contends that we are seeing wasteful and inefficient duplication of effort in our Domestic Preparedness Program and the beneficiaries of our local programs, local governments, are not getting the guidance they need to make use of scarce resources.

Given the stakes and importance of this program, these criticisms are cause for concern. I look forward to hearing from all of our witnesses, and I thank you again for preparing and providing your testimony.

Mr. SOUDER. Thank you, Mr. Barrett.

A large and diverse number of witnesses will testify before us today. We have asked them to address a wide variety of issues regarding both policy and implementation.

Our first panel is composed of Government auditors, outside experts, and an advocacy group who will present their insights into the program to the subcommittee.

The second panel is composed of officials from the executive branch who will discuss implementation and status of the program.

On our first panel we have Mr. Richard Davis, director of National Security Analysis for the U.S. General Accounting Office, and with him is Davi D'Agostino, Assistant Director of that office. Mr. Larry Johnson is former Deputy Director of the Office of Counterterrorism, Department of State, and Mr. Frank Cilluffo is the senior analyst at the Center for Strategic and International Studies. Mr. Frederick Nesbitt is the director of government affairs at the International Association of Firefighters, who are, obviously, going to be involved in any incident anywhere in the United States.

We thank you all for coming today, and in accordance with the many rules we swear-in all of our witnesses. So would you please all stand and raise your right hands?

[Witnesses sworn.]

Mr. SOUDER. Let the record show that the witnesses answered in the affirmative.

Mr. Davis, the GAO's work in this area has been very thorough and we appreciate your efforts and have enjoyed both meeting with you in the hearings and behind the scenes in your report. Will you proceed?

STATEMENTS OF RICHARD DAVIS, DIRECTOR, NATIONAL SECURITY ANALYSIS, NATIONAL SECURITY AND INTERNATIONAL AFFAIRS DIVISION, U.S. GENERAL ACCOUNTING OFFICE, ACCOMPANIED BY DAVI D'AGOSTINO, ASSISTANT DIRECTOR, NATIONAL SECURITY ANALYSIS, NATIONAL SECURITY AND INTERNATIONAL AFFAIRS DIVISION, U.S. GENERAL ACCOUNTING OFFICE; LARRY C. JOHNSON, BERG ASSOCIATES, FORMER DEPUTY DIRECTOR, OFFICE OF COUNTERTERRORISM, DEPARTMENT OF STATE; FRANK J. CILLUFFO, SENIOR ANALYST, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES; AND FREDERICK H. NESBITT, DIRECTOR OF GOVERNMENTAL AFFAIRS, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

Mr. DAVIS. Yes. Thank you, Mr. Chairman. We thank you for the opportunity to be here this morning to share some of our thoughts on this very important topic that you mentioned. Sir, I would like to submit my prepared statement for the record and I will just offer some remarks in summary fashion.

Mr. SOUDER. Without objection, it will be so ordered and I will do that for all witnesses who have written testimony and would like to submit it.

Mr. DAVIS. The Nunn-Lugar-Domenici Domestic Preparedness Program is an interagency program led by the Department of Defense which provides training equipment intended to prepare selected cities to manage the consequences of a possible attack by terrorists using weapons of mass destruction. We expect to issue a report on these matters within the next few weeks.

It is worth noting that very recently, under National Security Council initiative, the Department of Defense, the Department of Justice, and other agency officials have been considering transferring lead responsibility for the Domestic Preparedness Program from the Department of Defense to the Department of Justice.

I'd like to offer comments this morning on four topics: first, program training; second, how the program was designed; third, the equipment component of the program; and last, the need for an overall strategy.

Program training. Domestic Preparedness Program training gives first responders a greater awareness of how to deal with WMD terrorist incidents. Local officials in the seven cities we visited praised the training program's content, instructors, and material, as well as DOD's willingness to modify it based on suggestions from local officials. They also credited the program with bringing local, Federal, State, and regional emergency response agencies together into a closer working relationship.

By the end of this year, DOD expects to have trained about one-third of the 120 cities it selected for the program. All training is to be complete in 2001.

The second issue is program design. In designing the program, DOD decided to select cities based on population. We have a map over there on the right—hopefully, you can see it—a map of the United States that lays out the 120 cities the DOD selected for this program. The 120 cities are the cities with the largest population based on the 1990 census.

In essence, it covers all cities in the United States at that time that had a population over 144,000. It represented 22 percent of the population at that time, and includes cities in 38 States and the District of Columbia. It excludes 12 States. Thirty of the cities, or 25 percent, are located in two States: California and Texas. Selecting the 120 cities, as DOD did, resulted in clusters. There are 14 clusters that represent 44 cities that are within 30 miles of another program city.

If you could look at the State of California, at the bottom, in one of those clusters there are about 8 different cities that are all within about 30 miles of another program city.

In Texas, in the Dallas area, there are four cities: Dallas, Fort Worth, Irving, and Arlington, also, again, are clustered within 30 miles of another program city.

On the East Coast there's another cluster in Virginia, the Tidewater area of Virginia Beach, Norfolk, Chesapeake, and Newport News.

To demonstrate a little about the clusters and some of the issues that we want to talk about in program design, I'd like to now go over to these charts and talk a little bit about it.

You can see the map of the State of California. The State of California has organized into six mutual aid regions. They've organized so that each of the regions or the areas are to help each other in times of crisis. Whether the crisis be a terrorist incident, a fire, flood, earthquake, whatever, they're organized that way, and that's the way the State structure is.

Within region No. 1, at the bottom, there are a number of counties including Los Angeles County. In the State structure within Los Angeles County, the principal person is the local sheriff. He has responsibility for the 88 cities that are within that county, as well as over 130 unincorporated areas.

Within Los Angeles County, the DOD approach was to select three cities. They selected 3 of the 120 cities: Glendale, Los Angeles, and Long Beach. They targeted their program to those cities rather than the county, the way it was structured.

The Los Angeles County people went to DOD and explained the situation, how they were organized in the State, to try to see if they could come up with a different arrangement. Unfortunately, it didn't work. DOD is stuck with their program of focusing, or targeting the city. So in other words, within Los Angeles County, DOD is going to make three separate trips; they will visit the cities of Glendale, Los Angeles, and Long Beach. They will have three separate training programs; they will have three separate deliveries of equipment packages.

In nearby region 6 there are another five cities that are also within 30 miles of another program city. So within that area you basically have eight cities. In fact, in the State of California there are 18 of the 120 cities. And under the approach the DOD is using, the DOD will make 18 separate visits to the State; they will visit 18 cities; it will have 18 training programs and it will have 18 equipment packages.

Now, one of the other points I would like to make is that you say 30 miles; when you have an incident, it's really important to get there quickly and to be there onsite, and if you had to move by the

road structure within some of these places we're talking about, 30 miles would take you in excess of an hour or maybe 2 hours, depending on what time of day it was.

One of the things that we learned on our visit to the cities and to the community out there, is that many of these communities have a whole host of assets, to include air assets to allow them to get to places quickly if need be.

I would like to turn to another chart that shows the State of Virginia. This emphasizes the principle again of structures that exist, the State of Virginia is organized a little bit differently, but the principle is still the same. It's organized into regions. Unlike the State of California, the Virginia structure is designed to deal with incidents focused on hazardous material responses. They've 13 teams within that State.

We've mentioned the Tidewater area. There are four separate cities. Three of those cities fall within team L, and one city, Newport News, falls within Team K—all of them within 30 miles of each other. One of the reasons Virginia decided to go this way was from an affordability perspective. In other words, they didn't think it was possible to be able to afford having response capabilities in every single jurisdiction. So they organized this way to help and to organize responses to critical incidents.

One State official that we talked to summarized one of the points that we are trying to make here. That official told us that, "I don't want to seem ungrateful and we'll accept all the help we can get. On the other hand, it seems like the DOD approach has ignored 30 years of national and State emergency response structure, and did it their way rather than building on what already existed."

If the program was refocused, DOD could leverage State emergency management structures, mutual aid agreements among local jurisdictions, or other collaborative arrangements for emergency response. Training in fewer locations, while taking advantage of existing emergency response structures, could hasten the accomplishment of program goals and reinforce local response integration. Such an approach also would cover a greater percentage of the population and make effective use of existing local emergency training venues.

The third issue I wanted to talk about has to do with the equipment component. The legislation authorizes DOD to lend, rather than to give or grant, training equipment to each city. The loan agreement between DOD and the cities specifies that the loan is for 5 years and that the cities are to repair, maintain, and replace the equipment. The loan agreement terms have caused frustration and confusion among local officials.

Some cities we visited viewed the acceptance of the equipment as an unfunded Federal mandate because DOD has provided no funds to sustain the equipment. DOD officials told us that the equipment was intended only to support city training needs, and they wanted to encourage cities to share the burden of preparing for WMD terrorism by funding additional equipment needs themselves. But many local officials told us that they were fairly certain they could not justify the high cost for this equipment when stacked against the many other competing priorities for local funding.

The final topic I'd like to offer a few comments on is the need for an overall strategy. Our reviews of various aspects of counterterrorism issues over the past few years have clearly demonstrated a need for government-wide priorities, and a well-conceived, overarching strategy for achieving a defined end-state. Such a strategy could provide a roadmap for the $7 billion that is being spent on counterterrorism programs annually. We see a growing number of training programs and courses, multiple programs with equipment segments, and more response units being formed.

The Domestic Preparedness Program is one of many Federal programs among the growing list. Some local officials view the growing number of WMD consequent management training programs as evidence of a fragmented and possibly wasteful approach toward combating terrorism.

Similarly, multiple programs with equipment segments, such as the separate DOD and Public Health Service programs and a new Department of Justice equipment grant program, are causing frustration and confusion at the local level and are resulting in further complaints that the Federal Government is unfocused and has no coordinated plan or defined end-state for domestic preparedness.

As noted in our December 1997 report and in our April 1998 testimony before this committee, the many and increasing number of participants, programs, and activities in the counterterrorism area across the Federal departments, agencies, and offices pose a difficult management coordination challenge to avoid program duplication, fragmentation, and gaps. We believe that the National Security Council's National Coordinator for Security, Infrastructure Protection, and Counterterrorism, established in May 1998 by Presidential Decision Directive 62, should review and guide the growing Federal training equipment and response programs and activities. We understand that the National Coordinator recently has formed several senior management groups and related subgroups to coordinate the growing number of Federal WMD consequence management training equipment and response programs.

Mr. Chairman, that completes my remarks. We'll be prepared to answer any questions that you may have.

[The prepared statement of Mr. Davis follows:]

Mr. Chairman and Members of the Subcommittee:

We are pleased to be here today to discuss our work and observations on the Nunn-Lugar-Domenici Domestic Preparedness Program and related issues. This interagency program, led by the Department of Defense (DOD) provides training and equipment intended to better prepare selected cities to manage the consequences of a possible attack by terrorists using weapons of mass destruction (WMD).[1] We expect to issue a report on these matters within the next few weeks. It is worth noting that very recently, under a National Security Council initiative, DOD, Department of Justice, and other agency officials have been considering transferring lead responsibility for the Nunn-Lugar-Domenici Domestic Preparedness Program from DOD to the Department of Justice.

Today, I will discuss program objectives and costs,the training DOD is providing to local emergency response personnel, issues we identified on the way the program is structured and designed, the equipment segment of DOD's program, and interagency coordination of this and other related programs. As requested, we also have some observations about the congressional committee structure for oversight of counterterrorism and other crosscutting issues.

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[1]The program was authorized in the National Defense Authorization Act for Fiscal Year 1997. For purposes of this statement, WMD refers to chemical, biological, radiological, or nuclear devices.

OBJECTIVES AND COSTS OF THE DOMESTIC PREPAREDNESS PROGRAM

The Domestic Preparedness Program is aimed at enhancing domestic preparedness to respond to and manage the consequences of potential terrorist WMD incidents. The authorizing legislation designated DOD as lead agency, and participating agencies include FEMA, the Federal Bureau of Investigation (FBI), the Health and Human Services' Public Health Service, the Department of Energy, and the Environmental Protection Agency. The Army's Chemical and Biological Defense Command designed a "train-the-trainer" program to build on the existing knowledge and capabilities of local first responders–fire, law enforcement, and medical personnel and hazardous materials technicians–who would deal with a WMD incident during the first hours. The legislation also designated funds for the Public Health Service to establish Metropolitan Medical Strike Teams to help improve cities' medical response to a WMD incident. Other aspects of the program included systems to provide information and advice to state and local officials and a chemical/biological rapid response team.

DOD received $36 million in fiscal year 1997 to implement its part of the program, and the Public Health Service received an additional $6.6 million. DOD's fiscal year 1998 and 1999 budgets estimate that $43 million and $50 million, respectively, will be needed to continue the program. DOD expects the last 2 years of the 5-year program to cost about $14 million to $15 million each year, and continuing an exercise program for 2 more years could add another $10 million. Thus, the total projected program cost for the DOD

segment could exceed $167 million. This does not include the costs of the Public Health Service, which hopes to establish and equip (an average of $350,000 of equipment and pharmaceuticals per city) Metropolitan Medical Strike Teams in all 120 program cities. In addition to the $6.6 million that the Public Health Service initially received, it spent $3.6 million in fiscal year 1997 to expand the number of strike teams. The Public Health Service received no additional funding in fiscal year 1998, but it estimates program requirements at $85 million for the remaining 93 cities.

TRAINING PROGRAM IS BENEFICIAL

Domestic Preparedness Program training gives first responders a greater awareness of how to deal with WMD terrorist incidents. Local officials in the seven cities we visited praised the training program content, instructors, and materials as well as DOD's willingness to modify it based on suggestions from local officials. They also credited the program with bringing local, state, and federal regional emergency response agencies together into a closer working relationship. By December 31, 1998, DOD expects to have trained about one-third of the 120 cities it selected for the program. All training is to be complete in 2001. The first responders trained are expected to train other emergency responders through follow-on courses. The cities we visited were planning to institutionalize various adaptations of the WMD training, primarily in their fire and law enforcement training academies. A related field exercise program to allow cities to test their response capabilities also has begun.

CITIES WERE SELECTED BASED ON POPULATION SIZE

DOD decided to select cities based on core city population. It also decided to select 120 cities, which equates to all U.S. cities with a population of over 144,000 according to the 1990 census.[2] The 120 cities represent about 22 percent of the U.S. population and cover at least one city in 38 states and the District of Columbia. Twelve states[3] and the U.S. territories have no cities in the program, and 25 percent of the cities are in California and Texas.

DOD took a city approach because it wanted to deal with a single governmental entity that could select the most appropriate personnel for training and receive equipment. In selecting the cities DOD did not take into account a city's level of preparedness or financial need. There was also no analysis to evaluate the extent to which the cities selected for the program were at risk of a terrorist attack warranting an increased level of preparedness, or whether a smaller city with high risk factors might have been excluded from the program due to its lower population. In fact, in none of the seven cities we visited did the FBI determine there was a credible threat of a WMD attack, which would be one factor considered in a threat and risk assessment.

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[2]Three locations on DOD's list of 120 cities are not technically cities.

[3]Connecticut, Delaware, Idaho, Maine, Montana, New Hampshire, North Dakota, South Carolina, South Dakota, Vermont, West Virginia, and Wyoming.

In our April 1998 report, we cited several public and private sector entities that use or recommend threat and risk assessment processes to establish requirements and target investments for reducing risk.[4] Although we recognize there are challenges to doing threat and risk assessments of program cities, we believe that difficulties can be overcome through federal-city collaboration and that these assessments would provide a tool for making decisions about a prudent level of investment to reduce risks.

LINKING FUTURE TRAINING TO EXISTING STRUCTURES COULD BE MORE EFFICIENT AND ECONOMICAL

In implementing the Domestic Preparedness Program, DOD could leverage state emergency management structures, mutual aid agreements among local jurisdictions, or other collaborative arrangements for emergency response. By delivering the program to cities based on population size, DOD is replicating training in nearby cities that might be part of the same response system or mutual aid area. Because of such mutual aid agreements and response districts or regions--as well as traditional state roles in both training and the established federal response system--a more consolidated approach could have resulted in fewer training iterations. Training in fewer locations while taking

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[4]Combating Terrorism: Threat and Risk Assessments Can Help Prioritize and Target Program Investments, (GAO/NSIAD-98-74, Apr. 9, 1998). In that report, we recommended that federal-city collaborative threat and risk assessments, facilitated by the FBI, be included as part of the assistance provided in the Nunn-Lugar-Domenici program. The pending national defense authorization legislation for fiscal year 1999 requires the Attorney General, in consultation with the FBI and others, to develop and test methodologies for conducting such assessments.

advantage of existing emergency response structures could hasten the accomplishment of program goals and reinforce local response integration. Such an approach also could cover a greater percentage of the population and make effective use of existing emergency management training venues. Under this approach, WMD training would be delivered over the long term through existing state training systems.

As shown in appendix I, DOD's city approach resulted in clusters of nearby cities, each of which is to receive training and equipment. Our analysis shows that 14 clusters of 44 different cities, or 37 percent of the total number of the cities selected for the program, are within 30 miles of at least one other program city. Southern California is a key example of the clustering effect where training efficiencies could be gained. Appendix II shows California's mutual aid regions. Consistent with the statewide standardized emergency management system involving countywide operational areas within six mutual aid regions, the Los Angeles County sheriff is in charge of the consolidated interagency response to an incident occurring in any of the county's 88 local jurisdictions and 136 unincorporated areas. These include Los Angeles, Long Beach, and Glendale, all of which are treated separately in the program. Further, the nearby cities of Anaheim, Huntington Beach, Santa Ana, San Bernardino, and Riverside are within 30 miles of at least one other program city and also are treated separately. Through mutual aid and under California's statewide system, Los Angeles county conceivably could assist or be assisted by these other neighboring program cities or any other jurisdictions in the state in the event of a major incident.

Similarly, as shown in appendix III, Virginia has 13 regional hazardous materials teams to respond to a WMD incident. Through these regional teams operating under state control, four adjacent program cities–Norfolk, Virginia Beach, Newport News, and Chesapeake–would assist one another along with Portsmouth and Hampton, which are not program cities.

Texas has four program cities less than 30 miles from each other: Dallas, Fort Worth, Irving, and Arlington. In yet another example, the Washington, D.C., metropolitan area established a Metropolitan Medical Strike Team with a council-of-governments approach involving six jurisdictions in Virginia, Maryland, and the District of Columbia–these jurisdictions would support each other in the event of a WMD incident. DOD treats Washington, D.C., and Arlington, Virginia, separately for the training and equipment segments of the program. Similar strike teams in other cities are designed to be integrated into the local emergency response and medical systems for that particular area.

In response to comments by state and local officials, DOD began holding regional meetings to introduce the program. Nevertheless, each program city still receives its own training and equipment package. Cities may invite representatives from neighboring jurisdictions and state agencies, but classroom space is limited, and if the neighboring city is a program city, it will eventually receive its own on-site training.

DOD could have used state structures to deliver its training. Some states have academies and institutes to train first responders and emergency managers. For example, California's Specialized Training Institute provides emergency management training to first responders statewide. In Texas, the Division of Emergency Management conducts training for local first responders, and fire protection training is provided through the Texas Engineering Extension Service. Under current circumstances, the individual cities whose personnel were trained as trainers are to ensure that the appropriate courses are delivered to rank-and-file emergency response personnel. Cities we visited were adapting the DOD courses differently and using different venues to deliver the training. Cities planned to deliver portions of the courses both directly and through their local academies. One delivery method that DOD could consider to reach large numbers of first responders while minimizing travel costs is distance learning. The U.S. Army Medical Research Institute of Infectious Diseases, for example, has used distance learning techniques through satellite-to-television links.

TERMS OF DOD EQUIPMENT AGREEMENT CONCERN CITIES

The legislation authorizes DOD to lend rather than give or grant training equipment to each city. The loan agreement between DOD and the cities specifies that the loan is for 5 years and that the cities are to repair, maintain, and replace the equipment. The loan agreement terms have caused frustration and confusion among local officials. Some cities we visited viewed the acceptance of the equipment as tantamount to an unfunded federal

mandate because DOD is providing no funds to sustain the equipment. At least two cities were reluctant to accept the equipment unless DOD would provide assurances that they could be use it operationally and would not be asked to return it. Although such assurances conflict with the loan agreement terms, DOD officials acknowledged that cities could keep the equipment and use it operationally if necessary. DOD officials also pointed out that much of the equipment has no more than a 5-year useful life and is largely incompatible with standard military-specification equipment.

Further, expectations have been raised among some local officials that the federal government may eventually provide funds to sustain the program and to provide even more equipment to meet cities' perceived operational requirements. DOD officials said that the equipment was intended only to support cities' training needs. Also, DOD wanted to encourage cities to share the burden of preparing for WMD terrorism by funding additional equipment needs themselves. However, no assessments have been undertaken as part of the Domestic Preparedness Program to help define equipment requirements for WMD over and above what is needed for an industrial hazardous materials incident response. Although the FBI and the intelligence community see growing interest in WMD by groups and individuals of concern, the intelligence community concluded that conventional weapons will continue to be the most likely form of terrorist attack over the next decade. Such threat information would be a factor in a threat or risk assessment process that could be used as a tool for determining equipment requirements.

NUNN-LUGAR-DOMENICI INTERAGENCY COORDINATION HAS BEEN LIMITED

The Congress intended the Domestic Preparedness Program to be an interagency effort with DOD as lead agency. Under FEMA leadership, the Senior Interagency Coordination Group provided a forum for DOD and the other involved agencies to share information. However, in developing the program, some member agency officials stated that DOD did not always take advantage of the experience of agencies that were more accustomed to dealing with state and local officials and more knowledgeable of domestic emergency response structures. For example, some agency representatives said that they offered suggestions such as taking a metropolitan area approach and coordinating with state emergency management agencies instead of dealing directly and only with cities. DOD officials noted that because the group often did not react to DOD proposals or could not achieve consensus on issues, DOD moved forward with the program without consensus when necessary.

According to participants, the group did influence two decisions. DOD initially planned to cover 20 cities in the first phase of the program, but the group raised the number to 27 so that seven cities would be trained sooner than their population would otherwise warrant. The seven cities were raised in priority to account for geographical balance, special events, and distance from the continental United States. Also, concerned about DOD's methodology and cities' presumed negative perceptions, the group recommended that DOD abandon its plan to have cities conduct a formal self-assessment of their capabilities

and needs. But the group did not press for an alternative assessment methodology, which resulted in the lack of any analytical basis for cities to determine their requirements for a prudent and affordable level of preparedness for WMD (a desired end state) or to guide DOD or the cities in defining individual cities' requirements or needs.

The Senior Interagency Coordination Group did not resolve the issue of similar or potentially overlapping terrorism-related courses. A joint Department of Justice and FEMA 2-day basic concepts course on emergency response to terrorism was being developed at about the same time as the Domestic Preparedness Program, and FEMA teaches subjects applicable to WMD and terrorism in its Emergency Management Institute and the National Fire Academy. The Department of Justice and FEMA courses and the DOD courses were developed separately.

STRATEGY NEEDED TO COORDINATE AND FOCUS MULTIPLE TRAINING, EQUIPMENT, AND RESPONSE ELEMENTS

Some local officials viewed the growing number of WMD consequence management training programs, including the Domestic Preparedness Program, the Department of Justice and FEMA courses, FEMA Emergency Management Institute courses, National Fire Academy courses, and the National Guard's National Interagency Counterdrug Institute course, as evidence of a fragmented and possibly wasteful federal approach toward combating terrorism. Similarly, multiple programs with equipment segments–such

as the separate DOD and Public Health Service programs and the new Department of Justice equipment grant program are causing frustration and confusion at the local level and are resulting in further complaints that the federal government is unfocused and has no coordinated plan or defined end state for domestic preparedness.

Both equipment portions of the program, which were designed and implemented separately, cover personal protection, decontamination, and detection equipment. The separation of the $300,000 worth of DOD equipment and the average $350,000 Public Health Service equipment and pharmaceuticals required local officials to deal with two federal agencies' requirements and procedures. It also required local officials to develop separate equipment lists and to ensure compatibility and interoperability of the equipment, optimize the available federal funding, and avoid unnecessary duplication. A truly joint, coordinated equipment program could have alleviated the administrative burden on city officials and lowered the level of confusion and frustration. Although the Public Health Service circulated cities' proposed equipment lists among the Domestic Preparedness interagency partners for comments, this coordination at the federal level did little to simplify the process for the cities.

State and local officials and some national fire fighter organizations also raised concerns about the growing number of response elements being formed, including the new initiative to train and equip National Guard units. These officials did not believe specialized National Guard units would be of use because they could not be on site in the

initial hours of an incident and because numerous support units within the military and other federal agencies already can provide backup assistance to local authorities as requested. Examples of existing support capabilities include the Army's Technical Escort Unit, the Marine Corps' Chemical Biological Incident Response Force, and the Public Health Services' National Medical Response Teams.[5] State and local officials were more supportive of the traditional National Guard role to provide requested disaster support through the state governor. We are currently reviewing the proposed role of the National Guard and reserves in WMD consequence management.

As noted in our December 1997 report[6] and in our April 1998 testimony,[7] the many and increasing number of participants, programs, and activities in the counterterrorism area across the federal departments, agencies, and offices pose a difficult management and coordination challenge to avoid program duplication, fragmentation, and gaps. We believe that the National Security Council's National Coordinator for Security, Infrastructure Protection and Counter-Terrorism, established in May 1998 by Presidential Decision Directive 62, should review and guide the growing federal training, equipment, and response programs and activities.

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[5]For a more comprehensive overview of federal support capabilities, see Combating Terrorism: Federal Agencies' Efforts to Implement National Policy and Strategy (GAO/NSIAD-97-254, Sept. 26, 1997).

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

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

Just as the broadening scope of efforts to combat terrorism poses a serious challenge for the executive branch, it also can be a coordination and oversight challenge for the Congress. The current committee structure is aligned with an agency and functional focus for authorization, appropriations, and oversight, and multiagency crosscutting issues, such as combating terrorism, proliferation, and others, fall within the jurisdiction of many authorizing committees and appropriations subcommittees.

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Mr. Chairman, that concludes our prepared statement. We will continue to finalize our report, receive agency comments, and develop recommendations on program focus, and will be issuing that report in the next few weeks. We would be happy to answer any questions at this time.

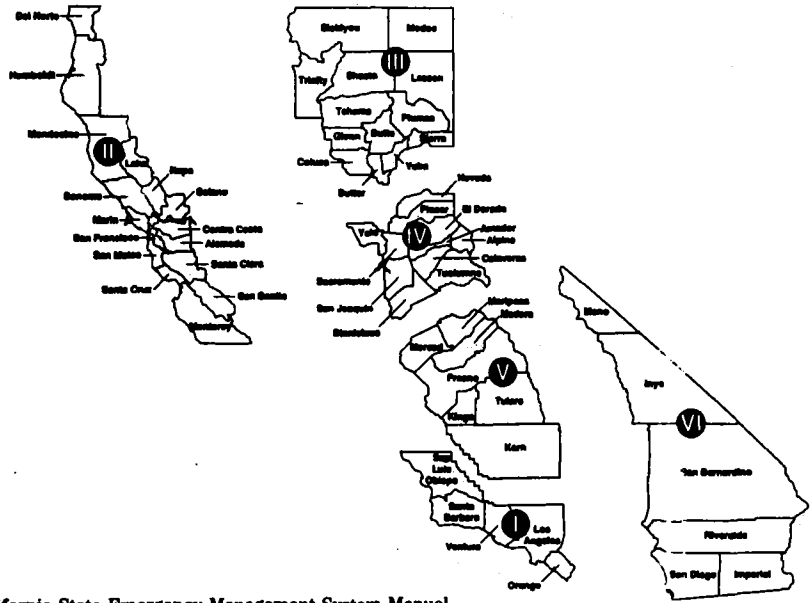
Appendix I

Location of Nunn-Lugar-Domenici Cities

Source: Department of Defense

Appendix II

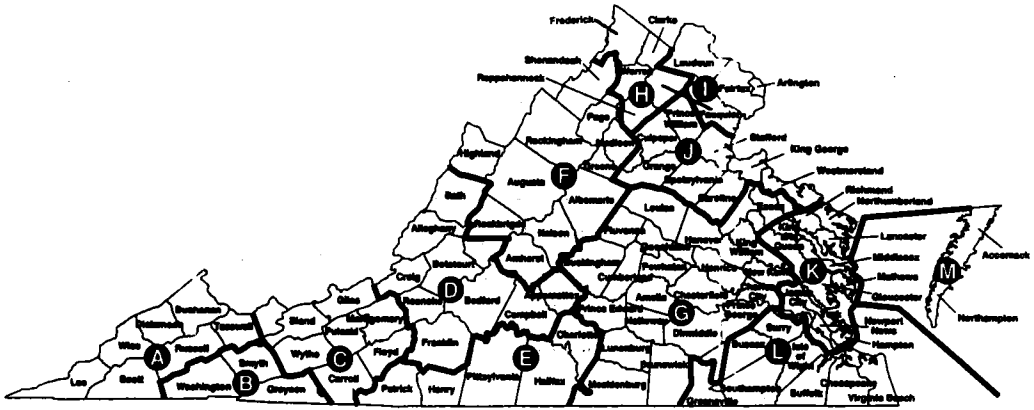
California's Mutual Aid Regions



Source: California State Emergency Management System Manual

Appendix III

Virginia's Regional Hazardous Materials Response Teams



Legend:

A - Wise County Team
B - Bristol Team
C - Giles County Team
D - Roanoke Valley Team
E - Danville Team
F - Central Shenandoah Valley Team
G - Henrico County Team
H - Winchester Team
I - Northern Virginia Team
J - Fredericksburg Team
K - Newport News City Team
L - Southside Tidewater Team
M - Eastern Shore Team

Source: Virginia Department of Emergency Services

Mr. SOUDER. Thank you very much.

Mr. Johnson.

Mr. JOHNSON. Good morning. I appreciate the chance to appear before this committee.

Having followed the issue of terrorism for several years both inside and outside the government, I've watched what's unfolding with both a bit of amusement and bewilderment—bewildered because of the seeming discovery that terrorism appears to be a new phenomenon, when we've been facing it as a threat for over 30 years; amused that we have to go through the kinds of reports the GAO is doing. I have to say I endorse the report; I think the findings are right on target, because the interest of everyone that's involved with this I believe is genuine. No one is out trying to do something to either hurt the United States or to hurt some other agency. But, unfortunately, with all of this goodwill and good intention, we are left with what can best be described as a bureaucratic mess.

I would like to begin by discussing what the actual threat of terrorism is to the United States and then make some comments on the chem-bio issue. The first chart you see is drawn from FBI statistics, and it's a good news chart, in my view. It shows that we're not seeing a rising tide of terrorism in the United States, but rather it's been declining. Last year they recorded 13 incidents, but 11 of those involved the same package bombs/letter bombs that were sent to Leavenworth Prison and the Al-Hayat Arabic Newspaper.

The good news is in the red. The FBI is doing a very good job of anticipating, detecting, and preventing terrorist incidents. While I'm a critic of the FBI on some things, I think that they deserve a lot of commendation and praise for the effective job they've done.

If we go to the second chart, the purple shows all international terrorist attacks. The yellow bars show those attacks which were considered anti-U.S. attacks by the Department of State.

The red shows the number of attacks in which there were U.S. casualties. For anyone to make the claim that there are rising casualties from international terrorism and Americans are being increasingly victimized, they are simply not looking at the facts. That is not true.

Mr. SOUDER. Are those annual?

Mr. JOHNSON. Yes, those are annual.

This is not to say that there is not a threat of terrorism; I'm the first to admit it. We must be prepared to deal with it, but we should not exaggerate that threat and pretend that Americans are the No. 1 target in the world and that American citizens are being killed or wounded by terrorists. It's just not the case.

We'll go up to the third chart. This shows countries where they've had at least two anti-U.S. terrorist attacks over the last 7 years. These statistics cover the 1990 through 1997 timeframe.

I think what's instructive about this chart is that it destroys the conventional wisdom that terrorism is somehow a Muslim phenomenon. It is not. Where have most of the anti-U.S. attacks taken place? There is one in Peru, South America; one in Turkey, Europe, Middle East area; one in the Philippines—those three countries have had the most anti-United States terrorist attacks over the last 7 years.

This doesn't mean that that's going to stay the same in the future, and as you look at it year by year, the countries change, but you're not looking at a situation where American citizens are being hit in 20, 30, 40 countries.

If we go to the next chart, No. 4, this shows the vast majority of the attacks against Americans that involve casualties come from two sources: either ambushes or bombs. The bombs are shown by the red.

If we go to the next chart, chart No. 5, this was no intent—I'm from the Midwest, as is Congressman Souder, and my intent is not to say that there is a problem with Indianapolis. But what this chart shows, it looks at the number of U.S. deaths in red from international terrorism. The blue shows the number of foreigners who have died in international terrorist attacks directed against the United States. The green shows the number of people who have been murdered in Indianapolis. There have been more people murdered in Indianapolis in the last 6 years than have died, both foreigners and U.S. citizens, from international terrorism. I'm not wanting to minimize the loss of life of either murder victims or victims of terrorism, but, again, we need to avoid the hysteria of pretending that we're besieged at every turn. That's not the case. What we saw, tragically, in both Tanzania and Kenya, where more of the locals died from the anti-United States terrorist attack, that has been the consistent pattern over time.

We go to the next chart, chart No. 6. This shows who has actually killed Americans, where the major loss of life has taken place over the last 20 years. The largest loss of life from a terrorist attack remains the 1983 assault on United States Marines in Beirut, Lebanon, 241. In 1988, 198 Americans killed by the Government of Libya in an attack on PanAm 103; in 1995, Oklahoma City, the attack by Tim McVeigh and Terry Nichols.

Also, I've highlighted Tehran in 1996, the bombing of a United States Embassy in 1983, the 1998 attack in Kenya, as well as in 1993 World Trade Center. These are the high profile incidents. These are the areas where we've had the major loss of U.S. life. But let's put it into perspective.

Chart No. 7, which you have, and I'll just briefly touch on it, shows two groups in particular that have been involved with attacks against Americans, Sindera Luminoso, and the question mark next to Osama Bin Ladin really should probably be relabeled the Al-Qaida, but this is developing information that has been unfolding this year, in part because of the effective work of the Central Intelligence Agency and the Federal Bureau of Investigation. But, we're not looking at hundreds of groups attacking us. It's a fairly well-defined threat.

If you look at chart No. 8, this shows exactly who's killing Americans, who's killing foreigners. The red with Osama Bin Ladin shows Osama has killed more Americans in terrorist attacks than any other individual or group. I don't think the FBI or the Central Intelligence Agency are simply coming up with a convenient villain of the moment. The fact is he's killed more and he's wounded more than any other group. The rest of the chart speaks for itself.

Let me just conclude by saying, I think GAO is right on target with pointing out the need to have one lead agency. As you walk

through the testimony, you'll see you have a lead agency for a variety of categories, but you have so many lead agencies; there's no one single leader. I would see that the duplication of effort, particularly in the hazardous material area, is silly. Firefighters are very well equipped, maybe not as well equipped as they should be, but quite competent to handle that mission. I think there should be one national response team. We don't need 10 national regional guards, National Guard units. We don't need hazardous material units from EPA. We don't need the FBI hazardous material team on top of that. There should be one and some organizations brought to this chaos.

[The prepared statement of Mr. Johnson follows:]

TESTIMONY OF LARRY C. JOHNSON BEFORE THE SUBCOMMITTE ON NATIONAL SECURITY, INTERNATIONAL AFFAIRS, AND CRIMINAL JUSTICE

October 2, 1998

I am pleased to appear before this committee today to comment on the Nunn-Lugar-Domenici Domestic Preparedness (NLD) Program. While most of my experience in combating terrorism is in the international arena, I believe the lessons I have learned from previous operations are relevant to our effort to protect American citizens and their communities from the threat of terrorism.

I have been working directly, and indirectly, on the problem of terrorism since 1985. I worked in operations and as an analyst at the Central Intelligence Agency from 1985 to 1989. Subsequently, I served in the US State Department's Office of Counter Terrorism as a deputy director with responsibilities for police training, transportation security, and special operations. Since leaving the Department of State I have continued to work on terrorism issues, including analyzing the U.S. Government's databases on chemical and biological agents and helping script terrorism exercises for the Department of Defense. I represented the United States at the July 1996 Organization for Security and Cooperation in Europe Terrorism Conference in Vienna, Austria and I have been involved in domestic anti-terrorism exercises conducted under the auspices of the NLD program.

My goal today is to assist this committee in its efforts to evaluate the needs and resources required to protect American citizens from terrorism, but specifically the threats posed by chemical, biological, or nuclear devices. I will share with you the facts about the threat of terrorism to the United States and offer an analysis about the threat of chemical and biological terrorism. I will conclude by commenting on the recommendations advanced by the latest GAO report on the Nunn-Lugar-Domenici Domestic Preparedness Program and

suggest measures this committee should consider to improve the effectiveness of the U.S. Government's effort to combat terrorism.

Do We Face a Rising Threat of Terrorism?

The August bombings of the US Embassies in Kenya and Tanzania left an indelible impression that we are facing a worsening threat of terrorism. When we see the images of crumbled buildings shrouded in smoke and battered, bloody victims crawling to safety from the rubble it is no surprise that Americans feel vulnerable and helpless. These events have reopened the wounds left in our national psyche from the 1995 bombing of the Federal Building in Oklahoma City.

While mourning the loss of American, Kenyan, and Tanzanian citizens and taking every necessary measure to catch those responsible for this heinous deed, the U.S. Government also has a responsibility to accurately describe the nature of the threat we face.

- Terrorism is not widespread.
- Terrorist groups are not proliferating at an uncontrollable rate.
- Terrorism has and can be contained.

We are not helpless victims who have no option but to cower in fear. There are things we can do to reduce the threat and manage the risk.

The following charts present the facts about who is attacking Americans and the frequency of these attacks. These are not my facts, rather these charts are drawn from information gathered by the FBI and the Diplomatic Security Service of the U.S. Department of State:

1. There has been little terrorism in the United States. There have been no significant acts of domestic terrorism this year. Chart #1 shows that the number of domestic incidents has been falling since 1982. Eleven of the incidents in 1997 were letter bombs sent to an Arabic newspaper office in New York City and to Leavenworth prison. Fortunately, none of these

devices exploded. Since 1990, we have had three dramatic, high profile attacks in the United States:

- The World Trade Center bombing in 1993, which killed six and injured 1024 persons;
- The Oklahoma City bombing, which took the lives of 168 Americans and left hundreds wounded; and
- The Olympic Park bombing of 1996, which killed a Georgia woman and injured several dozen bystanders.

The lack of terrorism in the United States is, in my view, a consequence of at least three factors. First, we have a democratic society that provides people a chance to express their views freely. Second, we have highly skilled, professional law enforcement at national, state, and local levels. Finally, we have caught, prosecuted, and imprisoned many of those who have committed acts of terrorism.

2. Internationally the trend in terrorism also is down. Chart #2 shows that the number of terrorist incidents has been falling since 1991. More importantly, US citizens rarely are killed or wounded in these attacks. In 1997, for example, there were 304 international terrorist attacks. According to the State Department 123 of these were anti-US attacks. Only five of these attacks involved casualties—7 Americans died and 17 were wounded while 38 foreigners died and 427 were wounded. The bombings last month in Kenya and Tanzania were not atypical in the sense that anti-US attacks tend to kill and wound more foreigners than Americans. This fact alone is a compelling reason for other countries to work with us in combating and stopping those who engage in terrorism.
3. Which countries have been most dangerous for Americans? Conventional wisdom generally points to the Middle East, but Chart 3 reveals that Peru, Turkey, and the Philippines have been the sites for the most anti-US attacks

involving casualties since 1990. Yet the list of countries is constantly changing. In 1997, for example, the attacks that caused casualties occurred in Colombia, Israel, Pakistan, and Sri Lanka. The simple fact is that the number of countries where Americans face consistent threat is relatively small.

4. How are most of the casualties caused? Chart 4 shows that bombs and ambushes, i.e. attacks with guns, are the two most common means for killing and wounding Americans, with bombings the biggest culprit.

