

COMBATING TERRORISM: ROLE OF THE NATIONAL GUARD RESPONSE TEAMS

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY,
VETERANS AFFAIRS, AND INTERNATIONAL
RELATIONS

OF THE

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GOVERNMENT REFORM

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COMBATING TERRORISM: ROLE OF THE NATIONAL GUARD RESPONSE TEAMS

WEDNESDAY, JUNE 23, 1999

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS
AFFAIRS, AND INTERNATIONAL RELATIONS,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 10 a.m., in room 2247, Rayburn House Office Building, Hon. Christopher Shays (chairman of the subcommittee) presiding.

Present: Representatives Shays, Souder, Terry, Blagojevich, Schakowsky, and Tierney.

Also present: Representative Skelton.

Staff present: Lawrence J. Halloran, staff director and counsel; J. Vincent Chase, chief investigator; Michele Lang, Robert Newman, and Marcia Sayer, professional staff members; Jason Chung, clerk; David Rapallo, minority counsel; and Earley Green, minority staff assistant.

Mr. SHAYS. I'd like to call this hearing to order. Local and State and Federal efforts to combat domestic terrorism are proliferating rapidly. City and county first responders are being trained and equipped to deal with incidents involving nuclear, biological, and chemical weapons of mass destruction. More than 40 Federal departments, agencies, and programs have responsibilities to help detect, deter, and mitigate the effects of terrorist attacks. Next January, 10 National Guard Rapid Assessment and Initial Detection teams, RAID teams, will join the arsenal available to States against the terrorist threat.

So we asked the General Accounting Office [GAO], to assess the proposed mission and operational role of the new RAID teams to determine where they will fit in a coordinated, effective, and efficient response to a weapons of mass destruction incident. According to the report released by GAO today, the answer remains disturbingly murky.

State and local officials expressed widely varying degrees of confidence that a RAID team would arrive in time to be of real use in the critical early stages of situation assessment and lethal agent detection. Some viewed the RAID team mission as duplicative of growing State and local first-response capabilities.

Commenting on the report's findings, the lead Federal agency for consequence management, the Federal Emergency Management Agency, commonly referred to as FEMA, agreed that "new chemical capabilities for the Guard may not be necessary to support Federal

operations.” GAO recommends a basic reassessment of the RAID team concept before the program is expanded. Others disagree. The Department of Defense [DOD], sees a well-defined role for specially trained National Guard units as an advance element of the overall support the Pentagon will inevitably be called upon to provide. DOD officials view the National Guard RAID teams as critical State-controlled intermediaries between local first responders and other Federal military support arriving later.

But we need to be more certain the RAID teams envisioned by DOD do not disrupt the proven response scenarios or duplicate local capabilities. An Oklahoma City council member recently described the confusing jumble of Federal help that arrived 15 hours after the bomb blast as needlessly injecting arguments over bureaucratic turf into the city’s efforts to cope with human tragedy. That can’t be allowed to happen again.

This subcommittee’s ongoing examination of Federal efforts against terrorism takes a unique, governmentwide view. Our oversight mission is to help shape an evolving national strategy that matches the response to the threat, coordinates crisis and consequence management at all levels and operates efficiently. Today, we ask if the proposed National Guard RAID teams meet those tests.

Our work in this area has been aided immeasurably by Representative Ike Skelton from Missouri, ranking member of the House Armed Services Committee. His long-standing interest and expertise in these issues transcends party and even transcends the sometimes more impenetrable barriers of committee jurisdictions. As the cosponsor of this GAO report and others on the Federal terrorism response, he joins us as a valued partner and ally. And he’s welcome by the subcommittee.

And at this time I would say that we look forward to our witnesses. I’ll be calling them and swearing them in in a second and with Representative Lee Terry’s permission, I’ll go to Ike Skelton to see if he has a statement and then I’ll go to you. Thank you.

Mr. SKELTON. Thank you very much, Mr. Chairman. I will make only a brief comment. I welcome this opportunity to be here. I welcome the opportunity for this hearing. It certainly raises our level of awareness about the problems of implementation for the RAID teams. I personally agree with what we have established in the RAID teams. We—these are new, relatively new concepts and the implementation continues to evolve.

Of course, we can all hope against hope that we never have to use them. The reality being what it is, they somewhere along the line may sadly be forced to respond to these incidents, as we have seen already occur in our country. So I look forward to this. I look forward to the testimony of Mr. Cragin and the testimony of the gentleman from the National Guard because that certainly does mean a lot to us in the future safety of our fellow Americans. Thank you so much for allowing me to be with you.

Mr. SHAYS. Thank you very much for being here. I would now call on a really valued member of this committee, Lee Terry. I would just parenthetically say of all the people who ask questions I find his the most insightful and it’s wonderful to have him here.

Mr. TERRY. I appreciate that, Mr. Chairman. I have no prepared opening remarks. I spent 8 years on our Omaha City Council and what a lot of you don't know is that we were the bridesmaid to Oklahoma City. Timothy McVeigh spent time in Omaha on videotape in our Federal courthouse of his presence so of course we're concerned.

But also just in the general sense of that our local fire and our police are the first responders in any type of a tragedy and whether natural or man made will count on support from the State and from the Federal by way of National Guard involvement and what roles they play is important.

Mr. Chairman, as you said, from citing the council member from Oklahoma City, it's our firemen and our police who are going to be on the scene or involved in the investigations initially, and sometimes they could be there for hours. To have a new entity show up no matter how benevolent their involvement could be very disruptive.

We need to look through the process and find out a way of enhancing everybody's involvement as opposed to allowing a process to decay in a time of emergency. So that's why these types of hearings are extremely important for the local communities and just the overall safety and well-being of our constituents. I appreciate your holding this hearing.

Mr. SHAYS. Thank you very much. Before calling on our witnesses, I just ask unanimous consent that all members of the subcommittee be permitted to place an opening statement in the record and that the record remain open 3 days for that purpose and without objection so ordered. I'd ask further unanimous consent that all Members be permitted to include their written statement in the record and without objection so ordered. We would also obviously include Mr. Skelton's statement in the record.

Thank you. At this time I would recognize our first panel and it's Mark Gebicke, Director of National Security Preparedness Issues, National Security and International Affairs Division, GAO, General Accounting Office, accompanied by Ann Borseth, who is Senior Evaluator for the GAO in the same division, and Robert Pelletier, Assistant Director in the same division as well.

At this time what we do, as I think you know, we swear in all our witnesses. I'd ask you to rise and raise your right hands.

[Witnesses sworn.]

Mr. SHAYS. Note for the record that all have responded in the affirmative. I think we can have a pretty punctual hearing. This doesn't need to be a long hearing, but it is a truly important hearing; and I'm grateful to have our two panels and obviously our guest of such distinction, Mr. Skelton. So I invite you, Mr. Gebicke, to make a statement. I think you're the only one with a statement and then you'll respond to questions.

STATEMENT OF MARK GEBICKE, DIRECTOR, NATIONAL SECURITY PREPAREDNESS ISSUES, NATIONAL SECURITY AND INTERNATIONAL AFFAIRS DIVISION, GENERAL ACCOUNTING OFFICE, ACCOMPANIED BY ANN BORSETH, SENIOR EVALUATOR, NATIONAL SECURITY AND INTERNATIONAL AFFAIRS DIVISION, GENERAL ACCOUNTING OFFICE; AND ROBERT PELLETIER, ASSISTANT DIRECTOR, NATIONAL SECURITY AND INTERNATIONAL AFFAIRS DIVISION, GENERAL ACCOUNTING OFFICE

Mr. GEBICKE. That's correct. Thank you, Mr. Chairman. We're very pleased to be here this morning to talk about the National Guard RAID teams. We've worked very closely with this subcommittee along with Mr. Skelton and we've enjoyed that relationship providing a number of products over the last—over the last 3 years on the Federal structure and the programs that are available to combat terrorism.

And we've seen a consistent theme emerge over just about all the products that we've done, and that theme is that the number and cost of programs that have been initiated to combat terrorism has grown tremendously. And this has presented a very difficult management and coordination challenge in order to avoid duplication, fragmentation, and gaps.

And my message here today is going to be somewhat similar to the theme that we've given you over the past dealing with the—and that theme deals with the RAID teams obviously and the report that the subcommittee just released today and that is that there's a need for a more focussed and coordinated U.S. response to weapons of mass destruction. We need an approach that capitalizes on the existing capability, minimizes the duplication, and at the same time focuses our funding on the highest priorities.

Now, exactly what are the RAID teams? DOD is currently establishing RAID teams to assist local and State responders. They're really going to do three things. They're going to help assess the situation when an incident does occur, advise the local and State authorities when necessary, and then facilitate requests for additional resources from the State and Federal military assets.

This fiscal year, 10 RAID teams are to be established. They're going to be in States that also coincide with FEMA regions. Each RAID team will consist of 22 full-time members. They'll be on call 24 hours a day, 365 days a year and each team will have dedicated equipment, ground transportation. They will not, however, have dedicated air transportation.

As you mentioned in your opening remarks, when we went to the Federal, State, and local officials to ask about how the RAID teams have begun to and will eventually fit into the scheme that currently exists for responding to a weapon of mass destruction, we found varying views, differing views.

At the Federal level, principally the players are the Army, the FBI, and FEMA, the principal players. The Army takes the position that the National Guard RAID teams are a very necessary element of a Federal response and a State response picture and believe that there are no obstacles that can't be overcome; and I'm sure the witnesses after I and our panel finishes will confirm that.

The FBI and FEMA, on the other hand, express quite a different view. They question the need for the teams. They are of the opinion that we have an adequate Federal response capability and that possibly this capability might be duplicative of what already exists. They're concerned about how the Federal Government—excuse me, the National Guard RAID teams would be able to integrate themselves in the local and the State response that has already been established.

And I need to mention this too that every place we went, all those officials that we spoke to were highly complimentary of the National Guard in their more traditional role and that is coming to an event where we need assistance and providing personnel, equipment, supplies, and transportation in the event of a catastrophe.

So that's really not at issue here, and what we're really talking about is whether or not the FBI, FEMA, and other officials that we've talked to believe that we need that initial capability of detection and identification that has to take place very early in an incident. And I'll talk more about that in just a second.

Now, at the State level, we also have varying views. It depends on where you go. One State is getting ready to accept and implement a RAID team. It was very complimentary, felt that the RAID team in their particular State was being integrated adequately and it would provide them with additional, more robust capability.

They anticipated using the RAID team to help them in general hazardous material incidents and to be the primary asset that would be available to the State, should there be an incident involving a weapon of mass destruction.

We need to clarify that when we have an incident the very first people that respond typically are your police department and then probably followed very closely by your fire department and your emergency medical personnel.

Most of the HAZMAT teams that are available throughout the country have basic training in dealing specifically with chemical agents and more specifically with toxic industrial chemicals because whenever they encounter an accident on a highway, they just don't know what confronts them so they have to have some basic training to assure that they take adequate control of the situation.

Some officials told us that they believed the RAID teams could be useful in locations that have little or no HAZMAT capability, that this could be very helpful in those instances. We also talked with local officials and also the International Association of Fire Chiefs and we talked specifically about that first element that's very critical, the detection and identification of chemical agents and there again emphasized that it's really the first responders that need to have that real robust capability. They are the people that are going to be first on the scene and have to make a very, very quick assessment, usually within the first hour, certainly no more than the first 2 hours of when they're confronted with.

The second question that you asked us to address was whether or not there were other capabilities that exist at either the Federal or the State or the local level and we did identify over 600 HAZMAT teams located throughout the United States that can respond and do respond to incidents.

The chart over here to my right and your left indicates the various categories of the response elements that are available to a locality. At the very top you see what's readily available to the State in terms of the RAID teams once implemented, the State HAZMAT teams and the Air National Guard units, and then the lighter shaded to the right of the chart would indicate the Reserve military units, the active military units, and then the darker shaded to the bottom and to the left would indicate the Federal civilian and military activities that would be available.

So when you look at that you paint a very, very complicated picture of a number of different units that can respond, and we can talk in more detail about that later if you'd like.

The third issue that I wanted to mention here this morning that came up frequently in our discussions about the implementation of the RAID teams again had to do with the timeliness of the arrival of the RAID teams. Officials indicated the need for the team to arrive in that first hour to particularly be of help in the detection and identification of a chemical. They feel that the HAZMAT teams have that capability and with the RAID teams not arriving until probably the 4th hour, that assistance in that particular mode of dealing with the incident would not be of much value.

They also raised concerns about the team's ability to both retain and also to train their individuals, particularly those individuals that are in relatively specialized occupations.

So in conclusion, Mr. Chairman, the fact that we've got, as you've characterized it, murky views from the State and local and Federal agencies about the RAID teams and how useful they could be and how they'd fit into the Federal response and the State response mode, we felt that greater clarification was needed before we proceeded.

The fact that there appears to be some similar organizations that have functions very close to what the RAID team would bring to an incident lead us to believe that there might be unnecessary duplication among the responders and finally the concern about the timeliness of the response of the RAID teams coupled with issues of potential retention problems and also training problems leads us to believe that the RAID teams might have difficulty executing their responsibilities diligently.

And as you mentioned, we made several recommendations in our report for consideration. We felt it would probably be a good idea at this point in time to pause, to see how the implementation goes in these first few RAID teams to see if these issues that have been raised at the State and local and Federal Government are indeed issues that need to be resolved or whether or not we can move forward if we feel that the RAID teams are certainly necessary.