5. Chart 5 is a comparison of Americans killed in acts of international terrorism, citizens of other countries who have been killed in anti-US international terrorist incidents, and the number of murders in Indianapolis. I chose Indianapolis at random since I am from the Mid-West. I am not suggesting that Indianapolis is the most dangerous place in America but the juxtaposition of the data puts the threat of terrorism in a new light. More people have been murdered in Indianapolis in a six-year period than have been killed in anti-US terrorist attacks over a seven-year period. In fact, since 1990 only 116 Americans have died from terrorist attacks. The loss of even one US citizen at the hands of terrorists is too many, however we should also acknowledge that there are other threats far more serious than terrorism that merit our attention.

6. Chart 6 takes a combined look at the major terrorist attacks, domestic and international, that have killed Americans. The three deadliest terrorist attacks in American history are the 1983 bombing of the Marine barracks in Beirut, Lebanon by Hizbollah; the 1988 bombing of Pan Am 103 by the Government of Libya; and the 1995 bombing of the Federal Building in Oklahoma City by Tim McVeigh and Terry Nichols. Six of the seven incidents listed on the pie chart involved a truck bomb.

7. Who is killing and wounding American citizens? Generally it is foreign rather than home grown terrorists. Chart 7 identifies 21 groups that have carried

out attacks during the period 1990-97. For several of these groups, American citizens were incidental rather than primary targets. However, there are many groups that have targeted, and continue to target, Americans. Principal among these is the organization, Al-Qaida, headed by Osama Bin Ladin. The question mark beside Bin Ladin indicates several attacks where his involvement was suspected or has only recently been identified. Let me emphasize that he is not simply the scapegoat of the moment, rather he has deliberately encouraged, supported, and planned for attacks against US targets.

8. The nature of the threat posed by Bin Ladin is highlighted by my final chart, number 8. I have calculated the number of killed and wounded by each group and divided it by the number of attacks. Osama Bin Ladin and his cronies on average have killed or wounded 125 people (this includes US citizens and foreigners) per incident.

This data tells us where we have been. It does not tell us where we are going. I disagree with recent declarations by President Clinton and Secretary Albright that we are facing a "new terrorist war". I do not recall that the United States ever declared a truce with terrorism and would note that we have been fighting this threat for almost thirty years. Terrorism is not spiraling out of control but neither has it disappeared. We should not exaggerate it but neither should we ignore it. It is a threat that we must be continually prepared to confront.

We have had some important successes capturing and deterring terrorists. Our experience over the past decade suggests instead that sound policies, aggressive law enforcement, and good intelligence yield important results in containing terrorism. Moreover, I believe there is circumstantial evidence that groups and individuals that advocate terrorism are losing support rather than winning adherents. Consider Osama Bin Ladin's fatwas that have called for Muslims to rise up and attack US citizens and installations around the world. His fatwa has fallen on deaf ears. It is one thing to make a threat another to put the

threat into action. Bin Ladin's failed fatwa is a reminder that Muslims are not terrorists and they do not endorse his tactics. He represents a fanatical, isolated minority.

How Serious is the Threat of Chemical and Biological Terrorism?

This hearing comes at an opportune moment given the recent news that Mr. Bin Ladin's followers allegedly tried to obtain chemical and nuclear weapons. Yet, even before Bin Ladin appeared on the scene, the United States has been worried about the risk that terrorists could use chemical and biological weapons against US citizens here or abroad and has taken steps to confront that threat. In 1990, for example, I participated in an inter-agency counter terrorism exercise that included training with a live chemical agent. This threat was considered and prepared for long before Aum Shiryko appeared on scene. As the Congress considers how best to prepare American communities to meet this contingency it is important to temper the fear of such attacks with a clear understanding that such threats are difficult to put into action.

Chemical and biological weapons are not easy to produce. They require a level of sophistication in technology and personnel that not readily acquired at the local pharmacy or hardware store. Chemical and biological agents are greatly influenced by temperature, wind, and moisture. It is not a simple matter of finding a recipe and whipping up a batch of plague. Moreover there must be technological and scientific infrastructure in place to take chemicals and biological materials from the precursor stage to full weaponization. The Department of Defense makes this point several times in its November 1997 report, Proliferation: Threat and Response. Libya, for example, is a sponsor of terrorism and has been working aggressively for years to create chemical and biological weapons capabilities. On page 37 of the DOD report we learn that Libya's biological warfare program "remains in the early research and development stages, primarily because Libya lacks an adequate scientific and

technical base". In other words, wanting to produce weapons is very different from being able to do so.

If it is difficult for Libya it is a more daunting challenge for terrorists left to their own devices. The case of the ill-fated Japanese terrorist group—Aum Shinryko—provides important insights that we should consider in reviewing the NLD program. Aum was determined to create such weapons, in part to confirm its founder's apocalyptic predictions. Starting in 1990 Aum invested millions of dollars, employed several Ph.D. scientists, and acquired labs specifically designed to create chemical and biological agents capable of causing mass casualties. They tried twice unsuccessfully to produce and use Botulinus Toxin A (one of the deadliest biological agents). They had a similar failure with anthrax. They successfully produced the nerve agent sarin, but it lacked the purity and effectiveness associated with military-grade weapons. Their attack on the Tokyo subway system injured five thousand people and killed 12. Despite the attack the subways were back in operation the same day.

We cannot ignore the possibility that a terrorist group will try again to produce such weapons, but we should acknowledge that producing such weapons is not easy. Unfortunately that is not the message the American people are receiving. Last November Secretary of Defense Cohen appeared at a press conference holding a bag of sugar and warning that "this amount of anthrax could wipe out Washington, DC". The Secretary of Defense also warned that, "A lone madman or nest of fanatics with a bottle of chemicals, a batch of plague-inducing bacteria, or a crude nuclear bomb can threaten or kill tens of thousands. A few months later the **Wall Street Journal** (Feb. 27 1998) ran an editorial that perpetuated this myth, claiming that "Chemical and biological weapons can be concocted by just about any determined terrorist in a lab coat". The truth is otherwise. Producing these types of weapons requires infrastructure and expertise more sophisticated than a lab coat and a garage.

Besides being tough to produce these weapons also are difficult to use. At minimum people handling such substances must wear bulky protective gear or risk killing themselves. Wind, rain, and temperature also adversely affected the performance of chemical and biological weapons. Aum Shinryko, for example, tried but failed to kill three Japanese magistrates with a cloud of sarin because of a wind shift.

Saddam Hussein is one of the few leaders in the world who knows firsthand the limits of these weapons. Saddam used mustard gas, tabun, and anthrax against people—the Kurds and the Iranians to be specific. According to a publicly released CIA document on the Iran-Iraq War, Iraq used chemical weapons "under two types of circumstances: as part of a spoiling attack to repel Iranian forces . . . and as preparation firing in advance of an Iraqi assault. . . .By the end of the war, Iraqi forces used chemical weapons frequently." Although more than 600,000 Iranians died during the eight-year war with Iraq, only 5,000 died from the chemical weapons. Saddam, however, also discovered that such weapons were unreliable and dangerous to his own troops and people. The same CIA document reports that, "large numbers of Iraq's own troops were killed or injured during Iraqi Chemical attacks." Conventional weapons killed far more Iranians than did the "weapons of mass destruction".

NLD and Domestic Terrorism

I believe it is highly unlikely that terrorists on their own will be able to produce and use chemical and biological weapons within the next five years to cause mass casualties. Producing such weapons generally requires the infrastructure and wealth of a nation. However, as demonstrated by Aum Shinryko, it is possible that a well-financed, well organized group staffed with good scientists can produce potentially lethal chemical or biological agents even if they have not perfected reliable delivery systems to produce mass casualties. It is appropriate, therefore, that the US Government continues steps to help American communities detect and manage this threat.

I believe the Nunn-Lugar-Domenici Act of 1996 was a step in the right direction but share the concerns of the GAO that the good intentions underlying this legislation are not producing good policy results and that resources are being wasted. Specifically, I see two major, inter-related problems:

1. There is a wasteful duplication of effort;
2. No one is really in charge.

The US Government is not paying attention to lessons we have learned from coordinating and organizing resources to deal with international terrorism. International terrorist assistance starts when the US Government offers help or a foreign government request assistance. In either case, there must be the permission and cooperation of the host government. In the case of a specific terrorist incident, such as the bombings in Africa, the US Government personnel and resources dispatched to the scene operate under a clear chain of command. In all cases, there is someone in charge, usually the US Ambassador, who is the President's representative on scene. If military action is required (and the host government has approved that course of action) then there is a set procedure for passing the authority from the Ambassador to the appropriate US military commander on scene. Both the Ambassador and the military commander are acting on behalf of the President as directed by the National Command Authority. Once hostilities cease the military commander returns authority to the Ambassador. In all cases there is a clear understanding of who is in charge and who has authority to do what.

Domestically the chain of command is murky and confused. The US Government has an impressive array of capabilities and services available to help American communities deal with all kinds of disasters, including terrorism. If it is a tornado, a flood, or a hurricane than the chains of command are clear—the Federal Emergency Management Agency (FEMA) is in charge. FEMA has done an outstanding job in this area. However, when the issue is terrorism, the clarity disappears and we have a bureaucratic morass.

In my experience, the US Government does a better job of helping foreign governments deal with terrorist threats than state governments because the chains of command are clearer overseas. Consider, for example, the support the United States provided in 1992 before and during the Barcelona Games. The US State Department led the effort, which included several other US departments and agencies. This process started three years before the games and included a systematic assessment of Spanish counter terrorism capabilities and needs and a follow on assessment of the US personnel and equipment that would be required to help identify and deter terrorist incidents. Working through the US Ambassador, the US Government team had one point of contact with the Government of Spain for making important decisions and resolving problems. The Government of Spain had the US team work through a designated point of contact in the Spanish Ministry of Interior.

This was not the case in 1996, when the US Government provided similar services and support to the Atlanta Olympic Committee. The coordination effort was far more cumbersome. Federal Government representatives wanted to help, but the delivery of the assistance was confused. The Federal Government found itself dealing with 22 different jurisdictions, including the City of Atlanta, Fulton County, and the State of Georgia. There was no single government entity in charge within the state. Likewise, the Federal agencies on scene had difficulty sorting out who should set priorities on the federal side because no single agency had the authority that a US Ambassador overseas enjoys.

GAO's report on the implementation of the NLD Act makes clear that this kind of well-intentioned chaos continues. I say well-intentioned because the Federal personnel and agencies involved—the Department of Defense, the FBI, FEMA, HHS, as well as the US Congress—are genuinely trying to help combat the threat of chemical and biological terrorism. Unfortunately, no one is really in charge of the process.

Scarcity of resources may be a problem in some federal programs, such is not the case in the field of terrorism. There are too many resources and too many duplications of effort. Responsibility for dealing with chemical and biological "weapons of mass destruction", for example, is split among the U.S. Army Technical Escort Unit, the U.S. Army Medical Research Institute for Infectious Diseases, the Marine Corps' Chemical Biological Incident Response Force, and the Naval Medical Research Institute. In addition, the Center for Disease Control and Prevention, the National Institutes of Health, the Food and Drug Administration, and the Environmental Protection Agency all claim to have a critical role in the process. Meanwhile, the FBI has created its own hazardous materials response unit. The FBI also has proposed building its own forensic labs to handle chemical and biological agents even though facilities already exist at the Center for Disease Control, the Environmental Protection Agency, the National Institutes of Health, at Edgewood Arsenal, and U.S. Army Medical Research Institute of Infectious Diseases (USAMRIID).

We have many lead agencies but we do not have a single leader. DOD has the lead for enhancing domestic preparedness. The FBI, by virtue of a Presidential Decision Directive, has the lead for domestic terrorism while FEMA has the lead for managing the consequence of terrorist incidents. In addition, HHS has the lead for Metropolitan Medical Strike Teams, and the National Guard now has been given the lead for creating ten regional response teams. Having lead agency authority should include the ability to coordinate budgets and programs to ensure they are used efficiently and effectively.

Although the Nunn-Lugar-Domenici Act has provided ample resources to prepare for the threat of chem-bio terrorism, it has inadvertently contributed to bureaucratic chaos and duplication. As I noted earlier the general outlines of the effort is sound—i.e., help train and equip first responders to deal with the threat. I believe three fixes are in order:

1. One agency should be given the lead to coordinate all domestic counter terrorism efforts and held accountable for the priorities and use of these resources. This includes crisis management, consequence management, and domestic preparedness. Because the issue involves the possibility of a domestic terrorist attack I believe the FBI is the appropriate agency to handle this task.
2. Duplicative missions and capabilities should be eliminated. The coordinator of this effort needs to scrub the entire menu of resources currently on the table. It makes little sense to train and equip ten national guard units for chemical/biological incidents when we already have a US Army Technical Escort Unit and a Marine Corps Chemical Biological Incident Response Force that are underutilized. Let us not forget that the EPA has several hazardous material response units throughout the United States that deal effectively with chemical spills every day.
3. Resources, equipment, and training to combat chemical and biological terrorism should be coordinated by the lead Federal agency with the Governor of each state. Existing state and local emergency management and response systems already in place around the country should be used as starting point for the NLD program.

These steps will help us use scarce resources more efficiently and effectively to prepare for the possibility that terrorists might attack US citizens or communities with chemical or biological agents. Although I am optimistic that this threat will not become a reality, I believe prudence requires that we take all feasible measures to prepare for such an event. Prudence also demands that our response be realistic, sensible, based on clear priorities, and grounded on developing a system to enhance existing capabilities—not just building new programs and bureaucracies to run them.

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RESPONSES TO QUESTIONS FROM THE SUBCOMMITTE ON NATIONAL SECURITY, INTERNATIONAL AFFAIRS, AND CRIMINAL JUSTICE

By

Larry C. Johnson

1. WHAT DO YOU THINK OF THE ADMINISTRATION'S PLAN TO DEVELOP NATIONAL VACCINE STOCKPILES?

Although the plan is well intentioned, it rests on a foolish and false premise. It assumes that the United States will have ample advance warning of an impending attack and will be able to marshal public health resources to vaccinate the public and/or military forces at risk. Unfortunately, the historical record shows that terrorists and rogue states carry out attacks that generally catch us by surprise. Therefore, stockpiles of vaccines would likely go unused or offer little help for dealing with the aftermath of an attack.

In a world of unlimited resources, stockpiling would make sense. However, since resources are scarce and there are other public policy priorities, I view stockpiling as an unwarranted overreaction to a grossly exaggerated threat. The possibility that terrorist organizations can develop, much less employ, highly lethal agents is very remote. Rather than spend money to stockpile vaccines that will probably never be used, Congress could consider instead bolstering the capability of public health programs to combat childhood illnesses and other contagious diseases. We would be better off fortifying our national health care infrastructure. In case of a biological attack, such infrastructure would prove more valuable in dealing with the aftereffects and protecting the health and well-being of US citizens.

2. ARE THERE ANY DEPARTMENTS, AGENCIES OR BUREAUS THAT YOU BELIEVE SHOULD NOT HAVE ANY TERRORISM-RELATED MISSIONS?

The Federal Government is blessed with a wealth of resources and expertise and it is no surprise that most Departments, Agencies and Bureaus of the Federal Government want to find a way to use their particular expertise in combating terrorism. The challenge for the Clinton Administration is to manage more efficiently how these resources are organized and employed. The problem is a duplication of effort. For example, the Army, the Marine Corps, the FBI, the Environmental Protection Agency, Health and Human Services, and the National Guard are competing to provide services to deal with a chemical attack. The responsibility for dealing with the crisis and the consequence of a chemical attack, which is now spread among several agencies, should be assigned to a single Commander within the US Armed Forces. Specialists from other agencies could be detailed to the command to provide support, but we do not need five different departments and agencies offering to provide the same function.

In the international arena, the key bureaucratic players are defined and their roles are fairly clear—the Department of Defense, the Department of State, the Central Intelligence Agency, the Federal Bureau of Investigation, the Department of Energy (nuclear incidents), and the Federal Aviation Administration (aircraft hijackings and bombings). Such is not the case domestically. The Departments and Agencies that have roles on the international front, with the exception of the Department of State, should be permitted to

perform similar missions domestically. This would both avoid a duplication of function and promote a more efficient use of resources. Departments and Agencies such as the Environmental Protection Agency and the Department of Agriculture should not have terrorism-related missions. However, specialists from these Departments with skills that could support and enhance counter-terrorism efforts could be detailed to the counter-terrorism centers maintained by the CIA and the FBI respectively.

Mr. SOUDER. Thank you very much.

Mr. Cilluffo.

Mr. CILLUFFO. Thank you, Mr. Vice Chairman and subcommittee members. I appreciate the opportunity to discuss weapons of mass destruction terrorism, and U.S. preparedness. I'm especially grateful, given the role played by CSIS and the Global Organized Crime Project in helping formulate the issues that were eventually taken up in the Nunn-Lugar-Domenici legislation.

I'd like to make a few comments regarding the current state of the threat, recent U.S. initiatives with respect to domestic preparedness, and the findings and recommendations of the GAO report on threat and risk assessments. I'd also like to offer some observations and some recommendations aimed at enhancing our governmentwide capabilities to plan for, respond to, and manage the consequences of WMD terrorism.

One of the advantages of working for a think-tank is we're in the business of ideas, and we're not held accountable for implementing those ideas. Furthermore, I don't have to stand where I sit, which is truly a rare luxury inside the Beltway. Thus, my remarks will be based on just that—ideas, strategies, and policies—and I'm not accountable.

Regarding the threat, there's been a great deal of discussion on the changing face of terrorism and the impact of advanced technology on terrorist ways of doing business. The point of this hearing I don't think is to focus on that. So rather than elaborating on the specificities and the likelihood, specifically when dealing with weapons of mass destruction, i.e., nuclear, radiological, chemical, or biological, which are very different from one another and pose different challenges—they do share some commonalities.

Terrorism is multi-faceted; the intent and motive differs from group to group and incident to incident. Yet, the single common denominator—and this is often forgotten—is that it's a psychological weapon, intended to erode trust and undermine confidence in our Government, its institutions, its elected officials, its ideal, its values, and policies in given regions.

What makes a WMD incident unique is that it truly can be a transforming event. While I don't disagree that the probability of a major WMD attack may be low in the near future, the consequences are too high to ignore. Aside from the actual physical effects and human suffering resulting from the WMD attack, the psychological impact truly can be enormous, and shaking the trust and confidence of our people in the Government to the very core.

To fully appreciate the considerable changes we are facing, I think it's important to put the current fears regarding the threat into perspective. For decades terrorism experts have debated the likelihood of a major terrorist event occurring within the United States—we've had many minor events in the past, but not a major one—and the possibility of terrorists turning to weapons of mass destruction.

Clearly, the debates ended in February 1993 with the World Trade Center bombing, and then again on May 20, 1995 with the sarin gas attack in Tokyo by the Aum Shinrikyo. Threat calibrations since then have done a 180-degree turn. Our Nation's planners have been running ever since to catch up with what I consider

backfill shortfalls that have been able to grow over the debating years.

Recognition that acts, including weapons of mass destruction acts, can indeed occur in America have been a cornerstone of both the Congress' and the Clinton administration's national security agendas. There have been a number of recent initiatives, a number of recent pieces of legislation and national security directives, and Presidential decision directives on the subject, and I'm not going to list them, but there are a couple that are important, the first one being the Nunn-Lugar-Domenici legislation, the Weapons of Mass Destruction Act. I also think that Public Law 104–132, the Antiterrorism Act of last year, which Congress deserves a lot of credit for passing, is a crucial one and the recent promulgation of Presidential Decision Directives 62 and 63, which, aside from creating this National Coordinator, also focused on some of the WMD threats as well as on critical infrastructure protection and cyberterrorism.

WMD terrorism has also figured prominently in every recent DOD study, at least every major one, including the QDR, the Quadrennial Defense Review, the Defense Science Board Summer Study on Transnational Threats, and the NDP, the National Defense Panel.

Regarding the GAO report, per your specific question, on combating terrorism threat and risk assessments, and helping prioritize and target program investments, I fully endorse conducting threat and risk assessments to prioritize countermeasures to mitigate vulnerabilities and manage risk. While I recognize, Mr. Chairman, the committee's desire to identify processes to best allocate finite resources, I do not, however, believe that it is an effective mechanism for selecting which cities qualify to receive NLD training and equipment and when, based on the likelihood of an attack.

First, this approach is subjective and contingent upon threat intelligence that is a moving target. Second, the bombing of the Alfred P. Murrah Building and the recent bombings in East Africa are clear reminders that terrorists may strike when and where we least expect them to. By it's very nature, terrorism inherently extends the battlefield to incorporate all of society, and terrorists often take the path of least resistance.

Furthermore, this approach merely displaces risk and forces the terrorist, who is often flexible, to select a softer target, in this case a city which did not receive the needed training and equipment.

For these reasons, I think we must work toward achieving a nationwide baseline of common policies, plans, procedures, and resources, irrespective of resource-rich or resource-poor environments. New York City, for example, has accomplished, or has demonstrated, the urgency and the leadership needed to achieve what must get done, even if it costs so politically. That cannot be said, though, of other major metropolitan cities. And I was taken, by the way, with the remark by the FBI in response of the GAO report that, "Even the best prepared cities do not always have the inherent capability to manage the potential magnitude of a WMD incident."

In order to prioritize and allocate resources and assets, a better approach, in my eyes, might be to, one, require the 120 cities origi-

nally selected for the Nunn-Lugar-Dominici program to develop their own emergency response plans—they know their cities better than the Feds—including initial assessments aimed at identifying capability gaps and resource shortfalls. Two, have those plans evaluated by the Department of Defense and other entities, such as the National Disaster Medical System and the Department of Justice. Three, undertake the training and exercising. Four, review the lessons learned from those exercises, and five, loan equipment commensurate with the needs identified from those exercises—not by filling laundry lists elsewhere, but directly coming from those exercises.

I don't think you can overstate the enormous value of training and exercising. Such activities not only go a long way in fostering this culture of cooperation, but also allow us to make the big mistakes on the practice fields as opposed to the battlefields or on Main Street, USA.

This now leads me into my observations and recommendations regarding consequence management. Our program here at CSIS has, at least I hope, been helpful in raising awareness and identifying strategic and tactical gaps and shortfalls. Over the past few years, we have produced a number of reports, some of which you are undoubtedly familiar with, and an interagency WMD simulation.

Our laundry list for preparedness is quite long and expensive, and I might add, continues to grow. That includes, among other things, accelerated training, gaming, exercising, development in fielding of technology to detect, identify, and contain chemical and biological agents; epidemiological enhancements, especially with respect to the biologicals, the so-called silent killers, since the first indication in many cases will be the fallen bodies, as symptoms may take days or even weeks to manifest themselves, and improve intelligence sharing between agencies at the Federal level, and ultimately, timely dissemination to officials at the State and local level.

It also includes leveraging advances in the bio-technology and the pharmaceutical industries—they're the ones who are lightyears ahead of the Government—and providing them with incentives to research, develop, and produce vaccines, antidotes, and antibiotics, which would ultimately be stockpiled, maybe on a rotating basis—we may not go overboard.

A central theme of the Nunn-Lugar-Dominici legislation was that detecting and preventing the use of weapons of mass destruction is not always possible. No matter how robust our intelligence capabilities, we simply will not provide early warnings of all events. Therefore, managing the consequences, mitigating damage, and minimizing loss of life should be a priority, and that's something we can do.

Nunn-Lugar-Dominici also appreciated the role of the first responders, and that it cannot only be addressed from the national level, from the top down, but from the bottom up. From the eyes of the first responders, these are the people who ultimately decide whether the battle is won or lost.

Again, we do have some true pockets of excellence at the Federal level, such as the Chemical-Biological Incident Response Force out

of the Marine Corps, Army's Tech Escort Unit, and NEST, which are extremely valuable when pre-positioned at fixed site events, as they were at the Atlanta Olympics or the G–7 session in Denver. Unfortunately, their value falls off precipitously in a no-notice terrorist attack. This is not surprising, given the lengthy lead time, as we heard earlier from the GAO, required to deploy to the site of the event.

An extremely compressed window of opportunity for administering first aid, identifying the agent, administering lifesaving antidotes during a chemical or biological event, this so-called "golden hour," or perhaps even minutes, Federal assets would obviously arrive after the last viable victim has been removed from the site.

In light of these shortcomings, it may turn out that the Nunn-Lugar-Domenici legislation truly did serve as a marker in the sand. I do think in many cases it's a historical milestone in our national security planning, and subsequently, a number of programs have been spawned. I'm sure that there are some issues—Justice not talking with DOD—but I'm not here to comment on that. You'll hear from them later on this morning.

I'd like to leave you quickly with two possible recommendations for your consideration. One, in terms of coordination, at least within the Department of Defense, deals with designating a Commander-in-Chief, a CINC USA responsible for homeland defense; and the second, a newly federally funded research and development center strictly looking at biological issues. Without getting into any detail in terms of the CINC USA, I think that it would create a more systematic and integrative approach, protecting the continental United States from threats, not only WMD terrorism, but also critical infrastructure protection, where the United States may not be able to deploy forces to a given site because a critical node is disabled, and also missile defense. I think the Rumsfeld Commission should have opened a lot of people's eyes on the true challenges on that front.

The CINC USA would be responsible, clearly, for all Department of Defense related strategies and activities related to homeland events and would serve as a focal point, a single focal point, and facilitate the coordination within the Department of Defense and the many Federal and local and State government agencies. It also designates a single budget, accountability, and access to forces, if we need them, and that is crucial where the Guard cannot access cross-service forces.

And rather than getting into any detail on the FFRDC, it's merely to put bio-defense into one place, to sustain R&D efforts, to accelerate sensor development, and to leverage again the private sector's advances in creating and producing and, ultimately, stockpiling antidotes, vaccines, and antibiotics.

I'd like to close with some words of caution. At this time next year the funds of the defense preparedness program, as you know, run out, as currently mandated. I think it's imperative that Congress recognize the importance of the program and more importantly, the spirit of the NLD legislation. The keys to success are continued leadership as a policy priority and sustained funding throughout the outyears to ensure all agencies—local, State, re-

gional, and Federal—are sufficiently equipped, trained, exercised, and prepared to respond effectively to a WMD terrorist event.

This requires long-term capital investment strategies, not merely 6 months out or because you get early warning or indications and warning of a potential crisis. It requires projecting into the future. We simply can't wait, afford to wait, for them to come over the hill.

Nothing less than a seamless integration—and that's something you are clearly honing-in on—of such efforts must be achieved. This requires in some cases reexamining how we as a Nation perceive national security and in making sure that all the proper parties have a seat at the policy planning table upfront, including my colleagues in the first responder community.

Given the Department of Defense's experience, expertise, capabilities, and resources, I would suggest that it's mandate be extended beyond fiscal year 1999, as initially required by the defense authorization bill, and that it remain the Executive agent.

Thank you for your time, and I welcome any questions you may have.

[The prepared statement of Mr. Cilluffo follows:]

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Weapons of Mass Destruction And U.S. Preparedness

Statement of
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Deputy Director, Global Organized Crime Project
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to the
Subcommittee on National Security, International Affairs, and Criminal Justice
U.S. House Committee on Government Reform and Oversight
2 October 1998

Mr. Chairman and Subcommittee Members, I appreciate the opportunity to discuss weapons of mass destruction (WMD) terrorism and U.S. preparedness. I am especially grateful given the role played by CSIS and the Global Organized Crime Project in helping formulate the issues eventually taken up in the Nunn-Lugar-Domenici (NLD) legislation.

I would like to first make a few comments regarding the current state of the threat, recent U.S. initiatives with respect to domestic preparedness, and the findings and recommendations of the General Accounting Office (GAO) report on threat and risk assessments. I would also like to offer some observations and recommendations aimed at enhancing our government-wide capabilities to plan for, respond to, and manage the consequences of WMD terrorism.

Regarding the threat, there has been a great deal of discussion on the "changing face" of terrorism and the impact of advanced technology on terrorists' ways of doing business.

Without elaborating on the specificities of weapons of mass destruction (nuclear, radiological, biological, and chemical), which are very different from one another and pose extraordinary challenges, they do share certain commonalities. Terrorism is multifaceted and differs from group to group and incident to incident. Yet the single common denominator is that it is a psychological weapon, intended to erode trust and undermine confidence in our government, its elected officials, institutions or policies. What makes a WMD terrorist incident unique is that it can be a transforming event. A terrorist attack involving weapons of mass destruction would have catastrophic effects on American society beyond the deaths it might cause. While the

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probability of a major WMD attack may be low in the near future, the consequences are too severe to ignore. Aside from the actual physical effects and human suffering resulting from a WMD event, the psychological impact would be enormous, shaking the nation's trust and confidence in its government to its core.

To fully appreciate the considerable challenges we are facing, it is important to put the current fears regarding the threat into perspective. For decades, terrorism experts have argued the likelihood of a major terrorist incident occurring on U.S. soil. They also argued over the possibility of terrorists using weapons of mass destruction. The debating ended abruptly with the February 26, 1993 World Trade Center bombing and the May 20, 1995[1] sarin gas attack of the Tokyo subway. Threat calibrations did a 180-degree turn, and our nation's planners have been running ever since to catch up with the change and back-fill shortfalls that had been allowed to grow during the debating years.

Recognition that acts (possibly involving weapons of mass destruction) can indeed occur in America has been a cornerstone of both the Congress' and the Clinton Administration's national security agendas in recent years.

This acknowledgment has triggered a number of initiatives including: the issuance of Presidential Decision Directive 39, updating our national policy in countering terrorism signed by President Clinton in 1995; the promulgation of Public Laws 104-201, the Defense Against Weapons of Mass Destruction Act and 104-132, the Anti-Terrorism Act in 1996; the "Gore Commission" on Airline and Airport Security; and the recent promulgation of Presidential Decision Directives 62 and 63 on weapons of mass destruction terrorism and critical infrastructure protection and cyberterrorism. WMD terrorism has also figured prominently in every major recent Department of Defense study (e.g. the Quadrennial Defense Review, the Defense Science Board Summer Study on Transnational Threats, and the National Defense Panel Report).

Regarding the GAO report, *Combating Terrorism: Threat and Risk Assessments Can Help Prioritize and Target Program Investments*, I fully endorse conducting threat and risk assessments and prioritizing countermeasures to mitigate vulnerabilities and manage risk. While I recognize the need for processes to best allocate finite resources, however, I do not believe that it is an effective mechanism for selecting which cities qualify to receive NLD-legislated training and equipment and when--based on the likelihood of an attack.

Firstly, this approach is subjective and contingent upon threat intelligence which is a "moving target." Secondly, the bombing of the Alfred P. Murrah Building in Oklahoma City and the

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[1] The Aum Shinrikyo first carried out a nerve gas attack in Matsumoto killing four and injuring over 100 in June, 1994 unbeknownst to western diplomatic and intelligence services at the time.

recent near simultaneous bombings of the U.S. embassies in East Africa are clear reminders that terrorists may strike when and where we least expect them to. By its very nature, terrorism inherently extends the battlefield to incorporate all of society and terrorists often take the path of least resistance. Furthermore, this approach merely displaces risk, and forces the terrorist, who is often flexible, to select a "softer" target, in this case a city which did not receive the needed training and equipment.

For these reasons, I think we must work toward achieving a nationwide baseline of common policies, plans and procedures and resources--irrespective of resource rich or resource poor environments. New York City, for example, has recognized the threat and has demonstrated the urgency and leadership needed to accomplish what must get done--even at a cost politically. They took matters into their own hands. The same cannot be said, however, of other major metropolitan cities. I was taken, by the way, with the remark made by the FBI in its comments on the report that "even the best prepared cities do not always have the inherent capability to manage the potential magnitude of a WMD incident."

In order to prioritize and allocate resources and assets, a better approach in my eyes, might be to: (1) require each of the 120 cities originally selected for the NLD program to develop their own emergency response plans, including initial assessments aimed at identifying capability gaps and resources shortfalls; (2) have the plans evaluated by the Department of Defense and other entities, e.g., the National Disaster Medical System (NDMS); (3) undertake training and exercising; (4) review lessons learned from the exercises; and (5) loan equipment commensurate with the needs identified from the exercise. One cannot overstate the enormous value of training and exercising. Such activities not only go a long way in fostering a culture of cooperation but also allow us to make the big mistakes on the practice-field as opposed to the battlefield or on "Main Street, USA."

This now leads me into my observations and recommendations regarding consequence management.

Our program here at CSIS has, I hope, been helpful in raising awareness and identifying strategic and tactical gaps and shortfalls. Over the past few years we have produced a number of reports, some of which you are familiar with, and an interagency WMD simulation. Our resulting laundry list for preparedness is quite long and expensive and continues to grow. It includes, among other things, accelerated training; gaming and exercising; development and fielding of technology to detect, identify, and contain chemical and biological agents; epidemiological enhancements (unfortunately, with respect to biologicals, the "silent killers," the first indication may be falling bodies--as symptoms may take days or even weeks to manifest themselves); and improved intelligence sharing between agencies at the federal level and timely dissemination to state and local officials. It also includes leveraging advances in the biotechnology and pharmaceutical industries and providing them with incentives to research, develop and produce vaccines, antidotes, and antibiotics that would ultimately be stockpiled.

A central theme of the NLD legislation was that detecting and preventing the use of weapons of mass destruction is not always possible. No matter how robust our intelligence gathering capabilities may be, it simply will not be able to provide early warning of all WMD terrorist attempts. NLD also appreciated the role of the first responders and that WMD terrorism and emergency preparedness cannot only be addressed at the national level, from the top down, but must also be viewed from the bottom-up. From the eyes of the local first responders, our first line of defense--these are the men and women who will ultimately decide whether the battle is either won or lost. There are some true pockets of excellence at the national level, such as the Marine Corps' Chemical and Biological Incident Response Force (CBIRF), the Army's Technical Escort Unit and the Department of Energy's Nuclear Emergency Search Team (NEST), which are extremely valuable when pre-positioned at fixed-site events--as they were during the Atlanta Olympics. Unfortunately, their value falls off precipitously in a no-notice terrorist attack. That this is so is not surprising given the lengthy lead-time required to deploy to the site of the event. In an extremely compressed window of opportunity for administering first aid, identifying the agent, administering life-saving antidotes after a chemical or biological event--the so-called golden hour or minutes, federal assets would likely arrive after the last viable victim had been removed from the scene.

In light of these shortcomings, and it may turn out that the passage of the Nunn-Lugar-Dominici legislation served as a marker in the sand. In retrospect, one can look back and see that the legislation represents a truly historical milestone in national security. Not surprisingly , the legislation has subsequently spawned a number of valuable initiatives and programs, including the Defense Preparedness Program; The NDMS Metropolitan Medical Strike Teams; the Department of Justice State and Local Domestic Preparedness Equipment Support Program; the National Guard and Reserve Rapid Assessment and Initial Detection Teams.

I would like to leave with you two recommendations for your consideration. The first deals with designating a Commander-in-Chief for "homeland defense" (CINCUSA) and the second with a new federally funded research and development center.

In order to institute a more systematic and integrative approach to protecting the Continental United States from threats such as WMD terrorism, critical infrastructure protection and missile defense, it may be worthwhile to create a new Commander-in-Chief (CINC) USA. The CINCUSA would be responsible for all Department of Defense related strategies and activities related to homeland defense issues and would serve as a focal point and facilitate coordination within the department of defense and between the many federal, state and local law enforcement, intelligence and medical communities with related responsibilities. It also designates a single budget, accountability and access to forces (across services).

Of all WMD terrorist threats, the U.S. is arguably least prepared for and most vulnerable to terrorism involving biological weapons. In order to leverage advances in the commercial biotechnology, pharmaceutical, and medical communities it may be worth considering establishing a federally funded research and development center (FFRDC) wholly dedicated to

Center for Strategic & International Studies
Washington, DC

February 1, 1999

The Honorable
J. Dennis Hastert
The Speaker of the House of Representatives

Dear Mr. Speaker:

Pursuant to your request, I am attaching my short responses to your follow-up questions resulting from the October 2, 1998 hearing on the Domestic Preparedness Program. If I can be of further assistance, please don't hesitate to call anytime.

With best regards,

Frank J. Cilluffo
Director
Terrorism Task Force

(1) What do you think of the Administration's plan to develop national vaccine stockpiles?

As I referenced in my prepared testimony, I firmly support initiatives aimed at assuring a national capability to acquire vaccines, antidotes, and antibiotics in order to administer aid in the event of terrorism involving weapons of mass destruction – to turn victims into patients. Given the short shelf-life and the fact that some vaccines may degenerate quickly, the solution is more complicated than merely stockpiling. It also requires abilities to surge and provide timely distribution of vaccines if and when needed. While I do support the underlying concept proposed by the Administration, I do not feel I am in a position to accurately assess the Administration's plan to develop national vaccine stockpiles. You may, however, want to consider the following over-arching issues:

1. Success is contingent upon leveraging advances in the biotechnology, pharmaceutical and medical communities. This requires fostering true partnerships between the public and private sector and abandoning the mindset that "government leads and the private sector follows." It also demands that the Federal Government provide incentives to research, develop, and produce such vaccines, antidotes and

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sustaining R&D efforts aimed at preventing and protecting the U.S. against biological threats. Such R&D programs could include accelerated sensor development (to provide detection and identification of biological agents), and producing antidotes and vaccines.

I would like to close with some words of caution. At this time next year, the funds for the Defense Preparedness Program run out. I think it is imperative that Congress recognize the importance of this program and the spirit of the Nunn-Lugar-Domenici legislation. The keys to success are continued leadership as a policy priority and sustained funding through the outyears to ensure that all agencies local, state, regional and federal, are sufficiently equipped, trained, exercised, and prepared to respond effectively to a WMD terrorist event. This requires long-term capital investment strategies, which project into the future. We simply cannot afford to wait "until they are coming over the hill," to embark on an upgrade program. Nothing less than a seamless integration of such efforts must be achieved. This requires re-examining how we as a nation perceive national security and in making sure that all of the proper parties have a seat at the policy planning table.

Given the Department of Defense's experience, expertise, capabilities and resources, I would suggest that its mandate be extended beyond FY 1999, as initially required by the Defense Authorization Bill and that it remain the Executive Agent.

Thank you for your time. I welcome any questions you may have.

antibiotics, as there is no true market for them (and hopefully never will be) and the return on investment is limited. This must incorporate producing vaccines for known toxins and agents, as well as devoting research toward unknown or "designer" toxins or agents including strains for which there currently are no vaccines.

2. Any stockpiling initiative must be part of a larger systems prevention and response process including research; detection (indications and warning); epidemiological surveillance and symptom recognition; and administering aid. An integral part of this process requires sustaining long-term R&D efforts such as accelerated strategic and tactical sensor development to provide early warning (for example, on the tactical side, the first responder community needs access to cheap, hand-held devices, with low false alarm rates to identify potential agents or toxins[1]) and training EMT's and primary care physicians in symptom recognition which would ultimately be disseminated between hospitals at the local, state, and federal levels.

(2) Are there any departments, agencies or bureaus that you believe should not have any terrorism-related missions?

Among the contemporary challenges for U.S. antiterrorism and counterterrorism efforts is that terrorism inherently extends the battlefield to incorporate all of society and that the terrorist often takes the path of least resistance striking when and where you least expect them to. The "changing face in terrorism" and the increasing terrorist use of advanced technologies (to obtain information, plan attacks, protect their information, and conduct attacks) necessitates the involvement of agencies which traditionally have not had a role in antiterrorism and counterterrorism to feed into the overall process and to sit at the national policy-planning table. For example, with respect to weapons of mass destruction terrorism or information assurance and critical infrastructure protection certain agencies possess unique skills, capabilities, assets and experience (which support their core missions) that could take generations to re-engineer. Furthermore, while U.S. persons and property have always served as a "lightening rod" for terrorist activity abroad, there is increasing recognition that the terrorist threat within the continental United States is very real – whether committed by foreign or domestic perpetrators. This too prescribes additional agencies, especially state and local, also play a major role in preventing, deterring, managing the consequences of, and responding to terrorist attacks. (Along these lines I would like to submit for the record an op-ed I co-authored with a Washington D.C. Battalion Chief on the role of the first responders.)

The greatest challenge from my perspective is not only determining which departments or agencies should or should not have a terrorism-related mission, but also assuring effective coordination between the many federal, state and local departments and agencies. There is no question in my mind that coordination can be improved. While I think its premature to gauge the effectiveness at this stage, perhaps the recently created

[1] The Department of Energy's "Felix" is an example of one such exciting new development.

national coordinator for security, infrastructure protection, and counterterrorism (promulgated by Presidential Decision Directive 62), will help.

As I suggested in my prepared testimony, one option – which is currently being discussed -- to better protect the continental United States from WMD terrorism, critical infrastructure protection, and missile defense would be to designate a Commander-in-Chief for "homeland defense." Clearly the CINC/America would only be responsible for Department of Defense-related issues in support of civilian authorities and would not overturn current "lead federal agency" status. Nonetheless, it would streamline Department of Defense "terrorism-related" missions.

THE WASHINGTON POST FRIDAY, JUNE 26, 1998 A27

Frank J. Cilluffo and Thomas I. Herlihy

First Responders to a Sneak Attack

Terrorism is, of course, a world and national problem, one to which the federal government has devoted a great deal of attention. But it is also a very local thing. Consider:

A chemical warfare agent released in downtown Washington would likely result in immediate casualties, with a large and growing number of contaminated victims. There would be a real concern to limit further chemical exposure and minimize secondary cross-contamination. The window of opportunity would be measured in minutes, not hours. Emergency rescue personnel would be needed immediately to administer first aid, identify the chemical agent, decontaminate victims for safe transport to area hospitals, administer lifesaving antidotes, deal with the dead, isolate the contaminated area and evacuate downwind areas.

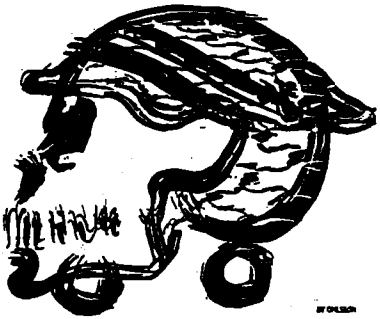
This initial emergency response would not, however, involve federal or military forces. It would consist of "first responders": local fire, police and emergency medical personnel. The fire department, which has limited ability to operate in chemically contaminated areas, would be challenged to undertake the rescue of victims while attempting to identify the chemical substance used so that appropriate medical care could be undertaken. The huge task of decontaminating masses of victims also would have to be undertaken by the fire department, with emergency medical personnel providing triage, treatment and transportation after victims had been decontaminated.

The police would have a key role in establishing a controlled perimeter around the affected area while conducting searches for secondary and tertiary terrorist devices. They would be called on to coordinate street closings and help transport victims while also attempting to preserve the crime scene and gather evidence.

The staff at hospital emergency rooms would have to prepare for an onslaught of patients while at the same time acting to prevent contamination and forced shutdown of their own facilities because of contaminated victims coming in on their own to seek help. Assistance from surrounding jurisdictions would be requested and would involve hazardous-material and support teams being called on to assist in the mass decontamination of victims and secondary identification of chemical agents. More ambulance units would be used to treat and transport the potentially large number of victims.

The first wave of outside support would be the regional Metropolitan Medical Strike Team, which would provide mass decontamination equipment, pharmaceuticals, specialized detection equipment and trained and equipped medical, hazardous-material and support personnel. It is important to note that while this regional response team was outfitted using federal funds, it is largely composed of off-duty local fire, police and emergency medical personnel.

The second wave would involve highly trained and equipped federal and specialized military forces such as the Marine Corps' Chemical Biological Incident Response Force and the Army's Technical Escort Unit. But these units, which are extremely valuable when they are prepositioned, as they were during the last presidential inauguration and the State of the Union address, would be of limited value in a no-notice terrorist attack. The North Carolina-based Chemical Biological Incident Response Force would in all probability arrive after the last viable victim had been removed from the scene.



Moreover, terrorism by its nature extends the battlefield to incorporate all of society. And as the bombing of the Alfred P. Murrah building in Oklahoma City revealed, terrorists often take the path of least resistance and strike when and where least expected.

The task of mitigating a chemical warfare agent terrorist attack in the District of Columbia would be an overwhelming and extensive operation. Federal and military assets, all of which have an important role in these types of events, would prove to be indispensable, and their value cannot be overestimated. But it would be extremely difficult to marshal and deploy these assets rapidly in the critical rescue phase of an unannounced chemical attack, given the severely compressed time constraints.

Basically, even in the nation's capital, the battle will be either won or lost by the first responders. And yet, in a biological incident, their roles are not now clear-cut.

One key program that appreciates the role of the first responders is the Department of Defense's Domestic Preparedness Program. Originally prescribed in the Defense Against Weapons of Mass Destruction Act—spearheaded by Sens. Sam Nunn, Richard Lugar and Pete Domenici—the program's aim is to train and educate the first responders in 120 selected cities across the country about chemical and biological response concerns. Similar efforts are progressing on the House side under the leadership of Rep. Curt Weldon. The Washington area first responders received this needed training in January.

This federal recognition should be supported by funding so that specialized equipment and protective gear can be purchased and expanded training opportunities undertaken. Those involved in local response also need greater access to intelligence data and warnings that affect their communities as well as to new and better equipment—as it is developed—for monitoring and detecting chemical and biological substances. The barriers to acquiring and using military-type pharmaceutical antidotes for chemical warfare agent exposure must be removed.

Nothing less than a seamless integration among all entities at the federal, state and local levels responsible for antiterrorism efforts needs to be achieved. This requires reexamining how we as a nation perceive national security and making sure that all of the proper parties have a seat at the policy planning table.

Frank J. Cilluffo is a senior analyst at the Center for Strategic and International Studies. Thomas I. Herlihy is a battalion chief with the D.C. Fire Department and serves as a hazardous-materials chief.

Mr. SOUDER. Thank you very much.

Mr. Nesbitt.

Mr. NESBITT. Good morning, Mr. Chairman. I'm here today, representing the views of 225,000 firefighters and EMS personnel across the United States, to discuss the Nation's preparedness to acts of terrorism. The IAFF brings two distinct but related perspectives to the issue. First, we represent the Nation's first line of defense against all terrorist incidents—chemical, biological, or nuclear attack. We are acutely aware that the lives of countless Americans depend upon our preparedness for such a catastrophe. We are concerned that this ground level perspective is often missing when the Federal Government designs terrorism emergency response programs.

The IAFF is the Nation's premier trainer of firefighters in hazardous materials emergency response. Since 1987, the IAFF has operated a federally funded hazmat training program that has trained over 20,000 emergency responders. The curriculum and presentations we have developed have become a standard for this Nation as a well as several countries around the world.

I've included in my testimony, Mr. Chairman, an evaluation that appeared in the American Journal of Industrial Medicine regarding our program and, with your permission, I'd like to have a copy of that inserted in the hearing record.

Mr. SOUDER. So ordered.

Mr. NESBITT. Thank you. I wish to introduce two of my colleagues who are involved with our training program. I've asked them to join me this morning, so that we may fully respond to any technical questions you may have regarding the training of response personnel.

Eric Lamar is a veteran trainer of our hazmat training program. He is a Fairfax County firefighter and a hazardous materials technician. He's attended numerous hazmat training programs, including a number of the programs created under the National Defense Preparedness Plan.

Also joining me is Scott Solomon with our Hazardous Materials Training Department. He's been instrumental in developing the curriculum and delivering the program that we've used to train firefighters.

The initial response was to pour resources for preventive measures. While it would, of course, be preferable to prevent all acts of terrorism, it would be foolhardy to assume that we could ever achieve this goal. Additional resources are needed and the allocation of those resources must be refocused to have the greatest impact on domestic preparedness.

I'd like to divide my remarks into two general areas. First, I wish to offer the firefighter's perspective on the most effective way to provide terrorism emergency response training. And then, I would like to share some specific concerns we have regarding the training carried out under the Defense Department Domestic Preparedness Program.

With regard to the effective delivery of training, the first and most salient point that needs to be stressed regarding training of emergency response to a terrorist act is that there needs to be more of it—much more. Despite the array of programs that have been

developed in recent years, we have only just begun the process of assuring that our Nation's emergency response personnel are adequately trained.

Second, the one-shot approach of the current Federal programs misunderstands the nature of emergency response work. Fire departments have a high level of turnover, and we must continue to train new people each and every year. An approach where you go in and do one training and say, "This fire department is trained" will not work. There needs to be periodic refresher courses for those firefighters who have already been trained as a staple of any terrorism response training program.

Third, too often, terrorism training for firefighters is limited to awareness-level training. This is completely inadequate for firefighters who need to be able to both recognize a terrorist incident and begin the initial defensive response to that incident.

Fourth, Federal programs are often designed to filter down through various governmental bodies in layers of bureaucracy. The IAFF recommends that funding for terrorism emergency response training be provided directly to fire departments, or to organizations that provide direct training to firefighters.

Fifth, our experience in the field of hazardous material has shown that the most effective training takes place in the locality where the firefighters work, using their own equipment, the geography, and the structure as part of that training exercise. Training must be hands-on and must utilize situational exercises. No lecture, slide show, or book can ever be as effective a training exercise simulating a response in one community. It is generally more cost-efficient to send trainers into a community than it is to send firefighters to some remote training facility.

Sixth, firefighters have a unique culture and language. The success of the IAFF training program is due to the fact that we have a cadre of highly qualified firefighter trainers who travel the Nation training their colleagues with a program that is specifically tailored for firefighters. Real-world emergency response does not take place in a vacuum, so it makes little sense to train firefighters as if they are isolated from their environment. The IAFF believes the most efficient way to ensure coordination and interoperability is to conduct joint training exercises as a part of any counterterrorism preparedness. Specialized equipment is a staple of terrorism emergency response work, and firefighters must be adequately trained in the use of such equipment.

The final general comment I wish to make about the Federal Government's counterterrorism training program concerns the array of Federal agencies that have undertaken some sort of counterterrorism activity in the last couple of years.

We recommend that the Congress or the administration identify a single national agency to serve as a clearinghouse and coordinator of the various programs. We believe that FEMA would be the most appropriate agency to assume this role. The agency could serve as a central contact point for all fire departments involved in terrorism emergency response training, thereby eliminating wasteful duplication and confusion among various agencies.

At this point, I'd like to turn my attention to the Department of Defense Terrorism Training Program, which we understand to be

a particular concern of the committee. It has two main parts—a train-the-trainer program that is targeted toward 120 jurisdictions across the United States; and a second aspect is an equipment distribution program which makes $300,000 available to each selected community to purchase specialized emergency response equipment for training. The program's eventual goal of establishing 120 adequately trained and equipped jurisdictions is a long-term objective spread over several years.

On the whole, we find the program to be surprisingly ineffective. The program does not provide appropriate training for first responders. The curriculum focuses largely on the problems of a terrorist incident without providing solutions or operations for our members. One typical reaction came from a member who said that he would rate the program as a 7 on a scale out of 10, if its intent is to encourage firefighters to understand the importance of terrorism emergency response training, but only as 1 out of 10 if the intent is to actually train firefighters in the methods of responding to a terrorist attack.

The program does not actually pay for the training of firefighters. The program trains trainers and makes money available for training equipment. The DOD program does not allow for feedback or input from the student trainers, which is a criticism that we've heard from many of our members across the United States who have been involved in the training.

The DOD program offers awareness level and operations level of training as two separate courses. As we have noted, every firefighter needs to be trained at the operations level, which includes, of course, awareness training. When an emergency occurs and someone calls 911, we're there in 4 minutes and we cannot stand there and wait for someone else to arrive. We must begin operations to respond to this particular incident.

Operational-level courses presented by DOD consist entirely of 4 hours of classroom lecture. This is inadequate in both content and time. It needs to be more than 4 hours devoted to how a firefighter responds to a terrorist attack involving a weapon of mass destruction. The DOD program assumes that all firefighters have received hazmat training, and it builds on an expected level of knowledge. Unfortunately, most firefighters in this Nation have not received operations-level hazmat training.

Finally, the DOD program does not provide for refresher courses. Terrorism incidents are, thankfully, still extremely uncommon in this Nation. As a result, there is rarely an opportunity for those who have gone through the DOD training to brush up on their skills.

Mr. Chairman, nothing is more frightening than the thought of a deliberate act of terrorism which threatens hundreds, or even thousands, of innocent lives. Clearly, terrorism is an issue of national concern. The lives of the people in the community where the terrorist strikes depend not on broad national goals, but on the capabilities of their local emergency responders. We ask you to keep this simple thought in mind as you review our Nation's preparedness to deal with the ugly specter of terrorism.

The International Association of Firefighters stands ready to work with you, Mr. Chairman, and the other members of the sub-

committee to achieve the goal of creating a national emergency response capability that is second to none.

I thank you for your attention to our views and will be happy to answer any questions that you may have.

[The prepared statement of Mr. Nesbitt follows:]

INTRODUCTION

Mr. Chairman. My name is Frederick Nesbitt, and I am the Director of Governmental Affairs for the International Association of Fire Fighters. I greatly appreciate this opportunity to appear before you today on behalf of IAFF General President Alfred K. Whitehead and the other 225,000 members of the organization to share our views on the nation's preparedness to acts of terrorism.

The IAFF brings two distinct but related perspectives to this issue. First and foremost, we represent the nation's first line of defense against all terrorist incidents. Whether it is a chemical, biological or nuclear attack, the members of the IAFF will be first on the scene. We are acutely aware that the lives of countless Americans depend on our preparedness for such a catastrophe. We are concerned that this ground-level perspective is often missing when the federal government designs terrorism emergency response programs.

The second perspective we bring is that of the nation's premier trainer of fire fighters in hazardous materials emergency response. Since 1987, the IAFF has operated a federally funded hazmat training program that has trained over 20,000 emergency responders. The curriculum and presentations we developed have become the standard for this nation, as well as several countries around the world. A recent independent survey published in the prestigious American Journal of Industrial Medicine found that the IAFF training program was highly successful in improving hazmat

emergency response efforts. With your permission, Mr. Chairman, I would ask that a copy of this article be included in the hearing record.

At this time, I wish to introduce two of my colleagues who are involved with our training program. I have asked them to join me this morning so that we may fully respond to any technical questions you may have regarding the training of emergency response personnel.

Eric Lamar is a veteran trainer in our hazmat trainer program. Eric is a Fairfax County fire fighter, and a hazardous materials technician. He has attended numerous hazmat training programs, including the programs that have been created under the National Defense Preparedness Plan. Also joining me is Scott Solomon of the IAFF's hazardous materials training department. Scott has been instrumental in developing the curriculum and delivery systems the IAFF uses to train fire fighters.

Mr. Chairman, I would be remiss if I did not preface my remarks by first expressing my gratitude to you and your colleagues for the heightened congressional interest in terrorism related training programs for first responders. When the threat of domestic terrorism first seared the public consciousness following the cowardly acts at the World Trade Center and the Murrah Federal Building, the initial response was to pour resources into preventative measures. While it would of course be preferable to prevent all acts of terrorism, it would be foolhardy to assume we can achieve this goal.

We therefore have been extremely pleased that in the last few years Congress and the Administration have increasingly turned their attention to emergency response issues. While this attention is an important step in the right direction, much remains to be done. Additional resources are needed, and the allocation of those resources must be refocused to have the greatest impact on domestic preparedness.

I would like to divide my remarks into two general areas. First, I wish to offer the fire fighters' perspective on the most effective way to provide terrorism emergency response training. I would hope that these comments will help guide this committee as it reviews existing terrorism programs. Second, I wish to share some specific concerns we have regarding the training carried out under the Defense Department Domestic Preparedness Program, an area which I understand to be of particular interest to this committee.

TRAINING FOR TERRORISM EMERGENCY RESPONSE

Additional Resources are Needed--The first and most salient point that needs to be stressed regarding training for emergency response to a terrorist act is that there needs to be more of it. Much more. Despite the array of programs that have been developed in recent years, we have only just begun the process of assuring that our nation's emergency response personnel are adequately trained.

The IAFF supports the approach taken by the Departments of Justice and Defense targeting the nation's 120 largest jurisdictions, but current

resources are inadequate to meet even this reasonable goal. If we want emergency response personnel in these jurisdictions to be able to begin the initial response to a terrorist incident, additional resources will have to be allocated.

Terrorism Training Must be an On-Going Activity--The one-shot approach of current federal programs misunderstands the nature of emergency response work. The high rates of injury and early retirement ages in the fire service means that there is a high degree of turnover, and a steady crop of fresh faces that must be trained each year.

Moreover, changes in terrorist and emergency response technologies require constant upgrading of a fire fighter's knowledge. Periodic refresher courses for those fire fighters who have received training should be a staple of any terrorism response training program.

Terrorism Training Must at the Operations Level--Too often terrorism training for fire fighters is limited to awareness level training. This is completely inadequate for fire fighters who need to be able to both recognize a terrorist incident *and* begin the initial defensive response to the incident. Fire fighters cannot wait until some specialized counterterrorism team reaches the scene when lives are at stake. With or without adequate training, the fire department will begin the initial response in an effort to save every life possible. Performing such work without operations level training, however, jeopardizes both the fire fighters and the public they seek to protect.

Training Funds Need to Be Spent on Training, Not Bureaucracy-- Federal programs are often designed to filter down through various governmental bodies and layers of bureaucracy. While there may be justification for this approach in some areas, it does not work for emergency responder training. By the time administrative costs have been removed at various levels, there is little left over for the actual training of fire fighters. In light of the scarce resources devoted to counterterrorism programs, every dollar allocated to emergency responder training must be spent on that training. The IAFF recommends that funding for terrorism emergency response training be provided directly to fire departments or to organizations that provide direct training of fire fighters.

We are aware of the concern that sending money directly to fire departments could make the program less accountable. Without the various layers of bureaucracy involved it is more difficult to track exactly where every dollar gets spent. We believe that the accountability of the program can be adequately addressed by requiring fire departments receiving the funds to provide training based on federally approved curricula and teaching models. Once such a requirement is in place, you can rely on the men and women of the IAFF to assure that it is heeded. We have never been shy about letting the federal government know when localities are failing to meet congressional standards, and we are especially committed to ensuring the adequacy of counterterrorism training.

Another way to address the accountability issue is to provide the funds to organizations or agencies with a proven record of training emergency responders, and have these entities provide direct training to fire fighters.

Monitoring the work of a few such organizations or agencies would be a relatively simple process.

Training Must be Locally Based--Our experience in the field of hazardous materials training has shown that the most effective training takes place in the locality where the fire fighters work, using their own equipment, geography and structures as part of the training exercise. Every jurisdiction has its own peculiarities. If fire fighters are trained in their own unique environment, they are more likely to make the correct split-second decision that could mean the difference between limited structural damage and mass casualties.

Similarly, training must be hands-on, and utilize situational exercises. No lecture, no slide show, no book can ever be as effective a training exercise as simulating a response in one's own community.

Strictly from a pragmatic point of view, it is generally more cost efficient to send trainers into a community than it is to send fire fighters to some remote training facility. Local communities already complain about the cost of training their emergency responders. When transportation and lodging costs are added to limited training budgets, too many jurisdictions simply opt to forego participating in these training programs altogether.

Fire Fighters Make the Best Trainers of Fire Fighters--Like all occupations, fire fighters have a unique culture and language. Our shared experiences form a common knowledge bank that those who have never donned the Maltese Cross cannot fully understand. Much of the success of

the IAFF's training program is due to our cadre of highly qualified fire fighter trainers, who travel the nation training their colleagues. No one knows how to train fire fighters, like fire fighters.

Joint Exercises Are Needed With Other Emergency Agencies--Real world emergency response does not take place in a vacuum, so it makes little sense to train fire fighters as if they are isolated from their environment. Too often training programs fail to account for the other personnel who will play a role in the event of an actual terrorist incident. Most significant among these other groups is law enforcement who often arrive on a scene simultaneously with fire fighters. The ability of fire fighters and police to interact efficiently is crucial. The IAFF believes the most efficient way to ensure coordination and interoperability is to conduct joint training exercises as part of counterterrorism preparedness.

Equipment is an Integral Part of Training Exercises--Specialized equipment is a staple of counterterrorism emergency response work, and fire fighters must be adequately trained in the use of such equipment. Counterterrorism training programs should go hand-in-hand with programs to help local jurisdictions obtain appropriate emergency response equipment. In this regard, we are pleased to note that the FY '99 Commerce, State, Justice Appropriation bill proposes to increase federal spending on fire fighter equipment in its counterterrorism account. We urge the members of this Committee to support that effort, and build on it in future years.

Identify a Single National Agency for Terrorism Training--The final general comment I wish to make about the federal government's counterterrorism training programs concerns the array of federal agencies that have undertaken some sort of counterterrorism activities in recent years. Although it is reasonable and even beneficial for a variety of agencies to be involved in terrorism emergency response preparedness, we believe there is a need for more coordination between these agencies to assure the most efficient use of limited resources. We therefore recommend that Congress or the Administration identify a single national agency to serve as a clearinghouse and coordinator of the various programs. We believe that FEMA would be the most appropriate agency to assume this role. The agency could serve as a central contact point for all fire departments involved in terrorism emergency response training, thereby eliminating wasteful duplication and confusion among various agencies.

DEPARTMENT OF DEFENSE DOMESTIC PREPAREDNESS PROGRAM

At this point, Mr. Chairman, I would like to turn my attention to the Department of Defense terrorism training program, which we understand to be of particular concern to this committee.

The DoD program consists of two main parts. First is a train the trainer program designed to provide terrorism emergency response capability to emergency responders in 120 jurisdictions. DoD experts in counterterrorism travel to the selected jurisdictions where they perform training for a limited number of fire fighters and other members of the

emergency response community who are selected by the locality. These local trainers then go out and train the rest of the employees with emergency response responsibilities.

The second aspect is an equipment distribution program which makes $300,000 available to each selected community to purchase specialized emergency response equipment. This equipment is an integral part of the training program.

The program's eventual goal of establishing 120 adequately trained and equipped jurisdictions is a long term objective, spread over several years. In FY '98 for example, 26 cities were selected for the training program (although the IAFF is concerned by reports that even this modest goal proved too much for the allocated resources. One source told us that the program reached only 17 jurisdictions this year).

While there are some admirable aspects of this program, such as its use of fire fighters to perform training and its equipment distribution program, on the whole the program has been surprisingly ineffective.

The first, and most significant, problem is that the program does not provide appropriate training for first responders. Our members who have gone through the course complain that its curriculum focuses largely on the problems of a terrorist incident, without providing solutions. One typical reaction came from a member who said that he would rate the program as a "7 out of 10" if its intent is to encourage fire fighters to understand the importance of terrorism emergency response training, but

only a "1 out of 10" if the intent is to actually train fire fighters in the methods of responding to a terrorist attack.

Second, the program does not actually pay for the training of fire fighters. The program trains trainers and makes money available for training equipment, but does not fund any of the actual training of line-level fire fighters.

Third, the DoD program does not allow for feedback or input from the student-trainers. The fire fighters who are being trained as trainers often have suggestions to improve the course and make it more applicable to the real world, but there is no process for them to recommend such enhancements.

Fourth, the DoD program offers awareness level and operations level training as separate courses. Since local trainers are not required to take both courses, some fire fighters may be receiving only awareness level training. As noted above, every fire fighter needs to be trained at the operations level--which should include awareness training. Awareness training alone is simply inadequate.

Fifth, the operations level course presented by DoD consists entirely of four hours of classroom lecture. This is inadequate in both content and time. Situational and hands-on exercises should be a routine part of all terrorism training, and more than four hours needs be devoted to this complex topic. For example, the nationally validated standard for operations level hazmat training requires a minimum of 32 hours of course work and exercises.

Sixth, the DoD program assumes that all fire fighters have received hazmat training, and it builds on an expected level of knowledge. Unfortunately, most of fire fighters in the nation have not received operations level hazmat training, and the DoD program fails to account for the diverse skill levels of fire fighters.

Seventh, the experts hired by DoD to train the trainers are quite knowledgeable about weapons of mass destruction, but they often lack skills in the art of emergency response training, especially the training of fire fighters. The fire fighters who are now certified as trainers too often emerge from their classes filled with information, but unsure about the best way to convey that information to their fellow fire fighters. This is due, in part, to the failure of DoD to consult with fire fighters in the development of the course.

Finally, the DoD program does not provide for refresher courses. Terrorism incidents are thankfully still extremely uncommon in this nation, and as a result, there is rarely an opportunity for those who have gone through the DoD training to brush up on their skills. Occasional refresher courses could serve this function, as well as provide information about the latest technological developments in the field of terrorism emergency response.

CONCLUSION

Mr. Chairman, nothing is more frightening than the thought of a deliberate act of terrorism which threatens hundreds or even thousands of innocent

lives. Clearly, terrorism is an issue of national concern. But every individual act of terrorism will always be first and foremost a local incident. The lives of the people in the community where the terrorist strikes depend not on broad national goals, but on the capabilities of their local emergency responders. We ask you to keep this simple thought in mind as you review our nation's preparedness to deal with the ugly specter of terrorism.

The men and women of the International Association of Fire Fighters stand ready to work with you, Mr. Chairman, and other policy makers at all levels to achieve the goal of creating a national emergency response capability that is second to none. I thank you for your attention to our views, and we would be happy to answer any questions you may have.

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS®

ALFRED K. WHITEHEAD
General President

VINCENT J. BOLLON
General Secretary-Treasurer

FEDERAL FUNDING DISCLOSURE STATEMENT

The International Association of Fire Fighters is proud of our hazardous materials emergency response training program, and we are pleased that the federal government is a partner in this effort.

During the past two years, the following federal agencies have provided support to our hazardous materials training program:

1998-1999

National Institute for Occupational Safety and Health (NIOSH):	$1,806,000
Environmental Protection Agency (EPA):	$550,000
Department of Energy:	$400,000
Department of Transportation:	$250,000

1997-1998

National Institute for Occupational Safety and Health (NIOSH):	$1,806,000
Environmental Protection Agency (EPA):	$550,000
Department of Energy:	$300,000

Details regarding all of these grants can be obtained from the International Association of Fire Fighters.

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A Multidimensional Evaluation of Fire Fighter Training for Hazardous Materials Response: First Results from the IAFF Program

Alexander Cohen, PhD*

The International Association of Fire Fighters (IAFF) course on hazardous materials training for first responders is described together with an evaluation plan that includes multiple levels of assessment. Trainee appraisals of the course, shifts in their ratings of task competencies, gains in knowledge quiz scores, and self-reports on actions reflecting lessons learned from the course are among the measures used. Evaluations of courses given in several city fire departments found more than 60% of trainee judgments of course quality and utility to be highly favorable, along with significant post-course improvements in their competency ratings and quiz scores. Follow-up interviews with samples of trainees also suggested more self-protective behaviors and preventive actions being taken with regard to alarms and risks of hazardous materials exposures. However, cross-comparing the results for the various evaluation measures gave only limited support to a popular evaluation model that hypothesized that they would be interdependent. Limitations in appreciating technical course subjects, the value of add-on or refresher instruction, and variable risk experiences are noted in explaining differences in some training results. Am. J. Ind. Med. 34:331-341, 1998. © *1998 Wiley-Liss, Inc.*

KEY WORDS: occupational safety training; fire fighters; hazardous materials exposures

INTRODUCTION

As first responders to common alarms, fire fighters face an increased risk of being exposed to hazardous materials that may be generated directly by a fire, stored at the fire site, or spilled as a result of accidents during transit. This risk continues to grow with the proliferation of chemical substances and other harmful agents found in our workplaces, communities and homes. Traditional fire fighting practices which stress aggressive actions in responding to fires and rescues may be inappropriate in the presence of these kinds of harmful agents. Indeed, fire fighter units that are first on the scene may find themselves ill-equipped and without knowledge of the special techniques needed to deal effectively with incidents involving hazardous materials. As a consequence, their own safety as well as that of others may be jeopardized. Events that underscore these concerns have been reported. Table I summarizes some of the more dramatic incidents. But countless others exist that lack such notoriety. For example, dumpster fires, residential fires, especially in areas where household chemicals may be stored, similarly present risks for exposures to harmful substances. In light of these concerns, training in responding to hazardous materials incidents has become a priority for fire fighters as well as other emergency responders.

This article describes an evaluation of a training course intended to educate fire fighters about procedures to safeguard their health and safety when emergency calls involve potential exposures to hazardous materials. Its purposes are threefold: first, to describe the course and an evaluation plan designed to yield multiple measures of the course's effect on trainees; second, to summarize data collected on the various measures from courses already given to several city fire departments; and third, related to the second purpose, to compare the evaluation data with expectations based on a popular model of training evaluation criteria and outcomes.

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TABLE I. Select Incidents Where Fire Fighters Were Killed or Injured from Exposures to Hazardous Materials

Fire fighters in Kingman, Arizona, responded to a fire on a 30,000-gallon tank care that was unloading liquid petroleum gas at a storage facility. Though there was no threat to life in the immediate vicinity of the burning tank car, the fire fighters on the scene took up hose positions to apply water on the burning tank car. The volume of water, in impinging on the vapor space of the burning tank car, caused a liquid expanding vapor explosion resulting in the death of 12 fire fighters.

Fire fighters in Auburn, Indiana, were summoned to a metal plating facility where several plant workers had been overcome by hydrogen cyanide fumes while cleaning a metal plating tank without any respiratory protection. The fire fighters, wearing structural fire clothing and self-contained breathing apparatus, removed the victims. The hydrogen cyanide vapor produced in the tank permeated the exposed skin of the fire fighters and contaminated their protective clothing and thus placed them at added risk to this chemical hazard.

Fire fighters from Frederick County, Virginia responded to a road accident involving an overturned tractor trailer. A white granular powder was spilling from the damaged containers in the area around the trailer. Fire department members wore structural fire fighting clothing, three-quarter length boots and demand-type breathing apparatus. Without knowing about the trailer contents, the fighters removed the damaged drums and righted those that were intact. In doing so, they began to complain of a burning sensation around their wrists and ankles. Upon removing their gloves and boots, several fire fighters were found to have first and second degree burns caused by exposure to sodium hydroxide.

Los Angeles, California fire fighters were called to a fire at a warehouse owned by a research corporation. Numerous flammable, corrosive and reactive compounds were stored in the building and drums of chemicals exploded during the blaze. A cloud of toxic smoke developed and spread downwind more than one-third of a mile. Fire fighters as well as police summoned to the scene were subject to both inhalation and direct skin exposure hazards from chemicals present in runoff waters. Three police and six fire fighters were hospitalized for apparent ill effects (irritability, headaches, nose bleeds, nausea and memory loss) from smoke inhalation and toxic chemical exposures related to the incident. Some health problems persisted for more than one year after the fire.

Fire fighters in Genesee Falls, New York, responded to a fire in a barn containing a number of farm chemicals. Forty-one people, mostly fire fighters, were sent to the hospital after breathing contaminated smoke and fumes. Fifty-nine students at a local school were also exposed, and suffered headaches and stomach problems.

ESSENCE OF THE TRAINING COURSE

The course "Hazardous Materials Training for First Responders" was developed by the International Association of Fire Fighters (IAFF) Hazardous Materials Training Department. The IAFF is one of several groups offering such training to emergency responders and has done so in two ways. One is by dispensing packages of course manuals and materials to persons already serving as instructors in the field. The second is by providing direct onsite training to fire fighters and others who have emergency responder roles in local fire departments. In this case, specially trained IAFF instructors present the course. This evaluation report deals with first results from the latter type of IAFF training.

Consistent with objectives set forth by the Occupational Safety and Health Administration [1989] and the National Fire Protection Association [1992], the IAFF hazardous materials course for first responders emphasizes hazard awareness, self-protective and preventive measures, and defensive roles. Actions to neutralize or clean up a hazardous materials event are left to HAZMAT teams with more advanced training and equipment. The IAFF course covers the following four units of subject matter:

Unit 1: Common alarms. Explains the need for recognizing material hazards in common alarms; notes material hazards likely to be found at select locations and industry sites

Unit 2: Health and safety. Describes toxic substances, routes of entry into the body, health effects and the importance of medical surveillance

Unit 3: Hazardous materials. Depicts placards, labels, cargo container shapes for identifying hazardous materials; demonstrates how chemical properties can affect reactivity

Unit 4: The planned response. Explains limits of structural fire fighting gear, use of self-contained breathing apparatus (SCBA), other personal protective equipment (PPE), and decontamination methods; defines zones in managing hazardous materials incidents, and pre-incident surveys to identify high-risk sites

The course is designed to be taught in 24-h class hours, usually arranged as three 8-h class days, and led by two IAFF instructors. Class sizes cannot exceed 30 trainees, and thus multiple classes have to be formed in departments to cover the numbers normally scheduled to attend. Given limited means to provide backup to those attending classes, the 3 days of training for any one class may have to be stretched over weeks as opposed to being taken on successive days. Completion of the three training days for classes in some departments supplying data for this evaluation report took as much as 6–8 weeks (Table II). This extended time period can also necessitate using other than the same two IAFF instructors to cover classes.

Details on IAFF trainer qualifications, teaching techniques, course materials, are available from the IAFF (address: 1750 New York Avenue, Washington, DC 20006). Requests for IAFF training courses should be addressed to their offices.

TABLE II. Current Database for IAFF First-Responder Course Evaluation*

State/city (time span for 3 trng days)	Trainee reaction	Competency ratings	Pre/post quiz	Behavioral change	Organization change
Illinois (IL) City (4–6 wk)		X (n = 134)		Y (n = 33) (actions followed)	
Florida (FL) City (3 wk)	X (n = 80)	X (n = 80)	X (n = 88)	Y (n = 30) (actions followed)	
W. Virginia (WVA1) City (3 wk)	X (n = 150)	X (n = 150)	X (n = 131) Y (n = 28) (retest)	Y (n = 28) (lessons noted)	Y (n = 28) (actions reported)
W. Virginia (WVA2) (4 wk)	X (n = 100)	X (n = 83)	X (n = 80) Y (n = 18) (retest)	Y (n = 18) (lessons noted)	Y (n = 18) (actions reported)
Alabama (AL) City (3–4 wk)	X (n = 109)	X (n = 109)	X (n = 90)	Y (n = 27) (actions followed)	
Texas (TX) City (6–8 wk)			X (n = 453)	Y (n = 35) (actions followed)	
			Y (n = 33) (retest)	Y (n = 33) (lessons noted)	Y (n = 33) (actions reported)

*X, Entry reflects actual number of trainees present in classes supplying data on designated measure. n values can vary for measures obtained within same department owing to incomplete responses on some forms, missing data sheets for trainees being called out of class to respond to alarms. Y, Entry is based on a random sample of trainees drawn from total class roster and collected 6–12 months after the course ended. Descriptors in parentheses indicate nature of follow-up data obtained.

THE EVALUATION PLAN

The latest recommendations for evaluating health education and safety training programs suggest using combination techniques and measures to corroborate results as well as obtain information about the processes that may be involved [Israel et al., 1995]. Accordingly, the evaluation plan for the IAFF first responder training program included a variety of measures reflecting four different kinds or levels of course impact. The four types of measures are described below along with the methods used for actual data collection. Copies of the forms to be noted are available from the IAFF.

Level 1: Trainee reactions. The trainees completed a "Reaction to Course" form at the end of the course wherein they rated the various units in terms of the quality of the instruction (either high, satisfactory, or low), the amount of information covered (either too much, okay, or too little), and its utility (either high, medium, or low). In addition, each trainee was asked to rate their competency in nine (9) tasks connected with hazardous materials response as they judged them to be before the training and now afterward. The task statements simply framed the course topics in operational terms. (Examples: Recognize clues that hazardous materials are present in various common alarms. Understand the need and elements of medical surveillance. Know how to use reference sources for hazardous materials information. Apply knowledge of chemical properties in assessing exposure risk). A 4-point scale was used for rating task competency (1 = highest competency; 4 = incompetence). Both the pre- and post-course competency ratings were made at the end of the course to ensure the same level of reference in these judgments. This procedure, referred to by Berger et al. [1996] as a "retroactive pretest design," was intended to avoid a respond shift problem wherein the rater's basis for making judgments about their capabilities before taking the instruction changes as a result of the training. This response shift would confound pre- and post-course differences if measured in the conventional way.

Level 2: Learning. Each trainee took a 75-item "Knowledge Quiz" at the outset of the instruction and also at its conclusion, the difference between the two scores yielding a measure of knowledge gain as a result of the training. A repeat administration of this quiz was given to samples of trainees in follow-up sessions, ranging from 6 to 12 months after the course, to determine how much of the original learning was retained.

Level 3: Behavior. A set of forms, one for each course unit, was developed, each listing five (5) specific, positive actions capturing the major lessons to be learned in that unit. (The list of action statements for each unit appears in the Appendix.) After each course unit, the trainee chose one of these actions for followthrough in their roles as first responders. They could also draft their own statement if none of those listed applied to their situation. The trainee retained one copy of the actions selected for the 4 units; a second copy was collected by the instructor for forwarding to the IAFF office. The plan was to contact a sample of trainees, 6–12 months after the course, to determine the

TABLE III. IAFF Training Results—Percentage of Trainees Giving High-Quality and High-Utility Ratings to the Course Subject Matter (Ranks in Brackets)

	Florida City		W. Virginia City 1		W. Virginia City 2		Alabama City	
Course unit	Quality	Utility	Quality	Utility	Quality	Utility	Quality	Utility
Common alarms	58% [7]	73% [3]	62% [5]	65% [5]	59% [4]	70% [4]	59% [5]	75% [4]
Health and safety	83% [1]	85% [1]	77% [1]	79% [2]	77% [1]	83% [1]	77% [1]	82% [1.5]
Medical surveillance	65% [3]	73% [2]	47% [6]	52% [7]	47% [7]	61% [6]	54% [6]	66% [6]
Recognition and identification	71% [2]	69% [5]	74% [2]	81% [1]	75% [2]	82% [2]	70% [3]	82% [1.5]
Physical properties	59% [5]	64% [7]	47% [7]	55% [6]	54% [6]	55% [7]	53% [7]	63% [7]
Scene management	64% [4]	68% [6]	66% [4]	77% [3]	57% [5]	68% [5]	69% [4]	69% [5]
Pre-incident planning	61% [5]	70% [4]	70% [3]	75% [4]	66% [3]	77% [3]	72% [2]	77% [3]
Overall average:	66%	72%	63%	69%	62%	71%	65%	73%

extent of followthrough on the actions chosen. This type of data collection was intended to offer behavioral data on the course impact. As an alternative to this measure of behavior change, trainees in followback interviews in some departments were asked to describe incidents where they saw a connection between their actions and course learning. Also, to report on any changes they saw in the behaviors of fellow fire fighters as a result of the course.

Level 4: Institutional change. Trainees were asked in the same followback interviews mentioned above whether they had observed any changes in incident command practices, and/or in department policies with respect to alarms and risks of hazardous materials exposures as a result of the course.

DATABASE FOR THE EVALUATION

Table II depicts the database for use in this report, and lists six city fire departments where the IAFF course was given. While desirable, time pressures and other constraints prevented data being collected on all the proposed measures in every course offering. As shown, data were collected on at least two measures in each department. Double entries are shown in the Pre/Post Course Quiz column for three city fire departments (TX, WVA1, WVA2) to note that a second post-course quiz was given some months after the training to measure how much of the knowledge gained was still retained. The retention data were collected on a random sample of trainees who took part in follow-up interviews. The Behavior Change column also contains two types of entries. One notes where followthrough data were collected on chosen action measures, the other where one's personal experiences or those of peers reflecting lessons learned in the course were described. The numbers of trainees whose data were collected on the various measures is as shown. While admittedly limited, the database noted in Table II offers some first indications of the results of this training program.

RESULTS

Trainee Reactions

To discern course strengths and weaknesses, the percentages of trainees giving "high" quality and "high" utility ratings to different course topics provided the most differential and useful data. Table III shows such data based on IAFF first responder classes in four city fire departments. Much agreement is indicated between and within the department findings. Variations in the overall percentages of high ratings of course quality and quality across the four departments is less than 5%. All are better than 60%, which would indicate a highly favorable reaction to the course overall. As confirmed by the Kendall coefficient of concordance [Siegel, 1956], rank orders of the percentages shown for each topic in terms of quality and utility show significant agreement ($p < 0.01$) from department to department. "Health and Safety" merits the top ranking in almost every department for both quality and utility, and suggests success in meeting a basic course objective. On the other hand, "Physical Properties of Chemicals" is ranked at the bottom on these course attributes which suggests needs for improvement on this topic. More is said about this later.

As already mentioned, the Course Reaction form included a 4-point scale for trainees to rate their competency (1 = high competence, 4 = incompetence) on nine tasks related to hazardous materials response before and now after the course. Table IV gives these before/after course ratings from trainees in five departments when averaged over the nine select tasks. Also shown is the percentage of trainees

TABLE IV. IAFF Training Results: Average Pre/Post-Course Competency Ratings for Nine Tasks Related to Hazardous Materials Response

Department	Pre-course ratings	Post-course ratings	Diff	% with positive shift
Illinois City (n = 134)	2.5	1.7	0.8	65
Florida City (n = 80)	2.5	1.4	1.1	77
Alabama City (n = 109)	2.5	1.6	0.9	72
W. Virginia City 1 (n = 150)	3.0	1.5	1.5	86
W. Virginia City 2 (n = 83)	2.9	1.6	1.3	86

showing upward shifts in their competency ratings as a result of the training.