Mr. Chairman, I'll stop right there. It's a brief summary of our report. We'll be glad to respond to any questions that you may have.

[NOTE.—The GAO report entitled, "Combating Terrorism, Use of National Guard Response Teams Is Unclear," GAO/NSIAD-99-110, is retained in subcommittee files, and may be obtained from GAO by calling (202) 512-6000.]

[The prepared statement of Mr. Gebicke follows:]

GAO

United States General Accounting Office**Testimony**

Before the Subcommittee on National Security, Veterans' Affairs, and International Relations, Committee on Government Reform, House of Representatives

For Release on Delivery
Expected at
10:00 a.m., EDT
Wednesday,
June 23, 1999

**COMBATING
TERRORISM****Use of National Guard
Response Teams Is
Unclear**

Statement of Mark E. Gebicke, Director, National Security Preparedness Issues, National Security and International Affairs Division



Mr. Chairman and Members of the Subcommittee:

We are pleased to be here to discuss our report,¹ which this subcommittee is releasing today, on the National Guard Rapid Assessment and Initial Detection (RAID) teams. The Department of Defense (DOD) is creating the teams to assist local and state authorities in assessing situations surrounding weapons of mass destruction emergencies (WMD),² advise these authorities regarding appropriate actions, and facilitate requests for assistance to expedite the arrival of additional state and federal military assets. As you know, over the past 3 years we have studied and reported on a number of issues concerning federal agencies' programs and activities to combat terrorism for this Subcommittee and Representative Ike Skelton. For example, we reported in September 1997 that many federal agencies had duplicative or overlapping capabilities and missions in combating acts of terrorism,³ including incidents involving WMD. We have also reported that the many and increasing number of participants and programs in the evolving counter-terrorism area across the federal government pose a difficult management and coordination challenge to avoid program duplication, fragmentation, and gaps.

After a brief summary, my testimony will address three issues in more detail. First, I will describe the role of the RAID teams in response plans as understood by local, state, and federal officials. Second, I will discuss other response assets that can perform similar functions to the RAID teams. Finally, I will discuss the RAID teams' responsibilities and how they plan to meet these responsibilities.

SUMMARY

While DOD has defined the specific mission for the RAID teams, the plans for these relatively new teams and their implementation continue to evolve. We found that there are differing views among federal and state officials on the role and use of the RAID teams and how they will fit into state and federal plans to respond to WMD incidents. Among the principal federal agencies involved, Army officials believe the teams can be valuable assets to federal authorities, if needed, as part of the federal response plan. They also believe that the teams will be a critical and integral part of the state and local response to such weapons. In contrast, officials with the two agencies responsible for managing the federal response to terrorist incidents—the Federal Bureau of Investigation (FBI) and the Federal Emergency Management Agency (FEMA)—do not see a role for the RAID teams in the federal response. They question the need for the RAID teams because of the federal structure already available to respond to WMD incidents. Instead, they see the National Guard, whether in state or federal status, responding with personnel and equipment as it does for natural disasters and other emergencies. Differing views also exist at the state level. Officials in some states without a RAID team question the teams' utility primarily because of their response time; however, officials from a state with a RAID team are very enthusiastic about the concept and are making plans to use their team.

¹ *Combating Terrorism: Use of National Guard Response Teams Is Unclear* (GAO/NSIAD-99-110, May 21, 1999).

² For purposes of this testimony, weapons of mass destruction are defined as biological, chemical, or radiological weapons.

³ *Combating Terrorism: Federal Agencies' Efforts to Implement National Policy and Strategy* (GAO/NSIAD-97-254, Sept. 23, 1997).

There are numerous local, state, and federal organizations that can perform similar functions to the RAID teams. For example, there are over 600 local and state hazardous materials (HAZMAT) teams in the United States that assess and take appropriate actions in incidents almost daily involving highly toxic industrial chemicals and other hazardous materials. As we discussed in our November 1998 report to this Subcommittee,¹ the Domestic Preparedness Program is providing teams from the largest 120 cities in the United States with the opportunity to expand their capabilities to counter WMD incidents. In addition, there are numerous military and federal civilian organizations that can help local incident commanders deal with WMD incidents by providing advice, technical experts, and equipment.

Local, state, and federal officials expressed a number of concerns about the teams' abilities to meet their mission and responsibilities. The most significant and frequently mentioned is the time it would take the RAID teams to respond to calls for assistance. Other concerns centered on recruiting and retention, training, and operational issues. For example, some officials believe that it will be difficult to fill vacancies in the highly specialized positions on the RAID teams and that the members of the teams will not get the type and level of training needed to maintain proficiency in the technical skills and team skills. DOD believes that no "show-stopping" training or operational issues have been identified to date. For example, because of the significant number of exercises conducted by federal, state, and local authorities, they believe there will be ample opportunities for the teams to exercise their skills.

These issues further point to the need for a more focused and coordinated approach to the U.S. response to attacks involving WMD—an approach that capitalizes on existing capabilities, minimizes unnecessary duplication of activities and programs, and focuses funding on the highest priority requirements. Because of the differing views on the role and use of the RAID teams, the numerous organizations that can perform similar functions, and the potential operational issues that could impact the teams, our report recommends that the appropriate federal agencies determine the need for the teams before proceeding to expand the program in more states.

BACKGROUND

Operationally, federal efforts to combat terrorism are organized along a lead agency concept. The Department of Justice, through the FBI, is responsible for crisis management of domestic terrorist incidents and for pursuing, arresting, and prosecuting the terrorists. State governments have primary responsibility for managing the consequences of domestic disasters, including major terrorist incidents; however, the federal government can support state and local authorities if they lack the capabilities to respond adequately. FEMA manages this federal support through a generic disaster contingency plan known as the Federal Response Plan, which outlines the roles, responsibilities, and emergency support functions of various federal agencies, including DOD, for consequence management. The National Coordinator for Security, Infrastructure Protection, and Counter-Terrorism, created in May 1998 by Presidential Decision Directive 62, is responsible for coordinating the broad variety of relevant policies and programs including such areas as counter-terrorism, preparedness, and consequence management for WMD.

¹ See our report *Combating Terrorism: Opportunities to Improve Domestic Preparedness Program Focus and Efficiency* (GAO/NSIAD-98-3, Nov. 12, 1998) for a discussion of this program.

According to intelligence agencies, conventional explosives and firearms continue to be the weapons of choice for terrorists. Many familiar with industrial chemicals, such as officials from the FBI, the Environmental Protection Agency (EPA), the Coast Guard, and local HAZMAT teams, believe that industrial chemicals may also be a weapon of choice in terrorist attacks, because they can be easily obtained and dispersed. They believe that terrorists are less likely to use chemical and biological weapons than conventional explosives, at least partly because these materials are more difficult to weaponize and the results are unpredictable. Agency officials have noted that terrorists' use of nuclear weapons is the least likely scenario, although the consequences could be disastrous. According to the FBI, the threat from chemical and biological weapons is low, but some groups and individuals of concern are beginning to show interest in such weapons.

This fiscal year, DOD started fielding 10 RAID teams. According to Army officials, the Secretary of Defense plans that the RAID teams will be dedicated forces for domestic incidents. The initial 10 teams are located in Washington, California, Colorado, Texas, Illinois, Missouri, Georgia, Pennsylvania, New York, and Massachusetts. Each of these states is within a defined FEMA region and was selected based on state demographics, proximity to Air National Guard units that could provide airlift, presence of other federal/military assets, transportation networks, and other criteria. Consideration was also given to the level of congressional interest in the teams' locations. Currently, the team is an asset of the state in which it is located, but can be deployed as a regional asset to other states. The DOD plan that created the teams suggested that there eventually should be a RAID team in each state, territory, and the District of Columbia, for a total of 54 teams. Until this occurs, the Army Guard is establishing RAID (Light) teams in the other 44 locations to provide limited chemical/biological response capabilities.

The Army Guard is responsible for implementing the concept and has developed the plans for organizing, staffing, training, and equipping the teams for their mission. State National Guard organizations receiving the teams are hiring and training personnel in their individual skills. The 10 RAID teams are scheduled to be operational in January 2000. Funding for the teams will be through the Army Guard and includes personnel costs for the full-time positions, as well as training, equipment, and maintenance costs. DOD allocated about \$52 million for the RAID program in fiscal year 1999 and has requested about \$37 million for fiscal year 2000. Specifically, DOD allocated about \$19.9 million from the fiscal year 1999 Defense Appropriations Act for the first year of the program, which covered the startup costs for the first 10 teams. An omnibus supplemental appropriation followed, from which DOD allocated an additional \$19.2 million for RAID team equipment and \$13 million to establish the RAID (Light) teams. The DOD budget request for fiscal year 2000 includes about \$37.2 million to support the 10 existing RAID teams and create 5 more. It also includes about \$.5 million to support the RAID (Light) teams.

Each RAID team is to be staffed with 22 full-time National Guard members organized into 6 functions: command, operations, administration and logistics, communication, medical, and survey. Members are to be on call 24 hours a day, 365 days a year. All but the survey function have a primary mission of RAID team support. For example, the medical unit primarily provides medical support to RAID personnel, but can provide guidance to the incident commander on the medical implications of a WMD event and coordinate with health care facilities for follow-on support requirements. Each function will have personnel trained to perform their particular mission. There will be two survey units that have the mission of conducting search, survey,

surveillance, and sampling of a WMD incident site and advising the incident commander of appropriate response protocols. Members are to be cross-trained so that a full unit can be fielded at any one time.

**DIFFERING VIEWS ON THE
ROLE AND USE OF NATIONAL GUARD
RAID TEAMS IN RESPONSE PLANS**

In designing the RAID teams, Army officials stated they tried to create a capability that would detect and identify WMD, which is critical to any effective response effort and, according to these officials, was missing from most local and state response units. According to these officials, having the RAID team in the National Guard gives the state governor an asset that can be rapidly deployed to provide this initial WMD detection and identification support, as well as technical advice on handling WMD incidents, to the local incident commander. Also, according to these officials, it is less expensive to have one state asset trained and equipped to deploy with this capability than to train and equip every HAZMAT team in the state. Other advantages cited include using the teams to identify and test new concepts and equipment in WMD detection and identification and filling a very important force protection role for other National Guard units deployed to assist in a WMD emergency.

Officials from the FBI and FEMA are concerned about the RAID team concept and how the teams would fit into any federal WMD response. They question the need for the RAID teams because of the federal structure already available to respond to WMD incidents. The FBI officials are concerned about a conflict between the RAID teams and their own Hazardous Materials Response Unit or other federal assets, if all arrive with the same capabilities and try to give advice to the incident commander. FEMA officials are also concerned about the duplication of capabilities between the RAID teams and the local and state HAZMAT teams, as well as other federal responders involved in the Federal Response Plan.

Because the RAID teams are just getting established, there is not much information about the teams at the state and local levels. Therefore, we contacted only a few states, including Pennsylvania, which has a RAID team, and major metropolitan areas to obtain their opinion on the RAID team concept. Officials from larger local jurisdictions usually have very robust HAZMAT capabilities. Many of the officials we spoke with stated that they see no use for the RAID teams because their own experienced HAZMAT technicians can not only perform sufficient detection and identification of WMD chemical agents to begin to handle the situation, but also work in the stressful, dangerous environment. They also did not see the RAID team providing advice on situation assessment and management, which is another of the RAID team missions. These officials consider themselves very experienced in managing emergencies that involve hazardous chemicals and did not believe the RAID team could suggest anything they did not already practice every day. However, some of the officials did state that perhaps the RAID teams could be a useful asset for those locations with little or no HAZMAT capability. One state official stated that the RAID team could bring certain capabilities to a WMD event, such as expertise on military agents. Officials from Pennsylvania are not only integrating the RAID team into the state's WMD response plan, but also plan to use it to respond to more common HAZMAT emergencies. According to DOD, other states have submitted requests for or expressed an interest in fielding their own RAID team.

The state and federal officials stated that the National Guard in its traditional role of assisting with personnel and equipment in natural disasters and other emergencies would be necessary and invaluable in a WMD emergency. They, as well as officials from the International Association of Fire Chiefs, agreed that the detection and identification capabilities in the RAID teams would be better placed in the local responder community, since the local responders will be on the scene first and need information quicker than the RAID team, or any federal assets, could get there to provide. According to some officials, an investment in more sophisticated detection and identification equipment and advanced training for HAZMAT teams would benefit the teams' response to all HAZMAT emergencies, not just WMD incidents.

SIMILAR CAPABILITIES EXIST AT LOCAL, STATE, AND FEDERAL LEVELS

According to the International Association of Fire Chiefs, there are over 600 local and state HAZMAT teams that will be the first to respond to an event involving hazardous materials, whether it is a WMD agent, industrial chemical, or other material. Although these teams vary in capability, ranging from basic to robust, they all have the basic capability to detect and identify industrial chemicals and mitigate the effects of a chemical emergency, either on their own or with help from nearby jurisdictions, private contractors, or federal organizations. Among the federal organizations that can help are EPA, Coast Guard, FBI, and DOD response teams.