Two departments (WVA1, WVA2) display near-identical results in trainee competency ratings when compared to the other three departments. Both show relatively poor competency levels before the course and then greater amounts of positive shift afterward. A higher percentage of trainees in these two departments also display positive shifts than in the other three. In effect, these changes bring the two departments up to the same post-course competency levels as the other three. Statistical treatments of the competency data (mixed analysis of variance [ANOVA] as described by Hatcher and Stepanski [1994]) yielded significant differences between departments for both the percent showing shift and amount of shift values. Post hoc analysis showed the WVA1 and WVA2 departments to be superior to the other three in these comparisons; the IL department was found to be significantly poorer than all others in terms of the percentage showing shift.

Rank-ordering the competency data by the nine tasks within departments revealed no significant agreement across the five departments. However, like the quality and utility results reported above, competency shifts for the task, "Applying knowledge of chemical properties in assessing exposure risk" tended to have the lowest ranks in most departments.

Knowledge Gain

Plotted in Figure 1 are the mean percentages of correct answers on the 75-item test taken just before and at the end of the IAFF course for five departments. Differences between the pre- and post-course scores reflecting the knowledge gained from the instruction were greatest for the TX city department (25.5%), and smallest for the AL city department (11.3%). Nevertheless, statistical tests (i.e., mixed ANOVA treatments with post hoc multiple comparisons as described by Hatcher and Stepanski [1994]) found all such differences to be significant ($p < 0.01$).

Follow-up visits in three departments (WVA1, WVA2, and TX), conducted from 6 to 12 months after the course ended, included retests on the original quiz for samples of trainees randomly drawn from the class rosters. Table V shows the mean quiz scores for the pre-, post-, and follow-up course test times for these trainees and differences between these measures. Most notable is the slight drop (less than 3%) in the follow-up test scores for one department (WVA2) when compared to its post-course results. Similar comparisons for the two other departments (WVA1, TX) show losses that are 3–4 times greater. A mixed analysis of variance and post hoc multiple comparisons of the data [Hatcher and Stepanski, 1994] confirmed significant follow-up losses only for the latter two departments. One probable reason for these differential findings in retention is offered in the discussion.

Behavior Change

The aforementioned follow-up sessions with samples of trainees, also included one-on-one interviews with IAFF staff to determine carryover impacts of the course. Interviews to determine the extent of followthrough on actions chosen by the trainees have been conducted in four departments as of this reporting. During such interviews, each action statement originally chosen by the fire fighter was read, and questions asked about followthrough. An add-on question during each interview was whether the course manual had been used by the trainee after the course, and if so, how frequently. The responses of trainees in four departments are shown in Table VI.

The percentage of trainees in all samples reporting regular adherence to at least one action is 85% or better and to two selected actions is greater than 60%. Followthrough for three or more actions shows a significant drop for all but the TX City trainees. Almost twice as many TX City trainees also report at least a one-time use of the course manual in comparison to the other groups.

The selected actions with the highest followthrough counts in the four department samples revealed both similarities and differences. Three statements, each with high followthrough rates, were common in all four departments:

- Routinely observe placards and other information systems at fixed sites and on transportation cargo carriers to test my accuracy in recognizing hazard markings.
- Keep a record of my responses to alarms where hazardous materials were detected. Learn about the materials and their harmful effects.
- Devise my own ways for thinking about or reinforcing defensive actions in responding to alarms that involve

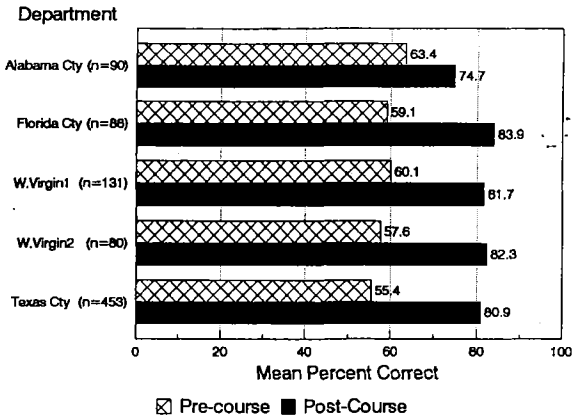

Fig. 1. Pre-/post-quiz scores by department on International Association of Fire Fighters (IAFF) Training Course.

TABLE V. IAFF Training Results: Comparison of Pre-, Post-, and Follow-up Course Quiz Results in Three Departments

Department (n = size of sample)	Pre-course	Post-course	Follow-up	Post vs pre-course (knowledge gained)	Post vs follow-up (amount lost)
TX City (N = 33)	59.3	83.6	71.0	24.3	12.6
WVA City 1 (N = 28)	58.1	81.6	71.8	23.5	9.8
WVA City 2 (N = 18)	57.3	82.7	79.9	25.4	2.8

strange odors, unknown spilled materials, or other potential chemical releases.

Those specific to the different departments were:

- Conducting site visits for pre-planning for potential incidents (AL City).
- Checking information on chemicals stored at sites in "first due" area (i.e., primary area for a fire station's response in case of an alarm) to ensure accuracy, completeness (IL City)
- Discussing with others on shift, responses to calls involving hazardous materials and lessons learned (FL City, AL City, TX City)

Giving further substance to these actions were trainee answers to questions describing if and how course lessons had affected their behaviors or that of their peers in responding to alarms. Responses to these questions gained from interviews in three departments (WVA1, WVA2, TX) are among those summarized in Table VII. Positive answers in two departments (WVA2, TX) appear to outnumber those shown for a third department (WVA1), especially with regards to linking personal actions in the field with course learning. Excerpts from all three include greater use of SCBAs in responding to common alarms, checking reference guides to identify potentially hazardous chemicals when responding to calls, limiting actions to defensive control measures while awaiting the HAZMAT team, and cleaning personal protective equipment more frequently

Institutional Change

In the post-course interviews described above, trainees were also asked:

> What effect, if any, has this first responders training had on your department's standard operating practices (SOPs)?
>
> What effect, if any, has this first responders training had on officers and command staff within your department?

Responses to these questions for three departments are found in Table VII.

Interview data of trainees in two departments (WVA2, TX) suggest a greater effect than that found in the third

TABLE VI. IAFF Training Results. Summary Data on Followthrough Efforts on Actions Selected by Fire Fighter Trainees

Illinois City sample size = 36 response rate = 33/36 (92%)	Florida City sample size = 40 response rate = 30/40 (75%)
28 (85%) regularly following through on at least one action	29 (96%) regularly following through on at least one action
20 (61%) regularly following through on two or more	21 (70%) regularly following through on two or more
11 (33%) regularly following through on three or more	12 (40%) regularly following through on three or more
6 (18%) regularly following through on four	3 (10%) regularly following through on four
Manual use after course: none = 15 (45%); once = 3 (9%); more than once = 15 (45%)	Manual use after course: none = 13 (43%); once = 8 (27%); more than once = 9 (30%)
Alabama City **sample size = 35** **response rate = 27/35 (77%)**	**Texas City** **sample size = 35** **response rate = 35/35 (100%)**
27 (100%) regularly following through on at least one action	31 (89%) regularly following through on at least one action
23 (85%) regularly following through on two or more	27 (77%) regularly following through on two or more
13 (11%) regularly following through on three or more	22 (63%) regularly following through on three or more
3 (11%) regularly following through on four	7 (20%) regularly following through on four
Manual use after course: none = 12 (44%); once = 1 (4%); more than once = 14 (52%)	Manual use after course: none = 8 (23%); once 15 (43%); more than once = 12 (34%)

(WVA1). There appears to be more attention to HAZMAT-related procedures, and more thoughtful incident commander actions in responding to calls having the potential for harmful exposures. Regarding the latter, two of the most telling personal accounts of how the course changed command behaviors are noted below:

Report: "Rail tank car left track and was spilling contents. I assessed situation from a distance with binoculars and determined that product in car was chlorine. A defensive perimeter was set up and a request made for the HAZMAT team. Before the course I would have just rushed up to the tank car to see the situation up close and probably exposed myself and others needlessly to this harmful chemical."

Report: "Before course, our Captain had little use for reference sources such as the DOT ERG. (DOT ERG refers to the Department of Transportation Emergency Response Guidebook, which lists hazardous chemicals along with basic information about their physical properties. Phone numbers to call for assistance are included along with evacuation distances). After the course, we responded to an alarm at a residence where our Captain spotted several containers on site. Viewing the placards and labels together with the ERG, a determination was made to pull back the company and call in the HAZMAT team. It was learned that one of the container contents would have reacted with water if we had proceeded and started hose lines. In the past, the Captain said he would have been the last person to pick up and use the ERG."

Incidental information obtained during followback contacts with departments suggested other supportive administrative actions being taken since the course. Among those noted were:

- Computerized information on chemical materials and properties as found at sites with people occupants; reference texts in vehicles now carry notations of whether they have equipment onboard to respond safely if called to the premises
- Arrangements with local hospitals to pick up, sterilize, and return fire fighter clothing suspected of being contaminated with biologic material
- More decontamination sinks installed in fire stations

RELATIONSHIPS AMONG THE VARIOUS MEASURES

Implicit in a popular model of training evaluation criteria is the assumption that positive attitudes about the quality of the instruction or course content, gains in skills or knowledge, behavior change and end goals of such actions are intercorrelated if not causally linked [Kirkpatrick, 1967; Alliger and Janak, 1989; Kirkpatrick, 1994]. Some suggest an ascending order of these measures; that is, favorable reactions to training lead to learning which, in turn, leads to changes in job behaviors, which then leads to related changes in an organization [Newstrom, 1978; Clement, 1982]. Data on the multiple measures from the course evaluations just described offered a means for verifying these assertions. Specifically, it was assumed that more positive reactions to the quality/utility of the course would be correlated with improved competencies and knowledge gain, and these measures, in turn, would be correlated with more behavior change. Pearson product-moment correlations computed between these different measures [Hatcher and Stepanski, 1994] for trainee data obtained in each department are shown in Table VIII.

The highest coefficients are found between measures of course reaction and final competency level. All are in the expected direction, i.e., more positive reactions to the course correspond to better final ratings of competency, and are statistically significant. Other significant correlations, however, are few and scattered among the remaining measures.

TABLE VII. Trainee Responses to Questions on IAFF Course Impact

Questionnaire Item	Texas City	W. Virginia City 1	W. Virginia City 2
Effect of first responder training on department SOPs	57%: efforts to update, increase knowledge of SOPs; more systematic approaches to HAZMAT situations 43%: don't know	18%: added interest in procedures but nothing formalized 82%: noted no specific impact on SOPs	33%: efforts made to review, update materials 66%: don't know
Effect of first responder training on officer/command staff	77%: greater awareness of chemical hazards in calls; in sizing up scene before taking action; more subordinate input on training needs 23%: no effect	39%: caution in sizing up scene before taking action; check for agents that may pose risks 39%: no difference 12%: couldn't respond	83%: more caution in sizing up scene before taking action; more use of SCBA and PPE washing/cleaning 17%: no effect
Effect of first responder training on fellow officers	94%: more use of SCBA; cargo placards and references checked for agent properties before taking action 6%: no effect	82%: more use of SCBA: site visits to check on hazardous materials; equipment needs noted 18%: none noted	89%: greater awareness/talks about calls with suspect materials; more use of SCBA; more frequent gear decontamination 11%: no effect
Connection of first responder training to field experience	71%: more donning of SCBA in common alarms; reference sources checked on agent hazards; actions taken to limit agent spread until HAZMAT team arrives 29%: none recalled	50%: greater use of SCBAs in common alarms; concern for limitations of PPE in alarms at a chemical storage site; defensive measures in handling roadway spills 50%: none recalled	76%: cargo carrier shapes/placards noted in calls to highway spills; diking and damming used to control spread of chemical agents with SCBA fully deployed, and washed after use 24%: none recalled

Even measures of competency and knowledge show significant association in only a few instances and correlations between these measures and behavior are fewer still.

DISCUSSION

First results from evaluating the IAFF hazardous materials training course for first responders appear positive. Substantial percentages of trainees rate the instruction as high in quality and utility, and judge themselves more competent in handling tasks when alarms involve risks of exposure to hazardous materials. Significant gains are noted too in the level of knowledge post training, and trainees report more self-protective and preventive actions based on course learning. Lastly, and though still fragmented, there are indications of institutional changes which seem due in part to the trainees' learning experience.

While gratifying overall, the aforementioned results also reveal variable effects in some cases which deserve comment or explanation. In doing so, issues are raised not only to this IAFF course but to others having similar objectives. For example, "Physical Properties of Chemicals," were ranked lowest in the quality and utility ratings given to various course topics, and also showed lesser shifts in related task competency. This subject is more technical than others, and course time devoted to this area may not be sufficient to ensure comprehension. In interchanging ideas for dealing with this topic, IAFF instructors have developed many novel laboratory-type demonstrations, enabling the trainees to witness examples of various chemical reactions. But the trainees may be viewing these effects as no more than exotic demonstrations. Further use of exercises to emphasize how such reactions could and have affected the outcomes of hazardous materials events would appear indicated.

While competency shifts for all departments suggested improved capabilities, the shifts shown for some departments were greater than found in others. As already mentioned, these results may simply be a case of those with the poorer ratings at the outset of the course catching up with the rest of the group. The IL department whose trainees show the least gain in competency scores may be the result of a problematic training schedule. Indeed, a 6-week period was necessary for each trainee class in this department to receive 3 days of instruction, with some classes having 3- to 4-week intervals between the units of instruction, and taught by different instructors. By contrast, other department training schedules were more compact and used the same instructors thoughout.

TABLE VIII. IAFF Course Results: Pearson Correlations (r) Between Different Evaluation Measures

Evaluation measure	Competency ratings: Shift	Competency ratings: Final	Knowledge quiz: Gain	Knowledge quiz: Final	Behavior index[e,j]
Reaction index[d]	0.50[a] (AL n = 47)	−0.59[a] (AL)	0.10 (AL)	0.14 (AL)	0.54[a] (AL n = 14)
	0.11 (WV1 n = 38)	−0.60[b] (WV1)	0.08 (WV1)	0.31 (WV1)	[illegible]
	0.26 (FL n = 55)	−0.27[a] (FL)	0.02 (FL)	0.12 (FL)	−0.06 (FL n = 20)
	0.20 (WV2 n = 75)	−0.39[b] (WV2)	0.02 (WV2)	0.25[a] (WV2)	
Competency rating					
Shift[e]			−0.13 (AL n = 47)	0.29[a] (AL)	0.60[a] (AL n = 14)
			−0.01 (WV1 n = 38)	−0.02 (WV1)	
			0.32[a] (FL n = 55)	−0.24 (FL)	−0.24 (FL n = 20)
			0.12 (WV2 n = 75)	0.07 (WV2)	
					0.20 (IL n = 27)
Final[f]			−0.18 (AL n = 47)	−0.05 (AL)	−0.44 (AL n = 14)
			0.03 (WV1 n = 38)	−0.36[a] (WV1)	
			0.17 (FL n = 55)	−0.13 (FL)	−0.28 (FL n = 20)
			0.11 (WV2 n = 75)	−0.25[a] (WV2)	
					−0.17 (IL n = 27)
Knowledge quiz					
Gain[g]					−0.01 (AL n = 14)
					−0.58[a] (FL n = 20)
					−0.23 (TX n = 35)
Final[h]					−0.12 (AL n = 14)
					−0.01 (FL n = 20)
					0.03 (TX n = 35)

[a]Correlation (r) significant $p < 0.05$.
[b]r significant $p < 0.01$.
[c]Behavioral data are based on samples only, hence, n values are smaller than those shown for other measures.
[d]Reaction index for each trainee defined as the number of high ratings given to both quality and relevance for the seven course topics noted in Table III.
[e]Competency shift defined as pre/post-course differences in scaled ratings for 9 tasks in exercise.
[f]Final competency level defined as average of post-course scaled ratings for the 9 tasks.
[g]Knowledge gain based on pre/post course differences in quiz scores.
[h]Final knowledge quiz score was the post-course quiz score.
[j]Behavior index computed for follow through on action statements only. A value of 3 given to each statement for which trainees indicated regular followthrough efforts, 1 for sometimes efforts, −1 for no effort, and 0 for no opportunity. A bonus of ½ point was given to trainees indicating one-time use of course, and 1 point for using it more than once. The sum of these measures for each trainee defined his/her behavior index.

The need for extended time schedules to cover the 3-day course requirements may be even more detrimental to scores on the knowledge quiz. One could argue that the quiz results for IAFF training could be better if the course were given on 3 successive days and with the same instructors. At the minimum, this would alleviate forgetting factors especially for material presented earlier in the course. The greatest gains in quiz scores (36%) for the IAFF first responder course have been posted by cadet classes at the fire academy where training conditions favor 3 successive days of instruction by the same instructors.

Recommendations for resolving the time schedule problems just described are being considered by the IAFF. One possibility is to arrange for and pay backup personnel to cover the duties of those attending classes so that the trainees can complete the courses in minimal time. Another is to videotape or produce CD-ROM versions of the course so that those unable to meet class schedules, or called out on emergencies, could still keep up with the course work. The latter is also being considered for refresher training. On this point, extra training may be one explanation of why trainees in one department (WVA2) showed little loss in knowledge quiz scores when retested 6 months after the end of the IAFF course. Roughly two months after completing the IAFF course, the WVA2 trainees received an added day of hands-on instruction in techniques for managing hazardous materials incidents from another organization. Besides better retention, the original course learning reinforced by this added instruction may also be responsible for the other strong carryover effects found for trainees in this department

(Table VII). Recommending added training days or refresher courses should have some merit in light of these findings. IAFF has given consideration to adding an extra day to their first responder course for staging mock drills and practical exercises. It bears mention that issues of refresher training are currently under review as part of the OSHA proposal for an occupational safety and health program standard [OSHA, 1996].

Positive actions from the course were most evident in the responses of the TX city department trainees. A greater number of TX city fire fighters followed through on more of their chosen action statements, made use of the course manual, and reported similar actions by their peers. Two reasons for this result come to mind. The first is that the TX city in question was a major petrochemical hub where hazardous materials calls are near daily occurrences. This increased risk presented numerous opportunities to put the course lessons to use. The second is that the IAFF instructors of the TX city course were themselves local fire fighters who used the local experiences and incidents to give the course and its objectives added cogency. Fire fighters in the other cities included in this report were not subject to the same risks, and thus could not be expected to have the same motivation.

Correlations found between the various evaluation measures give only limited support to the assumption that they would be interdependent. The evidence for association was most obvious for reaction index and competency measures and not for the others. One possible explanation is that the data on these two measures were collected from the same form which was administered at the same time (i.e., at the end of the course). Measures of knowledge gain reflected two different times of administration, and data on behavior change were obtained well after the course ended. Hence, temporal factors may enhance associations in one instance and obscure them in another.

Admittedly, restrictions in the variance for the different measures used in this analysis probably hampered prospects for obtaining larger correlations. For example, competency ratings could vary only across a 4-point scale, and reaction and behavior indices were likewise limited in their range of numerical scores. On the other hand, and as reported by Alliger and Janak [1989], attempts to show interdependency among different levels of evaluation for other training courses have similarly yielded uncertain results. It is believed that uncontrolled factors such as differences in trainee motivation and attitudes, and situation-specific conditions affecting transfer of training may be responsible for the failure to show greater linkages.

Ways to improve the content and delivery of the IAFF first responder training course and its evaluation continue to be the subject of internal review. Adding extra days to the course for practical hands-on exercises, and computerized versions for refresher training and other uses have already been mentioned. Refinements to the evaluation plan are also being addressed, especially easier ways to collect and process data on the various measures to gauge course benefits. However, the plan remains built on largely subjective or self-report measures and, as we have seen, positive changes in some do not correspond to similar changes in others. Whether such training results in fewer occurrences of the sort reported at the outset of this paper will require more verifiable evidence. More objective study of first responder actions and their consequences before and after training is needed.

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APPENDIX: ACTION STATEMENTS

[Lead sentence to each unit]: "I intend to do things that I have not done up to now or will do differently. Specifically, I will.

Unit 1: Common Alarms

1. Review department's standard operating procedures (SOPs) and guidelines to see whether they cover risks of hazardous materials in responding to common alarms. Will suggest ideas for improving SOPs or guidelines.
2. Routinely discuss with others on my shift our responses to calls involving hazardous materials, reviewing conditions and any particular risks to department personnel, civilians, or the environment. Discuss lessons learned from these incidents.
3. Request to attend other hazardous materials training courses.
4. Drive or walk through my first due area to note places likely to be occupied by people, transportation corridors, and other sites where hazardous materials may be stored, carried, or disposed of.
5. Devise my own ways for thinking about or reinforcing defensive actions in responding to alarms that involve strange odors, unknown spilled materials, other potential chemical releases.
6. [Use this space to write your own statement.]

Unit 2: Health and Safety

1. Avoid contact with persons or equipment that may have been contaminated in a hazardous materials incident until they have gone through a decontamination procedure.
2. Review my department's procedures for reporting exposure to ensure that reports are handled efficiently and confidentially.
3. Report any unusual signs of irritation, dizziness, breathing difficulty, hand/feet tingling, nausea that I might feel following responses to alarms where toxic materials were present.
4. Keep a record of my responses to alarms where hazardous materials were detected. Learn about the hazardous materials and their possible harmful effects.
5. Take steps to decontaminate my own clothing and equipment in cases where actions taken on the fireground exposed me to toxic materials.
6. [Use this space to write your own action statement.]

Unit 3: Hazardous Materials

1. Make up a chart showing container/tank/vessel shapes and label them for likely contents of hazardous materials.
2. Compare recommended actions in the DOT Emergency Response Guidebook for major chemicals found at sites in my first due areas with department SOPs, resolve any significant differences.
3. Refer to hazardous materials references, materials safety data sheets, or shipping papers to learn more about the properties of chemicals commonly used or stored in large amounts in first due area and actions to be taken in cases of overexposure.
4. Routinely observe placards and other information signs at fixed sites and on transportation cargo carriers to test my accuracy in recognizing hazard markings.
5. Engage in company preplanning for response to sites in the first due area where there are known water reactive chemicals, chemicals with high vapor densities, liquids in closed vessels, radioactive materials, other unique hazards.
6. [Use this space to write in your own action statement.]

Unit 4: The Planned Response

1. Check SOPs in my department on plans and procedures for routine and emergency decontamination, suggesting needed changes to my supervisor based on information gained in the course, personal knowledge, or experience.
2. Check SOPs in my department dealing with cleaning, inspection, and storage of personal protective clothing and respirators, suggesting changes to my supervisor based on information gained in the course, personal knowledge or experience.
3. Conduct pre-incident surveys of occupant sites, visit warehouses, factories, fabrication shops in my first due area to learn if large amounts of chemicals or other substances are in use or stored, ensuring that chemical information is complete and accurate.
4. Make up a list of the "top 10" sites in my first due area posing the greatest risk of exposure to hazardous chemicals. Analyze and discuss plans or actions in responding to alarms at these sites with other companies.
5. Use the course manual to make up a checklist of actions appropriate for first responders at hazardous materials incidents, and grade myself for several incidents, noting the circumstances where I was unable to follow proper actions.
6. [Use this space to write in your own action statement.]

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Mr. SOUDER. I want to thank you all for your testimony.

I think I would like to start—I have a number of technical questions, but I think, as a fundamental kind of question, that those who are following this issue, that a challenge and a fundamental debate occurred here which is, what is the level of the threat, which suggests a little bit the debate of how we approach this, and where and how. Mr. Johnson and Mr. Cilluffo had slightly different perspectives on this. I think that the historical record is very clear that it has been relatively isolated—that it is relatively concentrated.

One statement I slightly disagreed with, Mr. Cilluffo, was that you said that they would move to the softer places, and I'm not sure the historical record other than airlines shows that. The World Trade Center is in a pretty prominent place; the two Lebanon hits when we were over there, and it's a place of constant conflict. Even by our Government's public response in Sudan and Afghanistan, it is not illogical to assume that that would be Bin Ladin's area of influence; he would take the closest country where he could deliver the chemicals from. There is not a lack of logic to that approach.

Nevertheless, you raise a fundamental question that I'd like to have Mr. Johnson address here, and that is that terrorists are not necessarily going to always base their actions on historical actions and they may be becoming more skilled, and the risk of a catastrophe, had the World Trade Center bombing been more successful and killed more people, how do you deal with the fundamental question that was raised that, if there was a catastrophe anywhere, really, in the United States that was so massive that it would be demoralizing, that it could strike terror and all kinds of an overreaction greater than in fact the current?

Mr. JOHNSON. There are two things people who engage in terrorism need. It's historical and it's for the future. You've got to have money and you got to have a place to train. If you don't have those two things, you cannot operate.

I don't only look at historically and say it's been low; I believe that the threat of future terrorism is low. There will be attacks, but the ability of these groups to ramp-up and put together operations is extremely limited.

We even have a case study in the field of chem-bio with Aum Shinrikyo in Japan. That group had millions of dollars. They bought a biological lab; they bought a chemical lab. They wanted to produce the items. They wanted to kill people. And with all of their "want to," they still ran up against some obstacles, because it is still technically difficult.

Now, if technology and science change fairly dramatically over the next 5 or 6 years, that any, "terrorist in a lab coat" can whip this stuff up, yes, then I might be pushing the panic button. But I think it has been grossly irresponsible for several Government officials to go out with this nonsense that any terrorist in a lab coat can do it, because they can't.

I note in my testimony that the Department of Defense, in the preface, Secretary of Defense Cohen said that a lone mad man can do this. But when you go back and look at what they say about

Libya, even Libya's chemical capabilities or biological capabilities are limited by lack of scientific and technical expertise.

So I come back fundamentally, that since we cannot predict the future, since we do not have a very good track record on reading the minds of people who are going to conduct major attacks, I think prudence requires that the Federal Government take appropriate measures to put in place capabilities to deal with the possibility of a chemical attack, whether it's by terrorists or otherwise.

The fact of the matter is, the fire department on a daily basis deals with chemical hazardous material spills that are as lethal as some chemical attacks by terrorists, and they do an effective job of it. We need to reinforce those kinds of capabilities.

We need to prepare for the possibility of biological. We need to be prepared to deal with the possibility of nuclear. But being prepared is different from what's going on. And in my view, what has happened is, once the cold war ended—I mean, the level of terrorist attack and terrorist activity was greater during the cold war, not less. It was greater.

Many of these agencies that are now bellying-up to a table to say, "I'm here to fight terrorism," they weren't there 10 years ago. Or if they were involved, it wasn't the top priority. What's going on is they see that terrorism means budget, and I don't know of a single Member of Congress that would back away and not vote money to protect American citizens.

Mr. SOUDER. Mr. Cilluffo, I read Rainbow Six, which is clearly at the top of all the bestseller lists. We're likely to see a range of TV movies. I think Mr. Johnson is correct, none of us are going to vote against money for this type of thing. Yet, in fact, we have to make hard decisions—other national security questions on national defense systems, whether or not we in fact focus on the targeted terrorist groups and try to limit their capability. Do you want to comment any further on Mr. Johnson's? We're going to get into the technical as we go——

Mr. CILLUFFO. I fully agree with Mr. Johnson that terrorism is nothing new; it's always been the weapon of the weak to target the strong, a way to circumvent conventional projections of power—economic, military, diplomatic, et cetera. I think that you've got groups that are motivated with different aims and objectives in some cases, and I agree that the Aum Shinrikyo did have a huge budget; it did have the intent, and it made it semi-public, yet was it on our radar screen? No.

This is a group that had 100,000 followers, 30,000 in Russia. I would have hoped we'd accidentally pick up intelligence, because we should have robust intelligence capabilities in Russia, to identify this group.

So, that is my problem with the threat assessments. It really is a moving target, and in some cases you're not going to get the warning and they're not going to get on your radar screen. Terrorism tends to germinate within very small cells which are difficult to discern against the backdrop of the larger organization. They're autonomous; they're highly compartmentalized.

There are some unique challenges, and the United States needs to equip its toolkits to personalize its response to terrorism. I also agree that the number of incidents have declined. When you've

dealt with state-sponsored terrorism, though, there was a threshold that couldn't be crossed—fear of retribution, fear of retaliation. We have diplomatic and military tools which are quite effective. It becomes more difficult if you can't bomb an actor who has no address. You can't blockade a port if there is no port to blockade. When you're dealing with non-state terrorism, again, we need to re-examine our tools.

I think part of this stems from the fact that the bad guys learned from the Gulf war. Who is going to defeat us militarily tank-for-tank on the traditional battlefield? I think it's likely that smaller nations using unaccountability, through proxies, as well as non-state groups, realize that they should adopt asymmetric tactics to circumvent our strengths and hit us where we're weak. Part of that is terrorism.

I don't want to raise the specter that the sky is falling, because clearly it isn't, but I do think that we have to remember that unfortunately terrorism is effective. Just look at the impact East Africa has had. We were all on the tube all the time; it was exceedingly busy. It had a lot of impact. As did TWA 800, which wasn't a terrorist attempt. The psychological piece should not be overlooked. It really is important and it's not necessarily the thousands killed, but it's the millions watching at home on CNN, on BBC, on ABC, NBC, and watching it unfold on the television screen, who are the real target.

What makes WMD terrorism different—or even a campaign of big bombs, which, fortunately, we have not had to deal with, is that it could shake that our confidence, and we will overreact. We've always overreacted immediately after an event, because we're not used to having to deal with major events, whereas our allies have and they do not overreact. Legislation is passed; every official is coming out with statements; laundry lists are being filled which couldn't be filled for 3 years, some of them probably not appropriately. Yet, 3 months later, we're back to square one. The hysteria has died down. We need to sustain our effort, and treat it as a campaign.

Mr. SOUDER. Thank you. No, I appreciate that both your answers are very good. I want to get into the second round and start going through subpoints of this.

Mr. Barrett.

Mr. BARRETT. Thank you, Mr. Chairman.

I will stick with this threat and risk assessment. Mr. Davis, you made a case here and in your April 1998 report that DOD should conduct threat and risk assessments before moving forward with training and the provision of emergency equipment. However, the FBI argues that the correlation between risk analysis and an actual terrorist incident may be impossible to identify. It also contends that we should focus on providing fundamental training and equipment. What's your response to those things?

Mr. DAVIS. Well, the threat and risk assessment process that we could talk about in our report, the model, is a decision-support tool. It's a decision-support tool to help people establish what the requirements might be, to set priorities, and to allocate resources. Clearly, you can do these things without perfect intelligence, and just because you don't have perfect intelligence and just because

you might view that the threat's low, or whatever, that still shouldn't stop or preclude you from doing these types of assessments.

We think that they make sense. When we talked to people at the local level, they said, we would love to be able to do this. Why? "Because," they said, "then we'd have some idea of what level of preparedness we should prepare for." I mean, they get a set of equipment lists, and they say, well, how do I decide how much to pick; what do I pick; how much do I pick? If it's free, obviously, they want everything they can get. But how do you decide?

Mr. BARRETT. Well, I think to just sort of set up a framework for me to at least understand what we are assessing. Are we assessing the likelihood of an attack? Are we assessing the location? Are we assessing the types of attack? Could you run through that for me?

Mr. DAVIS. Right. I think you could be assessing all of that. For example, the key components of the model, as we described it in our report, and it's used by other people, are—the first item is the threat analysis, understanding—or trying to understand—and identifying what the risk is, and making some judgments to identify and evaluate the risk, seeing what the intent and capabilities might be, the lethality of the threat. Then you try and look at the risk and have a better understanding of the risk, and see what the consequences might be.

You do this to try to get some understanding of what some of the counter-measures might be. You're trying to understand and evaluate the threat, so that you can see how that threat might be able to exploit the vulnerabilities that exist in a particular asset—not that you can prevent an attack—so that you can better develop counter-measures to mitigate the consequences that might occur.

If you take, for instance, what took place in Africa recently in the last couple of months, and like DOD and others have pointed out, and the State Department has pointed out also, we had embassies where that the threat was considered low. So, how could we have prevented something like that? Well, the answer is that you probably can't. Maybe you couldn't prevent it. But even when you have a situation where the threat might be low, if you have established requirements and if you have established some baseline—those embassies probably didn't meet a minimum standard or a baseline for protection or for security.

Mr. BARRETT. Mr. Johnson, I agree with the comment of Mr. Davis, that if the local governments think it's free, they're going to say, "We're going to take it." I also agree that we're going to vote for anti-terrorism funds, but there's a limit. From your standpoint of the assessment issue, I'd like to hear your thoughts.

Mr. JOHNSON. Let me give you an example of what took place when the U.S. Government supported the Barcelona Olympics in 1992. That process started 3 years out. We sent over an interagency team that sat down with the Government of Spain. We weren't trying to predict, will you have terrorism or won't you, because they had the Basque Terrorists, which was one of the most active terrorist groups at that time. But what we looked at were the various capabilities that they had to deal with a variety of scenarios. We weren't trying to predict, will this happen? We were looking at, do you have the capability to deal with this scenario;

how will that be handled? Once we figured out what they had, we came back and sat within the interagency community, figured out what it was the United States could do, and went out and offered a package. I think that's along the lines of what GAO is offering.

This notion that we're going to predict what people are going to do with terrorist acts I think is fanciful. I worked in the intelligence community; I wish we had that kind of intelligence. You rarely get it. When the bomb goes off and the debris is raining down on people, then we say we have a problem.

Instead of worrying about predicting, we need to continue efforts to try to anticipate. However, let's recognize the more likely scenario is we're going to be picking up the pieces and let's put in place some capabilities to deal with that possibility. But what has happened is, instead of a national hazardous material training program, you've got at least three different agencies that I'm aware of, and maybe more. I don't think we have a good handle on everybody that's offering that capability, not to mention what DOD has in both the U.S. Army Technical Escort Unit and the Marine Corps Chemical Biological Incident Response Force. You've had this proliferation of agencies that now want to get into the game.

I think the risk assessment/threat assessment process requires sitting down and figuring out on a State-by-State basis, dealing with the Governors first, what do States have in place? Then let's work through those States. I mean, at least you have 50 points of contact to start with, which makes it somewhat more manageable than 120 cities. But I think there's a way to bring some rationality to this.

I would note FEMA has provided a very good parallel; it's dealt very effectively with hurricanes, floods, and tornadoes. So, the issue of dealing with the consequences from terrorism are not that distinct.

Mr. SOUDER. Thank you.

Mr. Davis, I'm going to, first, get into some equipment loan questions. The Department of Defense loans $300,000, which in reality they're really granting, because it can be used, and HHS is giving $350,000. Are these the same types of things? Could they be combined as opposed to two different grants? What is your feeling?

Mr. DAVIS. Some of it is identical-type equipment. There is some overlap, but there are some differences, too. For example, in the Public Health Service program, there are some pharmaceutical and medical supplies that are not included in the DOD package.

Mr. SOUDER. What would be some overlap?

Mr. DAVIS. For example, both of them have personal protection equipment, some detection equipment, some decontamination equipment. These would be some examples of the overlap.

Mr. SOUDER. In any of your research did you find that this was confusing to local authorities, how to mix and match?

Mr. DAVIS. Absolutely. In fact, some of the questions or observations we got—they used the phrase a couple of times that they would like to have "one-stop shopping." They now had to deal with at least two different organizations, the Department of Defense and HHS, in terms of reviewing equipment lists, deciding what they wanted, getting back to at least two different agencies in this case.

Mr. SOUDER. In a similar vein, as we move in the subject of the training along with the equipment, how confident are you that the train-the-trainer techniques currently being employed will provide adequate expertise? We heard some skepticism earlier from Mr. Nesbitt. Do you think the training and technical expertise currently provided should be repeated? More targeted? How would you address that?

Mr. DAVIS. I think that what we heard from the people that we talked to is that there was some unevenness in terms of training. One of the principal points that I'd like to leave with you today is the fact that we thought it was important that they really should try to institutionalize the training and build on the training institutions that already exist in most of the States within the United States. That gets at the issue raised by DOD—you have people that are qualified to do the training. I think one of the other panelists this morning talked about refresher training and things of that nature. Once it's institutionalized, then it'll be easier to do this refresher training.

The other observation we heard was that sometimes some of the people who were showing up at the training programs, the people who were supposed to pass on the training, were not necessarily the people that you would hand-pick, nor necessarily were they the best trainers to provide follow-on training to the rest of the people.

Mr. SOUDER. I want to ask a question about the proliferation of rapid response teams, and then I want to relate it back to the question and ask each of you to comment, if you will.

We have the training of the first responders, and the Federal Government has significant capabilities and assets to respond to major events. There's the Army Technical Escort Unit, the Marine Corps Chemical Biological Incident Response Force, and the Public Health Service Metropolitan Medical Strike Teams. The Department of Energy and the Environmental Protection Agency also have quick response capabilities. Furthermore, the National Guard is establishing 10 rapid assessment and initial detection units, and the Department of Defense is trying to figure out how to involve reserve units as part of the Multi-Agency Chemical Biological Rapid Reaction Team.

Initially, it's good to have a lot of activity and a lot of training, but when we get a hot area like this, this happens. I've worked a lot in the drug areas where they have every single agency. It's partly how Congress has structured it. Everybody wants a piece of the action. GAO has made that point; I agree with that point as well. It's partly that agencies, as referred to earlier, realize that this is the way to get their budgets up and to hold their budgets up. But, a fundamental question we have to look at, if, indeed, budgets are relatively tight and we're not sure of what risk we're actually at, given other types of risks we're facing in our society in a zero-sum game—for example, Mr. Johnson, what can a Technical Escort Unit do that a Marine Incident Response Force can't do, and vice versa? Does it make sense to have both?

Mr. JOHNSON. No, it doesn't. But what has happened in the slicing of the salami is the emergence of the terms "crisis management" versus "consequence management." So the way it's been divided up is that the TEU, the Technical Escort Unit, will handle

the crisis management response and the CBIRF will handle the consequence management. The fact is you can have one unit that can do both.

But what you're dealing with here are internal intra-grants, rivalries, and DOD budget issues, as they battle it out. I mean, the fact of the matter is you don't—TEU, as an example, is rarely called upon and deployed operationally, because there have been so few chemical/biological incidents. So, they spend more time training. I think if there is a more efficient way to use the resources, to maybe beef them up a little bit, maybe make it interservice, where it's not just Army—maybe it's an intermixture of Marines and Navy and Air Force—but at least create the one function, so it's there available for international and domestic. We've done a good job of sorting out some of the international food fights. That hasn't taken place domestically yet.

Mr. SOUDER. You're not saying they don't do different things. You're saying that it's because they're trained that they do different things, and in fact they could both be trained to do them?

Mr. JOHNSON. The way they've justified creating CBIRF is to say it deals with consequence management. If there's an incident and there are people to be dealt with, CBIRF goes in to deal with that. But, I've spent a lot of time scripting exercises for the forces that are involved with this response overseas, and where you actually in real world draw the line between where one stops and one starts, that hasn't been clearly demarcated, and that's a real problem.

The crisis response units tend to be covert, secretive. They don't want to alert someone that they're coming to deal with an issue. The consequence management is like watching a circus march through town—they're large; they're not low-key, and it's just different missions that require different operational procedures. I think those need to be consolidated and one unit given both functions, and if it's a matter of beefing one unit up, do so, but having two different units out there trying to figure out who does what, when, and where, in my view, I think it's silly.

Mr. SOUDER. So all of you in your testimony addressed this subject a little. Do any of you want to have additional comments at this point?

Mr. CILLUFFO. Well, I think that we do need to recognize that these are very specific skill sets that need to be brought to bear. I'm not saying that you can't put it in a more cohesive fashion or in a more integrated fashion. And perhaps the CINC USA could take steps to accomplish that. Yet, I think the bigger picture is coming up with common baseline institutionalized policies, plans, procedures, and assets, which gets to a whole host of issues, where it's more than just the Department of Defense; it's more than just the given agencies that have a role, where you really do need to have a template that's common.

I agree with vulnerability assessments like there's no tomorrow—I think it's crucial, and I agree with identifying capability gaps, skill sets, asset gaps, what resources need to be brought to bear, and I think only a city which has unique assets and unique skills, that we may not even be aware of, can only do that effectively. I think if you go through the training and then come up

with your assets that are needed based on that training, that you will get to a common baseline that can be applied elsewhere.

I think that exercising publicly serves as a pretty damn good deterrent in itself. If you demonstrate an ability to be able to respond, it may stop one or two or three of these wackos from taking the next step. I think that that shouldn't be lost in the shuffle as well.

Mr. SOUDER. Mr. Barrett.

Mr. BARRETT. Mr. Nesbitt, you heard Mr. Johnson comment that he thought that a good way to set up a program would be to have contacts with the 50 Governors. I think in your testimony, your written testimony at least, that you argued that a better place would be to go right to the local government. Why don't you let me know so I can sort of flesh-out the decision there?

Mr. NESBITT. I guess our approach is pretty simple. The people that I represent, who are the firefighters and the emergency medical personnel within the city, the local jurisdiction, when an incident occurs, we're there in 4 minutes and we have to assess the situation and begin some kind of operation. Our people need to know what to do. They need training. They need equipment. They need to be able to respond. In other services, like the State Emergency Management, and the National Guard bringing in resources, perhaps the military bringing in resources, but these resources would come later.

One of the concerns we have is some of the DOD training that's gone on, there is an assumption that a certain level or certain number or certain percentages of first responders will simply be assumed casualties; that they'll just simply be wiped out until these other resources get there, which, of course, is totally unacceptable to us.

Our big problem, historically, Congressman, has been when the Federal Government sends money down to the Governors, there's an administrative cost taken off and then the money comes down to perhaps the counties, and then it comes down to the cities, and there's administrative cost, and a lot of meetings go on and a lot of reports and a lot of paper and a lot of forests are wiped out. The next thing you know, the people that I represent who ride on an engine, respond to an alarm, and they are standing there confronting a situation without the benefits of any training. They may have gotten some equipment, but it may be equipment they don't need; they don't know how to use it; the equipment isn't maintained. They're the ones who have to, one, initiate some kind of operation; two, their lives are in jeopardy immediately; and, three, they're trying to protect the lives of the citizens they're sworn to protect.

We can talk about international terrorists and all these things, but when you look at Oklahoma City, you were talking about ammonium nitrate. You look at a situation, an incident in Oregon, I believe it was, where people sprayed salad bars in restaurants to try to make people sick with botulism, so that they could affect the outcome of a local election. You're talking about the Una-bomber who creates a certain hysteria, or simply—not simply, anthrax. We had an incident in Washington, DC, where there was a package left and we thought it was anthrax. We must respond to that.

A lot of the time, like in Oklahoma City, there are casualties; people had to be evacuated; we had to begin operations, and we can't wait for someone to come in an hour or 2 hours or 3 hours. We must begin work immediately.

We do have concerns about the point of contacting Governors. I think there's probably a role for the Governors, but, I say, again, we cannot overlook the fact that the people who are in an engine, the first engine to arrive at an incident, our members, they must be trained; they've got to be equipped; they need to know what to do; they need to begin to operate immediately, and not unnecessarily place their own lives in jeopardy.

Mr. BARRETT. Mr. Johnson, you have a response to that?

Mr. JOHNSON. Yes. I don't disagree with Mr. Nesbitt. I'm not talking about let's give the Governors the money and let's create another bureaucratic structure. I'm simply saying we have existing State and local emergency response services in place, and the fire departments around the country are critical to that. I'm saying let's use them. Instead of trying to create two or three other units that can do what they are already capable of doing, let's make sure they get the right kind of training and support. I offer the Governors from the standpoint that, frankly, how the Federal Government deals with its response overseas in international terrorism, it's a lot like how it has to deal with State and local government. I'm not trying that our different States represent foreign territories, but this issue of a Federal response to local, there's still a local government entity that has to be dealt with. But I do not disagree with what Mr. Nesbitt is saying.

Mr. BARRETT. Mr. Davis, you want to add something?

Mr. DAVIS. I'd like to use this as an opportunity to reinforce what we're saying. I agree that the States don't necessarily have to get the money. But if you remember the chart that we had with the State of Virginia where there are 13 teams, well, according to people in FEMA, there are 663 teams across the United States. In other words, there is an organizational structure, and we think that the program ought to be designed to build on that and use that, just like they're organized. The States don't necessarily have to get the moneys. The money wouldn't have to go through Richmond. It could still go directly to locales.

But, the other thing that it gets to, what's the strategy and how we're going to go about doing this, and what are the requirements that we're going to set for ourselves? Virginia, for example, told us, "We can't afford to have this type of capability in every local jurisdiction and city." There has to be some structure. And that's the way they devised it.

Mr. CILLUFFO. Mr. Congressman, if I could just add to that very quickly—everyone, I think, has come to that same conclusion, at least at this table. I think, though, in some cases that requires making sure the right people have a seat at the policy-planning table, whether it's within Congress, the administration or elsewhere, because people just don't know what skills and assets and capabilities are out there. I really do think we have to re-examine how we think about national security. This is not too much unlike civil defense in some cases, although the terminology kills the issue

right away, or continuity of government when it was robust during the Reagan years, which has withered away to nothing.

I'm somewhat surprised that FEMA is not here today, because I'd like to see what their comments are on some of these issues, since at one point they did have a very robust capability. I agree with Mr. Nesbitt that they would be the ideal place for this to sit; yet, I don't think that their current mission priorities have looked into that area. It's leveraging what's out there, but it's making sure they get to that table.

Mr. BARRETT. Very quickly, Mr. Chairman. Mr. Nesbitt?

Mr. NESBITT. I know that you said funds are limited, and we realize that. We want to make sure that the limited funds are spent well, but when I hear someone like in Virginia say, well, we can't train all fire departments and all firefighters in terrorism response, and we realize that there are different levels of response. I'm only saying that if I'm a firefighter on an engine and we get a call to respond and we roll in and there's a terrorist incident there and I'm not trained and I'm not equipped, what am I suppose to do? Am I supposed to say to citizens, "Well, good luck. Somebody else will be around later to take care of this incident"? You're talking about 4 minutes, 6 minutes, 8 minutes, 10 minutes.

These so-called teams, how many? I know they're within 30 miles, but when's the arrival? Like in Oklahoma City, would you have wanted to tell the citizens—well, at 9:02, when the explosion occurred, the fire department was there at 9:05, and there were casualties and the people needed to be evacuated, but you say, "Well, we're not trained; we'll have to wait for someone else to arrive. We'll just pull back and just kind of do nothing"? Or you place our people in jeopardy where they're going to die.

So, it's a question that Congress is really going to have to grapple with. What is our response? How do we respond? How do we maximize the use of these limited resources?

Mr. SOUDER. I want to do one more round of questioning because there's a fundamental question that you've all raised that we've discussed and that helps set up what we're going to do in the next panel, and that is kind of the command-and-control function. We've talked about the proliferation of first responder training, about the difficult questions of command and control, and who's in charge of what? We also see this moving from Department of Defense to DOJ. There's a difference between international incidents and domestic incidents; that we have certain constitutional questions that we have to address.

Could you each, and I'll start with Mr. Davis, comment on, what do you think about the move of this from DOD to DOJ? Where would you concentrate this structure? For example, Mr. Cilluffo raised the question of a CINC, that would be inside Defense.

Mr. CILLUFFO. And their interface beyond——

Mr. SOUDER. And beyond. I'd like to hear your comments related to that.

Would you separate the response from the training for trying to spot—are there different functions here that require multiple places? Just kind of address this fundamental question of—we have, by the way, have an anti-terrorism czar in the White House with no authority. In the drug area, we wound up—through this

committee, we fund the drug czar's office. He has some control, but even that, it's hard for a "czar" reporting to the President to be able to really move a Defense Department, for example, yet alone other agencies. Mr. Davis.

Mr. DAVIS. Sure. As you know, they're talking about moving the program from the Department of Defense to some other place, and some people say it might be within the Department of Justice. We haven't seen the details of that plan, but from our perspective, we would hope to see that there would be a process, in which we consider all of the alternatives. In fact, we heard a couple of people this morning talk about FEMA. I think that you can make a very good case for sending it to FEMA because they have the statutory and otherwise lead responsibility for consequence management. Also, they're tied into the fire academies and the structures that exist in the State and local jurisdictions.

I think that, in considering all the alternatives, you might even be able to make a case for EPA, because EPA has responsibility for the hazardous material incidence responses. WMD could be just another evolution of that or an extension of that response capability. I think that you could also make an argument for transferring the program to the Department of Justice, because there are some parts of the Department of Justice that deal with training programs, have equipment components to their programs, and there would be some advantages to consolidating some of them.

I think the important thing from our perspective is that we consider all the different options, and the pros and cons laid on the table, and reasonable decisions be made.

Mr. SOUDER. Mr. Johnson.

Mr. JOHNSON. I think that not all of the functions need to be consolidated into one place, but there does need to be a solid lead agency concept working. It's worked fairly effectively overseas because, in events where we have the Ambassador in charge and there's a handoff to a military on-the-scene commander, it's a very stylized kabuki dance that, if they get into a disagreement, they go up their chains of command, so that the President ultimately does resolve this. That kind of structure is not in place domestically.

Because the FBI is the lead agency for handling terrorism, in my view, it ought to be genuinely the lead agency over all of this, which includes consequence management, crisis management, domestic preparedness. But that is not saying that the FBI should have all of those functions, because the fact of the matter is FEMA does the domestic preparedness better than the FBI. The real danger with the FBI heading it is in the past they haven't always worked and played well with others; they didn't get the good marks that you did in kindergarten. They tend to ignore other agencies.

The really good news here is that the U.S. Government has a vast, wonderful resource of personnel, talent, and capability. When you look at the array that's there through EPA, through FEMA, through Health and Human Services, through Department of Defense, I think it would be a mistake to take the response for chem-bio incidents out of DOD because Department of Defense has that expertise. So, what I am advocating is let FBI be lead agency, but let's let each agency that has those unique capabilities use those in a way that's most efficient.

Mr. SOUDER. Mr. Cilluffo.

Mr. CILLUFFO. I agree. PDD 39, which clearly assigned roles and missions, and reaffirmed roles and missions, did give the FBI the lead Federal agency for all terrorism occurring in the United States or on U.S. soil, and FEMA, the consequence management phase. However, as most real-world events would prove, there is no passing off the baton from the crisis management phase to consequence management phase. They're running side-by-side simultaneously.

I think that was a misjudgment on this Presidential decision directive. You're going to be doing the investigations while you're saving lives. Saving lives is priority No. 1 for any agency, regardless of the case. You also have to maintain the evidence to identify the perpetrators.

But when you're dealing with WMD—the reason I mentioned DOD to remain as the executive agent is they have the expertise; they have the experience; they have the capabilities and the assets that can be brought to bear that others do not. I'm not saying to give them lead Federal agency on anything CONUS, but what I am saying is that (a) you're building upon something and that you don't have to start from scratch; (b) if you're dealing with a major event or campaign of events, CONUS, within the United States, I don't think too many people will be questioning as to who suddenly is responsible to deal with how we handle it. Clearly, the Department of Defense would be the agency that has the assets that can be brought to bear and to respond to the crisis.

I think that one of the challenges is to identify when do you hand off, pass the baton within the United States. If it's a major event, the assets just can't be brought to bear outside of the Department of Defense.

Mr. NESBITT. First of all, we've seen some of the DOD training; we've seen some other training, and while they've got some good elements, they're certainly inadequate for what we think the criteria ought to be. I think you also need to keep in mind that when you've got a terrorist incident—as I said, the fire department and the law enforcement are the first ones to respond—the commander of the fire service, the fire chief, or whoever the commander is, remains the incident commander of that whole incident. He is in charge of that particular incident.

We're concerned with operational response, initially to respond to that particular emergency. Then comes the question of law enforcement and crime, and has there been a crime, and has it turned into a criminal investigation?

We go back to our testimony again, and we think the lead agency, from our point of view, in terms of response at the local level and as far as training and who's in charge and who can best coordinate it, we believe it should be FEMA.

Mr. SOUDER. Mr. Barrett.

Mr. BARRETT. Thank you. I want to just spend a couple of minutes on the loan equipment program and make sure I understand. Then I've got the three fundamental questions.

Mr. DAVIS. Sure. OK.

Mr. BARRETT. It's $300,000 worth of training equipment for each participating city? Is that the way the program——

Mr. DAVIS. That's right. It's roughly $300,000.

Mr. BARRETT. There are 120 cities?

Mr. DAVIS. 120 cities.

Mr. BARRETT. Has each of these cities taken advantage of the program?

Mr. DAVIS. Well, by December this year, one-third of the cities will have received their training. The equipment is following the training. I'm sure there's only a handful of cities that have the actual equipment. They're beginning to get it in, but they don't have all the equipment today.

Mr. BARRETT. Am I correct in assuming that all 120 cities will take advantage of it?

Mr. DAVIS. Absolutely. In fact, the response that we're getting, for example, to our draft report that's out to the agencies for comments, which we also sent to the cities that we dealt with, came back favorably. They're supportive of the positions that we've taken and they're supportive of building on existing State and local structures. At the same time, they're saying we sure want that equipment, though; don't take that equipment from us.

Mr. BARRETT. Knowing my local officials, I'd be surprised if they didn't say that.

Mr. DAVIS. Right. [Laughter.]

Mr. BARRETT. I know Mr. Souder asked a couple of questions, so I apologize if these are redundant. There's a corresponding, if you will, program, Health and Human Services program. Can you tell me about that program?

Mr. DAVIS. Well, there's a program with Health and Human Services that's lead by the Public Health Service, that is also providing what they call Metropolitan Medical Strike Teams. They also want to be able to provide equipment to 120 local jurisdictions.

Mr. BARRETT. The same 120 that's there for the use of——

Mr. DAVIS. Right. And right now they provide a certain number of them; I don't know the exact amount. I think they're following the DOD in terms of the first 27 cities; then they're trying to build it up to 120 cities. First, they follow DOD with the first 27; then they want to get up to 120.

Some of the equipment components are overlapping. We talked about that earlier. But some of it is very different. The issues that we're dealing with at the State and local level are that they find that cumbersome in terms of having to deal with different agency people and to look at more lists. There's not, as they refer to it, one-stop shopping. They'd like to be able to have one-stop shopping.

Mr. BARRETT. In the Department of Health and Human Services program, what's the amount that a city is eligible for?

Mr. DAVIS. Well, it's averaging about $350,000 a city. It's somewhat of a sliding scale, but it's an average.

Mr. BARRETT. And is that a program where each city is eligible to get the money, or will some cities not get it? In other words, will all 120 cities take advantage of that program?

Mr. DAVIS. Right, if it is expanded. It's a contract grant, unlike the DOD program which is basically a loan program.

Mr. BARRETT. OK.

Mr. DAVIS. One of the real issues that we're hearing from the locals—and they used the term "unfunded mandate"—is that the legislation allows DOD to loan equipment to the cities for training-

the-trainer; but now, the cities are responsible for maintaining, repairing, and replacing the equipment. Some of this equipment is going to wear out. As you use it, it's going to wear out—the protective suits, et cetera.

Mr. BARRETT. Do you really see the unfunded mandate with this program?

Mr. DAVIS. The people say they're not sure—the loan agreement that they have with DOD right now calls for them to replace the equipment—to repair, maintain, and replace it. There are no provisions right now in terms of the Federal Government providing that replacement.

Mr. BARRETT. Are they able to pay it back? In other words, rather than replace it, just say we don't want to do this program anymore? Is that something—I'm just surprised that I hear the unfunded mandate argument when this program is essentially a loan program.

Mr. DAVIS. Yes, we haven't heard anybody who said they want to turn it back in DOD. They're out there with their hands out. They're willing to accept it and they want to take it. But they think that, by taking it, maybe someday later the Federal Government will come along and replace it for them. They told us they're fairly confident that training equipment is not going to get the priority to compete successfully against other demands on local budgets.

Mr. BARRETT. Anybody else want to comment on this program? Mr. Nesbitt.

Mr. NESBITT. Say the money is for training equipment. To actually equip a fire department that was properly trained to use this equipment, you're talking about a substantially larger amount of money. Some of this equipment is very expensive, and once you use it once, you can't use it again. It has to be disposed of and you have to replace it. So, it's a very expensive proposition.

To equip and train a fire department, for example, if you train them properly and you give them all the equipment for training, but then you say, OK, you're trained but now there's no equipment if you're going to respond, it doesn't seem to make a lot of sense to us.

Mr. BARRETT. And I understand that argument. I just don't understand how that would constitute unfunded mandate if it's a voluntary program. That was my point.

That's all I have right now, Mr. Chairman.

Mr. SOUDER. I thank you for your time and your responsiveness, and if you have additional information you want to submit for the record we would like to have that.

The second panel could now come forward. The second panel consists of officials from three Federal departments. Representing the Department of Justice are Mr. Robert Blitzer, Section Chief, Domestic Terrorism/Counterterrorism Planning Section, Federal Bureau of Investigation; Mr. Michael Dalich, Chief of Staff, Office of Justice Program. Representing the Department of Defense is Mr. Charles L. Cragin, Principal Deputy Assistant Secretary of Defense for Reserve Affairs, and Mr. James Q. Roberts, Principal Director of Policy and Missions, Office of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict. Mr. Robert

Knouss, Director, Office of Emergency Preparedness is from the Department of Health and Human Services.

Thank you all for coming and for your patience. Now that you're all comfortably settled, would you please stand again? Raise your right hands.

[Witnesses sworn.]

Mr. SOUDER. Let the record show that the witnesses answered in the affirmative.

Mr. Blitzer, would you please proceed?

STATEMENTS OF ROBERT M. BLITZER, SECTION CHIEF, DOMESTIC TERRORISM/COUNTERTERRORISM PLANNING SECTION, NATIONAL SECURITY DIVISION, FEDERAL BUREAU OF INVESTIGATION, DEPARTMENT OF JUSTICE, ACCOMPANIED BY MICHAEL J. DALICH, CHIEF OF STAFF, OFFICE OF JUSTICE PROGRAMS, DEPARTMENT OF JUSTICE; CHARLES L. CRAGIN, PRINCIPAL DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS, DEPARTMENT OF DEFENSE; JAMES Q. ROBERTS, PRINCIPAL DIRECTOR FOR POLICY AND MISSIONS, OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT, DEPARTMENT OF DEFENSE, AND ROBERT KNOUSS, DIRECTOR, OFFICE OF EMERGENCY PREPAREDNESS, DEPARTMENT OF HEALTH AND HUMAN SERVICES

Mr. BLITZER. Good morning, Mr. Chairman, Mr. Barrett, staff. Thank you for the opportunity to address you today regarding the FBI's role in the preparedness of this Nation to deal with terrorism, including that which involves weapons of mass destruction.

This morning I will focus on three specific areas: First, the domestic WMD threat and the threat posed to this country by international terrorists here. Second, I'll provide an overview of the current interagency initiatives to establish a National Domestic Preparedness Office. Finally, I'll comment on the Government Accounting Office report concerning the value of the threat and risk assessments.

During the past 2 years we have responded, along with our crisis and consequence management partners, to a growing number of domestic WMD threats and incidents. These incidents have been carried out primarily by two categories of violators which we identify as lone offenders and extremist elements of right-wing groups.

Typical lone offenders fit into one or more categories; for example, those seeking revenge; those who are mentally unstable; those who belong to violent extremist elements, usually splinters of those elements, and those who intend to disrupt our Government activities and our emergency response modes through the use of pranks or hoaxes.

Although most of the threats we've handled over the past 3 years have proven not to have endangered the public safety, investigative, emergency and medical personnel respond seriously to each and every incident. The impact of these responses is both costly and disruptive.

The current international terrorist threat really can be divided into three general categories. I think Mr. Johnson's definition was quite on the money. I would only add to his description that, al-

though we're seeing fewer attacks, we're seeing a lot of people hurt during specific attacks. This is, of course, of great concern to us.

The first category of threat stems from State sponsors. State sponsors include the countries of Iran, Iraq, Syria, Sudan, Libya, Cuba, and North Korea. Put simply, these nations view terrorism as a tool of foreign policy and many of these countries do have WMD capabilities, or at least are working hard on them.

The second category of international terrorist threat is made up of formalized terrorist organizations, such as the Hizballah, the Egyptian Al-Gama Al-Islamiyya, and the Palestinian Hamas. They're able to plan and mount terrorist campaigns on an international basis.

The third category of international terrorist threats stems from loosely affiliated extremists characterized by rogue terrorists such as Ramzi Ahmed Yousef of the World Trade Center and international terrorist financier Osama Bin Ladin. These loosely affiliated extremists may pose the most serious threat to the United States because they are often difficult for law enforcement and the intelligence community to penetrate or tract. They also can exploit the mobility, the technology, and rapid transportation, and a fluid organizational structure.

The FBI believes that the threat posed by international terrorists in each of these categories will continue for the foreseeable future. In the face of these threats, the Federal Government, through the Domestic Preparedness Program, has elevated the awareness of the Nation's first responders with the possibility of WMD terrorism. Federal, State, and local responders now participate in a cooperative dialog and have come to realize that an effective response to terrorism requires a unified approach by all relevant authorities.

Our Special Agents-in-Charge across the country—as you know, we're located in 56 different field divisions, as well as over 400 resident agencies—have undertaken new responsibilities to coordinate beyond the traditional law enforcement community efforts and to begin useful purposeful liaison with members of the fire/hazmat emergency medical and consequence planning community. Through the execution of this program, we and our interagency partners have placed the utmost importance upon delivering a program that will enhance capabilities of first responders to safely and effectively respond to a terrorist incident.

To specifically solicit first responder input—and this has been fairly recent—the Department of Justice convened a State and local stakeholders' forum here in Washington, DC. This was from the entire crisis and consequence management community—police, fire, Office of Emergency Preparedness, et cetera. More than 200 State and local emergency response planners and practitioners from across the Nation were invited to discuss current and Federal domestic preparedness efforts and to present their suggestions to the Attorney General. They asked that a single point of contact, one-stop shopping, as someone on the prior panel mentioned, be designated for the various initiatives that provide training, equipment, or other assistance for terrorist and preparedness for both State and local authorities. They specifically proposed that the Department of Justice become responsible for the overall implementation of terrorism-related domestic preparedness programs and activities.

Because of the strong recommendations of the State and local stakeholders, the Attorney General, Secretary of Defense, and the Director of FEMA have personally engaged in a process to transition the responsibility for the Domestic Preparedness Program to the Department of Justice. Additionally, the Office of Management and Budget is working closely with all parties in support of this transition.

DOJ's proposed coordinating structure will incorporate input from the Federal agencies with responsibilities in WMD terrorism and create an informal advisory relationship with first responder stakeholders. The actual detail and structure in staffing of the proposed national office are being involved within the interagency community.

I've been requested to comment specifically on the value of conducting the threat and the risk assessments for cities or designated geographic areas prior to providing training and equipment loans. The FBI's response letter of March 4, 1998 to Mr. Davis of the GAO provides our position on the threat and risk assessment issue. In brief, threat and risk assessments will add value to the overall domestic preparedness effort. We think that a pilot project to test the threat and risk assessment process should be done. In the near future, we will attempt to adapt and test a model for use in the cities and other local areas, a threat and risk model.

Also, in association with other Federal, State, and local authorities, we intend to explore existing threat and risk methodologies that may be helpful in better determining the training and equipment requirements of our first responder community across the Nation. The mission of the FBI's counterterrorism preparedness program supports the U.S. counterterrorism effort by increasing the capacity of Federal, State, and local crisis and consequence management agencies, to respond to any threats or acts of terrorism in the United States. The FBI is confident that, through the National Domestic Preparedness Office, we can support this mission.

Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Blitzer follows:]

OCTOBER 2, 1998

GOOD MORNING, THANK YOU FOR THIS OPPORTUNITY TO ADDRESS MEMBERS OF THE SUBCOMMITTEE ON THE FEDERAL BUREAU OF INVESTIGATION'S ROLE IN THE PREPAREDNESS OF THIS NATION TO DEAL WITH TERRORISM, INCLUDING THAT WHICH INVOLVES WEAPONS OF MASS DESTRUCTION.

THIS MORNING I WILL FOCUS ON THREE SPECIFIC AREAS. FIRST, I WILL BRIEFLY DISCUSS THE DOMESTIC WMD THREAT AND THE THREAT POSED TO THIS COUNTRY BY INTERNATIONAL TERRORISTS HERE AT HOME.

SECOND, I WILL PROVIDE AN OVERVIEW OF CURRENT INTERAGENCY INITIATIVES TO ESTABLISH A NATIONAL DOMESTIC PREPAREDNESS OFFICE.

FINALLY, I WILL COMMENT ON THE GOVERNMENT ACCOUNTING OFFICE REPORT CONCERNING THE VALUE OF THREAT AND RISK ASSESSMENTS.

I HAVE SUBMITTED A WRITTEN STATEMENT FOR THE RECORD WHICH FURTHER DETAILS MY TESTIMONY HERE TODAY.

DURING THE PAST THREE YEARS, WE HAVE RESPONDED, ALONG WITH OUR CRISIS AND CONSEQUENCE PARTNERS, TO A GROWING NUMBER OF DOMESTIC WMD THREATS AND INCIDENTS.

THESE INCIDENTS HAVE BEEN CARRIED OUT PRIMARILY BY TWO CATEGORIES OF VIOLATORS WHICH WE IDENTIFY AS " LONE OFFENDERS" AND "EXTREMIST ELEMENTS OF RIGHT WING GROUPS."

WHILE THE MAJORITY OF THESE WMD THREATS WERE HOAXES, THE

NUMBER OF CREDIBLE THREATS AND INCIDENTS IN 1998 HAS SIGNIFICANTLY INCREASED OVER THOSE OF PREVIOUS YEARS.

IN 1997, WE INITIATED 68 NEW INVESTIGATIONS INTO THE USE OR THREATENED USE OF CHEMICAL, BIOLOGICAL, RADIOLOGICAL OR NUCLEAR MATERIALS. AS OF SEPTEMBER OF THIS YEAR, THE FBI HAS OPENED IN EXCESS OF 86 SIMILAR INVESTIGATIONS.

WE HAVE RESPONDED TO ACTUAL INCIDENTS IN BOTH URBAN AND RURAL AREAS; FROM CHARLOTTE TO LOS ANGELES, AND FROM MADISON TO DALLAS.

THE TYPICAL "LONE OFFENDERS" FIT INTO ONE OR MORE CATEGORIES, SUCH AS:

1) THOSE SEEKING REVENGE FOR INDIVIDUAL GRIEVANCES OR VENDETTAS AGAINST OTHER CITIZENS;

2) THOSE WHO ARE MENTALLY UNSTABLE;

3) THOSE WHO BELONG TO VIOLENT EXTREMIST ELEMENTS AND BELIEVE IN THE VIOLENT OVERTHROW OF THE FEDERAL GOVERNMENT;

4) AND FINALLY THERE ARE THOSE WHOM WE CALL "DISRUPTERS," WHOSE INTENT IS TO FORCE THE GOVERNMENT INTO AN "EMERGENCY RESPONSE MODE" WITH PRANK WMD THREATS.

ALTHOUGH MANY OF THESE THREATS ULTIMATELY PROVE NOT TO ENDANGER THE PUBLIC SAFETY, INVESTIGATIVE, EMERGENCY, AND MEDICAL PERSONNEL RESPOND SERIOUSLY TO EACH AND EVERY INCIDENT. THE

IMPACT OF THESE RESPONSES IS COSTLY AND DISRUPTIVE.

IN ADDITION TO THE GENERAL DOMESTIC WMD THREAT, YOU HAVE REQUESTED THAT I COMMENT ON THE THREAT TO THE U.S. FROM FOREIGN TERRORISTS.

THE MAJOR EXTERNAL THREAT TO U.S. INTERESTS OVERSEAS MAY COME FROM A NUMBER OF STATE SPONSORS OR NON-ALIGNED TERRORISTS WHO MAY HAVE ACCESS TO COUNTRIES WITH OFFENSIVE WMD PROGRAMS. DOMESTICALLY, WE HAVE SEEN MINIMAL ACTIVITY FROM STATE SPONSORS DIRECTED AGAINST THE CONTINENTAL U.S.

THE SOFTER TARGETS OF U.S. CITIZENS ABROAD IN EMBASSIES, BUSINESSES AND MILITARY INSTALLATIONS ARE AT GREATER RISK OF ATTACK FROM BOTH CONVENTIONAL AND NON-CONVENTIONAL WEAPONS.

AS YOU ARE AWARE, AND AS THE BOMBING OF THE WORLD TRADE CENTER IN FEBRUARY 1993, KHOBAR TOWERS IN 1996, AND THE RECENT TRAGEDIES IN EAST AFRICA ILLUSTRATE, THIS THREAT CONFRONTS BOTH THE UNITED STATES DOMESTICALLY AND U.S. CITIZENS AND INTERESTS ABROAD.

THE CURRENT INTERNATIONAL TERRORIST THREAT CAN BE DIVIDED INTO THREE GENERAL CATEGORIES, EACH OF WHICH POSES A SERIOUS AND DISTINCT THREAT:

THE FIRST CATEGORY, IS STATE-SPONSORED TERRORISM, WHICH VIOLATES EVERY CONVENTION OF INTERNATIONAL LAW. STATE SPONSORS OF TERRORISM INCLUDE IRAN, IRAQ, SYRIA, SUDAN, LIBYA, CUBA, AND NORTH KOREA. PUT SIMPLY, THESE NATIONS VIEW TERRORISM AS A TOOL OF FOREIGN POLICY.

THE SECOND CATEGORY OF THE INTERNATIONAL TERRORIST THREAT IS MADE UP OF FORMALIZED TERRORIST ORGANIZATIONS, SUCH AS THE LEBANESE HIZBALLAH, THE EGYPTIAN AL-GAMA' AL-ISLAMIYYA, AND THE PALESTINIAN HAMAS.

THESE AUTONOMOUS, GENERALLY TRANSNATIONAL, ORGANIZATIONS HAVE THEIR OWN INFRASTRUCTURES, PERSONNEL, FINANCIAL ARRANGEMENTS, AND TRAINING FACILITIES. THEY ARE ABLE TO PLAN AND MOUNT TERRORIST CAMPAIGNS ON AN INTERNATIONAL BASIS, AND THEY ACTIVELY SUPPORT TERRORIST ACTIVITIES IN THE UNITED STATES.

THE THIRD CATEGORY OF THE INTERNATIONAL TERRORIST THREAT STEMS FROM LOOSELY AFFILIATED EXTREMISTS - CHARACTERIZED BY ROGUE TERRORISTS SUCH AS RAMZI AHMED YOUSEF AND INTERNATIONAL TERRORIST FINANCIER USAMA BIN LADIN.

THESE LOOSELY AFFILIATED EXTREMISTS MAY POSE THE MOST URGENT THREAT TO THE UNITED STATES BECAUSE GROUPS ARE OFTEN ORGANIZED ON AN AD-HOC, TEMPORARY BASIS, MAKING THEM DIFFICULT FOR LAW ENFORCEMENT TO INFILTRATE OR TRACK. THEY ALSO CAN

EXPLOIT THE MOBILITY THAT TECHNOLOGY AND A FLUID ORGANIZATIONAL STRUCTURE OFFER.

SUCH A GROUP WAS RESPONSIBLE FOR THE FEBRUARY, 1993 BOMBING OF THE WORLD TRADE CENTER AND ANOTHER FOR PLOTTING TO BOMB SEVERAL NEW YORK CITY LANDMARKS.

THE FBI BELIEVES THAT THE THREAT POSED BY INTERNATIONAL TERRORISTS IN EACH OF THESE CATEGORIES WILL CONTINUE FOR THE FORESEEABLE FUTURE.

AS ATTENTION FOCUSES ON USAMA BIN LADIN IN THE AFTERMATH OF THE EAST AFRICAN BOMBINGS, I BELIEVE IT IS IMPORTANT TO REMEMBER THAT ROGUE TERRORISTS SUCH AS BIN LADIN REPRESENT JUST ONE TYPE OF THREAT THAT WE FACE. IT IS IMPERATIVE THAT WE MAINTAIN OUR ABILITIES TO COUNTER THE BROAD RANGE OF THREATS THAT CONFRONT US.

IN THE FACE OF THESE THREATS, THE FEDERAL GOVERNMENT, THROUGH THE NUNN-LUGAR-DOMENICI DOMESTIC PREPAREDNESS PROGRAM, HAS ELEVATED THE AWARENESS OF THE NATION'S FIRST RESPONDERS TO THE POSSIBILITY OF WMD TERRORISM.

FEDERAL, STATE, AND LOCAL RESPONDERS NOW PARTICIPATE IN A COOPERATIVE DIALOGUE AND HAVE COME TO REALIZE THAT AN EFFECTIVE RESPONSE TO TERRORISM REQUIRES A UNIFIED APPROACH BY ALL RELEVANT AUTHORITIES.

DURING THE DEVELOPMENT AND DELIVERY OF THE NUNN-LUGAR-DOMENICI PROGRAM, THE FBI HAS RECEIVED FEEDBACK FROM THE FIRST RESPONDER COMMUNITY THROUGH OUR FIELD OFFICES LOCATED AROUND THE COUNTRY.

OUR SPECIAL AGENTS IN CHARGE HAVE UNDERTAKEN NEW RESPONSIBILITIES TO COORDINATE BEYOND THE TRADITIONAL LAW ENFORCEMENT COMMUNITY AND BEGIN PURPOSEFUL LIAISON WITH MEMBERS OF THE FIRE/HAZMAT, EMERGENCY MEDICAL, AND CONSEQUENCE PLANNING COMMUNITY.

WE HAVE RESPONDED TO NUMEROUS REQUESTS FOR THREAT BRIEFINGS, CONTINGENCY PLANNING, AND OTHER TYPES OF ASSISTANCE TO COMMUNITIES PREPARING FOR THE POSSIBILITY OF WMD.

THROUGHOUT THE EXECUTION OF THIS PROGRAM, WE AND OUR INTERAGENCY PARTNERS HAVE PLACED THE UTMOST IMPORTANCE ON DELIVERING A PROGRAM THAT WILL ENHANCE THE CAPABILITIES OF FIRST RESPONDERS TO SAFELY AND EFFECTIVELY RESPOND TO A TERRORIST INCIDENT INVOLVING WMD.

TO SPECIFICALLY SOLICIT FIRST RESPONDER INPUT, THE DEPARTMENT OF JUSTICE RECENTLY CONVENED A STATE AND LOCAL "STAKEHOLDERS" FORUM IN WASHINGTON, D.C.

MORE THAN 200 STATE AND LOCAL EMERGENCY RESPONSE PLANNERS AND PRACTITIONERS FROM ACROSS THE NATION WERE INVITED

TO DISCUSS CURRENT FEDERAL DOMESTIC PREPAREDNESS EFFORTS AND TO PRESENT THEIR SUGGESTIONS TO THE ATTORNEY GENERAL.

THEY ASKED THAT A SINGLE POINT OF CONTACT BE DESIGNATED FOR THE VARIOUS INITIATIVES THAT PROVIDE TRAINING, EQUIPMENT OR OTHER ASSISTANCE FOR TERRORISM PREPAREDNESS TO STATE AND LOCAL AUTHORITIES.

THEY SPECIFICALLY PROPOSED THAT THE DEPARTMENT OF JUSTICE BECOME RESPONSIBLE FOR THE OVERALL IMPLEMENTATION OF TERRORISM-RELATED DOMESTIC PREPAREDNESS PROGRAMS AND ACTIVITIES.

BECAUSE OF THE STRONG RECOMMENDATIONS OF THE STATE AND LOCAL STAKEHOLDERS, THE ATTORNEY GENERAL, SECRETARY OF DEFENSE AND THE DIRECTOR OF FEMA HAVE PERSONALLY ENGAGED IN A PROCESS TO TRANSITION THE RESPONSIBILITY FOR THE DOMESTIC PREPAREDNESS PROGRAM TO THE DEPARTMENT OF JUSTICE. ADDITIONALLY, THE OFFICE OF MANAGEMENT AND BUDGET IS WORKING CLOSELY WITH ALL PARTIES IN SUPPORT OF THIS TRANSITION.

DOJ'S PROPOSED COORDINATING STRUCTURE WILL INCORPORATE INPUT FROM THE FEDERAL AGENCIES WITH RESPONSIBILITIES IN WMD TERRORISM AND CREATE A FORMAL ADVISORY RELATIONSHIP WITH FIRST RESPONDER STAKEHOLDERS.

THE ACTUAL DETAILS REGARDING THE STRUCTURE AND STAFFING OF

THE PROPOSED NATIONAL OFFICE ARE BEING DEVELOPED IN THE INTERAGENCY COMMUNITY.

THE SUBCOMMITTEE HAS REQUESTED THAT I COMMENT ON THE VALUE OF CONDUCTING THREAT AND RISK ASSESSMENTS FOR CITIES OR DESIGNATED GEOGRAPHIC AREAS PRIOR TO PROVIDING TRAINING AND EQUIPMENT LOANS.

THE FBI'S RESPONSE LETTER OF MARCH 4, 1998 TO MR. DAVIS PROVIDES OUR POSITION ON THE THREAT AND RISK ASSESSMENT ISSUE. IN BRIEF, THREAT AND RISK ASSESSMENTS WILL ADD VALUE TO THE OVERALL DOMESTIC PREPAREDNESS EFFORT. WE THINK THAT A PILOT PROJECT TO TEST THE THREAT AND RISK ASSESSMENT PROCESSES SHOULD BE DONE.

IN THAT REGARD, MY STAFF AND I HAVE BEEN IN CONTACT WITH A PRIVATE CORPORATION RECOMMENDED BY GAO, AND ARE EVALUATING THE SPECIFIC THREAT AND RISK MODEL UTILIZED BY THAT COMPANY.

IN THE NEAR FUTURE WE WILL ATTEMPT TO ADAPT AND TEST THIS MODEL FOR USE IN CITIES AND OTHER LOCAL AREAS. ALSO, IN ASSOCIATION WITH OTHER FEDERAL , STATE, AND LOCAL AUTHORITIES, WE INTEND TO EXPLORE EXISTING THREAT AND RISK METHODOLOGIES THAT MAY BE HELPFUL IN BETTER DETERMINING THE TRAINING AND EQUIPMENT REQUIREMENTS OF OUR FIRST RESPONDER COMMUNITY ACROSS THE NATION.

THE MISSION OF THE FBI'S COUNTERTERRORISM PREPAREDNESS

PROGRAM IS TO SUPPORT THE U.S. COUNTERTERRORISM EFFORT BY INCREASING THE CAPACITY OF FEDERAL, STATE, AND LOCAL CRISIS AND CONSEQUENCE MANAGEMENT AGENCIES TO RESPOND TO ANY THREATS AND/OR ACTS OF TERRORISM WITHIN THE UNITED STATES. THE FBI IS CONFIDENT THAT THROUGH THE NDPO, IT CAN SUPPORT THIS MISSION.

Mr. SOUDER. Thank you.

Mr. Dalich.

Mr. DALICH. Mr. Chairman, Mr. Barrett, my name is Mike Dalich, and I serve as Chief of Staff to the Assistant Attorney General for the Office of Justice Programs. On behalf of the Attorney General and OJP Assistant Attorney General Laurie Robinson, it's my pleasure to discuss OJP's effort as part of the broader administration initiative to assist State and local jurisdictions in enhancing their capabilities to respond to incidents of domestic terrorism.

As the recent bombings at the embassies in Africa illustrate, acts of terrorism are very much a part of today's world. And as past events in the United States prove, the World Trade Center, Oklahoma City, and others prove these incidents and similar acts can happen here.

The Department of Justice has reached an agreement in principle with the Department of Defense, FEMA, and the National Security Council to establish the Department of Justice with the FBI as the lead agency for U.S. domestic preparedness for weapons of mass destruction terrorism. The Department of Justice would assume overall responsibility for the formulation and execution of programs and activities, to prepare the United States for incidents of terrorism, and would establish the National Domestic Preparedness Office and the FBI as the coordinating structure for these programs and activities.

The Office of Justice Programs will work closely with the NDPO to incorporate the policy and planning decisions of the new office and in our equipment, grant, and training programs. While the details about the structure and composition of the NDPO are still being developed, we will work closely with all agencies involved in supporting the counterterrorism preparedness of States and cities. We believe that this action will help resolve many of the problems of overlap and lack of coordination identified in the GAO reports.