Federal, state, and local officials generally agree that a WMD incident involving chemical agents would look like a major HAZMAT emergency. In such scenarios, the local HAZMAT team would be the first to respond and the local fire chief would usually be the incident commander. HAZMAT technicians are trained to detect the presence of highly toxic industrial chemicals and can use basic identification techniques and equipment to give them sufficient information to begin to assess and respond to the situation. For example, the chemical agent sarin is from the same organophosphate compound family of chemicals as pesticides. HAZMAT technicians can identify this chemical family using readily available kits. The technicians are trained and experienced in the protocols used to handle this chemical family and can begin to mitigate the chemical immediately. The identification of biological agents requires a complex process performed in a lab and cannot, as yet, be done on scene by any unit, including the RAID teams. However, it is likely that detecting and identifying an actual biological agent will involve the medical community over a period of days rather than the HAZMAT community or the RAID teams over a matter of hours.

If the local responders are unable to manage the situation or are overwhelmed, the protocol is for the incident commander to contact nearby communities and the state emergency management office for assistance. The RAID team could be requested at that point. However, the local commander also can access the National Response System hotline, which is well publicized and known within the first responder community for reporting hazardous material accidents and obtaining advice and/or assistance from federal agencies like the FBI, the EPA, and Coast Guard. Although the system is primarily to report emergencies involving chemical or oil spills, it could also alert federal authorities to what could turn out to be a WMD event. If the incident commander suspects that the event is a WMD incident, they can also call the Chemical and Biological hotline to get information or federal assistance. This hotline links the caller to both the Army's Soldier and Biological Chemical Command for advice and the FBI to begin the

federal response. The incident commander can also call the local office of the FBI, which would trigger the federal response.

EPA is responsible for preparing for and responding to emergencies involving oil and hazardous substances, including radiological substances, for all natural and manmade incidents, including those caused by terrorism. The U.S. Coast Guard is responsible for the same kinds of incidents as they impact the U.S. coastal waters. When a local or state responder calls via the National Response System for EPA or Coast Guard assistance, the call is immediately relayed to either agency's on-scene coordinator. The EPA has about 270 on-scene coordinators across the United States and the Coast Guard has 44 Marine Safety Officers, who are coordinators. Most coordinators try to deploy within a half-hour of notice. The coordinators have HAZMAT training, can assist with situational assessment, and are the point of contact for the coordination of federal HAZMAT efforts with the local and state responders. If the state asks for assistance, the coordinator can bring both contractor and federal assets to the scene.

Both EPA and the Coast Guard have other assets that respond to HAZMAT emergencies with capabilities similar to the RAID teams. The EPA has two Environmental Response Teams, stationed in New Jersey and Ohio, and 10 Superfund Technical Assessment and Response Teams that have similar HAZMAT capabilities and access to contractor support. EPA's National Enforcement Investigations Center is the technical support center for EPA enforcement and compliance assurance programs, providing environmental forensic evidence collection, sampling, and analysis and can also assist the FBI with these activities. EPA has 12 labs that provide analytical support, field monitoring, and other environmental program support. Five of these labs have deployable mobile units that can provide chemical and biological analysis. Finally, the EPA has radiological response capabilities to handle some aspects of nuclear/radiological incidents.

The Coast Guard's National Strike Force has three teams, located in New Jersey, Alabama, and California. These teams each have 36 members trained to the HAZMAT technician level, as well as trained members in the Coast Guard Reserve, and are equipped to handle major oil and chemical spills in coastal waters, but can also respond to other environmental HAZMAT emergencies.

As discussed previously, the FBI has the responsibility for crisis management in a WMD event. Its Hazardous Materials Response Unit is responsible for providing laboratory, scientific, and technical assistance to FBI investigations involving hazardous materials, including WMD, and environmental crimes. In support of both the FBI and the local incident commander, the unit can also sample, package, and transport hazardous material to labs for further analysis, provide decontamination capability and situational assessment, and assist with technical scientific support and advice. The unit can mobilize within 4 hours and has access to FBI aircraft if the emergency is too far to drive to.

The FBI has a new initiative to put operational HAZMAT teams in 15 of its 56 field offices by June 1999. Each team will have 10 special agents trained at the HAZMAT technician level. Although these agents will not function as full-time HAZMAT technicians, they will be available as a quick response asset for gathering evidence in environmental crimes and WMD events. The

team will be equipped to perform detection, monitoring, sampling, and decontamination. By the end of 1999, the FBI plans to have 4-person teams in the remainder of the field offices, trained to the HAZMAT technician level, but with very little equipment. Eight of the larger FBI teams will be in states that also have the National Guard RAID teams.

There are also highly specialized military assets to deal with the full range of WMD. These include the Army's Technical Escort Unit, with three detachments stationed across the United States; the U.S. Marine Corps' Chemical/Biological Incident Response Force stationed at Camp Lejeune, North Carolina; the Army's 52nd Explosive Ordnance Disposal teams, stationed across the United States; military laboratories, such as the U.S. Army Medical Research Institute of Infectious Diseases; and other assets, such as the Mobile Analytical Response System from the Edgewood Research, Development and Engineering Center. These units have been positioned at large events such as the Atlanta Summer Olympic Games, economic summits, and presidential inaugurations in case of a terrorist attack.

There are 89 Air National Guard civil engineering units spread throughout the 50 states, Guam, Puerto Rico, and the District of Columbia that the state governors or federal officials can access to help in a WMD event. These civil engineering units--Prime Base Engineering Emergency Forces, known as "Prime BEEF" units--have the wartime mission of supporting sustained air operations during a WMD attack and mitigating the consequences of an attack. The Air Guard also has 78 Prime BEEF fire fighting units that are trained in handling hazardous materials and 10 Explosive Ordnance Disposal units that are capable of handling WMD devices. There are plans to increase the number of Disposal units to 44 in the next 5 years. According to Air Guard officials, these skilled units could be of great use to local incident commanders in a WMD attack on civilian targets, if their equipment and training were upgraded. This would allow these units to be available to the states, not only in a WMD event, but also in a major HAZMAT emergency.

The military services, both active and reserve, have units that could be used in a WMD emergency. For example, the U.S. Army Reserve has 63 percent of the chemical units in the U.S. Army, including 100 chemical reconnaissance/decontamination elements stationed across the United States that can perform basic detection and identification of chemical agents as well as decontamination operations. The U.S. Army Reserve also has two chemical companies that are specifically designed for nuclear, chemical, and biological reconnaissance and contains the only biological detection company in the Army today that is ready to deploy. Under the authority of Army Regulation 500-60, a Reserve commander can respond to an emergency in the local area when there is imminent danger of loss of life or critical infrastructure. Accordingly, the local authorities could request assistance from the local Reserve commander in a WMD emergency without an official deployment of the military.

CONCERNS ABOUT RAID TEAMS' ABILITY TO FULLY MEET THEIR RESPONSIBILITIES

Our discussions with local, state, and federal officials and our analysis of the information regarding the RAID teams surfaced a number of concerns that the teams may not be able to meet their mission and responsibilities. The most significant and frequently mentioned is the time it

would take the RAID team to respond to an incident. Other concerns centered on recruiting and retention, training, and operational issues.

The goal for the RAID team, either in part or as a whole, is to be able to deploy to a WMD incident within 4 hours of notice. All local, state, and federal officials we met with expressed concern that this time frame would get the team there too late to be useful. They stated that, for the incident commander to benefit from the information they could produce, the RAID team would be needed at the scene within the first 1 to 2 hours. After that time, the local/state HAZMAT teams could have the basic detection and identification information that would allow them to begin to handle the situation. Then, the incident commander would either be in control of the situation and not need additional assessment input from the RAID team or so completely overwhelmed by the enormity of the situation that the FBI and FEMA already would have been notified, and in coordination with the state, federal assets already would be on their way to the scene.

The RAID teams will have dedicated vehicles to transport them and their equipment to the incident. The teams will also have access to Army National Guard helicopters and small, fixed-wing aircraft that could carry some team members with hand-held equipment. The remainder of the team and equipment would then follow in the vehicles. To transport the entire team to a distant location within the state or region, with all its equipment and vehicles, would require military airlift, like C-130 aircraft. However, there are no plans to dedicate ground crews, flight crews, or aircraft for on-call, immediate response to a RAID team deployment. If Air National Guard or Air Force aircraft were required to transport the RAID teams, authorization would have to be obtained from the U.S. Transportation Command.

The lack of dedicated airlift for the RAID teams adds to the concern about the delayed arrival. Some federal assets, including the FBI's Hazardous Materials Response Unit, have immediate access to aircraft and flight crews. The EPA and Coast Guard On-Scene Coordinators have the ability to contract for civilian aircraft to get their assets, as well as contractor assets, to a scene quickly.

As a result of a 1993 restructuring, combat support and combat service support functions were concentrated in the Army Reserve and combat functions in the Army National Guard. Therefore, except for the RAID teams, there are few promotion opportunities for chemical and medical specialists in the rest of the Army Guard. Some officials expressed concern that the Guard would not be able to maintain a "pipeline" of highly trained individuals to fill vacancies on the RAID teams, making it necessary for the teams to operate at less than full capability when vacancies occur. For example, it may be difficult to find the highly trained personnel with the necessary education and skills required to operate the sophisticated equipment planned for the RAID teams, such as the mass spectrometer. According to DOD, there are ample units in the Guard and Reserve from which to draw qualified candidates for the RAID teams and that can provide opportunities for team members who want to leave for promotions.

According to local and federal HAZMAT team leaders, it may be difficult for the RAID team members to maintain their proficiency after they receive their training. For example, the teams will have a mobile lab with very sophisticated, technical identification equipment. Many local

HAZMAT team leaders stated that they would not have some of this equipment in their inventory, particularly the mass spectrometer, because it requires highly trained personnel to use and maintain it effectively. The federal HAZMAT team leaders stated that, while some of them have a mass spectrometer, it takes almost daily use to maintain competency and accuracy, which the RAID team may not get. All of the HAZMAT team leaders expressed concern that the RAID team members would lose their HAZMAT expertise if they did not have opportunities to continually practice their skills in more than just a simulated environment. All of the leaders stated that this on the job training is also critical to effective team operation. The stressful situation of an actual HAZMAT emergency cannot be replicated in a classroom or exercise and team members need to know that everyone on the team can operate in that environment. The Pennsylvania Guard officer responsible for developing that state's RAID team stated that the Guard was concerned about this and realized the need to create these on-the-job opportunities, not only to maintain proficiency but to keep the team members from leaving to work on local HAZMAT teams. He added that the Guard was working with local HAZMAT teams so that the RAID team could participate in local training exercises and, at some later point, perhaps respond with the local teams on actual HAZMAT emergencies. According to DOD, there are a significant number of exercises conducted by federal, state, and local authorities that provide ample opportunities for the RAID teams to exercise their skills.

All of the HAZMAT team leaders discussed the need to have sufficient team members cross trained in each position to be able to field a complete team when an emergency arises. This process also alleviates the concern of having the entire team on call 24 hours a day, 365 days a year, which could cause significant hardships for the RAID team members as they try to maintain normal lives. The RAID team survey function is the only part of the team that has multiple individuals performing the same job. All other members of the RAID team who could not respond to a deployment call would create a loss of capability for the team. Also, the RAID team will have only one set of equipment for both training and deployment, which could make it difficult to both train on the equipment and be operationally ready to deploy.

CONCLUSIONS

In conclusion, I would like to summarize our three major findings and reiterate the recommendation in our report. First, the fact that local, state, and federal officials responsible for implementing emergency response plans have differing views regarding the role for the RAID teams suggests that further clarification of their expected role and use is needed. Second, the fact that the RAID teams have capabilities similar to other local, state, and federal emergency response teams suggests that these teams might unnecessarily duplicate existing capabilities. Finally, concerns about whether they could arrive on the scene in a timely manner as well as other concerns related to recruiting, retention, and training raise questions about whether they could, in fact, effectively execute their responsibilities and missions. In view of these questions, we believe that a pause is warranted to more fully evaluate the need for these teams and more fully explore how they would fit into the total WMD response framework. Accordingly, we are recommending that the National Coordinator for Security, Infrastructure Protection, and Counter-Terrorism—in conjunction with the FBI, FEMA, and DOD—determine whether the teams are, in fact, needed before proceeding to expand the program in more states.

Mr. Chairman, that concludes our prepared statement. We would be happy to answer any questions at this time.

CONTACT AND ACKNOWLEDGMENT

For future contacts regarding this testimony, please call Mr. Mark Gebicke at (202) 512-5140. Individuals making key contributions to this testimony include Robert Pelletier and Ann Borseth.

(702011)

Mr. SHAYS. First let me recognize the presence of Mr. Tierney. Nice to have you here, and it's my intention to call on Lee Terry and have him go first and then with the permission of Congressman Tierney, we'll go to Ike Skelton and then we'll go to you.

You have the floor.

Mr. TERRY. Thank you. I appreciate hearing your remarks again, and I really do feel this is one of the few hearings where I really think we're on the same page. I want to bring out a little bit of your testimony here, some of the points that you raised and discuss them in the context really of what I stated in my opening remark and, that is, who should be in control and who should be helping whom?

We in the Federal Government have this system of we're supposed to be the ones that control and local governments are subordinate to States and States to us, but I think in an emergency response situation, it has to be the reverse.

You mentioned the word timeliness probably three or four times in your remarks, and I think that's the core of the issue here. In any type of emergency, whether it's detecting an emergency before it happens or the disaster and the cleanup that's necessary afterwards, it's our local police officers and our fire department and in a lot of these experiences it's the fire truck that gets there before the cops do. And then the EMS behind it.

They're there for a certain amount of time. They've got at least an uncontrollable situation, as much control as possible and then come the RAID teams and FEMA and everybody else just to confuse the picture and, like I said in my opening statement, everyone may have or possess benevolent means or desires but it just adds to a confusing situation. So let's talk about the timeliness for a second and let's highlight that.