OJP will provide training and equipment support to help build this critical capacity, to enable the seamless integration of the State and Federal assets, if ever needed. OJP's efforts, coordinated with the Federal interagency community, can provide the targeted threat-specific training, equipment, exercises, and technical assistance necessary to build the capacity of the Nation's State and local emergency responders.

The mission of OJP's Office of State and Local Domestic Preparedness Support is to assist State and local jurisdictions and enhance their capabilities to respond to incidents of domestic terrorism. Although the domestic preparedness is a relatively new focus for OJP, we have a 30-year history of working with State and local law enforcement and other officials. OJP will build on successful partnership with three specific initiatives.

First, OJP, again as part of the coordinated DOJ and interagency effort, is providing financial assistance to enable State and local jurisdictions to buy much-needed equipment. With funds appropriated for this purpose by Congress last year, we recently, for example, made $12 million available to 41 local jurisdictions to assist in the purchasing of personal protection, decontamination, detection, and other equipment to assist first responders.

Second, OJP is offering, again, in concert with a broader initiative, a wide spectrum of training to ensure that State and local emergency response personnel and public officials have the knowledge, skills, and abilities to enable them to respond well if such incidents occurred. DOD will continue to finance the Nunn-Lugar training through year 2000, after which the program will shift to the Department of Justice; that's in fiscal year 2001.

In June, we opened the Center for Domestic Preparedness at Fort McClellan, AL to train State and local emergency responders. We've already trained over 450 first responders in basic awareness, incident command, and incident management.

Third, OJP is offering technical assistance to help State and local communities in sharing the information needed to make the critical decisions domestic preparedness requires. We've written to several universities and research facilities to develop the capacity, and recently held highly successful listening sessions with State and local first responders to find out how the Federal Government can best assist them in responding to domestic terrorism.

The Attorney General, Secretary of Defense, Dr. Hamre, and FEMA Director James Lee Witt were active participants in these sessions, demonstrating their clear personal commitment to this issue and hearing directly concerns and needs from over 200 first responders.

I want to thank you, Mr. Chairman, and members of the subcommittee, for the opportunity to be here today. I ask that my statement be incorporated.

[The prepared statement of Mr. Dalich follows:]

Mr. Chairman and Members of the Subcommittee:

Good afternoon. My name is Michael J. Dalich, and I serve as Chief of Staff to the Assistant Attorney General for the Office of Justice Programs (OJP). In my capacity, I have played an integral role in the development of OJP's newest office -- the Office for State and Local Domestic Preparedness Support -- and I continue to oversee this office's efforts and play a lead role in representing OJP's interests within the Department of Justice's broader counterterrorism and domestic preparedness initiatives. For much of this fiscal year, considerable work has gone on to establish this new office, which officially became a part of OJP on August 21, 1998.

On behalf of the Attorney General, and Assistant Attorney General for OJP Laurie Robinson, it is my pleasure to be with you today to discuss OJP's efforts to assist state and local jurisdictions to enhance their capabilities to respond to incidents of domestic terrorism.

As the recent bombings at the embassies in Africa illustrate, acts of terrorism are very much a part of today's world. And, as past events in the United States illustrate -- the World Trade Center, Oklahoma City and others -- these and similar acts can happen here. We all know too well that the threat of a terrorist attack on America's communities is a real one.

And what we also know is that if terrorist attacks occur in American communities, it will be the ability of those communities to respond well that's going to be critical to protecting lives and property and ensuring public safety. And if such incidents occur, it will be state and local law enforcement, fire and emergency medical service personnel, and state and local officials who will be first on the scene and bear the initial, if not most of the burden and responsibility.

Enhancing the capabilities of state and local governments to deal with the immediate effects of a terrorist incident is essential to the success of the federal government's efforts to prepare for such an incident. Local emergency responders must be able to provide critical resources within minutes to mitigate the effects of a terrorist incident.

The Department of Justice has reached an agreement in principle with DoD, FEMA, and the National Security Council to establish the DOJ, with the FBI in the lead, as the lead agency for U.S. domestic preparedness for weapons of mass destruction terrorism. In this capacity, DOJ would assume overall responsibility for the formulation and execution of programs and activities to prepare the United States for incidents of WMD terrorism. DOJ would establish the National Domestic Preparedness Office in the FBI as the coordinating structure for these programs and activities. We believe that this action and the work of the NDPO will help resolve many of the problems of potential overlap and lack of coordination identified in the GAO report.

For its part, the Office of Justice Programs will work closely with the NDPO, incorporating the policy and planning decisions of the new office into the equipment grant and training programs undertaken by OJP and supporting the operations of the NDPO. While the details about the structure and composition of the NDPO are still being developed, the NDPO will work closely with all agencies involved in supporting the counterterrorism preparedness of states and cities, particularly including the Department of Defense, the Department of Health and Human Services, the Department of Energy, the Environmental Protection Agency, and the Federal Emergency Management Agency. The NDPO will also work closely with the strategic planning processes being conducted by the National Coordinator for Security, Infrastructure Protection, and Counter-Terrorism.

OJP's comprehensive initiative under this umbrella is to provide training and equipment support to help build this critical capability to enable the seamless integration of state and federal assets -- if ever needed. OJP's efforts, coordinated with the Federal interagency community, primarily the DOD, FBI, DOE, EPA, FEMA, HHS, and the NSC, can provide the targeted, threat-specific training, equipment, exercise and technical assistance necessary to build the capacity of the nation's state and local emergency responders.

Thus, the mission of OJP's Office for State and Local Domestic Preparedness Support is to assist state and local jurisdictions to be better prepared and to enhance their capability to respond to incidents of domestic terrorism.

And while domestic preparedness is a new mission for OJP, working in partnership with state and local jurisdictions is not. OJP, and our predecessor agencies back to LEAA (the Law Enforcement Assistance Administration), have three decades of experience working in partnership with state and local agencies and locales. OJP, through our bureaus and offices, has spent years working as partners with state and local agencies bringing innovation, program development, financial and technical assistance, and capacity building to the criminal and juvenile justice systems, including support for victims of crime. And now, through the Office for State and Local Domestic Preparedness Support, OJP will continue that tradition by assisting America's communities -- its emergency response agencies, its First Responders -- to prepare for incidents of domestic terrorism.

Under this initiative, OJP restricts its focus to three, very specific tasks:

- First, OJP is providing financial assistance to enable state and local jurisdictions to buy much needed equipment.

- Second, OJP will offer a broad spectrum of training to ensure that state and local emergency response personnel and public officials have the knowledge, skills, and abilities to enable them to respond well if such incidents occur. DoD will continue to finance the Nunn-Lugar training through FY 2000, after which the program will shift to DOJ (i.e., FY 2001).
- And, third OJP will offer technical assistance to state and local personnel to help in sharing the information to make the critical decisions domestic preparedness requires.

OJP's legislative authority for this mission is found in two separate laws passed by the Congress. The first is the "Antiterrorism and Effective Death Penalty Act of 1996," and the second is the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act of 1998."

Under Section 819 of the "Antiterrorism and Effective Death Penalty Act of 1996," the Attorney General, in consultation with the Director of the Federal Emergency Management Agency (FEMA), is authorized to fund training programs for metropolitan fire and emergency service departments to enable these agencies to better respond to terrorist acts.

Under the Section 819 authority, which was originally implemented by OJP's Bureau of Justice Assistance and now directly by OJP's new office, we have developed a "Metropolitan Firefighters and Emergency Medical Services Training Program." Under this program, which has been funded at $5 million in both Fiscal Year 1997 and Fiscal Year 1998, OJP, in partnership with FEMA, has trained or has scheduled to be trained over 101,000 fire and emergency medical service personnel.

Through this initiative, these state and local first responders have received basic awareness training to better enable them to recognize the signs of a terrorist incident, especially those involving weapons of mass destruction, and to take those steps designed to best ensure the public's safety, as well as their own. Under this training initiative, these first responders also are taught how to best respond to and manage terrorist incidents.

The value of providing the first responder community with basic and fundamental principles of addressing real and potential terrorist incidents cannot be underestimated. And because of this, OJP is currently in the process of developing similar basic level training courses, including awareness training, to other first responders such as law enforcement.

Further, OJP is committed to making these types of basic and fundamental training as widely available as possible. To achieve that goal, courses under the "Metropolitan Firefighters and Emergency Medical Services Program" are being taught to certified trainers representing fire and emergency medical service departments across the county. In turn, these trainers return to their home jurisdictions and train others. These courses are also being taught at state fire academies and through a self-study program.

In addition to the "Antiterrorism and Effective Death Penalty Act of 1996," the Justice Department's Fiscal Year 1998 Appropriations Act provided the Attorney General $16 million under the Counterterrorism Fund for three purposes. The first was to use $12 million to provide grants to state and local agencies to assist these agencies purchase equipment needed to respond to terrorism incidents. The second was to use $2 million to support a training center for state and local first responders at Fort McClellan, Alabama. The third was to use $2 million to support training for state and local first responders at the New Mexico Institute of Mining and

technology. Also included were conference report instructions to work with the Texas A&M University and the Nevada Test Site to further develop programs to assist state and local first responders.

On April 30, 1998, the Attorney General, based on OJP's long-standing experience in working with state and local jurisdictions, delegated the responsibility for administering these initiatives to OJP, specifically to the Assistant Attorney General for OJP. At that same time, and in an effort to consolidate OJP's counterterrorism initiatives, the Metropolitan Firefighter and Emergency Medical Services Program was moved from the Bureau of Justice Assistance to OJP. With the authority for these initiatives placed in OJP, the Office for State and Local Domestic Preparedness Support was established to implement these programs and work in partnership with state, local, and federal agencies.

Mr. Chairman, we have made real progress in the little less than four months since the Attorney General signed the delegation of authority designating OJP as the Justice Department agency responsible for that mission.

On June 1, 1998, we opened a newly created Center for Domestic Preparedness at Fort McClellan, Alabama dedicated to training state and local emergency responders in both basic and advanced methods of responding to, and managing, incidents of domestic terrorism. In particular, the Center, through its Chemical Defense Training Facility, will be offering advanced training in the handling and management of live chemical agents. Even now in its initial stages of operation, the Center has already trained over 450 First Responders in basic awareness, incident command, and incident management.

Also in June, OJP announced a State and Local Domestic Preparedness Equipment

Support Program, through which we made $12 million available to 41 local jurisdictions across the nation to assist them in purchasing personal protection equipment, decontamination equipment, and detection and other needed equipment to assist First Responder efforts. And, under this program, we designed it to ensure that funding goes not just to large urban communities, but also to medium, small, and rural jurisdictions.

OJP is also working, through the National Domestic Preparedness Consortium, with several universities and research facilities -- Texas A&M, the Nevada Test Site, the Louisiana State University, and the New Mexico Institute of Mining and Technology -- to utilize their resources and expertise in the development and delivery of training and technical assistance to America's First Responder Community.

And just last month, on the 27th and 28th of August, OJP sponsored, in partnership with the FBI, FEMA, DOD, DOE, and EPA, a conference for state and local stakeholders, which brought together over 200 state and local officials and representatives from the first responder community to discuss how the federal government can best assist them in addressing the issues involved in incidents of domestic terrorism. This conference was highly successful, particularly in opening better lines of communication among state, local, and federal agencies. Although a full final report on the conference is still being prepared, there is an executive summary of the conference's significant findings and recommendations, which I will be happy to share with the Subcommittee.

It is through these initiatives, and the initiatives and programs to be developed and expanded over the next fiscal year, that we hope - - in tandem with the FBI and our other federal agency partners - - to fulfill the mission of assisting state and local jurisdictions in this critical

area.

In closing, I wish to thank you, Mr. Chairman, and the members of the subcommittee for the opportunity to be here today, and I will be happy to answer any questions you may have. Thank you.

U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

March 2, 1999

The Honorable J. Dennis Hastert
Chairman
Subcommittee on National Security,
International Affairs and Criminal Justice
Committee on Government Reform and Oversight
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for the letter from you and Vice Chairman Souder posing a number of questions following my October testimony before the Subcommittee regarding the Office of Justice Programs' (OJP) domestic preparedness initiatives. I also am sending Congressman Souder a similar response. I apologize for the delay in responding to you.

I am enclosing answers to each of the questions, as well as an edited copy of the transcript of my statement before the Subcommittee. Please do not hesitate to contact me if I can provide additional information about OJP's efforts in this critical area.

Sincerely,

Michael J. Dalich
Chief of Staff

Enclosures

Responses to Questions:

Question Number 1:

Has the National Security Council met with representatives from OJP on a regular basis to coordinate efforts, not just on the Domestic Preparedness Program, but with all domestic terrorism related programs?

Answer:

There are regular communications between the Office of Justice Programs (OJP), other components of the Department of Justice (DOJ), and the National Security Council (NSC), particularly the NSC's Office for Infrastructure Protection and Counter Terrorism's Working Group on Assistance to State and Local Authorities. OJP maintains a staff representative as a member on this NSC Working Group, which is comprised of senior federal officials representing the various federal agencies with responsibility in the counter terrorism area. As part of OJP's involvement, OJP attends regular weekly Working Group meetings and has briefed this group on the various components of the OJP domestic preparedness initiative. Further, the NSC is aware of the planning currently underway between the Department of Defense (DOD) and DOJ to transfer DOD's Domestic Preparedness Program (also known as the Nunn-Lugar-Domenici Program) to OJP in Fiscal Year 2001. As the plans for this transfer progress, it is DOJ's and DOD's intent to keep the NSC fully apprised of all developments.

Question Number 2:

OJP has developed its own first responder program. What criteria have you used for site selection? When the Department of Justice takes over the Domestic Preparedness Program, will the cities selected for training change?

Answer:

OJP initiated its first domestic preparedness initiative, the Metropolitan Firefighter and Emergency Medical Services Training Program, in Fiscal Year 1997. This initiative was authorized pursuant to Section 819 of the "Antiterrorism and Effective Death Penalty Act of 1996" (Pub. L. 104-132). That same fiscal year (Fiscal Year 1997), the Department of Defense initiated the DOD Domestic Preparedness Program (the Nunn-Lugar-Domenici Program), as authorized pursuant to Title IV (the "Defense Against Weapons of Mass Destruction Act of 1996") of the "National Defense Authorization Act for Fiscal Year 1997" (Pub. L. 104-201).

Under both Public Law 104-132 and Public Law 104-201, OJP and DOD are broadly authorized to provide training to enhance the capabilities of state and local emergency responders to react to terrorist incidents. Under OJP's authority, training is limited to fire and emergency medical services personnel. However, OJP is authorized to provide training to respond to any terrorist act. Under DOD's authority, training may be provided to the entire emergency response

community, which is more broadly defined as all state and local emergency response agencies. However, training is limited to incidents involving weapons of mass destruction, which are defined as those involving toxic and poisonous chemicals or biological and radiological agents causing death or serious bodily harm to "significant numbers of people."

Based on DOD's limitation to incidents involving weapons of mass destruction, the DOD initiative focuses on providing more highly specialized levels of training to a broader audience of trainers. As such, DOD made program decisions to train emergency responders in cities or municipalities, based on the likelihood that these larger municipalities are at greater risk of being targets for terrorist incidents. The list of these cities was restricted to 120 due to the resources available to implement this effort over a three-year period. Further, these cities were ranked by geographic size.

Under Public Law 104-132, the OJP initiative is targeted to any terrorist incident and not limited to weapons of mass destruction. However, the OJP initiative is limited to providing training only for fire service and emergency medical personnel, and is geared to different levels of training, such as basic awareness training, as opposed to DOD's more highly specialized training. Under the statute, however, the OJP training is to be targeted to metropolitan areas, and not restricted to cities alone. In cooperation with the Federal Emergency Management Administration (FEMA), OJP targeted its training effort to the nation's largest jurisdictions (based on population and as identified by the Census Bureau).

As a result, the initial training offered by DOD and OJP, although complementary and not duplicative, is targeted to two different lists of jurisdictions. As of Fiscal Year 1999, OJP has consolidated these lists to ensure that OJP's training and equipment programs include, and continue to complement and reinforce, the DOD Domestic Preparedness Program list. As OJP's and DOD's joint planning effort aimed at transferring the DOD Domestic Preparedness Program to OJP progresses, both agencies intend that a single list of eligible jurisdictions be maintained to ensure that OJP's training and equipment programs are delivered in a uniform and coordinated manner.

Question Number 3:

Based upon the description in OJP's October 2, 1998 testimony of the Metropolitan Firefighter and Emergency Medical Services Training Program, the Subcommittee would conclude that this is essentially the Domestic Preparedness Program simply being run out of a different bureaucracy. Can you please explain how they are different?

Answer:

As partially explained under the response to Question Number 2 (above), the DOD and OJP training initiatives originated from two separate pieces of legislation. Based on their authorizing

statutes, the programs are targeted to different groups of emergency responders and provide different levels of training. Further, given the coordination between both OJP and DOD, as well as consultations with FEMA, efforts were undertaken to ensure that these programs were complementary and not duplicative, despite the fact that they were administered by two different federal agencies.

OJP launched its first domestic preparedness initiative, the Metropolitan Firefighter and Emergency Medical Services Training Program, in Fiscal Year 1997. This initiative was authorized pursuant to Section 819 of the "Antiterrorism and Effective Death Penalty Act of 1996" (Pub. L. 104-132). That same fiscal year (Fiscal Year 1997), DOD initiated the Domestic Preparedness Program (the Nunn-Lugar-Domenici Program) as authorized pursuant to Title IV (the "Defense Against Weapons of Mass Destruction Act of 1996") of the "National Defense Authorization Act for Fiscal Year 1997" (Pub. L. 104-201).

Under both Public Law 104-132 and Public Law 104-201, OJP and DOD are broadly authorized to provide training to enhance the capabilities of state and local emergency responders to react to terrorist incidents. Although under OJP's authority, the OJP program can provide training only to fire and emergency medical services personnel, these particular emergency responders can be trained to respond to any terrorist act. Under DOD's authority, the emergency response community is more broadly defined as all state and local emergency response agencies. However, training is limited to incidents involving weapons of mass destruction, which are defined as incidents involving toxic and poisonous chemicals or biological and radiological agents causing death or serious bodily harm to "significant numbers of people."

Because DOD's training is limited to incidents involving weapons of mass destruction, the DOD initiative focuses on providing more highly specialized levels of training to a broader audience of trainers. The DOD program trains emergency responders in cities or municipalities, based on the likelihood that these larger municipalities are at the highest risk of being targets for terrorist incidents. Further, under the DOD program, the training audience involves a wide range of individuals, including elected officials and emergency management personnel.

The OJP initiative under Public Law 104-132 is targeted to any terrorist incident and not limited to weapons of mass destruction. The OJP initiative is limited to fire service and emergency medical personnel, and is geared to different levels of training, such as basic awareness training, as opposed to the DOD's more highly specialized training. In addition, OJP's statute directs that training is to be targeted to metropolitan areas, and not restricted to cities alone.

As OJP's and DOD's joint planning effort aimed at transferring the DOD Domestic Preparedness Program to OJP progresses, both agencies intend to ensure that the various training programs are delivered in a uniform, coordinated, and complementary manner.

Question Number 4:

When the Department of Justice takes over the authority for the Domestic Preparedness Program next year, is it OJP's intention to run two almost identical programs out of the same office under different names? Or will the two programs be merged after the transfer?

Answer:

The DOD Domestic Preparedness Program and the OJP Metropolitan Firefighter and Emergency Medical Services Program are two separate and distinct programs. As partially explained in the responses to Questions Numbers 2 and 3, these programs involve different curricula and are aimed at different types of emergency responders. Further, in the Justice Department's Fiscal Year 1998 and Fiscal Year 1999 appropriations acts, OJP's training initiatives have expanded beyond the Metropolitan Firefighter and Emergency Medical Services Program to include a broad spectrum of training aimed at enhancing the capabilities of all state and local emergency response personnel to respond to incidents of domestic terrorism involving chemical and biological agents and nuclear, radiological, and explosive devices.

At this time, both OJP and DOD are in the initial phases of planning the integration of the DOD Domestic Preparedness Program into the OJP domestic preparedness programs. As this is done, both OJP and DOD are committed to ensuring that all these training efforts, beginning in Fiscal Year 1999 are delivered in a complementary and not duplicative manner. Both DOD and OJP consider the integration of the DOD Domestic Preparedness Program into OJP as an opportunity to begin coordination of both training development and delivery at the earliest possible time.

Question Number 5:

Is it the Department of Justice's intention to try to consolidate all first responder and consequence management training courses, even those at FEMA, within OJP?

Answer:

Neither the Department of Justice, nor its component agency, the Office of Justice Programs (OJP), intends to consolidate all first responder training courses within OJP. Although OJP is DOJ's lead agency for the development and delivery of all DOJ first responder training, both the Department and OJP recognize that other federal agencies, such as FEMA, also offer training to first responders. It is DOJ's (and OJP's) intention that every effort be made to ensure that all federal first responder training be coordinated to avoid duplication. The Department will also work with other federal agencies, such as FEMA, to ensure that current and future training is delivered to the first responder community in the most efficient and effective manner possible. Indeed, the Department's commitment to ensure coordination of federal efforts is one of the

reasons why the Attorney General has created the National Domestic Preparedness Office within the Federal Bureau of Investigation (FBI).

Question Number 6:

Subsequent to the initial Domestic Preparedness Program implementation, the Bureau of Justice Assistance began a grant program to provide WMD training to first responders. Please describe that program. Why was it initiated when there was already a first responder training program being conducted by the Department of Defense?

Answer:

The Bureau of Justice Assistance (BJA) is a component within the Office of Justice Programs. The Metropolitan Firefighter and Emergency Medical Services Program referenced above originated as a BJA program. As of August 1999, the Attorney General delegated the authority for this program directly to the Assistant Attorney General for OJP in an effort to consolidate OJP's domestic preparedness initiatives.

The DOD Domestic Preparedness Program and OJP's Metropolitan Firefighter and Emergency Medical Services Program are two separate and distinct programs. As partially explained in the responses to Questions Numbers 2 and 3, these programs involve different curricula and are aimed at different types of emergency responders. Further, under the DOJ Fiscal Year 1998 and Fiscal Year 1999 appropriations acts, OJP's training initiatives have expanded beyond the Metropolitan Firefighter and Emergency Medical Services Program to include a broad spectrum of training aimed at enhancing the capabilities of all state and local emergency response personnel to respond to incidents of domestic terrorism involving chemical and biological agents and nuclear, radiological, and explosive devices.

OJP initiated its first domestic preparedness initiative, the Metropolitan Firefighter and Emergency Medical Services Training Program, in Fiscal Year 1997. This initiative was authorized pursuant to Section 819 of the "Antiterrorism and Effective Death Penalty Act of 1996" (Pub. L. 104-132) and delegated to BJA for implementation. That same fiscal year (Fiscal Year 1997), the Defense Department initiated the DOD Domestic Preparedness Program (the Nunn-Lugar-Domenici Program), as authorized pursuant to Title IV (the "Defense Against Weapons of Mass Destruction Act of 1996") of the "National Defense Authorization Act for Fiscal Year 1997" (Pub. L. 104-201).

Under both Public Law 104-132 and Public Law 104-201, OJP and DOD are broadly authorized to provide training to enhance the capabilities of state and local emergency responders to react to terrorist incidents. Under OJP's authority, training is limited to fire and emergency medical services personnel. However, OJP is authorized to train this group to respond to any terrorist act. Under DOD's authority, the emergency response community is more broadly defined as all state

and local emergency response agencies. However, training is limited to incidents involving weapons of mass destruction, which are defined as incidents involving toxic and poisonous chemicals or biological and radiological agents causing death or serious bodily harm to "significant numbers of people."

Because of DOD's limitation to incidents involving weapons of mass destruction, the DOD initiative focuses on providing more highly specialized levels of training to a broader audience of trainers. For this reason, DOD made a decision to train emergency responders in large cities or municipalities, due to the likelihood that these larger municipalities are at the highest risk of being targets for terrorist incidents. The list of these cities was restricted to 120 due to the resources available to implement this effort over a three-year period. Further, these cities were ranked by geographic size.

The OJP initiative under Public Law 104-132 is targeted to any terrorist incident and not limited to weapons of mass destruction. The OJP initiative is limited to providing training only for fire service and emergency medical personnel, and provides different levels of training, such as basic awareness training, as opposed to the DOD's more highly specialized training. Under the OJP statute, training is to be targeted to metropolitan areas, and not restricted to cities alone. In cooperation with FEMA, OJP targeted its training effort to the nation's largest jurisdictions (based on population and as identified by the Census Bureau).

As a result, the initial training offered by DOD and OJP, although complementary and not duplicative, is targeted to two different lists of jurisdictions. As of Fiscal Year 1999, OJP has consolidated these lists to ensure that OJP's training and equipment programs include, and continue to complement and reinforce, the DOD Domestic Preparedness Program list. As OJP's and DOD's joint planning effort aimed at transferring the DOD Domestic Preparedness Program to OJP progresses, both agencies intend that a single list of eligible jurisdictions be maintained to ensure that OJP's training and equipment programs are delivered in a uniform and coordinated manner.

Mr. SOUDER. Thank you. I'll do that.

Mr. Cragin.

Mr. CRAGIN. Thank you very much and good afternoon, Mr. Chairman and Congressman Barrett. My colleague, Mr. Roberts, and I are pleased to have this opportunity to report to you on the activities of the Department of Defense in providing support to the lead Federal agencies, and our Nation's first responders—the firemen, police, emergency medical technicians, and Hazmat personnel, who are always the first to arrive at the scene of any incident.

In addition to responding to your staff's data and information requests on DOD's programs, we have submitted a comprehensive joint statement which we understand will be entered in the record of this hearing.

Mr. Chairman, Mr. Barrett, since the President signed Presidential Decision Directive 62 last May, significant advances have taken place in regards to our efforts to support first responders. PDD 62, which we've been discussing here this morning, also known as the Combating Terrorism Directive, highlighted the growing threat of unconventional attacks against the United States.

President Clinton detailed a new and more systematic method of fighting terrorism here at home, and it brought a program management approach to our national counterterrorism efforts. This directive also established, as you are aware, within the National Security Council, the Office of the National Coordinator for Security, Infrastructure Protection, and Counterterrorism, who was charged with overseeing the efforts of the Federal interagency. Secretary Cohen, Deputy Secretary Hamre, Attorney General Reno, FEMA Director Witt, and National Coordinator Clark are thoroughly engaged and are giving the challenges associated with this process their direct, personal, and continuing attention.

Within the interagency coordination process, having now been formalized under the auspices of the National Security Council, multiple subgroups have been formed to implement the guidance provided under PDD 62. This method addresses one of the foremost issues facing an undertaking of this magnitude. It helps ensure a cohesive approach, and for the first time it fully integrates the Federal effort in support of State agencies and local first responders.

I co-chair the Assistance to State and Local Authorities subgroup within the Department of Defense, and I meet regularly with my interagency colleagues at the National Security Council subgroup level. I can assure you that this process holds great promise and that we are making important headway. Nevertheless, I must tell you, in all candor, that much work remains to be done.

Within this context, congressional leadership has been a vital factor in assisting our combined progress thus far. Congress, as you are aware, yesterday passed the National Defense Authorization Act, which adopted the recommendation sent forward by the President and the Secretary of Defense to create 10 rapid assessment and initial detection [RAID] elements, and to train and equip up to 170 reconnaissance and decontamination teams.

In the Defense appropriation bill passed on Monday, Congress has appropriated money for, and directed the creation of, a first responder training facility at Pine Bluff, AR. In the National Defense

Authorization Act, Congress has called for the creation of an integrated national program for the development of threat and risk assessment methodologies, at the urging of this subcommittee, for the establishment of an independent advisory committee; for the production of regular, detailed reports; and for the certification of RAID personnel who will be trained to respond to WMD incidents. The act also authorizes the President to call up reserve forces to assist in responding to a WMD event.

Continued congressional support and leadership are essential to this process. Both the Department of Defense and the Department of Justice, as you have heard, have recently conducted forums with first responders. As Mr. Blitzer reported, without exception, the No. 1 request of first responders has been for the identification of a single Federal agency to lead the training and equipping of first responders.

Mr. Chairman, that's what we're talking about when we talk about a transfer. We're talking about a single Federal agency to deal with the issue of training and equipping first responders.

As the first responders have told all of us who have been participants in these forums, they want the ease, the convenience, and the predictability of one-stop shopping. In an effort to respond to that need, as has been reported this morning, the Department of Defense and the Department of Justice are working to propose an interagency agreement which establishes the Department of Justice as the lead Federal agency for the Federal Domestic Preparedness Program.

As I said, DOD would propose to transfer those facets of the Nunn-Lugar-Domenici legislation that deal with training and exercising first responders, and would be able to rationalize within the interagency the training and equipping programs that are now being conducted partially by DOD and partially by the Department of Justice. If this transfer of authority is accepted, the Department of Defense will support the Department of Justice both during the transition and following its completion.

We believe these actions clearly demonstrate that we are making real, tangible progress toward an enhanced homeland defense. Our goal, as we move into the 21st century, is to have in place an effective, integrated, and flexible response mechanism able to respond to a wide range of unconventional threats.

Although we may never be fully prepared to respond to all types of events in every single location in America, we have begun to lay the foundation for an integrated, across-the-board response, one that makes sense, and one that is truly responsive to the needs of the first responders. The continued partnership for WMD preparation among local, State, and Federal authorities will be essential if we are to be successful in this endeavor.

Mr. Chairman, I stand ready to respond to you for questions.

[The prepared statement of Mr. Cragin and Mr. Roberts follows:]

Mr. Chairman, thank you for this opportunity to discuss the Department of Defense (DoD) role in the federal response to domestic terrorism involving weapons of mass destruction (WMD). Our comments will focus on actions taken to date by DoD to provide the domestic emergency preparedness training mandated in Public Law 104-201, better known as the Defense Against Weapons of Mass Destruction Act of 1996, or Nunn-Lugar-Domenici (NLD) Legislation. We will also discuss the integration of the National Guard and other Reserve components into our preparedness plans, our efforts to establish a single lead federal agency for domestic WMD preparedness, and our comments on two GAO draft reports.

The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (ASD(SO/LIC)) serves as the principal staff assistant and civilian advisor to the Secretary of Defense for policy oversight related to combating terrorism. In that capacity, SO/LIC is responsible for overseeing the policy and resource aspects of DoD's activities in the Domestic Preparedness Program. The Assistant Secretary of Defense for Reserve Affairs (ASD(RA)) serves as the principal staff assistant to the Secretary of Defense on all matters involving Reserve components of the United States Armed Forces. In that capacity, RA is responsible for overall supervision of Reserve component affairs of DoD. ASD(RA), in coordination with ASD(SO/LIC), is responsible to integrate and rationalize the WMD domestic preparedness training program with the program to equip first responders with WMD-related equipment.

We have organized our remarks in the following manner: first, we will provide a short overview of DoD's combating terrorism program, describing how, in accordance with Presidential Decision Directives 39 and 62, we support the Department of Justice (DoJ) and the Federal Bureau of Investigation (FBI) in the crisis management phase of a domestic terrorist incident and how we support the Federal Emergency Management Agency (FEMA) in the consequence management phase; second, we will discuss the general DoD policy for domestic preparedness training for first responders; third, we will update efforts to improve the National Guard and other Reserve component contributions in the mission area; fourth, we will address DoD's intent to transfer the domestic preparedness program to DoJ; and finally, we will respond to the findings and recommendations of the General Accounting Office reports, "Combating Terrorism: Opportunities Exist to Gain Focus and Efficiencies in the Nunn-Lugar-Domenici Domestic Preparedness Program," (currently in draft), and "Combating Terrorism: Threat and Risk Assessments Can Help Prioritize and Target Program Investments."

Before we begin, there are three critical points to make as background for our discussion. First, DoD's combating terrorism program is part of a coordinated United States Government (USG) interagency team response. No single agency possesses the authorities, response mechanisms and capabilities to effectively deter or resolve terrorist incidents. The Department of State (DoS) is the lead agency for combating terrorism overseas. DoJ is the lead agency in the U.S., its trusts, and territories. Certainly, as a major supporting agency, DoD brings a wealth of resources to the effort, unique and highly sophisticated in many instances. In the United States we provide support to the

law enforcement authority of the DoJ and the FBI. For consequence management, there is specific technical expertise not only within DoD, but also within the Public Health Service (PHS), Department of Energy (DoE), Environmental Protection Agency (EPA), the FBI and others, all of which FEMA must bring together in a team effort to respond to a domestic WMD release. Simply put, any response to a WMD release requires an interagency team response.

Next, DoD has been looking at mitigating the effects of a WMD incident for several years, well before it became a subject of public discussion following the demise of the Soviet Union and the 1995 sarin gas attack in a Tokyo subway. Although the combating terrorism community inherited a solid foundation and a well functioning interagency process from previous administrations, our review of WMD terrorism dramatically illustrated new tactical, technical, and policy challenges posed by domestic terrorism.

The USG is working hard to deter or to prevent, and should that fail, to minimize the effects of a WMD terrorist incident. Nevertheless, there are no silver bullets. We have an excellent response capability, probably the finest in the world; but we cannot say with absolute certainty that we can prevent the eventual use of a WMD device, or that our current procedures could negate the mass casualties and damage associated with such an attack.

Finally, the programs we discuss today to help solve these challenges will take time – several years at a minimum; significant resources, including adequate funding; public education; and a committed partnership by the nation's leadership at all levels – local, state and federal – to create a system in the United States in which a WMD incident can be successfully managed with a minimum loss of life and physical damage.

Within DoD, we divide our Combating Terrorism Program into three components: anti-terrorism, counter-terrorism and terrorism consequence management. Anti-terrorism involves all defensive measures employed to protect personnel and facilities against a terrorist incident. Conversely, counter-terrorism refers to offensive response measures to deter, resolve and mitigate a terrorist act. Terrorism consequence management includes a range of activities required to provide emergency assistance to alleviate damage, loss, hardship, or suffering caused by WMD terrorism attacks and to protect the public health and safety and restore essential government services.

It is DoD policy to protect its personnel, their families, facilities and equipment from terrorism. Toward that end, DoD specifically funds and executes programs for security at military installations and DoD dependent schools, for a widespread training and awareness program and for upgraded antiterrorism/force protection measures for military commands abroad and at home.

When looking at counter-terrorism efforts, DoD has a number of rapid response elements for responding to specific terrorist events including WMD incidents. We have several expert capabilities which have been well developed over a number of years, intensely exercised with our interagency partners, and used on several occasions to assist

our FBI counterparts – primarily in a technical role to date. These capabilities include a 24-hour command center watch every day of the year to respond to any terrorist incident; a number of specialized military units on alert ready to respond within a few hours; and a command and control element well versed in all terrorist scenarios. To address WMD, these forces have been augmented with integral technical expertise, and can rapidly access our national laboratory expertise to assist them in rendering safe a WMD.

For terrorism consequence management, DoD possesses a broad array of response assets in both the Active and Reserve components which can also be functionally task organized to provide support that is suitable to consequence management – for example, decontamination, medical support, mortuary affairs and transportation. DoD teams also support FEMA in consequence management through technical chemical-biological reconnaissance and assessments, and providing equipment, technical expertise, and links to other interagency organizations with identified capabilities. DoD assets can also provide depth to first responder efforts both by making additional assets available as local capabilities are exhausted and by providing other assets to secure the area, evacuate areas at risk of becoming contaminated, provide extended decontamination, medical evaluation, and address other related requirements.

National Guard and other Reserve component personnel will play a prominent role in supporting local and state governments in terrorism consequence management. At its core is the establishment of 10 Rapid Assessment and Initial Detection (RAID) teams, comprised of 22 highly skilled, full-time, and well-trained and equipped National Guard personnel. One RAID team will be stationed within each of 10 federal regions. Their purpose will be to deploy rapidly, assist local first responders in determining the precise nature of an attack, provide expert medical and technical advice, and help pave the way for the identification and arrival of follow-on state and federal military response assets.

The 10 states selected to host a RAID element are California, Colorado, Texas, Missouri, Illinois, Georgia, Pennsylvania, New York, and Massachusetts and Washington. The locations were selected based on:

- demographics of the response area (cities, counties, and states);
- availability of National Guard airlift for the team;
- location of other military centers of excellence;
- location of other supported federal response assets and teams;
- state support for fielding the team;
- availability of interstate compacts to allow the team's use across state lines.

Beginning next month, and subject to Congressional approval and funding, each team member will undergo more than 600 hours of extensive technical training. The teams will also be equipped with state of the art detection and analysis equipment, as well

as computer models to help assess and project the affected areas for various types of attacks. When needed, these teams will be called to action by the state governor, who can deploy them to assist local agencies quickly, before a National Disaster Declaration by the President. The existence of interstate compacts allows governors in adjoining states to deploy their National Guard members to surrounding states, as needed, before a Presidential Declaration occurs. The teams are also available for use as a federal asset to respond as needed via the Federal Response Plan.

Complementing and supporting the RAID teams are 54 reconnaissance and 127 decontamination teams located within existing Reserve component force structure. They will receive additional training and equipment in FY99 and FY00 to perform these missions.

To ensure the continued integration of the Guard and Reserve into our national WMD preparedness strategy, the Reserve Component Consequence Management Program Integration Office (CoMPIO) has been established within DoD. It reports directly to the Director of Military Support and, through that general officer, to the Secretary of the Army, the DoD Executive Agent for WMD Preparedness. This office coordinates the identification, training, equipping and exercising of Reserve component WMD assets and manages their integration into national WMD response plans. In addition to structuring the training and equipping of the new Reserve component response elements, CoMPIO will:

- improve the information flow between military response elements;
- document the specific functions, positions, and procedures for each element;
- develop distance learning capabilities that will allow us to train and sustain these elements;
- refine the planning and training for subsequent elements;
- integrate these elements into exercises with defense coordinating officers, response task force commanders and their staffs, and emergency preparedness liaison officers;
- document the location and capabilities of the elements in the DoD resources database.

This plan to integrate the Reserve components into our national WMD strategy is a prudent one. By incorporating and leveraging existing forces into current WMD response planning, while creating only one new type of unit (the RAID team), this plan is highly cost effective. It will help fill the existing gaps in civilian response capabilities, especially those of local responders who need to rapidly determine the precise nature of

WMD attacks. Without such capabilities, mass confusion and lethal delays would very likely result.

Based on the nature and scope of the terrorism consequence management mission, two response task force (RTF) headquarters elements have been organized, validated, and exercised within the United States Atlantic Command. They are drawn from elements of the First and Fifth Army Staffs. These Joint headquarters elements may be deployed under the authority of the Secretary of Defense. Other military units, including chemical and medical units (to include National Guard and other Reserve components), could also be attached to the RTF based on their capabilities and proximity to the incident site. The Chemical Biological Incident Response Force (CBIRF) of the Marine Corps and the U.S. Army's Technical Escort Unit (TEU) are examples of consequence response capabilities.

The CBIRF is a standing, highly trained consequence management force tailored for short notice response to terrorist initiated chemical and/or biological incidents. The CBIRF provides an expert and robust decontamination capability that can augment other response capabilities by being prepositioned or deployed for an incident in support of consequence management. The CBIRF is fully integrated into the DoD response plan as an asset of the Unified Commander's Response Task Force.

The TEU provides worldwide escort, neutralization, disposal and emergency response to toxic chemicals, munitions and other hazardous materials. The TEU maintains a 24-hour a day on-call emergency response capability to respond to a chemical or biological incident with personnel trained in chemical, biological and explosive ordinance disposal operations to perform render safe procedures, damage limitation, reconnaissance, recovery, sampling, mitigation, decontamination, transportation. It also performs or recommends final disposition of weaponized and non-weaponized chemical or biological materials and hazards encountered.

DoD also has a limited stockpile of medical supplies and protective gear, which can be used in a WMD incident, upon approval of the Secretary of Defense. We are also conducting research and development through the Counterterror Technical Support Program and the Technical Support Working Group to develop personnel protection, agent detection and identification equipment, and mitigation and decontamination equipment for use by first responders.

This completes the broad policy overview and general description of the DoD combating terrorism program. We will now discuss DoD's actions to implement the domestic emergency preparedness program mandated under the NLD legislation.

Several years ago, we saw the collapse of the Soviet Union and hoped for a safer world. Senator Nunn and Senator Lugar saw the break-up of the Soviet Union as precipitating a new and perhaps more dangerous threat – that Soviet WMD would flood the global black market and land in the wrong hands. So they drafted, and Congress enacted, the Nunn-Lugar legislation under which we participated with Russia in

destroying nuclear missiles, warheads and bombers; and are on the verge of destroying tons of chemical munitions.

But as long as there are chemical, biological and nuclear weapons in the world, proliferation is likely to occur. So, the second line of defense must be to protect ourselves through deterrence and through defense. We've made it very clear to Iraq and to the rest of the world that if WMD are ever used against our forces we will deliver a response that is overwhelming and decisive. But we also deter adversaries by making sure that our forces are ready to fight and win on any battlefield, even one that has been contaminated.

We are protecting our troops by providing them with state-of-the-art protective gear against chemical or biological agents; by inoculating them against anthrax; by researching new vaccines against other biological agents; and by developing longer range, improved detection equipment to give our troops more advanced warning of any danger.

But the front lines are no longer just overseas. They are also right here at home. Some believe that a deadly chemical or biological terrorist attack in this country is inevitable. We believe that we have to prepare for the possibility that WMD could be used on American soil. So we are now building a third line of defense that is grounded in domestic preparedness.

The Defense Against Weapons of Mass Destruction Act of 1996, sponsored by Senators Nunn, Lugar and Domenici, mandates that the United States enhance its capability to respond to domestic terrorist incidents involving nuclear, biological, chemical and radiological weapons. The legislation designated DoD as the interagency lead to carry out a program to provide civilian personnel from federal, state and local agencies with training and expert advice regarding emergency responses to a use or threatened use of WMD or related materials. The legislation also allows the loan of training equipment; it is not intended to be a grant program. The Fiscal Year (FY) 1997 Defense Appropriations Act added funding for DoD to improve the capability of the federal, state and local emergency response agencies.

From the beginning, DoD sought the active participation of the other federal agencies. This approach has allowed a comprehensive and integrated interagency federal approach to meet the needs of local communities. The Senior Interagency Coordination Group was established to facilitate the interagency coordination of federal policy issues and program activities in support of federal consequence management training initiatives concerning terrorist incidents involving WMD. The Group was chaired by FEMA and was composed of senior members from FEMA, FBI, DoE, EPA, the Department of Health and Human Services (DHHS) and DoD. Representatives from the Department of Agriculture (USDA), Department of Transportation (DoT), Bureau of Justice Assistance (BJA), General Services Administration (GSA), and the National Communications System (NCS) also attended the meetings.

For more than a year, the Group served as the interagency policy forum for identification, discussion and resolution of issues involving the federal strategy to provide guidance and training support to federal, state and local first responders who may be called upon to respond to a terrorist WMD event. The Group focused on programs to develop and deliver emergency response training, including DoD Domestic Preparedness activities, under the Defense Against Weapons of Mass Destruction Act of 1996.

After May 19, 1998, with the promulgation of PDD-62 and the creation of a National Security Council (NSC) chaired interagency structure for WMD preparedness, the Group was subsumed by the NSC's Senior Management Groups and related Subgroups.

Training of first responders is viewed as the single most critical area for enhancing the nation's capability to respond to domestic terrorism. The training program is based upon a "train-the-trainer" concept, wherein a small number of local responders ideally recognized for their training expertise become the trainers for the remainder of the city's responders. Training is focused only on the "nuclear, biological, chemical (NBC) delta," that is, only those aspects of response which are different from how each responder would react in a non-NBC event.

Training course development was based on 26 performance objectives resulting from focus group sessions with over 100 first responders from across the U.S. Focus groups were used to identify emergency responder requirements for Domestic Preparedness training. The training program is modular, consisting of medical and non-medical courses, each with text and supporting audio/visual materials to include a video of a simulated terrorist incident. The modular training program allows for tailoring to accommodate each city's requirements.

A major player in the training program has been the U.S. Army Chemical and Biological Defense Command, which leads interagency training development and city visits. These interagency teams coordinate with fire, police, emergency medical and hazardous material officials and tailor training to city requirements. Additionally, FEMA has developed a Terrorism Annex to the Federal Response Plan (FRP) to ensure coordination across all agencies at all levels.

The Medical Research and Materiel Command (MRMC) completed the development of the medical portion of the Domestic Preparedness training program. MRMC utilized focus groups to develop course requirements. Input was received from hospital providers, emergency medical service personnel, DHHS and MRMC research institutes. Efforts resulted in two medical courses.

The overall training program includes two medical and six non-medical courses. Four non-medical courses are interwoven with a segmented video presentation to provide course continuity. The medical courses also utilize videos and this medium has proven to

be a very effective tool by raising student awareness regarding recognition, coordination, and response issues. The Domestic Preparedness training courses include:

- Emergency Responder Awareness
- Emergency Responder Operations
- Technician/Hazardous Materials
- Technician/Emergency Medical Services
- Hospital Provider
- Incident Command
- Senior Officials' Workshop

The goal of the Domestic Preparedness Program is to train 120 cities by FY01 and to provide mechanisms for every community in the nation to leverage federal expertise. Initial city visits are conducted to inform the cities about the program, to assist city personnel in starting to better define their training requirements, and to allow for a better understanding of the cities' unique requirements. To date, the interagency team has trained nearly 10,000 first responder trainers in 32 cities. The trainers are drawn from the fire fighting, law enforcement, emergency medical and 911 operator/dispatcher communities. Based on city and interagency feedback, we continually evaluate the initial city visit and training approaches to improve them with each iteration.

In FY97, DoD spent $30.5 million on the training and civil response aspects of the program. An additional $10.0 million was dedicated to improving CBIRF. In FY98, Congress appropriated $50.0 million for the Domestic Preparedness Program. However, the amount available for obligation was reduced to $43.2 million because of undistributed reductions that were allocated to Operation and Maintenance, Defense-wide programs. The President's FY99 budget proposes $49.9 million for the program.

Funding appropriated pursuant to the program may be used for training purposes only – there is no direct provision for acquiring WMD response equipment for state and local agencies. However, DoD can loan equipment to state and local agencies for training purposes. From NLD legislation funding, DoD is providing a long-term loan of up to $300,000 in training equipment to each of the 120 cities trained in order to ensure that first responders could be trained on appropriate equipment. Training equipment provided by DoD under NLD legislation must be drawn from the following categories: personal protection equipment; detection equipment; decontamination and containment equipment; and training aids. There is no requirement for states or local agencies to commit matching funds to be eligible for this training equipment loan.

The Domestic Preparedness Program also included both a Helpline and Hotline. The Helpline was activated on August 1, 1997 to provide access to chemical and

biological experts on a routine, non-emergency basis. The Helpline furnishes non-emergency expert advice to state and local emergency responders, planners and other need-to-know customers. Operators have the capability to access and retrieve information quickly, and distribute it by a variety of means including fax and e-mail. The Helpline is staffed weekdays from 9 a.m. to 6 p.m. Eastern Time.

The Helpline operators require all callers to undergo a one-time verification procedure. The first time a caller contacts the Helpline, operators will request information on the caller's organization and supervisor. Prior to releasing information, the operator will confirm the caller's eligibility for this information. All subsequent calls from that specific individual will not require this procedure.

DoD's 24-hour Hotline provides access to expert assistance in the event of a chemical or biological emergency. DoD signed a Memorandum of Agreement with the National Response Center, which provides for the transfer of emergency calls concerning chemical and biological WMD to the CBDCOM/MRMC emergency operations center and to the FBI simultaneously.

DoD has established a network of specialized chemical and biological defense experts for the purpose of providing technical advice and data to answer specialized Helpline and Hotline inquiries. Access to nuclear expertise in DOE continues to be available through the DOE 24-hour emergency operations center.

DoD also supports the Domestic Preparedness web site (www.nbc-prepare.org), which provides accurate, helpful information to officials, emergency responders and the general public. It can link requests for Domestic Preparedness training or catalogs directly to the Helpline, to the web page created for emergency first responders, to additional relevant information sites, and can provide direct linkage of media inquiries to the CBDCOM public affairs office.

FEMA has compiled a master inventory containing information on the resources and capabilities owned by each of the FRP agencies that would be made available for use to aid state and local officials in emergency situations involving WMD. The master inventory includes assets associated with search and rescue, detection and analysis, personnel protection, medical treatment, monitoring and decontamination.

Access to FRP departments' and agencies' inventory listings is available through the FEMA Internet using an Internet web server that is part of the National Emergency Management Information System. Access is limited to authorized federal and state emergency planners. Authorized users include FRP agency representatives, the FEMA regional offices, and the state emergency management offices. Access to the system that contains the inventory listings requires a user identification and password.

FEMA, with the support of DoD and other agencies, has prepared a database, which provides a source of information on chemical and biological agents, munitions

characteristics and safety precautions for civilian use. DoD has supported FEMA in the development of the database by providing technical expertise needed to prepare the database. FEMA will update the database annually.

Access to this database is available through FEMA's Internet site (www.FEMA.Gov/rris). It is currently available on the Internet system as is a database on radiological materials. These two databases work on a keyword search system. Access to supplemental technical information is also available through FEMA's Internet site. This information includes a descriptive listing of current NBC unique equipment used by federal agencies; information on Improvised Explosive Devices; an internet reference library of NBC-related resources; background information on the agencies that were involved in the development of the RRIS; and a comment page for user feedback and recommendations.

Information requests concerning excess and/or surplus property are accessed through an Internet connection to the GSA-maintained State Agency for Surplus Property (SASP) web page. State and local government agencies should coordinate their efforts for acquiring excess and surplus property and equipment through their designated SASP.

DoD has made tremendous progress in developing and providing comprehensive and integrated WMD consequence management response and training for cities. However, as the program has developed, the need for one-stop shopping in the Domestic Preparedness Program has become evident. At a recent DoJ sponsored forum, over 200 state and local emergency response planners requested that the President identify a single lead federal agency to implement the domestic preparedness programs and activities of this nation. The National Coordinator for Infrastructure Protection and Counterterrorism, the Attorney General, the Deputy Secretary of Defense, and the Director of FEMA have agreed in principle to that concept.

Toward that end, DoD has proposed to transfer its current Domestic Preparedness Program responsibilities to DoJ, who would then become the lead federal agency for first responder training and related activities as specified in the Nunn-Lugar-Domenici legislation. DoD and DoJ hope to accomplish the transfer as soon as legally permissible but no later than October 1, 1999. This transfer would designate a single lead federal agency to be responsible for the overall coordination and implementation of terrorism-related domestic preparedness programs and activities.

The four major components of the program proposed in the transfer to DoJ are: the city training program, the training equipment loan program, the exercise program, and portions of the expert assistance program.

Under this transfer concept, DoD will, in its support role, provide needed technical support, assistance and expertise; establish RAID teams; continue efforts to improve other WMD support capabilities in the Reserve; and continue to provide crisis

response and consequence management support with appropriate Active and Reserve component elements.

DoD is also prepared to provide: support for the proposed DoJ WMD program office as needed during the transition period; ongoing technical assistance and advice at the national, state and local levels, as needed and requested for planning, training, exercises, and research and development; acquisition support to DoJ as it provides equipment to first responders, which state and local authorities could utilize to ensure compatibility and interoperability; and inter-agency policy coordination and support through the National Security Council's Senior Management Groups and related Sub-Groups. DoD and DoJ are currently working the details of this proposed transfer.

We will now respond to the findings and recommendations of the General Accounting Office reports, "Combating Terrorism: Opportunities Exist to Gain Focus and Efficiencies in the Nunn-Lugar-Domenici Domestic Preparedness Program," (currently in draft), and "Combating Terrorism: Threat and Risk Assessments Can Help Prioritize and Target Program Investments."

DoD non-concurs with the report's recommendations to redesign the domestic preparedness program and to conduct threat and/or risk assessments to help determine cities' requirements or needs. Serious ramifications would result if the Domestic Preparedness Program were halted while the program is redesigned and/or threat assessments were conducted, as cities scheduled to receive training in FY99 have already begun to prepare for training.

The organization and composition of the SICG was based on NSC guidance and PDD-39. The group was chaired by FEMA (the lead federal agency for consequence management as outlined in PDD-39) and included senior representatives from six federal agencies. The SICG served as an excellent information exchange forum and program design and description body. However, it was not an ideal decision making body in that only DoD was funded for and charged with the task of executing a national city training program. At times, FEMA was unable to move the program forward and DoD did drive on. For example, a sense of urgency prevailed at DoD to train the first eight to ten cities before the funds appropriated for FY97 expired. The Secretary of Defense was charged with program execution and we moved forward without consensus in instances when we deemed it necessary to do so.

The ability of state and local governments to deal with the immediate effects of a WMD terrorist attack is essential to the success of any response. That first hour will be crucial to containing the attack and reducing casualties. The ability of first responders to correctly identify an incident as a terrorist WMD attack – and respond accordingly – will mean the difference between life and death in the outcome and will prevent first responders from becoming victims. It is far better to have redundant coverage than to wait until the regional first responders can reach the scene of an incident. In addition, the

bureaucratic process at the city level is such that each city will likely exhaust its integral resources before calling on regional actors for support.

The GAO proposal assumes that sufficient data is available to conduct threat and risk assessments. That is not the case. Given what little data is available and our experience with post-operational analysis in the wake of terrorist attacks, we do not believe a credible pre-attack predictor is available. DoD does not have the information to assume a particular city is a target nor can we identify targets within cities. We have asked the FBI, the lead federal agency for domestic intelligence, about specific WMD threats to NLD cities and found no specific identifiable threat. The threat and risk assessment described in the report is intended for point targets with controlled perimeters and internal traffic, i.e. airports. Cities are area targets with virtually no control over entry, exit or internal traffic.

Mandated assessments are not appropriate for the NLD program. NLD cities conduct a self-assessment prior to the initial city visit and determine their training and equipment requirements. DoD does not support withholding equipment until cities comply with an assessment mandate. The NLD program is an element of consequence management. Training is directed at responses to terrorist attacks. The program described in the report is defensive in nature and directed toward pre-attack anti-terrorism actions.

DoD recommended that GAO approach the issue of threat and risk assessments from a different perspective – from outside NLD and as part of a generational process to improve protection. As the report identified, the Defense Special Weapons Agency (DSWA) conducts assessments on U.S. military facilities. The General Services Administration (GSA) has purview over U.S. Government buildings and may be interested in reviewing the newly developed anti-terrorism standards that DoD applies to military facilities and DSWA's assessment process. The GSA can then make its own judgment on our standards and assessment process and its value and application to other federal facilities. The GSA, in cooperation with FEMA, might also consider making U.S. Government standards and assessment methodologies available through the states to cities (and the private sector) as a paradigm for unmandated, voluntary anti-terrorism improvements.

The Department of Defense has made tremendous progress in developing and providing comprehensive and integrated WMD consequence management response and training for cities. The goal of the Domestic Preparedness Program is to train 120 cities by FY01. At that juncture, we expect that city and state first responder training programs will have incorporated these concepts (the NBC delta) into their own courses so that all new first responders will routinely be trained on WMD terrorism considerations.

Mr. SOUDER. Mr. Roberts, do you have any opening statements you'd like to make?

Mr. ROBERTS. I'll wait for the questions. I have been one of the principal players in the Department of Defense's development and execution of the Nunn-Lugar-Domenici training program. I have followed its evolution in detail, and I look forward to your questions about the diversity of equipment programs, diversity of training programs, and the rest of it.

From a personal viewpoint, I identify most closely with the comments of Mr. Nesbitt. The most important person in responding to a weapons of mass destruction terrorist attack is the first responder who arrives on the scene prepared, equipped, and ready to deal with it. Everybody who arrives before him or her is a probable victim. I believe our project, or program, seeks to give that training in the most efficient manner we can to that responder. But I'll wait for your questions.

Mr. SOUDER. Dr. Knouss.

Mr. KNOUSS. Thank you very much, Mr. Chairman. It's a pleasure for us to be able to be here today and to share some of our thoughts with the committee. Thank you for that invitation.

In addition to directing the Office of Emergency Preparedness in the Department of Health and Human Services, I am also responsible on behalf of our department for the health and medical services portion—it's called the emergency support function No. 8 under the Federal response plan that is coordinated by the Federal Emergency Management Agency—as well as direct the National Disaster Medical System, which is a unique system in the Federal Government made of a partnership of the Department of Health and Human Services, the Department of Veterans' Affairs, the Federal Emergency Management Agency, and DOD.

That system has over 7,000 primary care medical personnel in it, as well as specialized teams to deal with specialized health problems, as well as over 100,000 hospital beds in 2,000 hospitals around the country in the private sector that are volunteering to participate in this rather comprehensive system; little known but comprehensive system.

Our approach to dealing with the issues that have been raised today is that we believe very strongly that, as we are trying to grapple with the health issues, which is our department's responsibilities, that the only way that one can adequately address these is at the local level, and that basically any response to a terrorist act involving a weapon of mass destruction is going to start at the local level. Therefore, what our responsibility as a department is, is to enhance the normal response patterns and to make sure that the health needs of any victims of one of those incidents are adequately addressed.

Mr. Chairman, I have submitted testimony for the record. I'd like to just highlight a few of those issues that I've addressed in the testimony in the interest of the time and the hour of the day.

I would like to first draw attention to the difference between a chemical and a biological incident, because I think it's very important to recognize that when we're talking about first response, the first response to a chemical incident is going to be very different

than the first response to a biological incident involving a weapon of mass destruction.

Our responsibility in the Department of Health and Human Services, and particularly in the Public Health Service, is to deal with the health consequences and to assist to the extent that we can to increase the capability of the local community to be able to respond to the health affects of the release of a weapon of mass destruction. And I've brought a couple of posters along to illustrate this.

Basically, what has been discussed today is primarily the response to an incident involving a chemical release, and has been expressed on many occasions, that the first response is going to be from our law enforcement, or our fire personnel, or from the emergency medical services personnel at the scene. What is next going to happen is likely that a HAZMAT team is called in. But what is going to be most important at that point is that we be able to deal very rapidly with the health consequences of one of these chemical incidents.

And what we are trying to do within the program and the support that we are providing to the cities, is to deal with those health consequences through the creation of teams that have enhanced capability to deal with those medical affects of one of those events, to be able to safely transport victims to a hospital, and to make sure that the hospital personnel are able to decontaminate patients and to adequately take care of those patients.

If those local hospital systems are overwhelmed, the National Disaster Medical System is being prepared to be able to transport people from the local community to regional or national institutions, that can then provide for the definitive medical care of the victims that are overwhelming local systems. And one of the things that happened, for example in Tokyo when the saran gas attack occurred in the subway, is that over 5,000 people overwhelmed the local hospital system, whereas fewer than 1,000 were exposed.

I'd like to turn attention to the biological incidence, and that is, there we have really a health response that's required. Because initially, what one needs to have is a surveillance system that is going to be able to detect that a pathogen has been released in the environment; that there has been a biological incident that is occurring and people are suffering because they've been infected by that pathogen, and that we need to very quickly identify what that pathogen is, and that's through the public health laboratory system.

At that point, if we are dealing with an issue of small pox, or tularemia, or anthrax, or plague, which are some of the most daunting of the biological agents that might be used, then we need to immediately respond with a system to provide for preventive prophylaxis of the population against the affects of one of those biological agents; we need to deal with the consequences in our health care system from mass care; and we need to, unfortunately, be prepared to be able to deal with mass fatalities, and then eventually, environmental cleanup.

Our contract program that we have launched with the 27 cities that were the first Nunn-Lugar-Domenici cities, really has focused on several things. It has not focused on duplicative responses, in

our judgment, to what the Department of Defense has been implying—or has been developing. But we have asked the cities to plan what a comprehensive response would be—a health response to one of these incidents.

We have been, as a second priority, providing pharmaceuticals. In fact, in some cases, in the case of New York City, all of their money was spent on pharmaceuticals, even though we have required that all the contract requirements be fulfilled, and if they have a plan for a response to one of these incidents in New York City.

Finally, should any funds be left over, we have provided that some of those funds can be used for equipment. But whatever equipment requests have been submitted by the cities, we have transmitted those to an interdepartmental group, made up of the Department of Defense, the FBI, FEMA, Department of Veterans' Affairs, and others within the Federal establishment, to review that equipment list to assure that it was not duplicative of what was being provided by other programs, and then to move ahead as rapidly as possible with the purchase of that equipment.

To date, we have received equipment lists from 13 of the cities; we have acted on 6 of them, and we're still in the process of reviewing the other 7; and, we expect the remaining cities to come in with their equipment lists after the fact. In other words, what we are trying to do is fill in the gaps that may exist after other programs have already been in effect.

Mr. Chairman, I could go on with some additional comments. I've submitted them for the record, in terms of response to some of the issues that GAO has raised in their report. However, I'll leave that for the record and your questions. Thank you, Mr. Chairman.

[The prepared statement of Mr. Knouss follows:]

Mr. Chairman and Members of the Committee,

Thank you for inviting me to appear before you today to discuss activities of the Department of Health and Human Services (DHHS) in responding to the health and medical effects of terrorism. I am Dr. Robert Knouss, Director of the DHHS Office of Emergency Preparedness (OEP).

The first link in the response chain to any terrorist incident in the United States will be local in nature and will be supplemented by state and federal assistance. This is why local capability and capacity building is absolutely crucial to reducing preventable mortality and morbidity caused by terrorist attacks. The critical issues are the level of preparedness, rapidity of response, and the integration of all levels of government that will result in either the success or failure of our nation's ability to respond to a major terrorist attack.

My remarks today are organized in the following manner: First, OEP's role and the role of the National Disaster Medical System; second, the Department's role in implementing the Domestic Preparedness Program with emphasis on our "bottom up" strategy and the development of local Metropolitan Medical Response Systems; third, the unique challenge to public health systems to detect and respond to biological attacks; and fourth, some comments on two recent GAO reports, one of which is still in draft.

OEP coordinates the health and medical emergency preparedness activities within DHHS, and is the lead DHHS organization to coordinate disaster and emergency activities with other federal agencies, including the FBI and DOD. DHHS is the primary agency that provides the health and medical response under the Federal Emergency Management Agency (FEMA) Federal

Response Plan. We also manage the National Disaster Medical System (NDMS). NDMS is a partnership between DHHS, the Departments of Defense and Veterans Affairs, FEMA, 7,000 private citizens across the country who volunteer their time and expertise as members of response teams to provide medical and support care to disaster victims, and more than 2,000 participating non-federal hospitals.

Disaster Response Teams

Our primary response capability is organized in teams such as Disaster Medical Assistance Teams (DMATs), specialty medical teams (such as burn and pediatric) and Disaster Mortuary Teams (DMORTs). Our 24 level-1 DMATs can be federalized and ready to deploy within hours and can be self sufficient on-the-scene for 72 hours. This means that they carry their own water, portable generators, pharmaceuticals and medical supplies, cots, tents, communications and other mission essential equipment. These teams have been sent to many areas in the aftermath of disasters in support of FEMA-coordinated relief activities.

In addition, staff from OEP and our regional emergency coordinators also go to the disaster sites to manage the team activities and ensure that they can operate effectively. Within the last week alone, we have deployed to the Virgin Islands, Puerto Rico, Florida, Mississippi and Alabama to assist with relief efforts after Hurricane Georges.

Our mortuary teams can assist local medical examiner offices during disasters, or in the aftermath of airline and other transportation accidents, when called in by the National Transportation Safety Board.

To make maximum use of our resources, we also allow state governments to activate our teams as state resources, if necessary.

Special National Medical Response Teams for Weapons of Mass Destruction

Last year, we provided additional training and specialized equipment to three of our DMATs, to develop a specialized capability known as National Medical Response Teams (NMRTs). These teams, in North Carolina, Colorado, and California, are capable of providing medical treatment after a chemical or biological terrorist event. They are fully deployable to incident sites anywhere in the country with a cache of specialized pharmaceuticals to treat up to 1,000 patients. They also have specialized personal protective equipment, detection devices and patient decontamination capability. A fourth NMRT is located in the Washington, D.C. National Capital Area and remains locally to respond in our nation's capital.

Metropolitan Medical Response Systems

Several years prior to initiation of the Domestic Preparedness Program, DHHS realized that the nation was not prepared to deal with the health effects of terrorism, and that should a chemical, nuclear or bombing terrorist event occur, our cities and local metropolitan areas would bear the brunt of coping with its effects. In addition, we realized that the local medical communities would be faced with severe problems, including overload of hospital emergency rooms, medical personnel injured while responding, and potential contamination of emergency rooms or entire hospitals.

Consequently, in FY 1995, DHHS began developing the first prototype Metropolitan Medical Strike Team in partnership with the Metropolitan Washington Council of Governments and their 18 local member jurisdictions in and around Washington, D.C. This system became the prototype for the team that we developed in Atlanta in 1996 to prepare for the Centennial Olympic Games, and for the 25 systems that we began in 1997 as part of the Domestic Preparedness Program. The FY 1999 budget currently before Congress includes a total of $14 million to begin additional local Metropolitan Medical Response Systems and to supplement systems already begun with a bioterrorism component. We hope to begin development of 24 additional local systems in the coming fiscal year.

Systems Approach to Preparedness

To put this system in perspective, this chart (Chart 1) depicts the systems approach to preparedness during a chemical incident. As you can see, once the incident occurs, the local first responders - police, fire, emergency medical services - would respond. HAZMAT teams would be called in to provide agent identification and hot zone management. These first two actions have been the focus of DOD, FEMA, and the Department of Justice (DOJ) under the Domestic Preparedness Program.

Our focus has been on the development of Metropolitan Medical Response Systems, which are components of local, city systems that would be called in to provide triage, medical treatment and patient decontamination. The city systems that we have been developing would then be able to transport "clean patients" to hospitals or other medical facilities for continued

care. The hospitals are developing procedures to ensure that patients coming in would be decontaminated before entering the facility where they would be treated for their exposures. They are also developing procedures to determine which patients should remain in the hospital, and which patients can and should be moved to facilities elsewhere in the city or in other cities for care, if necessary. Through NDMS, DOD can evacuate these patients to VA and DOD-managed NDMS Federal Coordinating Center areas across the country where participating non-federal hospitals have NDMS beds available should patients need to be relocated out of an affected area. In addition, our response team doctors, nurses and support staff can help relieve or augment overburdened hospital staff.

Domestic Preparedness Program

As legislated, DHHS' role in the Domestic Preparedness Program was the development of Metropolitan Medical Strike Team systems. The purpose of these systems is to ensure that a city's health system is able to cope with the injuries and chaos that results from a terrorist act. DHHS has contracted with 27 cities to date. Because each city has a public safety and public health system with unique characteristics, the contracts we have awarded to the cities specify that each city will develop an enhanced health and medical response system, within their current emergency response structure. These Systems provide an integrated pre-hospital, hospital and public health response capability to local metropolitan areas. Each system must ensure that health workers be able to recognize a chemical injury, know the proper treatments (or know where to get the information), be able to ensure that medical facilities do not become

contaminated, and that the local system is integrated with state plans. Our goal is to develop 120 of these medical response systems across the country.

The DHHS program is a health systems development program, not an equipment or training program. If a city identifies equipment as one of its cost elements under the contract, DHHS requests that DOD, FEMA, VA, FBI, Department of Energy (DOE) and the Environmental Protection Agency (EPA) review the list and comment on it, to eliminate any duplicate equipment purchases by the federal government. Training is not usually one of the cost elements under our contracts. In fact, training requirements which are identified are referred to our interagency partners.

Biological Incident

However, these activities to date have primarily dealt with the consequences of a chemical or nuclear attack, or a bombing. A different response is needed should a biological attack occur. We may not know for days that a biological event has occurred, until state and local health departments have reported clusters of unexplained illness or deaths. In the case of a terrorist attack involving a biological agent, the state and local health departments form the first line of defense. They are, in this case, the first responders. This second chart (Chart 2) shows the necessary actions to effectively respond to an attack with a biological weapon.

Local and state health departments must have support in five areas: public health surveillance to detect unusual events, epidemiologic capacity to investigate potential threats, laboratory capacity at the federal and state levels to identify and diagnose suspected agents,

communications systems with other government agencies and the general public, and stockpiles of vaccines and antibiotics to treat exposed populations and prevent infection in others.

Mass patient care, mass fatality management, and environmental clean up may also be required. The NDMS would mobilize to help assure that patients can access needed services. It may be used to augment local medical resources, including pharmaceuticals, or it may assist in assuring safe transportation of patients to other regions where the hospital systems have unused capacity.

General Accounting Office Reports

I would now like to offer a few comments about GAO's recent draft report on "Combating Terrorism: Opportunities Exist to Gain Focus and Efficiencies in the Nunn-Lugar-Domenici Domestic Preparedness Program" (September 1998).

The report made reference to the lack of a "sound assessment process, such as a threat and risk assessment" for the 120 cities included in the program. I am concerned that threats are evanescent -- what may be valid today may not be valid in the future. We believe that population density continues to be a valid basis for measuring risk. Within the funds available for preparedness activities, this interagency approach has focused on population centers of our nation in their descending order of size.

The report mentions that the training subcommittee formed by the interagency group made little progress in compiling a list of terrorism related courses. DHHS's Public Health Service (PHS) was represented on this DOD-led training subcommittee and through substantial

effort, the subcommittee did, in fact, generate a rather comprehensive compendium of existing courses.

The report also recommended consolidating training and equipment delivery locations on a regional basis. In a chemical response, it is important to note that capabilities/assets are almost immediately required. A regional approach could prolong response time for local jurisdictions. The time factor in a chemical response is crucial.

Summary

The Department of Health and Human Services through the Public Health Service is committed to assuring the health and medical care of our citizens. We are prepared to quickly mobilize the professionals required to respond to a disaster anywhere in the U.S. and its territories and to assist local medical response systems in dealing with extraordinary situations, including meeting the challenge of responding to the health and medical effects of terrorism.

Mr. Chairman, that concludes my remarks. I would be pleased to answer any questions you may have.

Chart 1

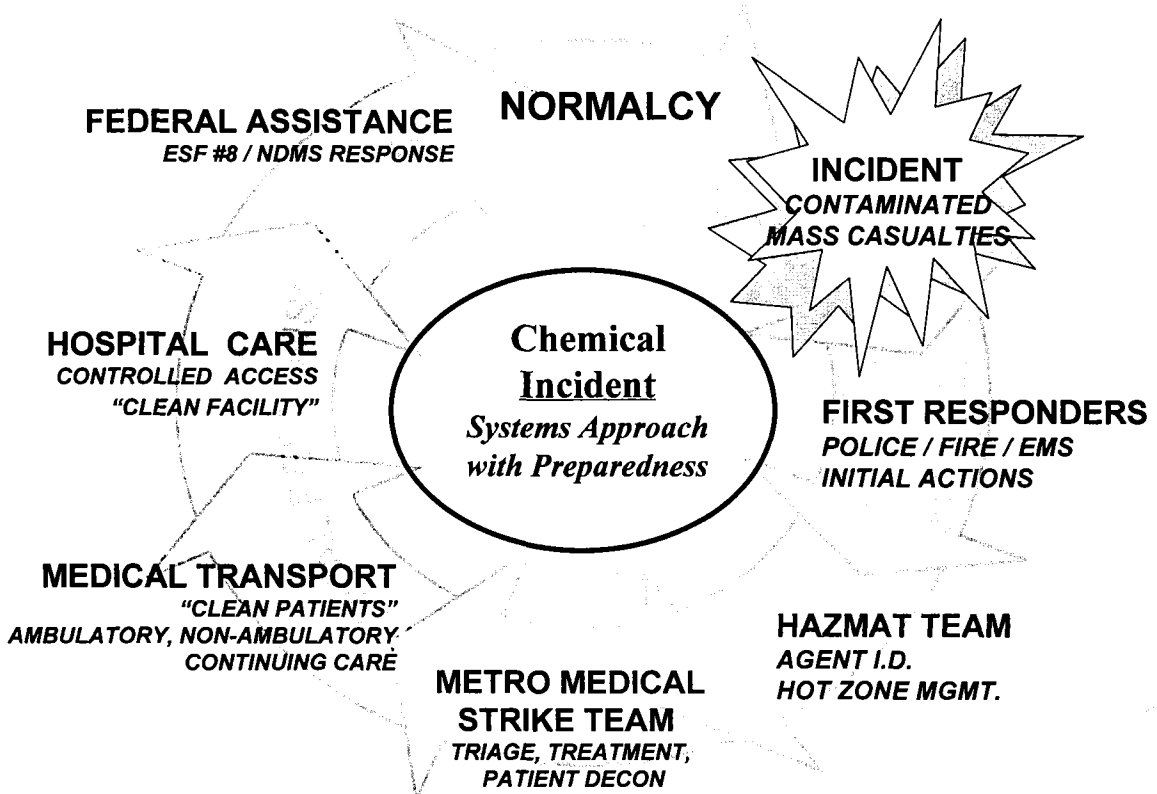
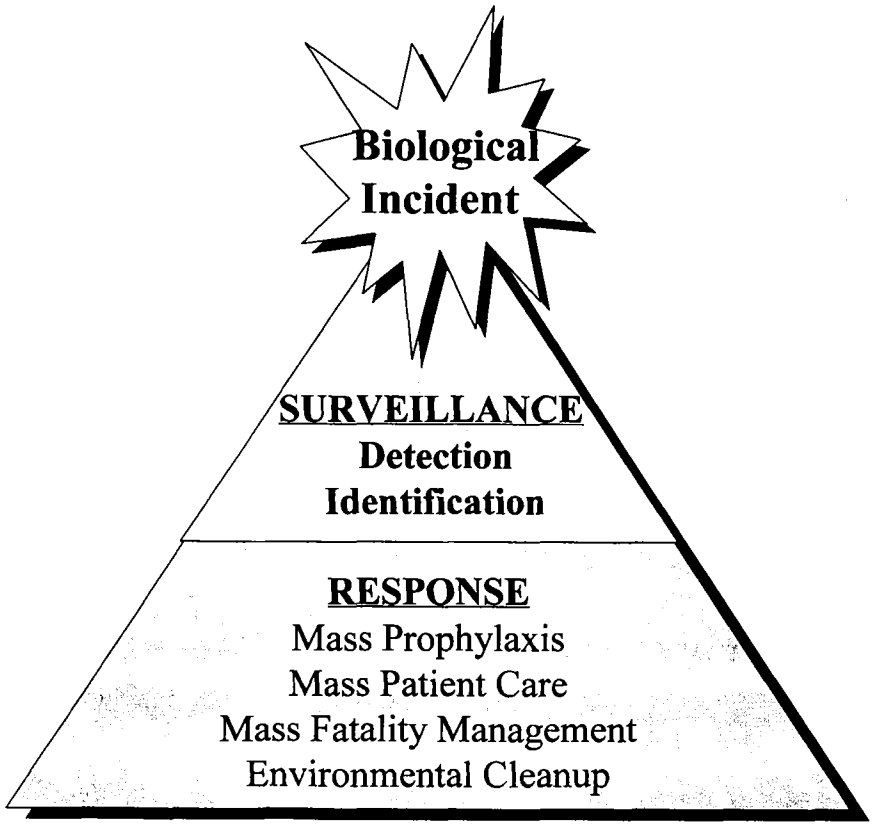

NORMALCY
INCIDENT
CONTAMINATED
MASS CASUALTIES
FEDERAL ASSISTANCE
ESF #8 / NDMS RESPONSE
HOSPITAL CARE
CONTROLLED ACCESS
"CLEAN FACILITY"
Chemical
Incident
Systems Approach
with Preparedness
FIRST RESPONDERS
POLICE / FIRE / EMS
INITIAL ACTIONS
MEDICAL TRANSPORT
"CLEAN PATIENTS"
AMBULATORY, NON-AMBULATORY
CONTINUING CARE
HAZMAT TEAM
AGENT I.D.
HOT ZONE MGMT.
METRO MEDICAL
STRIKE TEAM
TRIAGE, TREATMENT,
PATIENT DECON

Chart 2


Biological Incident
SURVEILLANCE
Detection
Identification
RESPONSE
Mass Prophylaxis
Mass Patient Care
Mass Fatality Management
Environmental Cleanup

Mr. SOUDER. Thank you very much for your testimony, and I just want to make a couple of opening comments. I appreciate the amount of time this has taken, but this is one of those things that isn't glamorous or necessarily as news-demanding as right after the bombing in Africa or some of the more dramatic things, but this is the kind of preparation we go into to try to minimize the impact of those kinds of actions, and avoid them whenever possible.

Because we didn't talk about this in the first panel in any of the questions, I just want to say for the record, my background discussions with a number of you have suggested that it's basically understood in the administration that we have grave concerns about the lack of caste clustering, and the degree that we can cluster in some of the training, as was advocated by GAO and how FEMA does it and others, would be very helpful.

Because this has all the earmarks to those of us who were growing up during the nuclear scares of the early 1960's or in World War II of the ranking of a city on Hitler's bomb list, that the biggest cities are going to be covered. I think, Fort Wayne, my home area, is 4 years out. Some States don't have any cities in the 120, and we hear that there may be some vulnerabilities. Well, it's kind of scary for Americans.

We need to look at some creative ways to do cluster training, then how to spin that into the second nature of training, whether it's conferences or a training school where local governments, if they wanted to train, certainly have some of the response stuff already through FEMA and other agencies, but to the degree that it could hit the level of sophistication.

I had the privilege a few weeks ago to attend an air guard unit in Fort Wayne doing a training in this particular area, because they'd been assigned in the Middle East, and they're headed to Panama and other places. I saw, for example, in an exercise, they had four real life casualties because the uniforms are so hot. Let me say, Fort Wayne is not Africa, or the desert, or for that matter, Arizona or Florida. They had some people move too fast and they passed out; they went through the process of trying to identify first what hit—they were trying to get the F–16's in and out; these are not easy matters. Furthermore, the number of variations of the size of what it was, and then down to the emergency tents of where you go with the first victims and the first identification. What if there's seepage in those areas?

This is something that requires a fairly sophisticated-type training, which in the first panel we had some fair questions raised as to whether the training that was being done was sufficient. What can be done to supplement that? What can be done beyond this first training? I know there are other materials provided—what are they? Do you have more sophisticated variations? I know there are people trained in some areas to do that. How can they be interrelated? Specifically, there's been a pass-off from the Department of Defense to the Department of Justice, and I wondered if Mr. Dalich, you in your testimony said that you were continuing that—have you made any changes, or are you revamping, what are you looking at in some of these areas?

Mr. DALICH. Our training program uses a different 120 cities, which in the beginning, caused us some difficulties. We are looking

at trying to revamp the program to make it more compatible across the board. Just by way of explanation, our differences—we include counties in addition to cities, and we have 120 of them, but it's the largest jurisdictions under the legislation that established the program.

Mr. SOUDER. Can I ask you a specific question on that?

Mr. DALICH. Yes.

Mr. SOUDER. For example, Washington, DC, has about roughly 700,000 people; Fairfax County, over 1 million; Montgomery in the Maryland suburbs, over 1 million.

Mr. DALICH. Right.

Mr. SOUDER. When you say a county, how would Washington be treated?

Mr. DALICH. Washington is not treated under that list—Washington, DC, specifically.

Mr. SOUDER. So, would Fairfax County?

Mr. DALICH. Fairfax County would be. It's one of the larger counties.

Mr. SOUDER. Montgomery County?

Mr. DALICH. Montgomery County as well.

Mr. SOUDER. Would they be treated at the same time, or separately?

Mr. DALICH. No, they are eligible for the program, but it's not necessarily done at the same time. And that's an excellent suggestion, although the idea of training at the individual location we believe is quite useful, and that doesn't necessarily make it convenient to do it for both of them at the same time necessarily.

Mr. SOUDER. I would like to ask you a question following up on that. For example, in Fort Wayne, they were training. They'd made an assumption that they were based somewhere overseas at the time where this facility was. It doesn't seem to me that necessarily the most critical part of this training is where you are; it's helpful to know how far you are from the hospital and those different things, but there are certain basic fundamental things and then the second tier is where you are. Because you have no idea really where it's going to occur. It could occur right on the border between two places.

Mr. DALICH. That's correct. I think a lot of the firefighters and local first responders feel comfortable training in their jurisdiction. We've done the training both ways, through the National Fire Academy and onsite. I think arguments can be made either way. We've not settled on which of those is necessarily the best way to go, although we've trained about 1,100 first responders; about 400 at the National Fire Academy, and a little over 700 onsite.

Mr. SOUDER. Have you looked at—in other words, they're not necessarily mutually exclusive, and what other materials do you provide for followup? Have you thought about proposing some of these types of things where cities that aren't going to be covered either in counties for the next 4 years, or quite frankly maybe for the next 10 years, would have access to this information, or if, particularly if they were willing to pay for the training, what kind of thought process? We all understand that when Congress passed the bill, and everybody said, jump fast, you partly plunged into it, did

what you could in the first year, and now we've got a little bit more time. How are we going to sort this through?