Your chart over here is great, and it shows all the entities and right there in the middle is the first responders, the HAZMAT, the fire, and the police. Now, one of the studies that we do yearly on the city level with our fire department is response times.

Has there been a study that shows what the response times can be for these RAID units when a situation occurs and whatever the cities are in their territory?

Mr. GEBICKE. They're using a standard of 4 hours. Now, obviously that would be—could be less if the incident happened to occur closer to the proximity where the RAID team is situated. If the incident is in another part of the State, it could take longer, feasibly. But 4 hours is the assumption that we have on arrival of the RAID team at an incident.

Mr. TERRY. Again with the assumption of 4 hours, let's say that response time is an average time in any type of a region; but I do agree with you I think probably in a lot of these areas it could be a lot longer than 4 hours. But have they shown any cost benefit analysis of showing up 4 hours after the fact? And by the way, I also want to highlight the first group that comes in in 4 hours may be the minimal crew and others will follow once that first crew has made an assessment.

So we heard from the city council person in Oklahoma City that it was as long as 15 hours, and I think that's probably very probable. But anyway, has there been a cost benefit of seeing that if

after 4 hours, even what type of impact they would have, the benefit of becoming involved versus the cost of the disruption?

Mr. GEBICKE. I'm not aware of any studies that have been done along those lines.

Mr. TERRY. Do you think that's necessary? Do you think that's important for us to understand?

Mr. GEBICKE. I don't know. I'm not so sure. I think the most important thing for us to understand here today is that, as you mentioned in your remarks, it's the center of our chart. Those are the key people that need to arrive, and I'd like to think that within the first hour or two the incident commander will be able to assess the situation to figure out whether or not he or she has the assets available right then and there to handle the situation, needs to maybe call in some of these mutual aid agreements he or she might have with other surrounding communities or counties to get those assets in or whether or not there are closely located Federal assets that can be called or whether the hotline—there is a hotline for oil spills and chemical spills and there's a hotline for chemical/biological incidents, whether that hotline—you see, I would think all of that would have taken place before the 4th hour.

Mr. TERRY. Right. Well, in talking about that in more of a general sense seems to me that our dollars could be used more efficiently here by training our local officials, by joining with HAZMAT and training them how to better deal with a biochemical situation than spending the money to form these RAID teams. Has there been a study on that, of spending our money up front to help participate in the education and training of first responders?

Mr. GEBICKE. You're aware I'm sure of the Nunn/Lugar/Domenici legislation where we're actually providing both training and equipment to 120 of our most populated cities, and that program is about 50 percent completed right now.

Last, I saw I believe about 58 of the 128 cities—of the 120 cities had actually received the training and started to receive the equipment. So that program is aimed at the local community and the State community, as you indicated, at a city level.

Mr. TERRY. And that's one prong of it. I'm not too sure we shouldn't be putting all of our resources to the front end there and—I've sat down and I've talked to our HAZMAT people in Omaha, NE, and our firemen and our EMS folks; and they are so confident in their abilities, but it's a little bit different than cleaning up a truck spill outside the Van Waters and Rogers chemical plant than it is dealing in this area and that's where—their confidence isn't as strong in that area, and we need to enhance that and figure out ways that this RAID team then, if we keep that, enhances their ability.

What studies has there been then to show—I take it there really hasn't been any hands-on experience with these RAID teams yet?

Mr. GEBICKE. That's correct.

Mr. TERRY. What is the timetable or modeling that shows what role they'll play and where they can be most effective or is that the process that we're in now?

Mr. GEBICKE. I think it's evolving. I mean, even as we were doing our review and we were talking to officials, we were in close

contact with the Army and the National Guard; and the role of the RAID teams has evolved over time. But you're correct.

We're planning to put 10 RAID teams in place by this year, and our position is we'll know a lot more once those 10 are in place and we see how they're able to fit into those particular regions.

Mr. TERRY. Thank you.

Mr. GEBICKE. Thank you.

Mr. TERRY. Thank you, Mr. Chairman.

Mr. SHAYS. Mr. Skelton, you have the floor.

Mr. SKELTON. Thank you very much. Mr. Gebicke, nice to see you once again. We appreciate your testimony and your work. As I mentioned before, your efforts and the efforts of your associates have certainly raised the level of awareness about problems of implementation of the RAID teams. I think it is very helpful and very useful.

The purpose of a RAID team, as you testified, is to assess, to advise, and to help get Federal resources; am I correct?

Mr. GEBICKE. That's correct.

Mr. SKELTON. I'm reminded the reports that are often done are people who are critical of something new outside of the GAO. I'm reminded of the criticisms that lasted for a number of years against the B-2 stealth bomber and yet performed magnificently in the recent conflict, carrying out 1 percent of the raids and 11 percent of the targets. The proof was in the pudding.

Those critics today find themselves with a bit of egg on their face. And I think we might find ourselves criticizing something that might work, that might work well. I look forward to the National Guard's testimony, but it is, as I understand, Mr. Gebicke, and according to your report, that there were differing views among the Federal and State officials on the role of the RAID teams. Is that correct?

Mr. GEBICKE. That's correct.

Mr. SKELTON. The Army officials believe the teams can be valuable assets. Is that correct?

Mr. GEBICKE. That's correct.

Mr. SKELTON. And there were some State officials that felt this very same way?

Mr. GEBICKE. Yes, sir.

Mr. SKELTON. It appears to me that all of the firemen, police, first responders—and God bless them, they're wonderful all across our Nation—their main purpose of course is to respond to fires or crime, as the case may be.

It appears to me that a specialized group such as the National Guard RAID team in excellent training with those first responders could bring about a great deal of positive results for an incident that sadly might occur.

It seems to me that the bottom line in all of this is the caliber of the National Guard, the caliber of the training that they have, and the caliber of the training that they do with the first responders. I see that the figure of 4 hours is bandied about, but on the other hand if they are fully aware of what the RAID teams can do and the RAID teams in many instances will be there, as you acknowledge, well before any 4 hours to assess, to advise, and get

Federal resources, that this may be one of the most positive efforts in our homeland defense that we've run into.

I thank you, Mr. Gebicke, for your efforts. You're always thorough, and I always applaud your thoroughness and the gentleman that you are in your work. We thank you for it, sir.

Mr. GEBICKE. Thank you, sir.

Mr. SHAYS. Mr. Tierney.

Mr. TIERNEY. Thank you, Mr. Chairman. I'll be very brief because I think you've covered good ground here and I appreciate your testimony, sir. Just for clarification, would you give me what you anticipate would be the scenario in a hazardous situation where there was a HAZMAT team in that community, just how things might shape up in that situation when the RAID team would show up and what their role would be if the HAZMAT had already been there and performed their function.

Mr. GEBICKE. We're going to talk not about a weapon of mass destruction incident but an accident?

Mr. TIERNEY. Whatever you'd like.

Mr. GEBICKE. So there's an accident. Probably the police arrive first, the fire department probably second. Can use the example that occurred down here on 395 in northern Virginia with the black powder just a couple of weeks ago that put us—inconvenienced a lot in traffic.

People arrived there first recognized that the cargo was black powder, potentially volatile, very dangerous, had to make an assessment of the situation, which individuals needed to be—needed to be contacted. First, make a decision as to whether or not they had the assets right there to deal with the situation, if you have the assets to go ahead and deal with it.

If you're not sure of your capabilities to deal with the situation, then you might have some arrangements in the case of northern Virginia with other counties, maybe Fairfax, Arlington, the city of Alexandria would have. You'd have mutual aid agreements where you can contact other close by proximities to assist you. If you feel within that first hour or so or even more that this is bigger than you thought it was and you need more help, you've got the EPA hotline that you can contact right away and get Federal assistance there.

There are over 300 coordinators located around the country, most of them in EPA, but some of them in the Coast Guard, to protect our waterways and then a whole host of other assets as depicted on the chart. I mean, we could go through that chart but we're talking about hundreds, hundreds of units that are available.

If I could use this opportunity just to suggest what we really don't have—because we really don't have—and I told my staff what we need is a map of the United States, a real big map of the United States, and we need a red pin for a Federal response asset, a green pin for a State, and a yellow pin for a local; and then on the head of each pin we need a capability for that response unit from 1 at the lowest, minimal, to 10 at the highest.

And then you could look at that map and you very quickly could see—overlay it with, say, your populated areas and say where does the capability exist, where is it robust, where it's not quite as robust, and where it's minimal and then also take into consideration

what our threat and risk would be, particularly to a weapon of mass destruction in areas of the country where we probably have very few response assets or not as capable response assets.

I think only when you have that, can we figure out if we have gaps and if we need to add more assets to the picture than we currently have.

Mr. TIERNEY. I guess I'm a little shocked to find out that nobody can afford a map and a couple of colored pins to get us down that path. Are you saying that doesn't exist?

Mr. GEBICKE. It sure doesn't. It's finding out what the capability is at the local level.

Mr. TIERNEY. I take it from your answer you're thinking the RAID might have an application but it would be better utilized if we identified areas that were probably a lower response capability at the present time and target and focus them?

Mr. GEBICKE. Exactly.

Mr. TIERNEY. Does that put it in a nutshell?

Mr. GEBICKE. The RAID teams are going to be very helpful when they arrive in a more traditional role. If we need to cordon off an area, if we need to evacuate people, if we need to bring supplies, if we need to transport people, everybody we talked to said the National Guard performs that role very admirably.

Mr. TIERNEY. Who would the RAID team respond to when they arrive on the scene in terms of authority?

Mr. GEBICKE. Well, there would be a State entity so they would report to the incident commander who has charge of the incident unless it was a weapon of mass destruction in which case the FBI would be notified right away, and I assume the FBI would take control.

Mr. TIERNEY. There are 10 of these teams now out there? Ten RAID teams?

Mr. GEBICKE. Ten are being implemented right now.

Mr. TIERNEY. Is it your view they were targeted or located with any theme in mind in terms of an assessment of their need as to the area where they're situated?

Mr. GEBICKE. From what I understand, there are a number of criterion that were considered. One was interest on the part of the State to have a team. Second was the more populated areas were considered and also they wanted to get at least one RAID or at least the way it turned out at least one team in each one of the 10 FEMA regions. In other words, there's one State in each one of the 10 FEMA regions.

Mr. TIERNEY. Thank you very much.

Mr. SHAYS. Thank you. I'd like to note for the record that Janice Schakowsky from Illinois is with us. I'm going to ask some questions, and then I'll go to you as well.

You make the point GAO finds in its report that numerous local, State, and Federal organizations can provide similar functions as the National Guard, and I want to know how GAO distinguishes between similar and duplicative capabilities. When is similar duplicative?

Mr. GEBICKE. Well, we talk about similar, what we were really trying to determine, if you look at weapons of mass destruction, was principally—let's focus on chemicals. Most of the intelligence

experts have told us that the weapon of choice by most terrorists will first be conventional explosives and then second would be chemical agents, possibly more specifically toxic industrial chemicals because they're more readily available.

So what we—and we could talk about biological but that's a different issue and we can talk about nuclear and that's a different issue. So what we focused on was different units that had the capability to detect and/or identify a chemical agent, so that basically took us to the individuals who had knowledge of the HAZMAT capabilities and others in both the Federal military and the Federal civilian sectors.

Mr. SHAYS. But, can I interchange duplicative and similar?

Mr. GEBICKE. No, because we haven't drilled down to that level of depth to be here today to tell you that there's an exact duplication, so we picked that word similar very carefully. We do have work under way for you, I'm sure you're aware of, that will give you the answer to that information—that question. We will be looking very closely at Federal responders and to determine where it is duplicative and where there are gaps.

Mr. SHAYS. If a fire department and HAZMAT team perform similar functions, would it be GAO's position that HAZMAT teams are not required?

Mr. GEBICKE. No, it wouldn't. I think your HAZMAT teams would have more equipment. They'd have better training and be able to perform some functions that probably the fire department would not be able to perform.

Mr. SHAYS. When you went to ask the Army, the FBI, and FEMA their view of the RAID teams, your report suggests quite strongly that the Army is supportive and the FBI and FEMA have some reservations. And yet in earlier reviews they did, they did not raise those concerns. Am I seeing this correctly?

Mr. GEBICKE. No, I think some of those concerns were raised earlier.

Mr. SHAYS. Did the FBI state their reservations in writing or would these just have been through interviews?

Mr. GEBICKE. The FBI stated their views orally. We have written comments from FEMA.

Mr. SHAYS. But not written from FBI? Would there be a reason why they wouldn't put it in writing?

Mr. GEBICKE. Not that I'm aware of. We give our commenters an option to either respond in writing or orally. Either way is acceptable to us as long as we get the proper level of response.

Mr. SHAYS. Is it possible that if it's in writing it would take too long to be approved? The process would take longer? In other words, someone is able to say something verbally; but if it's in writing, it has to be checked by more than one person? I'm just trying to understand. It seems to me there is value to have certain things in writing.

Mr. GEBICKE. I can't dispute that. I guess that's a possibility. It might take longer to get somebody to sign it if they're not readily available. We got no indication from the FBI that there was any reluctance for them to state their opinion to us.

Mr. SHAYS. What State officials did GAO—I believe there are five States so I don't need to know the official, but there are five States that you chose to get comment from.

Mr. GEBICKE. We actually went to three States.

Mr. SHAYS. You went to three States. In your report there are five. What are the three States?