Mr. DALICH. Well, there are two programs at play. One is our equipment program, which this was the first year that we did that. It was $12 million appropriation, and we moved on that one aggressively to provide equipment to as many jurisdictions as we could with the amount of money that we had. We limited applications on that to the 120 jurisdictions that we were working with under the training program. We received 84 applications, and funded 41 of those jurisdictions. And had a mix of large, medium, and small size through it.

On the training itself——

Mr. SOUDER. Can——

Mr. DALICH. I'm sorry.

Mr. SOUDER. This is a new wrinkle to me, and we'll do some followup questions from here in writing. But in the 120, when you said there were small, medium, and large——

Mr. DALICH. Right, of the 120 largest, but of those there's a range.

Mr. SOUDER. OK.

Mr. CRAGIN. Mr. Chairman, if I could just interject, because I think this is a perfect example of why Secretary Cohen and the Attorney General felt it was vitally important to respond and set up one-stop-shopping.

The Department of Defense, under the Nunn-Lugar-Domenici program, has been training the trainers in 120 cities. The Department of Justice has been involved in training and equipage in 120 entities that may not necessarily be cities; they might be counties and things of that nature. And it was felt important to get this all in one place, with one entity being primarily responsible for having the lead in integrating and rationalizing these programs.

Mr. SOUDER. My initial question was: how will that training be different now than it was before?

Mr. CRAGIN. I think Mr. Dalich was trying to respond to that. Keep in mind that the agreement to propose this transfer to the National Security Council is an agreement that has been worked out over the last 4 weeks. And as Deputy Secretary——

Mr. SOUDER. You don't have it done yet? [Laughter.]

Mr. CRAGIN. Well, Deputy Secretary Hamre said, get it done in 4 days, and we at least think we tried to create an artistic rendering on how this transition process will take place. Obviously, there are myriad details that are involved in doing this.

Mr. SOUDER. Thank you. Mr. Barrett.

Mr. BARRETT. Thank you, Mr. Chairman. Mr. Blitzer, I understand that the DOJ is establishing an office called the National Domestic Preparedness Office. It's also my understanding that the FBI has been assigned the lead in this new office. Is that right? My colleague, Congressman Turner, asked me to ask several questions pertaining to that. Could you tell me how you intend to utilize the National Domestic Preparedness Consortium and it's comprehensive and broadly based existing national assets, as you develop a national plan?

Mr. BLITZER. I could give you some thoughts on it. I don't know that I have a very definitive sense on that yet, because it's so early

on. But I will mention to you, as a prelude to my comment, that next week we're going to have a 2-day conference where we're bringing in some of the people we've been working very closely with at the State and local level to help us to put the concept down for this office.

The consortium that you mentioned I think plays an important role. And I say that to you because we were just discussing the training, and certainly, that consortium has a tremendous amount of assets that can be brought to bear. Some of the things that we as a group have discussed here in recent months and perhaps over the last year, is how are we going to do this training in the long term. How are we going to do this—it's big. It's a lot more than I think certainly we're doing right now, and we discussed distance learning; we've discussed satellite broadcast. These are the kinds of things that perhaps could outreach. Some of the members of the consortium have, excellent facilities that we can leverage that kind of training out of.

So I think that's the direction that we'd like to go, and to use those assets, and leverage them, and whatever else may be out there that, at this time, we just don't know about. But, that's a pretty tight community. They've been pretty helpful to us so far, and I certainly think all of us here have a very open mind in terms of, again, leveraging what they know into further training efforts.

Mr. BARRETT. This is Congressman Turner's second question: I understand that there is also an office within DOJ which deals with State and local domestic preparedness. Is the function of training the Nation's first responders going to reside within the office? And, can you elaborate on the role of this office regarding coordination with the National Domestic Preparedness Office and the National Domestic Preparedness Consortium's capabilities.

Mr. BLITZER. That might be better for Mike to answer, than for me.

Mr. DALICH. Our office, the Office of Justice Programs, is the office that conducts the training. We're working very directly with the consortium members—Texas A&M, LSU, New Mexico Institute, the Nevada test site—having them do some of our training. We'll continue to do that. We will work under the operational planning and direction of the FBI office. They will set the frameworks, determine where they want a product delivered, how they would like to see it delivered. And our job, as the organization that deals with State and local government, is to get the program on the road, make it be in compliance with the various Federal regulations, but it will be under the direct policy leadership of the FBI.

Mr. BARRETT. And I'll follow that up, Mr. Dalich, with a very parochial question of my own. You mentioned, and in your testimony, you made reference to Texas A&M, the Nevada test site, Louisiana State University, and the New Mexico Institute of Mining and Technology. I'm from Wisconsin, Mr. Souder's from Indiana, and I'm just curious—it sort of jumped out at me as a Southern, Southwestern vantage.

Mr. DALICH. Some of this was legislatively mandated.

Mr. BARRETT. That's not a shocker. [Laughter.]

Mr. CRAGIN. As I observed, Mr. Barrett, Pine Bluff, AR, is the latest one to join the group, and we have been directed to integrate it into the domestic preparedness training community.

Mr. BARRETT. So we still haven't sort of moved into the Northern half of the country?

Mr. CRAGIN. There seems to be a geographic demarcation there, of some sort.

Mr. BARRETT. Most of those people are opposed to Federal spending, but that's for another day. I see that I'm out of time.

Mr. SOUDER. I wanted to try to clarify again a question that was raised on the first panel about when an incident occurs, who is in charge at the scene, and how do you sort that through, particularly between the FBI and FEMA, in this case. For example, it was clear to me in watching the exercise, and it's not that it's not logical, but when you see it, it's a little different, that if the doctors and medical personnel run right in to try to help out, they don't know what's there initially, and they don't know furthermore, that there aren't other bombs. As we've heard, bombs are the No. 1 way this stuff is still delivered, furthermore, if you don't get the scientists on the scene to determine which kind of chemical or biological weapon it is, you once again could prescribe the wrong things and do terrible things at the beginning.

Could you describe for us a little bit of how you see this happening when an incident occurs; and then if you see a tradeoff, a transfer, over to FEMA at a certain point; and how does this work through? Mr. Blitzer, maybe you could go first.

Mr. BLITZER. Yes, I'd be glad to try to explain that as best I can. Since PDD–39, and I think that really is an important, important document for the counterterrorism community—as you know, inside the United States, the Department of Justice and through Justice, the Bureau is lead for counterterrorism. And that's a whole array of things, but certainly command and control plays in that equation. And since 1995, when that document was issued, we've done a lot of work around the Nation, particularly in the wake of Oklahoma City disaster.

One of the things that we learned from Oklahoma City, which I think is extremely important in determining whether it's bio or chem, is that the police chief, fire chief, and the FBI chief all new each other. They knew each other extremely well. They had talked about things such as this long before that bomb went off. And when the bomb went off, they knew exactly what they were going to do; there were some quick phone calls made, and the response was on, and it was a very effective response.

The representative of the fire service is exactly right. The FBI on-scene commander, he's the on-scene commander for the Federal Government; he is not the on-scene commander for the fire department. He's not going to tell a fire chief how to fight a fire or how to rescue people. He is certainly not going to tell the police chief or the director of the public works how to shut off utilities and set up a perimeter. That's what they do, and that's what they'll do when one of these things occurs.

But what he does bring to the table, as the primary representative of Washington, are those assets that can be brought to the scene as rapidly as possible, including a highly skilled Domestic

Emergency Support Team, which has scientific people, and military assets, and the rest. They get out to the scene within 4 hours. The critical time is the first couple of hours though, and we all recognize that. But those first few hours do extend, and it's his job to make sure those assets can get out there as quickly as possible.

It's also his job to work very closely with the person from FEMA who is the on-scene commander for consequence management folks. And we look to him. That FBI SAC looks to that FEMA chief to say, what do we do in terms of consequence management here? One of the prior panelists very accurately described what happens; it's everything happens at once; it's crisis, it's consequence, it's medical.

I hope at the end of the day, after this program is mature, because it's not mature right now, that we have the kind of systematic approach to whether it's a big bomb, or a chem, or a bio—we have the kind of systematic approach and assets that are needed out there. It's not there. We want to get it there. We've been working to get it there, but it's not there.

Mr. SOUDER. Mr. Knouss, I wonder, could you explain this a little from FEMA's perspective? We had a question raised, which I'm sure Mr. Blitzer will hope to get the best grade on the gray card for cooperation possible from the FBI. Could you describe a little bit from FEMA's perspective how in real life this works, and when you come in, who you check with. For example, in the Oklahoma City bombing, what if there had been a time delay chemical that was going to come after the first hit, and the population reacted like it was conventional bomb and moved toward the site. Where does FEMA come in and who does that kind of analysis of the situation?

Mr. KNOUSS. Well, Mr. Chairman, let me make sure that I haven't left the wrong impression. I work for the United States Public Health Service. What I'm responsible for is the health and medical portion of FEMA's response plan. So from our perspective, our responsibilities purely relate to how can we function best, whether we're supporting FEMA or whether we're supporting the FBI from a technical assistance point of view, of dealing with the health consequences of one of these incidents. We are responsible for that, whether we're dealing with a big bomb, or whether we're dealing with a chemical incident, or a biological incident.

Mr. SOUDER. In your chain, do you work through FEMA then, or FBI, or some other agency?

Mr. KNOUSS. We really have uniquely here two responsibilities: One is to support FEMA on the health and medical portions of the response to an event if it actually occurs; we also have a responsibility to the FBI in the law enforcement perspective of providing technical assistance on what the nature of the threat is, and how we might go about a threat reduction. So we're playing on both sides of the aisle, as it were, but primarily bringing a unique health perspective to all of this.

Mr. SOUDER. Mr. Barrett, did you want to—we have a vote on—do you want to ask another question? I heard a buzzer, and I just assumed it was a vote.

Mr. BARRETT. I will ask a few questions though. Mr. Roberts, if I may, Mr. Nesbitt from the firefighters group has stated that your

program does not allow for feedback or input from the student trainers, and the trainers often have suggestions to improve the course, but there is no process for them to recommend such enhancements. I'd like you to respond to both of those criticisms, if you would please.

Mr. ROBERTS. As we complete the training in each of the cities, there's a detailed critique sheet that is provided to all the people who sit in the classroom. Those critique sheets are compiled by the trainers and put together, and discussed in out-briefs with city officials and others. So, I am a little surprised that some of the people who apparently participated in the process didn't feel that they had an adequate feedback loop.

We have been continually modifying the program as we have gone along, and it might be possible that in one of the first or second iterations, the critique sheet and feedback loop process was not there. But to my knowledge, today and certainly as we move forward, there is an insistence on the part of the instructors that they ask the students to fill out written sheets that give them grades, and we roll those grades up into booklets, and I, from time to time, review the booklet from each city to see how well we did or didn't do, based on classroom critique comments.

I must say, frequently firefighters and police officers are quite blunt, if you're wasting their time, on some of those critique sheets. They don't pull a punch. So, I believe there is an adequate feedback loop. It is through the process of a critique sheet that is given to the students in the classroom and who work on that.

I would also take—I'd like to explain that although four of our classes are not hands-on and are basically awareness classes, it's my recollection that two of the six classes we provide do involve hands-on training and have the firefighters, police officers, and others in suits, attempting to move their way through the detection and identification process, and the rest of it. So those two points, I'm a little bit surprised by the comment.

Mr. BARRETT. Had you heard those complaints before today?

Mr. ROBERTS. I had not heard the feedback—the lack of a feedback loop—complaint, before today, no.

If I might just quickly try to sort through the equipment issue, because we've been central to that. The equipment that DOD provides is equipment designed to allow the first responder trainers, who we have trained, to in turn train the first responders in their cities.

We recognize—we call it an equipment training set—we recognize that if the equipment were brand new, before it's been used much in training, it might have some ancillary ability to be used in response. But, it's not designed for response. It's intent is to be used for training, and after one or two training sessions, the gear starts to deteriorate, there's no question. And after four training sessions, no responder should respond in it, because it's been put on the wrong size person, it's been hooked up backward, it's had all the things happen to it that happen in training.

Insofar as the—I'll call it unfunded mandate, although we don't see it as that—what we did say was that we can provide you with one set of equipment, one time, and we'll loan it to you on a long term loan basis. But as that equipment gets torn up, and con-

sumed, and used, we have no authority to come back and replenish it.

When we began this program it was the idea of most of us sitting at this table that we wanted a partnership with State and local governments. The Federal Government would assist them, but they would also try to pay their fair share. And I would have to commend folks like Jerry Hauer and others in New York City, who've moved out sharply to try to carry the load.

Over the past year and half or 2 years, a general consensus has emerged that the Federal Government should take a larger role in providing equipment. And in fact, the DOJ had $12 million last year, and I think a larger sum this year. The intent of their equipment program is to provide response equipment. This is the gear that's going to hang on the truck, that's going to be ready to go; it's not going to be torn up in the training process. And so, although yes, the suits are very similar, much of the gear is similar, our intent was training equipment to be used by trainers training their firefighters, police offers, EMS technicians, and others.

Dr. Knouss gear, on the other hand, is a little bit different yet, in that as he has explained, it has a particular medical focus, and it is response gear for the most part. And for example, in New York City, Jerry Hauer used all of his money to buy pharmaceuticals to have them pre-positioned in the event of response.

In all of these processes, we allow the city or the principal interlocutor to have as much flexibility to design the equipment set as they need, building on where their shortfalls are. If they have a huge HAZMAT capability in a given city, they need far fewer suits than a city that has a HAZMAT team of four folks. So we try to work through the process, with the city, to allow them to construct what it is they believe they need. And that's where we are today on interagency equipment issues.

Mr. BARRETT. Thank you.

Mr. SOUDER. I tend to agree with Congressman Barrett, that this isn't an unfunded mandate. But did I understand correctly that, if they accept the DOD equipment, which is perishable, that they agree to keep it maintained, and that's where the unfunded mandate came from?

Mr. ROBERTS. I believe that the nature of the loan agreement calls for them to maintain and replenish it. But, we arrived at this loan agreement in order to ensure that when we left the city, they had some equipment to train on.

Mr. SOUDER. What's the point of having an agreement that you know is not going to be followed if you're not there?

Mr. ROBERTS. Well, probably in that the legislation only allowed us to loan equipment.

Mr. SOUDER. So in other words, the law isn't being implemented the way it was written?

Mr. ROBERTS. Right. I mean, we recognize that we don't expect to get the equipment back, and we expect it to be consumed in the training process.

Mr. SOUDER. And you also don't expect that they're going to replace it necessarily.

Mr. ROBERTS. We are not looking for the equipment back, and we don't expect that they're going to replace it in order to give it back

to us. If they need continued equipment for training we would expect that they would replenish it.

Mr. SOUDER. But there's no checking on that.

Mr. ROBERTS. No.

Mr. SOUDER. And the question of replenishing and repairing it was theoretically to give it back to the Department of Defense?

Mr. ROBERTS. No. The question of replenishing and repairing it was so that they could continue training.

Mr. SOUDER. Because the intention of Congress—which is hard for you to read, and hard for me to read—the implication in that is that we intended in passing that bill, that if you accepted this equipment, you were also accepting that you were going to maintain; not just use it up. That's the implication.

Mr. ROBERTS. Actually, I think that the loan provision that's in the law probably was an idea that, if there were a major disaster, DOD could loan equipment to a city to help them with the response. As we started the training program, we said, this makes no sense at all to go out and train a city, and then walk away with all the training aids and leave them with nothing. You've got to have suits, you've got to have detection devices, you've got to have some minimal training stuff. And so, we took the loan provision and used it to long term loan training equipment for training purposes.

Mr. SOUDER. It strikes me that we need to sort through—I certainly agree that that's the minimum expectation—that in the Department of Justice, in the grant program when people apply now and can apply for this followup equipment, do they have to demonstrate that either they've been through a particular training program, that they've had some of this equipment? In other words, is there any correlation between what we've been doing in the training-specific and the grants that you're providing?

Mr. DALICH. We do have correlation on that. If they have not been—we had rather an elaborate risk and threat assessment requirement as to what they needed and what level of equipment they required. We chose the winners based on the ones that demonstrated the most need through that process. Virtually all of them already had been trained; on those few that had not, we provided special conditions that before we ceded the grant, they had to go through the training.

Mr. SOUDER. Could you explain to me what you meant by threat assessment?

Mr. DALICH. I don't think it's in the same sense as we were talking earlier—the Exxon model, and that kind of thing. But it was a look at what their threat was, and where they were to be able to respond to the threat, and the kind of equipment that they thought that they needed, and what they currently had on hand to be able to respond to that. And then we used that criteria for rating and ranking the applications to determine which ones out of the mix were going to get the awards.

Mr. SOUDER. I don't think we've specifically said in the record, although Mr. Blitzer made a reference to the GAO, that the Exxon model you just mentioned is a way that they determined, in a given area, the risks to their employees. And the question is, should we

be having a similar model, and you're saying it's not exactly like that.

I'm a little confused, because it appears that you just said that you have some kind of a way that you're sorting through whether one area might need this equipment or not. And if so, why wouldn't that be partly determining who's going to get some of the training? And if so, why wouldn't that go down to the local level a little bit? Because, obviously, if you have a nuclear launch facility near you, such as they have in some areas, or if you have major chemical plants, or if you have potential pass—I mean, I don't know what's in that mix. Could you describe that?

Mr. DALICH. I guess in answer to your question, we started off with a universe of 120 that we were already dealing with, and that was not a factor. The risk or threat assessment was not a factor in the creation of that list; it was strictly on the largest jurisdictions. Within that, we didn't have enough money to award everyone grants, and we used this as a way to determine which ones were best prepared to use the money and were in most need of it. It was a process of sorting out which of the grantees would be able to get what part of the $12 million, and we didn't have enough to do it for them all. It seemed logical to us to take a look at that.

Mr. SOUDER. I agree, it seems logical. It just seemed logical in some of the other parts too, and that's what some of our discussion is. Because, that was part of the question is—if we could do some consolidations—the population isn't the worst way to do this, because every big city—the bigger the city, the more types of places that a terrorist could hit, and the more potential terrorists there are in that city for domestic terrorism.

At the same time, by clustering some of the training, even if you wound up giving each of those subdivisions their $300,000 to $350,000, presumably, you might be able to extend the training faster at least and maybe even to more areas, and particularly if there are cities down the list who may have a higher threat assessment, which you just implied it wasn't just in the numerical order of the size of the city. That's one of the questions we've been raising.

If I may, I'd like—did you want to go?

Mr. BARRETT. Go ahead.

Mr. SOUDER. I wanted to followup on two things with Mr. Blitzer here yet, and I appreciate we've had you here a long time. One is that you were quoted earlier this year as saying that you felt a lot of people, agencies in particular, had suddenly discovered a terrorism role. Having been quoted in the media myself, I know sometimes frustrations, but it suggests that you too—and you also expressed in another story, what you've expressed here, and that is that you were hearing from local agencies that they need one-stop-shopping, there needs to be more coordination.

Could you explain a little bit what you meant by that? Who might be some of the people that you feel we could look at in whittling down and saying this needs to be consolidated more?

Mr. BLITZER. Well, I wish I could remember every quote that was thrown out there. But I think that certainly over the last couple of years, particularly with this WMD incident, that many organizations now see themselves as part of terrorism or a counterterrorism

effort in the United States that perhaps really weren't cognizant of where they fit into the picture in the past. And so we do hear, and I certainly heard, more and more, many cases rightly so much greater interest and a yearning for more information, so that they can better fulfill their missions. That could be at the Federal, State, and local levels. So, from that perspective, I think that was more the context of what I was thinking at that particular point in time.

But the second point, Mr. Chairman, that you raised?

Mr. SOUDER. Was the one-stop-shopping, which you've——

Mr. BLITZER. I think that's been something that's been out there for a long time, and I first heard it from one of the deputy fire chiefs up in Chicago, who I've got a very close friendship with. We sat down in Chicago one day, and he said, you know Bob, the biggest thing you're missing out there is you're not leveraging off of the systems that exist out here, and you should do that in this training. And I think we heard a little bit about that today. And I think that's what he was saying to me, and it made a lot of sense to me that certainly if you have offices of emergency preparedness that have structures inside of a community, or a county, or a region, that's the way to go—try and leverage and see what they need and build on that, and train them. So I think that's really been the focus of one-stop-shopping. I think he's right.

Mr. SOUDER. Dr. Knouss, in your testimony, I thought I heard you say that one of the things you do is you review those lists to see whether an area was selected appropriately. Did you have any risk assessment in that of what things they were more likely to face in that locality? Or what did you mean by your statement that you went through their request lists?

Mr. KNOUSS. What we review that list for primarily is that there are some models and some prototypes that have been developed in order to be able to assist in a response, and to assure the safety of the personnel that are responding, and to assure that we do as much as possible for the victims. We review that list to make sure that it at least falls into that ballpark, because every local system has it's own unique peculiarities, and we want to make sure that we don't impose a model.

Mr. SOUDER. But what——

Mr. KNOUSS. But when we review that list—when we review that list then, we send it to the other agencies to assure that we're not duplicating what the other agencies are already doing. The purpose of that review was to avoid exactly what the General Accounting Office has said is a problem, and that is duplication. So, we're sending it to our colleagues in the other agencies to assure that we can all agree that this remains a need in that community for Federal support.

Mr. SOUDER. What did you mean by unique peculiarities?

Mr. KNOUSS. I'm sorry?

Mr. SOUDER. What did you mean—that was the word that triggered me earlier.

Mr. KNOUSS. There are some communities that may decide one particular piece of equipment is the model that they want, as opposed to another piece of equipment that has a similar function, because it fits in with the rest of their system. The way we've ap-

proached this—we haven't mandated that a unique piece of equipment be part of that list; that this conform and be consistent with what else is done in that community. At least that was the idea. Now whether or not it's been perfectly implemented, I can't say, but that was the way we approached this at the beginning.

Mr. SOUDER. Without opening up a whole can of worms, Mr. Blitzer, I want to ask you, because we've discussed this personally, but I think it's important for the record, and as this develops, we need—this is one of the things we need to be looking at. In your written testimony, you said that the incidents that you've looked at predominantly fall into two categories, which you identify as lone offenders and extremist elements of right-wing groups.

Mr. BLITZER. Right.

Mr. SOUDER. That most of these threats were hoaxes, you went on to describe in your verbal testimony, as well, the specific things. You also, in your written testimony, said that in 1997, you initiated 68 new investigations, and this year—as of September—86, which suggests they are rising to some degree. Do you have any—if you can't say, that's fine too—do you have any idea of the 86 and 68, how many were lone wolf, which really means individual criminals, and how many were right-wing groups, and how many——

Mr. BLITZER. I would have to say that right up about 80 percent would be lone wolf-type people, individuals, the Larry Wayne Harris-type individual. And a very small percentage are groups. But the groups seem to me—I mean, I worry about all of them, Mr. Chairman—the groups, particularly one last year that we worked against, it was a Klan group who was seeking to blow up a chemical storage facility. And we were very fortunate. We got lucky; we penetrated that group, and we were able to stop it.

But that's the kind of issues that we're seeing. And even the hoaxes, and I think I mentioned in my testimony, are very time-consuming. And Bob Knouss mentioned just the procedures we go through just in assessing a threat are very intense, they're interagency, and we've really developed I think a very good procedure that when we're assessing a threat, we're on a conference call with State and locals who are on the scene, telling them, this is what we think you have or this is what we think you don't have. So they have the right assets at their fingertips.

We had an interesting incident a few months ago, where a guy had gone into a local courthouse strapped with a bomb, and inside the bomb he had chemicals. We were on the line directly with the fire chief and the police chief, as well as our group. We assessed that thing as certainly was a bomb, but we didn't think he had actually had chemicals. That helped the negotiators who were able to diffuse that situation. He did have a live bomb; he did not have chemicals. That's how it's been working.

But again, lone individuals. Believe me, when I tell you this, they're the hardest ones, as we saw here on the Hill recently. They're the hardest ones to get intelligence on.

Mr. SOUDER. As you know, and I would just like to say for the record, two parts here. One is that both currently and not that long in American history, in the 1960's and early 1970's it was the left, and now to some degree, from the right more frequently. There is a difficult balance when it's domestic as opposed to international,

where you have the organizations coming in and targeting U.S. citizens. I work in a Federal building, my staff in Indiana works in a Federal building, we had a shooting just recently in the Capitol building. We clearly could be targets. I don't want to minimize that.

It's also the FBI's responsibility to enforce very difficult laws when individuals don't want to pay their income taxes, when they don't want to obey the gun laws, and various things that we've seen, whether it be Waco, or Weaver, or the different types of celebrated cases, whether they be lone wolves or working in a group for the Oklahoma City bombing.

At the same time, we have to be very careful that we don't actually precipitate the groups becoming more aggressive, as happened in the 1960's from the left, or currently from the right. And also be careful of individual liberties, because we can breed a paranoia that in actuality, leads to more problems than we currently have, because they argue in terms of self defense when they're not necessarily the most balanced individuals to start with.

And so I just want to say that, because many of us who are very supportive of the antiterrorism efforts, are also concerned about that. You bear a tremendous responsibility in trying to sort that through.

Mr. BLITZER. I agree with you completely. I couldn't agree with you more. And this particularly holds true when we have to consider opening a domestic intelligence case on U.S. persons. And of course, as you know, Mr. Chairman, we work very closely within the Attorney General's guidelines and we're awfully sensitive to the same concerns that you've expressed here today.

Mr. SOUDER. I have a question from Mr. Gilman, who couldn't be here. Did the FBI Director provide Chairman Hal Rogers his antiterrorism budgetary needs? And, if so, can a copy be provided for us as well?

Mr. BLITZER. Yes, he did. He did provide Chairman Rogers that information, and I'll be glad to furnish that to you, Mr. Chairman.

Mr. SOUDER. Thank you. Mr. Barrett.

Mr. BARRETT. In closing, I just want to thank all of you for being here. You obviously all have important jobs and take it very responsibly, and just to let you know that I appreciate the work you are doing for the people in this country. Thank you, and I yield back, Mr. Chairman.

Mr. SOUDER. We could probably stay here a couple more hours, but I think you all are tired, the audience is tired, and we'll certainly be doing followup hearings. I thank you very much for your patience and your willingness, and we'll leave the record open for additional materials. Will you respond to some written questions, if some come up directly on today's topics?

[Witnesses all responded affirmatively to the Chair's question regarding responding to additional written questions.]

Mr. SOUDER. Thank you very much. With that, the committee stands adjourned.

[Whereupon, at 1:01 p.m., the subcommittee adjourned subject to the call of the Chair.]

[Additional information submitted for the hearing record follows:]

CONGRESSMAN ELIJAH E. CUMMINGS

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL AFFAIRS, AND CRIMINAL JUSTICE

OCTOBER 2, 1998

HEARING ON IMPLEMENTATION AND STATUS OF THE DEPARTMENT OF DEFENSE DOMESTIC PREPAREDNESS PROGRAM.

OPENING STATEMENT

- THANK YOU MR. CHAIRMAN.

- I AM LOOKING FORWARD TO OUR DISCUSSION TODAY OF THE DOD PREPAREDNESS PROGRAM AND I COMMEND THE CHAIRMAN FOR HIS CHOICE OF HEARING TOPIC.

- I AM ALSO INTERESTED IN A DISCUSSION OF THE STATUS OF OUR PREPAREDNESS FOR INTERNATIONAL TERRORIST ATTACKS IN LIGHT OF THE HORRENDOUS BOMBINGS IN KENYA AND TANZANIA THIS YEAR. I HOPE THAT THE COMMITTEE WILL CONDUCT A HEARING ON THIS TOPIC IN THE NEAR FUTURE.

- TODAY, HOWEVER, OUR FOCUS IS DOMESTIC TERRORISM PREPAREDNESS.

- I AM VERY FAMILIAR WITH AND INTERESTED IN THE DOD PROGRAM BECAUSE NOT ONLY IS BALTIMORE ONE OF THE 120 CITIES CHOSEN FOR PARTICIPATION IN THE PROGRAM, BUT BALTIMORE HAS ALREADY UNDERGONE A TRAINING EXERCISE IN MARCH OF THIS YEAR.

- ALL REPORTS FROM BALTIMORE ON THE TRAINING HAVE BEEN POSITIVE AND SUPPORTIVE OF DOD'S PROGRAM.

- CHIEF GARY E. FREDERICK, ASSISTANT FIRE CHIEF OF OPERATIONS OF THE BALTIMORE CITY FIRE DEPARTMENT, TOLD MY OFFICE THAT HE STRONGLY SUPPORTS THE PROGRAM.

- CHIEF FREDERICK STATED THAT THE TRAINING HE AND HIS FIRE FIGHTERS RECEIVED IN MARCH WAS EXCELLENT; THAT THE TRAINING WAS WELL COORDINATED WITH OTHER CITY

DEPARTMENTS AND WITH OTHER CITIES; THAT THE FOCUS ON BOTH CHEMICAL AND CONVENTIONAL WEAPONS WAS APPRECIATED; AND THAT HE LOOKS FORWARD TO AN ADDITIONAL TRAINING IN OCTOBER.

- HIS ONLY CONCERN, HOWEVER, WAS WITH FUNDING AND EQUIPMENT.

- CHIEF FREDERICK COMPLAINED THAT HE HAS NOT YET RECEIVED ANY EQUIPMENT TO DATE AND WHAT MONEY HAS REACHED BALTIMORE HAS GONE TO THE HOSPITALS.

- THEREFORE, AT PRESENT, HE FEELS THAT BALTIMORE HAS NEITHER THE EQUIPMENT NOR THE FUNDING REQUIRED TO MEET THE DEMANDS PLACED ON THE CITY BY THE PROGRAM.

- I AM INTERESTED TO KNOW IF THIS IS A PROBLEM FACED BY OTHER FOCUS CITIES AND HOW THE PROBLEM IS BEING ADDRESSED.

- I HOPE THAT OUR SPEAKERS WILL ADDRESS THIS FUNDING AND EQUIPMENT ISSUE IN THEIR TESTIMONY TODAY.

- I AM ALSO INTERESTED IN A DISCUSSION ON THE LEVEL OF ATTENTION BEING PAID TO THE THREAT OF CONVENTIONAL WEAPON TERRORISM.

- THIS IS THE TYPE OF TERRORISM THAT WE CONTINUE TO WITNESS MOST OFTEN WORLD-WIDE AND DOMESTICALLY.

- IN ADDITION, MOST EXPERTS PREDICT THAT CONVENTIONAL WEAPONS WILL CONTINUE TO BE THE PRIMARY MODE OF TERRORISM WELL INTO THE FUTURE.

- I HOPE OUR PANELISTS WILL ADDRESS THIS CONCERN AS WELL.

- ONCE AGAIN, I WISH TO THANK THE CHAIRMAN FOR CONVENING THIS HEARING AND I LOOK FORWARD TO THE TESTIMONY OF OUR ASSEMBLED WITNESSES.

- THANK YOU.

American Muslim Council, Inc.

October 1, 1998

The Honorable J. Dennis Hastert
United House of Representatives
2241 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

On behalf of the Board of Directors and our members from Illinois I would like to submit you my testimony for publishing it on record to the National Security, International Affairs and Criminal Justice subcommittee.

Thank you for your kind consideration in this matter.

Sincerely,

Atif Harden

1212 New York Ave., N.W., Suite 400 • Washington, D.C. 20005 • Tel: (202) 789-2262 • Fax: (202) 789-2550 • E-Mail: amc@amermuslim.org • http\\www.amermuslim.Org

TESTIMONY SUBMITTED TO THE NATIONAL SECURITY, INTERNATIONAL AFFAIRS AND CRIMINAL JUSTICE SUB-COMMITTEE OF THE HOUSE GOVERNMENT REFORM AND OVERSIGHT COMMITTEE BY ATIF HARDEN, EXECUTIVE DIRECTOR OF THE AMERICAN MUSLIM COUNCIL

Good morning Mr. Chairman and other distinguished members of the committee.

PRONOUNCEMENT

I come before you today to pronounce that there need not to be a "clash of civilizations" between Islam and the United States. Further, you should reject the McCarthy-like tactic used by some unethical people of asserting that Islam, Muslims and American Muslim organizations endorse terrorism. You are here today to discuss solutions to the problem of terrorism. The American Muslim community shares your concern regarding this plague. As the Executive director of the American Muslim Council I would like to propose a measure that may help remedy the problem.

But first I would like to talk about the American Muslim community and the recent bigotry that we have had to endure concerning this question of terrorism. Mr. Chairman the American Muslim population and its organizations pose no violent threat to the United States and our way of life. Speaking as an American, I am weary of hearing and seeing Islam and Muslims portrayed as foreign and different. We are cousins of Jews and Christians. We worship the same god, follow the teachings of the same prophets, and believe in the same books. We are the all followers of Abraham.

Islam is not new to our homeland. There is strong evidence that Muslims were trading with the Americas before Columbus "discovered" the New World. Many more Muslims came in the holds of slave ships. We literally helped build this nation. Our roots are deep in America, and as immigrants from the Middle East, North Africa, the sub-continent, Southeast Asia, and the Balkans arrive, they continue to enrich us.

Mr. Chairman I can proudly say to you today that the Muslim community in America is the model minority community in the United States. We are a value driven community that shares a faith that is pro-family, pro-education, anti-racist, pro-business, law abiding, and anti-crime. There are no Arab, Pakistani, Somalian, Senegalese or Indonesian ghettos in the United States. Muslims living in disadvantaged communitys are often the lights of those community's, promoting family, education, cleanliness, chastity, self-sufficiency, and zero tolerance towards drugs and the mental slavery it produces. We are one of the best-educated groups in the nation, and have one of the lowest crime rates. Because of our commitment to serve God and our country Muslim doctors, lawyers, teachers, accountants, and businessman are serving in inner city and rural communities that no one else in the country is attracted too.

Mr. Chairman, let me answer some questions for you and the committee.
Is terrorism a tenet of Islam? No!

Are Muslims, or those who claim Islam as their motive, sometimes involved in terrorist acts? Yes.
Are Muslims involved in the majority or at least in a significant number of domestic terrorist attacks? According to the FBI, no!
Is the killing of innocent men women and children supportable by Islamic religious doctrine? No!
Mr. Chairman I would like to share with you a verse from the Qur'an that addresses Muslim behavior in regard to conflict:

The Qur'an:
"Fight in the cause of Allah with those who fight against you, but do not exceed the limits. Allah does not like transgressors." (2:190)

And what are these limits? Some light is shed on them when we read the instructions of the Prophet Muhammad to his followers, and also from the first Caliph, Abu Bakr.

Prophet Muhammad:
"I recommend you to have fear of Allah, and be good to the Muslims who are with you. Fight with the name of Allah and in the cause of Allah. Do not betray, do not be excessive, do not kill a child nor a woman or an old person, or a person who is secluded in his hermitage. Do not burn a date tree, nor cut the trees, nor demolish structures." (Sahih Muslim)

Abu Bakr, first Caliph of Islam:
"Do not betray or be treacherous or vindictive. Do not mutilate. Do not kill the children, the aged or the women. Do not cut or burn palm trees or fruitful trees. Don't slay a sheep, a cow or camel except for your food. And you will come across people who confined themselves to worship in monasteries...leave them alone to what they devoted themselves for."

PLEA

Mr. Chairman, given our long history, commitment and contribution to our nation, I hope that in our public policy statements concerning Islam and Muslims, we don't repeat the mistakes of the past. You must resist those who want to blame and demonize an entire community for the crimes of a few. Let us not give credence to the bigotry of those who will say that "Islam is a terrorist religion" or "all Muslims are terrorists" or "American Muslim organizations are front groups for terrorists" We already know the danger and stupidity of mass stereotyping. Mr. Chairman, we didn't elect a Catholic president until this century, because people feared that a Catholic would be under the control of the Pope. Others believe that we can't have an Italian president because he would be under the influence of the Mafia. And still others believe that Jews are a fifth column that can't be trusted and whose loyalty will never lie with the United States. All of these fears have not only proven to be unfounded, but they are patently ridiculous. Mr. Chairman, we let our fears get out of control in the past, and we made a terrible mistake with the Japanese community by interning them during the Second World War. Our national shame and regret over this incident continue to haunt us. Please, let's not make this same mistake with Islam and the Muslim community.

Our Prophet taught us that when one of us is oppressed, we all are oppressed. So yes, Muslims feel the pain of our co-religionist and do support the causes of our brothers to escape oppression in Bosnia, Kosovo, Kashmir, Palestine, Kenya, Uganda, Russia, India, China and the Philippines. Just

as Irish Americans supported Catholics in Ireland. Just as Polish Americans supported solidarity. Just as American Jews support Israel. Just as African-Americans supported the liberation struggles in Africa and more specifically Nelson Mandela in South Africa. Muslims do nothing different than any other sub group in our nation. We may support causes that are not always understood by the public, but we are never in favor of injustice whether committed by non-Muslim or Muslims. And we should not be persecuted for holding different political and policy beliefs.

POLICY

Mr. Chairman, under no circumstances, no matter how righteous the cause, can the taking of innocent human life be justified. The political style of early Muslims was one where participants aimed to persuade a wide audience to the spiritual, moral, and political superiority of their cause. They were principled about methods and were willing to compromise and to move patiently from one limited end to another. Political violence is now becoming theatre where the aim of the political act is nothing more than the venting of outrage. The cowardly acts of terrorism can not drown out the ultimate righteousness of a cause. It is important that we realize that the significance or legitimacy of a cause is not diminished because of the actions of a few radicals. Every significant movement in this country has been plagued by radical excess. The Independence Movement, the Anti-slavery Movement, the Labor Movement, the Civil Rights Movement, the Anti-war Movement, the Environmentalist Movement, the Animal Rights Movement, and now even the Anti-abortion Movement. Terrorist acts occur when groups or individuals feel ignored, marginalized and inadequate facing a superior force. People's tactics must be condemned, but their legitimate grievances must still be addressed.

Mr. Chairman I would now like to recommend a policy position. I would like to suggest that in order for us to effectively fight this problem of terrorism that we look closely not only at the effects of this horrible problem, but also at its causes.

PROGRAM

Therefore, Mr. Chairman, I would like to recommend that the President and/or Congress establish a *National Commission on the Causes and Prevention of Terrorism.* I know that congress has proposed a committee on counter-terrorism, but that will only deal with the effects of the problem, and will not address the root causes of the problem.

Mr. Chairman we have used this model quite effectively in the past, especially concerning matters related to violence in our society. We have had the *Warren Commission* report that helped mute much of the agitation the country felt after the Kennedy Assassination. We have also had the *Commission of the Causes and Prevention of Violence* and the *National Advisory Commission on Civil Disorders*. In both cases if we had heard the complaints and grievances of those who testified, earlier, we probably would not have seen the violence we ended up enduring. Image how many lives would have been saved if Timothy Mcvee could have told us what was troubling him and those like him. It is easy for people to condemn him and his like for the awful crime they committed, but we have to still ask ourselves why his complaints and grievances couldn't have been addressed through our political system. Granted, some people are just criminal, but what harm would it do us to establish dialogue with political dissidents. Lets talk to the Puerto Rican groups, the Popular Liberation Army, MEK, Mexican Revolutionary Movement, American Front

Skinheads, Phineas Priesthood, and radical anti-abortionist. Over the past decades these are the groups that have been suspected of domestic terrorist acts. Mr. Chairman, we know that in working with gangs, not only must they be dealt with harshly if they commit crimes, but that the toxic conditions that create their violence must be changed.

Mr. Chairman, if you will bear through one more example. Please look for a moment at how we dealt with radical anti-war groups (SDS) and the radical civil rights groups (SNCC) in the 70's. First we took the route of demonizing them, but that only played into their hands and empowered them. But then we started to dialogue with them and began to address some of their core concerns, like poverty, homelessness and the de-escalation of war in Vietnam. With their problems being addressed and solutions formulated, it took away there anger and frustration. Now, in fact, many of them are respected contributing members of the establishment that they once abhorred.

Mr. Chairman, we will not be able to solve all of the problems posed by the right and left wing groups that employ terrorist tactics, but we can dialogue with them and present to them a system that is not intransigent, one-sided, and is at least perceived to be fair. We have outstanding examples of other commissions of this sort, let's learn from the lessons of the past. Thank you.

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