Mr. GEBICKE. We went to Virginia, Pennsylvania, and Utah at the State level.

Mr. SHAYS. But then I thought there was reference to two other States as well.

Mr. GEBICKE. We went to Montgomery County, MD.

Mr. SHAYS. The county, but you didn't ask the State there. The other two States, they were county or local governments you looked at and Chicago for instance?

Mr. GEBICKE. That's right.

Mr. SHAYS. Chicago is almost a State. Why did you pick Virginia, Utah, and Pennsylvania?

Mr. GEBICKE. We were trying to get a diverse picture. Pennsylvania happens to be a State that is implementing a RAID team, so we thought that they might be more pro-RAID teams than they were. Virginia was a very populated State with also some urban areas and also in the same region, same FEMA region, as the Pennsylvania RAID team; and then we picked Utah primarily because it's a more urban State with just a few populated locations.

Mr. SHAYS. More rural State?

Mr. GEBICKE. Utah. Less densely populated State.

Mr. SHAYS. In all three instances, the States had significant reservations.

Mr. GEBICKE. No, Pennsylvania was very impressed with the National Guard RAID team. They thought it was working acceptably in the State, and they planned to use this.

Mr. SHAYS. Is that, though, in part because Pennsylvania has a RAID team? In other words, if I had the RAID team in my State, I think I might like it better than if it was next door.

Mr. GEBICKE. It's possible. Obviously we felt our study would have been flawed if we didn't go to a State—

Mr. SHAYS. I understand. So I'm not overly moved by the fact that Pennsylvania likes the fact that it has a RAID team because then you don't have a coordination problem. So let me do the last question and that is tell me how the State of Connecticut controls Massachusetts? We would love to do that.

Mr. TIERNEY. Not a prayer.

Mr. SHAYS. The system, the RAID team, is located in Massachusetts. It is their National Guard; but if they, heaven forbid—but if Hartford were dealing with a serious crisis that required a RAID team, it wouldn't take 4 hours to assemble them, I hope, from Massachusetts because they're there. Are they under the authority of the Governor of Connecticut?

Mr. GEBICKE. I'm going to ask Mr. Pelletier to respond to that.

Mr. PELLETIER. The National Guard are under the authority of the State Governors that they're located in. Some States have compacts to share assets such as National Guard. I don't know what the situation is with Connecticut and Massachusetts, whether

there is a compact. I know that there's a southern Governors compact for sharing of assets.

Mr. SHAYS. I would have thought—maybe it was and I didn't catch it that one of your recommendations would be that whenever they entered a State, it would be a given that they would be under the jurisdiction, unless there's a constitutional challenge. In other words, without—obviously they can be under Federal control if the President so determines. I don't see the logic of having the Governor of Massachusetts be in charge of a team that's in Hartford, CT, when it's obviously—

Mr. PELLETIER. I believe until federalized, they are an asset of the State they are located in.

Mr. SHAYS. There would have to be some type of pact unless there was a constitutional restriction, which leads me to believe that I would think that the selection of what National Guard in each FEMA area is chosen, in this case the 10, that they would be those States that have the most flexibility in allowing wherever State they're located for them to be under the control of the Governor of that State.

I think that's a gigantic challenge, an issue that ultimately has to be resolved and not resolved when the crisis occurs and we learn from it, unless you all make the assumption that whenever they go in another State, they're going to be called by up by the Federal Government and then they're going to be under Federal control. But I sure want if I were Governor of the State to know that this National Guard unit was under our jurisdiction.

Mr. TIERNEY. Is that the same, Mr. Chairman, that first you want our football team and now you want our National Guard? He uses the same on both of them.

Mr. SKELTON. Would the gentleman yield at that point?

Mr. SHAYS. I try to think of a funny response, and there is no funny response to that very serious question, that attack on the State of Connecticut.

Mr. SKELTON. Let the record show that I have not attacked the State of Connecticut.

As I understand it, there are 10 RAID teams now being established; is that correct?

Mr. GEBICKE. That's correct.

Mr. SKELTON. As I also understand it, there are 44 light RAID teams throughout our States and territory and it's also my understanding that the Senate is proceeding to add to the 10 RAID teams that already exist; is that correct?

Mr. GEBICKE. It's my understanding too.

Mr. SKELTON. So eventually, Mr. Chairman, you will have your wish that every State have its very own RAID team, but we are starting out now, as you know, with those that are contiguous with the FEMA regions; am I correct?

Mr. SHAYS. If the gentleman would yield for a question. My sense is we've chosen the 10 FEMA areas, 10 FEMA regions, but I don't know what the process was to determine the National Guard within each FEMA region and like I look at—in your own State, Missouri has responsibility for Montana and so—pardon me? Oh, I'm sorry, no. I apologize. That's not—Missouri only has a four-State region. Is it Colorado?

The bottom line, though, to the question—maybe I should direct the question to you all. How were the 10 National Guards selected? Were they selected based on their compatibility with the other States or that they were—had a head start on the other States? Do we know? If we don't know, that's all right.

Mr. GEBICKE. Maybe Mr. Pelletier can shed a little light on it.

Mr. PELLETIER. I think Mr. Gebicke mentioned the factors that would consider the transportation, the receptivity of the State and some other factors. We're not aware of any agreement among the States or receptivity of the States in that particular region to share assets as a factor to consider.

Mr. SHAYS. I would just conclude. My concern about this would be that this almost requires then that the President determine that there is a national interest to federalize the National Guard and I—and so maybe that's just a given and therefore my question is not all that significant. But I would like to think, though, that if they weren't and they were in the presence of another State, that they would not be under jurisdiction and authority of—that they would be under the authority of the Governor of that State, and I would think that would be a question that you all would need to look at and we need to look at.

Mr. GEBICKE. It might be a question you want to pose to the next panel. They might be able to respond to that. They might be aware of discussions that have taken place.

Mr. SHAYS. I think we'll do that. I note present is the ranking member of this committee, Mr. Blagojevich. It's nice to have you here. With your permission, I'll go to Ms. Schakowsky.

Ms. SCHAKOWSKY. Thank you, Mr. Chairman. I'm glad that Mr. Blagojevich has arrived because I know that Illinois in large part because of his efforts does have one of those RAID teams. I was curious why it is that team is placed in Peoria, how the selection of the place was made.

Mr. GEBICKE. Can't help you. Probably the next panel could help you with that.

Ms. SCHAKOWSKY. And looking at the region, the FEMA region, that Illinois is in, I wanted to followup a bit on the chairman's questions. What is, then, the responsibility of our RAID team, for example, for the northern peninsula in Michigan? Is there the possibility because it's in the region that our National Guard would be deployed in some way in an emergency situation there?

Mr. GEBICKE. Our understanding is that possibility would exist, yes.

Ms. SCHAKOWSKY. So the chain of command, though, is unclear then in terms of the Governor of the State of Illinois' role in that?

Mr. GEBICKE. It's unclear to us at this point in time.

Ms. SCHAKOWSKY. How will that be determined? This seems like a major area of confusion here or unclarity that could in a real situation be a problem.

Ms. BORSETH. Mr. Pelletier mentioned that there is—one of the big compacts is the southern Governors compact that was established—there is a southern Governors compact that, I think, exists between, I think, 10 southern States that lays out a lot of these kinds of issues between the States if one State is going to share it's assets with another State.

There are chain of command issues. There are liability issues when a RAID team from one State goes to another State not only the harm that they could incur for themselves but also harm that could be incurred because of their decisions.

Those kinds of compacts exist beyond the southern Governors compact, and it's my understanding that they're working on a national compact; but those kinds of issues are exactly the kinds of issues that have to be spelled out in those compacts, and we're not sure where either the southern compact or any other compact comes out as far as chain of command.

Ms. SCHAKOWSKY. Are there cases where the RAID team is viewed as the first responder? Are we always looking at local fire departments, et cetera?

Mr. GEBICKE. You're looking at local fire departments as a first responder.

Ms. SCHAKOWSKY. And so in every case, then, the RAID team is called in by somebody and then the question is under whose authority is that somebody that calls them? These are the questions that are unanswered.

Mr. GEBICKE. The authority would be there would be a local incident commander established, probably a fire chief or whatever at the incident site. He usually would make the decision to call a RAID team because it's a State asset, so that RAID team could be called; but again we have this issue of now—they're not going to arrive right away. Depending upon where the incident is and where the RAID team is located, it might take some time to get there. There might be some other assets that are more closely located that the incident commander could use at his or her disposal depending upon where it is.

Ms. SCHAKOWSKY. And the local commander is determined by where it is and who the local authority is but in all cases that is who remains in charge?

Mr. GEBICKE. Yes, of an accident. If it becomes obvious that there's a weapon of mass destruction or a terrorist, the FBI would get the phone call and the Federal Government would be involved, because it's a violation of a Federal law would get involved much sooner.

Ms. SCHAKOWSKY. What's the timeline for working out all these questions of chain of command, et cetera, jurisdiction?

Ms. BORSETH. The teams won't be operational until January 2000. Once they become a part of the State, there's already a procedure for an incident to unfold, the incident commander would go to a State if they run out of assets or the local jurisdictions around them don't have enough assets. Those kinds of things are pretty well established.

The RAID teams are just being integrated into the State emergency plans, and it would be up to the State to deploy them whenever a local incident commander would see them as a necessary part of their response. So those things are not too much in question. There's a pretty defined process for notifying all of those assets.

Ms. SCHAKOWSKY. Thank you very much.

Mr. TERRY [presiding]. Mr. Blagojevich.

Mr. BLAGOJEVICH. I'll be very brief. I just want to make a short statement and that is that—I think what you're doing obviously is very, very important and my question to you regarding my own city of Chicago is the chief of hazardous materials for the Chicago fire department testified before the Research and Development Subcommittee of the House National Security Committee in March 1998 and he said, "We learned that the National Guard will take on a larger role in preparedness and response."

We in Chicago applaud that decision because we have had nothing but eager cooperation and great success in dealing with the local Illinois National Guard. They have responded to our call and shown us that they can produce if just given a chance. As a first responder, we must work closely with the Guard to determine how they can best assist us. We need a conduit which will bring the Federal Government a regular support system to ensure that we are always prepared.

Can you talk about that idea of a conduit and how they would be able to work in a corresponding fashion, the State National Guard to the Federal aspect and the city of Chicago's fire department?

Mr. GEBICKE. You mean how they would work together is your question? How they'd work?

Mr. BLAGOJEVICH. Yes.

Mr. GEBICKE. Basically, it would be the local fire chief in this case. He'd try to take control of the situation. If he felt he had the capabilities to control the situation and to take any assets available, then he would do it on his own. If he felt that he needed more assistance, then he could call the RAID team.

He could call other Federal responders to assist. That would be a decision he would have to make depending upon the incident and the assets that he has available to him. It would be the same decision process that any incident commander would make. It would probably be an easier decision maybe in a less populated area because the assets possibly wouldn't be as robust as they would be in Chicago.

Ms. BLAGOJEVICH. How do you make sure they're doing what they're supposed to be doing at a local level like a big place like Chicago? How, for example, would we keep an eye on the Chicago fire department doing the sorts of things we'd like them to do?

Mr. GEBICKE. We know that the—I don't know this for a fact, but you'd like to think that they've received the training that they need, that they have the equipment, that they have protective suits—and I don't know what the situation is in Chicago, but they probably have a special hazardous materials group that would even have more advanced training and equipment than just the fire department itself.

Mr. BLAGOJEVICH. But there is no mandate from us to require that of them?

Mr. GEBICKE. Not that I am aware of. You are aware that the Federal Government under DOD's auspices right now is training 120 of our major State teams to train them to deal with hazardous materials as well as provide equipment to improve their training for hazardous materials.

Ms. BORSETH. First of all, we spoke with your chief of hazardous materials in Chicago, and I am sure that he could handle anything. Chicago is one of the Nunn-Lugar cities, and it has received a lot of training. They had a robust capability before they received that training.

Chief Eversole is really aware of what could occur in a weapons of mass destruction event and is very—has taken a very proactive role in training his people to be well aware of the capabilities and the possibilities that exist in those situations. There are a lot of other HAZMAT chiefs across the country that are trying to do the same thing.

There are other smaller, usually HAZMAT, capabilities that aren't anywhere near where Chicago is or Fairfax County. But that is what we don't know. We don't know the range of capabilities that exist in the local communities. So you have Chicago on one end, but you have the example that a friend of mine likes to use, Howling Dog, WY, on the other end and somewhere in the middle is the majority of the HAZMAT teams.

Mr. BLAGOJEVICH. Thank you very much.

Mr. TERRY. One last question. GAO expresses a concern that RAID teams will have difficulty in maintaining their proficiency after they receive training because they won't have opportunities to practice under actual conditions. Comment further on that. How do they maintain proficiency, if you could quickly state?

Mr. GEBICKE. In the State of Pennsylvania—the State of Pennsylvania are going to use their National Guard RAID team to assist them in all HAZMAT incidents. They would also use them as a primary asset if there is a weapon of mass destruction incident.

There are some specialized positions on the National Guard RAID team, and one is called spectrometer and one who has to operate this relatively expensive piece of equipment. It takes daily calibration, and it takes a lot of training.

I think it is those types of positions that might be more difficult to maintain skills than the more generalist positions on a National Guard RAID team.

Mr. TERRY. Thank you. This panel is dismissed with the committees' appreciation. The next panel can organize while we break for our vote recess.

[Recess.]

Mr. SHAYS. I would like to call this hearing to order and announce our second panel: Mr. Charles Cragin, Acting Assistant Secretary for Reserve Affairs, Department of Defense, accompanied by Major General Roger Shultz, Director, Army National Guard and Brigadier General Bruce Lawlor, Deputy Director for Military Support, Director, Consequence Management Program Integration Office, Department of the Army; and also we will hear testimony from Major General John H. Fenimore, Adjutant General, New York Air National Guard.

As you know, gentlemen, we swear our witnesses in so please stand and raise your right hands.

[Witnesses sworn.]

Mr. SHAYS. Thank you. Mr. Cragin. You have to be out of this facility when?

Mr. CRAGIN. By noon.

Mr. SHAYS. You will be out at noon and so now you can relax. I would invite you to testify. I am sorry that the other Members are not here yet.

STATEMENTS OF CHARLES CRAGIN, ACTING ASSISTANT SECRETARY FOR RESERVE AFFAIRS, DEPARTMENT OF DEFENSE, ACCOMPANIED BY MAJOR GENERAL ROGER SHULTZ, DIRECTOR, ARMY NATIONAL GUARD; BRIGADIER GENERAL BRUCE LAWLOR, DEPUTY DIRECTOR FOR MILITARY SUPPORT, DIRECTOR, CONSEQUENCE MANAGEMENT PROGRAM INTEGRATION OFFICE, DEPARTMENT OF THE ARMY; AND MAJOR GENERAL JOHN H. FENIMORE, ADJUTANT GENERAL, NEW YORK AIR NATIONAL GUARD

Mr. CRAGIN. Thank you very much for inviting General Shultz, General Lawlor, and me to participate in this very important hearing. We are also pleased to have Major General John Fenimore, the Adjutant General of New York join us on this panel.

By way of background, I should also point out that Major General Shultz, prior to assuming his position, served as the Deputy Adjutant General of the State of Iowa; and during that time he led the tiger Team, which ultimately was responsible for preparing the initial plan that was presented to Secretary Cohen, which really was the base document for proposing the Reserve component integration, including the RAID teams.

Brigadier General Lawlor, the Director of the COMPIO today, is also a National Guard officer from the State of Vermont. And I should also point out that the Adjutant Generals of 23 States, including Connecticut, also serve as the directors of State emergency management for their respective States. So you really have a great deal of State representation when we are dealing with this issue.

In March 1998, Secretary Cohen announced an initiative to better prepare the Department to support the Nation in the face of the growing potential for an unconventional terrorist attack at home. This initiative is a time-phased multi-year effort to not only develop new RAID team capabilities, but more importantly to task, equip, and train existing military units in 16 functional areas to provide support to civil responders after a weapons of mass destruction attack.

This ongoing effort is one of the Department's highest priorities. Secretary Cohen has also made it clear that he wants the Guard and Reserve front and center in DOD's response plans for WMD terrorism support here at home.

As a result, the U.S. Military Reserve components are now being integrated into our overall national preparedness strategy. National Guard and Reserve members are uniquely suited for this initiative because not only are they a source of pretrained manpower and expertise, they also are geographically prepositioned in nearly 4,000 communities across our Nation.

Given their proximity to likely centers of attack as well as their familiarity with local emergency response plans and procedures, the Guard and Reserve have an inherent response capability. They have well-established links to first responders, to fire, police and medical emergency personnel, who are always the first to arrive at the scene of any incident. By tapping into and leveraging these in-

herent strengths, the DOD can improve its overall capabilities to provide military support to civil authorities. To ensure the integration of the National Guard and other Reserve components into our national WMD preparedness strategy, the Reserve Component Consequence Management Program Integration Office has been established within DOD and is under the direction of Brigadier General Lawlor.

This office coordinates the identification, training, equipping and exercising of Reserve component WMD assets, and manages their integration in the national WMD response plans. The Office of the Assistant Secretary of Defense for Reserve Affairs provides program direction and oversight for the integration of Reserve Forces in the military support for civil authorities.

The underlying premise of this initiative is that disaster relief is and must remain primarily a State mission. Due to its historic role in performing disaster response in relief missions in the State capacity, that is before a disaster situation has been federalized by Presidential declaration, the National Guard will be called upon to play a vital role in this initiative, but the other Reserve components will be equally engaged when Federal Reserve response assets are requested by State Governors.

Should a weapon of mass destruction actually be used, the resources and energies of local first responders along with those of their counterparts at the State level may be very quickly overwhelmed or exhausted given the catastrophic consequences that can be expected in such events.

And with all due respect to my colleagues from GAO, I find it difficult to compare and contrast a catastrophic WMD event with an industrial HAZMAT materials event. I would suggest that they are not similar, but in many instances will be dissimilar based upon the catastrophic nature of that event. Local and State officials may urgently require the provision of additional Federal assets, including military support.

If or when it comes time for the DOD to lend a hand, the role of the Department will be one of support and assistance and the authority of the local incident commander will not be undermined. By incorporating and leveraging existing forces into current WMD response planning, while creating only one type of new unit, the RAID teams, this initiative is highly cost effective.

RAID teams will help to fill some of the technical gaps in the civilian first responders' WMD response tool box. Given the press of day-to-day local emergency response, the majority of our Nation's first responders will have limited time and resources to acquire and sustain the expertise needed to precisely identify the nature of the WMD attack and to determine the latest protocols for safely responding to it.

RAID teams can help because they will be dedicated to having just such expertise. Without such capabilities, mass confusion and lethal delays would very likely result. The DOD, as you have heard, is in the process of standing up 10 Rapid Assessment and Initial Detection teams comprised of 22 highly skilled full-time and well-trained and equipped National Guard personnel.

Let me emphasize one point—and I think the chart from the GAO makes the point as well—if you see the white balloons or

clouds, those are characterized as State resources. And you will notice that the RAID teams are located in the State resources because that is what they are first and foremost, a novel partnership albeit but truly first and foremost a State resource. They are only secondarily a Federal resource.

And as you know, one RAID team will be stationed within each of the 10 FEMA regions; and I think it is important to call your attention, Mr. Chairman, to the comments of the Federal Emergency Management Agency contained in the GAO report on page 45 where Ms. Light, my colleague who I communicate with on a regular basis, made the observation, she said in the last concluding sentence of the major paragraph, "on these last two points, the report must distinguish carefully between the Guard in its State status and the Guard when federalized."

She is making the point that the RAID teams are not contemplated to be initially part of the Federal response plan. The RAID teams are contemplated to be a State asset and a State resource to be utilized by Governors before they come to the Federal Government and ask for additional assistance. I think a very important point is being made by the FEMA.

RAID teams are being established with State and local responder needs in mind. Specifically, the RAID teams will provide advice to incident commanders, they will assess and advise on the requirements for follow-on forces needed to supplement the response operation, and they will help the incident commander make accurate expedited requests for that assistance through the emergency response system, local, State and Federal.

Each team member is now in the process of completing more than 600 hours of extensive technical training. The teams will also be equipped with state-of-the-art communications, detection, and analysis equipment, as well as computer models to help assess and project the affected areas for various types of attacks.

We expect that these teams will be available for deployment by January of the year 2000 if needed by a State's Governor who can deploy them to assist local agencies quickly before national disaster declarations or Federal assets can be deployed to the scene. The existence of interstate compacts facilitates Governors in adjoining States to deploy their National Guard members to surrounding States as needed before Presidential declaration occurs.

And as you observed, who would have operational control of these National Guard personnel when they migrated to another State, say for example from Massachusetts to Connecticut? The National Guard shares resources on a regular and continuing basis around the United States. And generally speaking, when National Guard personnel go from Georgia to Florida, for example, they fall under the operational control and command of the resident commander, which would be the Adjutant General of the State in which they are operating.

Our RAID teams sustainment training will involve at a minimum quarterly exercises, two of which must be conducted outside the State in which they are located. Additionally, at least two exercises annually will be conducted in conjunction with FEMA regional personnel.

The teams are also available for use as a Federal asset secondarily to respond as needed through the Federal response plan. Complementing and supporting these RAID teams will be units specially trained and equipped to perform reconnaissance and decontamination missions. These units will be drawn from existing Reserve component force structure and capabilities. Sixty-five reconnaissance and 127 decontamination teams will receive additional training and equipment in fiscal year 1999 and fiscal year 2000 to perform these missions. General Lawlor's office, the——

Mr. SHAYS. Let me suggest that you conclude. In making my promise to you——

Mr. CRAGIN. Let me just say, Mr. Chairman, although we can never be fully prepared to respond to all types of events in all locations and wish we had the fiscal resources so we could establish a RAID team in every single firehouse in America with the advanced technology that it brings to bear but we know that we can't. We have, however, begun to lay the foundation for an integrated across-the-board response. And the continued partnership for a WMD preparation among local, State and Federal agencies will be critical to our success.

[The prepared statement of Mr. Cragin follows:]

**COMBINED STATEMENT OF
DEPARTMENT OF DEFENSE WITNESSES**

HONORABLE CHARLES L. CRAGIN

ACTING ASSISTANT SECRETARY OF DEFENSE
FOR RESERVE AFFAIRS

MAJOR GENERAL ROGER C. SCHULTZ

DIRECTOR, ARMY NATIONAL GUARD

BRIGADIER GENERAL BRUCE M. LAWLOR

DEPUTY DIRECTOR OF MILITARY SUPPORT

BEFORE

**THE HOUSE SUBCOMMITTEE ON
NATIONAL SECURITY, VETERANS AFFAIRS, AND
INTERNATIONAL RELATIONS**

ON

**COMBATING TERRORISM: THE NATIONAL GUARD
RAPID ASSESSMENT AND INITIAL DETECTION (RAID) TEAMS**

JUNE 23, 1999

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**COMBATING TERRORISM: THE NATIONAL GUARD
RAPID ASSESSMENT AND INITIAL DETECTION (RAID) TEAMS**

Good morning, Mr. Chairman and distinguished members of this Subcommittee. Let me begin by thanking you for inviting us to discuss the role of the National Guard Rapid Assessment and Initial Detection (RAID) teams and their role in combating terrorism.

Last year President Clinton announced plans to establish ten Rapid Assessment and Initial Detection (RAID) teams in each of the ten Federal Emergency Management Agency (FEMA) regions. These RAID teams, comprised of full-time National Guard personnel, are designed to be assets of the governors and will perform three vital tasks. First, they will deploy rapidly to assess suspected radiological, biological or chemical events—in support of the local incident commander. Second, they will advise the incident commander and civilian first responders regarding appropriate actions. And third, they will facilitate requests for assistance. In less than a year, the RAID team concept has become a reality.

RAID teams are state assets under the control of the governor that provide a rapid response capability to augment limited local assets. Contrary to the GAO Report, the National Guard Adjutants General are working actively to integrate RAID team capabilities into their state emergency response plans, not only in the ten states that will have RAID teams, but also in the states that do not currently have one. The teams will serve as the “tip of the military response spear” and will serve as a critical communications link between the first responders, the technical and scientific experts in DoD, and the follow-on military forces that may be called for assistance. Currently, public officials in 24 states have requested a RAID team including: Virginia, Utah, Maryland, West Virginia, New York, Illinois, Connecticut, Florida, Ohio, Georgia, Nebraska, Oregon, Wisconsin, Pennsylvania, Hawaii, Tennessee, and Missouri.

The world of domestic preparedness and response is highly dynamic. The effects of a truly devastating WMD incident likely will overwhelm even the most well-trained and equipped local and state emergency management assets. The GAO Report failed to consider that even if equipped and trained with the latest WMD detection equipment, local responders may be quickly taxed to the breaking point. An individual can only spend a few hours a day in a Level A, totally encapsulated suit before requiring rest and re-hydration. No single local, state or federal agency acting alone can address the problem in its entirety. Even a city with several full-time HAZMAT teams may have difficulty in sustaining attempts to define the limits of a hot zone. And, it should be noted that some major U.S. cities have extremely limited HAZMAT capabilities.

Another consideration is that the responders may themselves become casualties. Back up capability is essential. The RAID teams will be a welcome support team for the state and local responders. They will provide the governor the capability to rapidly augment a local response effort in need of assistance, rather than waiting for federal response efforts that necessarily take more time. But if local and state resources are overwhelmed, the affected state governor(s) will then request federal assistance from the President. This usually results in a Presidential

declaration of the incident as a national disaster, which will serve as a triggering mechanism for marshaling needed federal support and assistance to state and local authorities.

To ensure a coordinated national response to a WMD incident, FEMA developed the terrorism annex to the Federal Response Plan (FRP). The FRP is the federal government's manual for coordinating and employing its emergency management response assets to help support state and local responders in managing the consequences of natural and manmade disasters.

Under the FRP, the Attorney General of the U.S. (for crisis management) and the Director of the Federal Emergency Management Agency (FEMA) (for consequence management) then coordinate the specific federal response assets needed to support a national disaster. The Attorney General, via the FBI, will coordinate federal assets to prevent and deter use of a WMD on United States soil and to apprehend and prosecute terrorists who have perpetrated a WMD attack within the United States. FEMA will coordinate federal assets needed to support local responders in mitigating the consequences of a WMD attack. It is only at this juncture that the Defense Coordinating Officer, mentioned by the GAO, would be employed.

In addition to the FRP, the federal government is in the process of deepening its interagency ties to develop a coordinated approach. PDD-62, also known as the Combating Terrorism Directive, highlighted the growing threat of unconventional attacks against the United States. It detailed a new and more systematic method of fighting terrorism here at home, and it brought a program management approach to our national counter-terrorism efforts. The inter-agencies are working hard to understand the concerns of state and local authorities regarding the federal role in the process and are working to develop a partnership between the federal government and local governments in support of the responder community. The RAID teams will be key in that effort, as will other federal assets such as the explosive ordinance disposal units and the technical escort units – each with its own capabilities.

The GAO Report failed to evaluate the RAID teams against this dynamic local, state, and national structure; the complex federal response system; and the magnitude of support that will be required to mitigate the catastrophic effects of a domestic WMD attack. The federal inter-agencies are continuing to work together and have come a long way in developing a strategy that will support responders at all levels. The RAID teams are an integral part of that strategy that includes: local hazardous materials teams, medical strike teams, the FBI's Hazardous Materials Response Unit, the Army's Technical Escort Unit, and the national Chemical Biological Rapid Response Team.

Background

On March 17, 1998, the Secretary of Defense announced the establishment of the Consequence Management Program Integration Office (CoMPPIO) to integrate the capabilities of the National Guard and Reserve components into Department of Defense support programs for responding to WMD attacks. The CoMPPIO is now performing 31 functions delineated in the Defense Reform Initiative Directive #25 and is aggressively striving to help improve our nation's preparedness for WMD response. This complex, multi-year program is not only defining

support requirements and the technology required to meet those requirements, but also organizing, training, and equipping military forces to support local state and federal agencies.

This initiative, fully supported by the Secretary of Defense and the President, has been funded and authorized by Congress. It began in FY99 to task, train, and equip military units to work with civil responders for these potentially overwhelming attacks. Sixteen functions that existing military units may likely be asked to perform following a WMD attack were identified in the Reform Initiative. The first of these, and the only function for which we created new units, is the RAID team. None of these units will be the first to arrive at an incident, but rather are being developed to advise, supplement, or augment other capabilities. These are the same capabilities we in DoD must possess to respond to attacks on military forces anywhere in the world. Using the geographically dispersed capabilities of our trained forces, we can provide the depth of specific technical capabilities that may be required to supplement local, state, or other federal response forces.

Ten states are currently fielding these teams -- California, Colorado, Georgia, Illinois, Massachusetts, Missouri, New York, Pennsylvania, Texas and Washington. With the exception of recruiting nuclear medical scientists, these states have done an excellent job in hiring and resourcing the teams. To overcome these unanticipated recruiting challenges, other military skill specialties with similar backgrounds for dealing with the challenges of a RAID medical team have been identified. We have been filling these positions on a case-by-case basis with these substitute skill sets. As we further refine the specific duties, training requirements, and operating procedures for members of the RAID teams, we may relax the initially stringent requirements for some positions. We anticipate that the ten fully staffed RAID teams will be certified as fully operationally capable beginning Jan 2000.

RAID teams consist of 22 highly skilled, full-time, title 32 status Air National Guard and Army National Guard personnel, who commit to a three-year stabilized tour due to the critical special training and mission requirements. The teams are divided into a command team, operations team, survey team, medical team, logistics team, communications team, and administration team. The survey team is responsible for surveying the area to determine the extent and nature of the contamination. The medical team provides medical assessment and advice to response personnel. The logistics and communications teams provide support and maintain critical communications links to federal, state and local agencies. There are 14 different specialties represented on each RAID team.

Doctrine

Strategic, operational, and tactical doctrines have been written for these teams. In a coordinated effort with the US Army Chemical School and other civil and military organizations, DoD has developed the tactics, techniques, and procedures manual and the initial mission training plan. We are now refining those documents based on the training experience of the first units. The specific response procedures incorporate the expertise of experienced military and civilian response teams and serve as an effective model for performing these functions. As a result of this familiarity with all types of response organizations, the RAID teams will likely function as a key coordinating element for state WMD response procedures and plans.

Roles and Mission

The National Guard Bureau (NGB) has consistently and aggressively articulated the specific roles and mission of the RAID teams to representatives from federal agencies, states, territories, and first responder communities across the country. In an effort to maximize the communication about RAID teams to these important linkages, NGB has conducted conferences with more than 100 representatives from state, local, and federal agencies, including related private associations.

RAID teams are being established with state and local responder needs in mind. Specifically, the RAID teams will provide advice to incident commanders, assess and advise on the requirements for follow-on forces needed to supplement the response operation, and help the incident commander make accurate, expedited requests for that assistance through the emergency response system (local, state, and federal).

The mission, as stated earlier, is to deploy to an area of operations to assess a suspected nuclear, biological, chemical or radiological event in support of the local incident commander. It is also to advise civilian responders regarding appropriate actions, and to facilitate requests for assistance to expedite arrival of additional state and federal assets to help save lives, prevent human suffering, and mitigate great property damage.

Training

The readiness of these teams to respond quickly to a call for assistance is critical to their success. DoD has been working hard to ensure that each RAID team will be equipped with the latest state-of-the-art detection, assessment, and communications equipment. RAID equipment is designed to not only "reachback" to other experts needed to help the local responders understand and deal with their situation, but also to provide communications interoperability among on scene first responders, through a black box converter.

Members of the teams have been immersed in specialized training since January 1998, and completed their institutional training this month. The RAID training program is an unprecedented, indeed historic, interagency success story. The RAID teams have trained with the leading experts from America's premier response organizations including the FBI, FEMA, DOE, EPA, and the National Fire Academy. They have trained with local first responders and will continue to do so as they seek to develop seamless interoperability with their local communities.

The RAID training strategy will be accomplished in three broad stages: the first stage involves completion of an average of over 800 hours of individual technical training; the second stage includes training together as a team and unit; and the third stage culminates in a full scale, realistic collective training experience based on the Army's Combat Training Center model. The new equipment training and collective training will be conducted at the Fort Leonard Wood Army Installation in Missouri. The teams will then return to their respective states to begin training for ultimate certification.

The Army Chief of Staff has directed the commander of Forces Command to provide for an operational readiness evaluation that realistically challenges each of the RAID teams. This evaluation will test each team to ensure they are able to successfully integrate into a combined federal, state, and local response. Final certification exercises are scheduled for November and December.

Equipment

The U.S. Army's Soldier and Biological Chemical Command has identified and procured equipment for the teams. In addition to other personnel and unit equipment, two key vehicles are being built for each team. The first is a Mobile Analytical Laboratory, which is based on the one used by the Marine Corps Chemical Biological Incident Response Force, but enhanced for bio detection capability. The second is the Unified Command Suite (UCS), being built by the Navy, to provide, not only interface across the varied first responder frequencies and other response organizations, but also communications to command and control agencies and technical support.

This reachback to technical support adds tremendous capabilities for the incident commander. The RAID team will act as on-site observers for experts from around the country and will be able to take samples, readings, and observations for those experts so they can provide invaluable assistance to the incident commander. Through the UCS, the RAID team can reachback to experts in nuclear-biological-chemical (NBC) response at a number of agencies and can connect to key modeling and simulation capabilities at labs throughout the United States. This connection will be provided through hubs maintained by the Defense Threat Reduction Agency.

The RAID teams will have additional unique, state-of-the-art equipment not available in most local fire department HAZMAT teams. This includes radiological detection equipment and state-of-the-art plume modeling fed by real-time weather data, as well as special urban flow models which can quickly and accurately predict where chemical and radiological contaminants may spread.

DoD has been working to define the information and support these teams will require. Through the RAID program, DoD has been able to leverage the tremendous technology development activities within the Department and thereby develop procedures, tools, and equipment sets that other response organizations will be able to acquire.

Equipment to be provided to the RAID Teams was determined through the joint efforts of DoD and the FBI's National Domestic Preparedness Office, in cooperation with local, state, and federal responders. This effort provided the foundation for what is now a national WMD "Standard Equipment List" for first responders. Another fruitful effort is a modeling and simulation product developed by a consortium of federal organizations under the management of the National Ground Intelligence Center. This "Joint Assessment of Catastrophic Events" (JACE) will permit RAID teams to explore the best approach for dealing with many different models of nuclear, radiological, biological, and chemical attacks. DoD is also working to leverage its advanced distributed learning technology for WMD preparedness training. These

initiatives include development of virtual training environments, digitization of major American cities, and conversion of classroom instruction to web-based training and interactive CD-ROM.

Supporting and Sustaining RAID Teams

DoD is fully committed to supporting and sustaining the ten approved RAID teams. A comprehensive program for sustaining these teams has been established. In addition to the training and equipment already mentioned, the RAID commanders already have begun working with state and local response organizations to create joint training opportunities with the first responder community.

Effective interaction with state and regional emergency management officials also has been a top priority for the National Guard Bureau since the inception of the RAID program. DoD, FEMA, the EPA, and state and local communities are conducting a significant number of exercises, which will provide RAID team members many opportunities to sustain their skills. RAID sustainment training will involve, at a minimum, quarterly exercises, two of which must be conducted outside the state in which they are located. Additionally, at least two exercises annually will be conducted in conjunction with FEMA regional personnel.

Threshold of RAID Team Employment

RAID teams are state assets under the control of the governor and are likely to be ordered to respond immediately by the governor whenever the local authorities suspect a WMD incident. RAID members will be on 24-hour on-call status and able to deploy to an incident within four hours. Their primary means of transport will be through use of their assigned vehicles. They are also capable of deploying by air, using assets of either the National Guard, the US Air Force, or US Army.

It may be necessary for the RAID teams to deploy across state lines. The National Guard has an institutionalized ability to coordinate interstate responses. To deploy across state boundaries, the governors would activate their Emergency Management Assistance Compact (EMAC) -- interstate mutual aid agreements that supplement local, state and federal responses during natural or man-made disasters. EMACs permit quick mobilization of the unique resources possessed by member states to assist the affected state.

EMACs also provide another way for states to receive interstate mutual aid in a disaster. Even when federal assistance is merited, EMAC assistance may be more readily available or cheaper. EMAC assistance may supplement federal assistance when the latter is available or replace federal assistance when unavailable.

The Department of Defense recognizes there may be a need to federalize RAID teams in those cases where interstate compacts do not exist. Fortunately, NGB expertise in this area is long-standing. When viewed as a federal asset, the team is activated under title 10 U.S. Code. The procedures for this activation are the same as any Presidential Selected Reserve Call-up (PSRC).

FEMA strongly encourages the development of mutual aid agreements between states to assist each other in times of natural and man-made disaster. RAID teams will use these support agreements to assist states within their FEMA region. In the absence of a prepared EMAC, state officials, using the EMAC procedures and format, can still request support from adjacent states when an emergency arises. The Guard is working with states without EMACs to facilitate plans for their shared use of RAID team assets.

Command and Control Structures

The RAID teams will be an integral part of the Department's consequence management support programs. RAID teams are federally-funded state assets that work in the State Area Command (STARC) under control of the state Adjutant General. Officials in the FBI, FEMA and DoD are working to integrate the RAID teams into regional and state planning, training, and exercise programs. This will be accomplished through existing interagency relationships between the State National Guard organizations, the FEMA regions and the WMD Coordinators in the FBI's 54 area offices.

During an incident involving WMD, the first personnel to arrive will be the city/county emergency responders. These individuals will notify the city/county emergency operations center (EOC), which would immediately notify the state EOC. That notification signals the first opportunity to decide if a RAID team should be deployed. Whenever the need is identified, a deployment order would be issued by the state EOC. The team would then report to the local incident commander.

The interface of the state-based RAID teams with the Federal FEMA Regions and the FBI Area Offices provides an opportunity to better coordinate WMD preparedness response assets and plans among key federal agencies, the state offices of emergency management and the local communities.

Current Congressional Action

In recognition of the maturation of the RAID teams, funding to support five additional RAID teams was included in DoD's FY 2000 budget request. Congress must approve additional full-time National Guard positions for these teams. The House Armed Services Committee (HASC) is awaiting the Department's request to authorize 110 full-time positions for the new five RAID teams, as required by law. The current Authorization and Appropriation Defense Bills, as approved by the Senate, includes authorization and funding to support a total of 27 RAID teams, 17 more than the 10 currently authorized, and 12 more than requested. Accordingly, the number of authorized RAID teams for FY 00 awaits conference action.

Conclusion

The process of creating a new unit, from concept to certification, can easily take three to five years. Our progress in standing up the ten approved RAID teams is a fine example of how federal, state and local government cooperation can yield excellent results. Since Congress

authorized the establishment of these ten RAID teams in October, 1998, DoD has worked hard to define RAID team roles, missions and doctrine; establish a program of individual and collective training; advertise, hire, and begin training RAID team personnel; and define, prototype and acquire RAID team specialized equipment.

The RAID teams are being established to help meet the critical needs of the nation's first responder community. They are a first critical step in a comprehensive, multi-year program to enhance the nation's preparedness to respond to a WMD attack. We thank you for the opportunity to speak to you this morning on this important subject.

Mr. SHAYS. Thank you. General Fenimore, thank you very much for being here. I think it is important to have you put your statement on the record before we ask questions.

General FENIMORE. Thank you for inviting me here today. I will be speaking to you not from a DOD perspective but more importantly from my standpoint, the perspective of someone who runs the National Guard in one of the States and perhaps more importantly, someone who is responsible for emergency management.

Mr. SHAYS. That is important that you do it from that perspective.

General FENIMORE. I will quickly answer the questions that you put to me in your letter of invitation and just summarize why we think it is that the RAID team is so critical for our responsibility in New York State.

You asked, first, about the current status of implementation of our RAID team. As of this date, we are a little more than 50 percent trained; most of the technical training has been done, and we are beginning in July the combined training out in Missouri which will be completed. That is the operational training. That should be completed in December so the team can be operational in January.

Training is going very well, in part, I think, because we along with other States have advertised nationwide for the best people we can get on this team. We in New York have been able to attract two former members of the Marine CBIRF Bird team. We have a Navy nuclear technician from their nuclear sub program. We have medical people and a host of people who have impressive credentials in their own fields; and perhaps because of that, they have done extremely well in the training.

Morale couldn't be higher. It is the most energized people that I think I have ever worked with. You asked about the role and mission of the RAID team, and I think that has been articulated by secretary Cragin.

I would add only an emphasis that this RAID team is going to be an integral part of our State response plan. It will be written into all of our protocols with not just New York City, which has robust capability, but with the State police and with the State Office of Fire Prevention and Control, which is responsible for training all of the fire fighters in New York State, of which there are many.

Threshold for employment of the RAID teams. We are still working that out, but I can say generally speaking what will trigger the response of a RAID team will be notification from any emergency manager, be that person city, county or State or from law enforcement, State police or local law enforcement, from EMTs, volunteer firemen, whoever is on the scene that sees anything that looks like a HAZMAT or something that they don't understand that has happened.

We are developing protocols that will, with cooperation of these other State agencies, bring the RAID team to the scene as soon as possible. In terms of the legal status of these teams while they are responding, it won't be any different than the legal status of other National Guardsmen responding to any kind of emergency.

Finally, you asked how we are going to be employed with regard to the weapons of mass destruction, including command and control structures. As you know, they will be on alert 24 hours a day. We

will run it in three shifts, and they will be employed by ground vehicle or by helicopter or by C-130, depending on how far away the incident happens to be.

That gives us a tremendous advantage over other Federal responders in that sometimes weather doesn't permit takeoffs or landings. Airplanes can break, and our team is here. That is very important to the people of New York State.

In terms of the command and control, as you have heard today, they report to the incident commander and they are a tool of the incident commander. And even if our team responds to your State, which it may well do, when our team goes into Connecticut, that team will work for whoever the incident commander is onsite in Connecticut.

Quickly, if I might go to the fundamental reasons why we think in New York this RAID team is so critical to our ability to respond, principally to weapons of mass destruction, but also to serious HAZMAT and biological incidents, and the first reason is response time. We use as a guide 48 to 72 hours for the arrival of the first Federal response of any magnitude.

I understand—I heard for the first time this morning that they got to Oklahoma in 15 hours. That is breathtakingly fast, and I commend them; but that is not normally the way it works, and that is not a criticism. It just takes longer getting your request up through the State system up to the Federal Government and getting a response.

So our practical experience tells us that the Federal responders just won't be there in the kind of time that we need. The RAID teams will be there much more quickly. They are not first responders, but they are—in a tiered-response situation, they are the second level of response and they will, along with other State responders, be there well in advance of any Federal responders. And time in these kinds of situations equates to lives saved and property saved, less importantly.

The second reason is capability. I keep hearing that this is a redundant capability. Absolutely not so. They will have sensing equipment that can sense not only standard industrial chemicals, but the full spectrum of weaponized chemicals. And I haven't heard a whole lot about biological sensing, and they will have the capability to do that.

Yes, I understand if there is no warning; you may not know for days what the bioagent is that has been used on you, but sometimes terrorists, at the time that they disburse something, will announce to the media to create panic and confusion. In those cases, the biological sensing abilities of the RAID teams is very important to the State of New York. New York City is getting a similar capability. I have seen the modeling they are doing. It is pretty sophisticated. That is only in New York City. The rest of the State doesn't have that capability.

An additional capability that the RAID teams have is a communication capability that we do not have in the States, specifically an ability to communicate with anyone, to take anyone's transmission and relay it on whatever frequency they want, to whoever they need to relay it to. I don't know if New York City has that capability but the rest of the State certainly does not and that will

be a very, very useful tool. I can remember the confusion and chaos surrounding the response to TWA 800, which happened on our watch. Had we had that capability, it certainly would have made things work a little more smoothly.

Finally, force protection. These people will be able to tell the first responders what they have got, where they ought to be standing. And they can act as force protection, not only for our State responders and ultimately Federal responders, but hopefully for the people who get there first, even though understanding that they are not there in the first couple of hours at least.

Finally—maybe this is one of the most important things—they are going to be part of an integrated State response team. As I am sure many of you can remember, the attempted rescue in the desert in 1981 where we tried to get the hostages out of Iran. It didn't work in large measure because the people conducting that rescue had not exercised together. They had not worked together.

This is so important, and we have seen this over and over again at the State level. I can speak only for our own State, but where you have responders working together who have done so routinely, things work incredibly smoothly. When you bring another group of responders in who have not been playing with the others before, there is confusion.

These RAID teams are going to be part of our integrated State response. They will be helping to develop the exercises, and they will be exercising with these other first responders all over the State to include New York City, who we are working with; and it is going to make a dramatic impact on our ability to respond to these kinds of incidents.

Originally, the people in the State, senior responding officials, were not sure that they needed this RAID team. Once they realized it was a tool for them, all of a sudden they thought it was a pretty good idea. Our Office of Fire Prevention and Control and the State police in the city of New York, they are enthusiastic about these teams. The city of New York is less enthusiastic perhaps because they have their own capability, but we are working with Mr. Jerry Hauer and his operations people and there are cases, there are scenarios where they will be using our assets.

Since I am probably about out of time, I would just like to add that people have not understood what this is all about and that has probably brought on some of the initial confusion and just a lack of understanding of how these teams can be helpful.

As recently as 2 or 3 months ago, most of the Adjutant Generals in the country did not fully understand what these teams were all about. But Friday of last week at our spring meeting out in Indianapolis, all of the Adjutant Generals talked about the RAID teams, and we passed a resolution unanimously urging the Congress of the United States to fund a full-time RAID team in each of the States and territories because we understand now how important these will be for our overall State response. Thank you very much.

Mr. SHAYS. Thank you. I have a lot of questions and we probably will not get through all of them.

[The prepared statement of Major General Fenimore follows:]

STATEMENT OF

MAJOR GENERAL JOHN H. FENIMORE

ADJUTANT GENERAL, NEW YORK

BEFORE

**THE HOUSE SUBCOMMITTEE ON
NATIONAL SECURITY, VETERANS AFFAIRS, AND
INTERNATIONAL RELATIONS**

ON

**COMBATING TERRORISM: THE NATIONAL GUARD
RAPID ASSESSMENT AND INITIAL DETECTION (RAID) TEAMS**

JUNE 23, 1999

**Not for Publication
Until Released by the
House National Security Committee**

Good morning, Mr. Chairman and distinguished members of this Subcommittee. Let me begin by thanking you for inviting us to discuss the role of the National Guard Rapid Assessment and Initial Detection (RAID) teams and their role in combating terrorism.

The New York RAID team is currently in training and will be operational in January 2000. The training program is on schedule, and team members are highly motivated.

The New York team will be employed to assess HAZMAT or suspected Biological incident sites, whether or not known to be WMD incidents. It will also be used to train first responders, help develop, and participate in state WMD exercises, and help develop and update state WMD response plans. It will be used to import the latest DoD Chemical/Biological expertise to local responders and can act as an interface between local communities and other follow-on DoD responders. It will make the latest detection technology available to local responders who do not have rapid access to such equipment.

The team will normally respond when notified of an incident by a city, county, or state emergency manager, by a representative from a law enforcement agency or by the State Department of Environmental Conservation. Legal status and protections will be the same as those of any National Guard unit responding to a state emergency in Title 32 Status. RAID employment rules will be documented in operational plans and included in the State Emergency Response plans.

New York RAID teams will be deployed by surface or air, will report to the Incident Commander, and will continue to function according to the command and control protocols of the Incident Command System.

New York highly values the RAID team. Due to growing interest in Chemical/Biological agents by domestic and international terrorists, we assume that the Chemical/Biological threat is real, and will increase in the years ahead. RAID teams give us a capability that does not exist in most local and state response units because of their state-of-the-art sensor technology, protective equipment, and training in weapons-specific-agents. The cost of providing this capability to all or most responding units would be prohibitive in New York.

Like other Guard units under state control, the RAID team will be able to respond in less time than other Federal responders in most circumstances. In a serious WMD incident, time saved is priceless, and is measured in human lives saved. RAID teams provide "Force Protection" to local as well as Federal responders by providing real-time assessments of the agent and its location.

We recognize that State and Federal HAZMAT response teams provide similar capabilities for coping with incidents involving common industrial chemicals, but they cannot detect with sufficient accuracy the full spectrum of agents that could be used by terrorists. Another very serious limitation is their inability to detect biological agents and provide medical advice to responders. This is perhaps the most serious shortfall in our state WMD response system. We

also know, from experience, that a state asset like the RAID team which trains frequently in exercises with other state responders, will be a far more effective member of a coordinated response team than a Federal responding unit meeting our responders for the first time.

We would never have worked so hard to have a RAID team assigned to our state if we were not absolutely convinced it would be a highly effective tool to minimize injury and loss of life in a serious HAZMAT or WMD incident.

Mr. SHAYS. Let me start with you, Mr. Cragin, and say why shouldn't Congress take the conservative approach and wait until we have these 10 RAID teams in operation and thoroughly test and evaluate their contribution before we look to expand them?

Mr. CRAGIN. Mr. Chairman, I can tell you that Secretary Cohen asked the same question when the Tiger Team report with its recommendations to field a RAID team in each of the 50 States and four jurisdictions, territorial jurisdictions, was provided to him. His response was we need to walk before we run. And we need to—

Mr. SHAYS. You are just repeating my question. What is the answer to it?

Mr. CRAGIN. We are doing exactly that. We have fielded 10 teams. We have proposed in the President's budget for this year the fielding of an additional five teams.

Mr. SHAYS. But the point that I am asking is why wouldn't it make sense to see—we have not yet seen them in operational status, and why wouldn't we want to see them in operational status before we decide to make more of them? That is the bottom line question.

Mr. CRAGIN. Well, I think, Mr. Chairman, it is because we have been persuaded of the efficacy of these teams. We have been persuaded that they will work, and they will work as planned. Obviously, we will evolve as we move through this process. But as I say, we are fielding it on a fairly programmatic basis, recognizing that it takes time to get these teams hired, and then an additional year to get them up to speed.

Mr. SHAYS. So the answer to the question is that you have confidence in the—conceptually, you have confidence in these teams and you have decided to bring more into operation and not wait for operational evaluation? That is really the answer. And your answer, I think, is that you have such confidence that you don't want to wait.

Mr. CRAGIN. I don't think that I can disagree with any of the words that you have put in my mouth, Mr. Chairman.

Mr. SHAYS. Aside from the 10 States that are receiving the RAID team money, how many more States have requested them? And by the way, I have no problem with either generals jumping in.

Mr. CRAGIN. To date we have had requests from 24 State jurisdictions. As I indicated, Secretary Cohen and President Clinton have requested authority for an additional five RAID teams.

Mr. SHAYS. As they are added, what happens to the so-called RAID light teams?

Mr. CRAGIN. They would essentially go away as a, RAID light team. As you know, Mr. Chairman, the DOD did not request the RAID light teams. They were provided to us through the largess of Congress, and we were directed to implement them.

Mr. SHAYS. I basically, conceptually say you can have—we can have five crack RAID teams, spend all of the resources necessary, have them be full time—I make an assumption that the National Guard teams are not full time.

Mr. CRAGIN. You are making a fallacious assumption then, sir. They are full-time military personnel.

Mr. SHAYS. OK, that is important to know. That still notwithstanding, one logic would be to have crack teams, those who are

the most qualified to take these positions, then you could dilute it a bit and have 10 and dilute it more and have 20, and I don't mean that in a derogatory way.

The more you expand—conceptually you might agree that you may not have the best and brightest, but still very capable people. My point in asking the question, given that they are going to have to travel to get there, why wouldn't it be better—if I were in Hartford or in Bridgeport where I live now, and I knew that you were bringing in a team, I would want the best and the brightest there. And I wouldn't care if they came from Kansas City or Seattle; I want the best.

How does that—the bottom line. You get the gist of my question. How do you evaluate that you would have more rather than just have a few and have them be top notch? That is the question.

Mr. CRAGIN. I don't accept the premise. I don't know because we have more than five teams that we somehow dilute the expertise of the total universe of teams. I think we are confident that we can deploy the best and the brightest in every single one of the teams that we field. Obviously to the extent you have fewer teams, as the GAO correctly pointed out, you have a much longer response requirement.

Mr. SHAYS. To some measure that is true, but with airplanes it is not as true. Where is your RAID team located?

General FENIMORE. Our RAID team is located in Schenectady, NY, because we have the intersections of the north-south and east-west interstates right near there, and we also have helicopter and C-130 access.

Mr. SHAYS. And your largest airport is where?

General FENIMORE. They would leave from the Schenectady airport which is 9 nautical miles from the Albany airport, and between the two airports we have C-130's and helicopters.

Mr. SHAYS. For instance, they could get to Chicago pretty quickly.

Mr. CRAGIN. We deploy from Peoria to get to Chicago. Every minute—I don't think that anybody disagrees that ideally if you can get a RAID team on the scene working for the incident commander at the git-go, you are obviously in a better position because you can do that initial assessment even more rapidly. So the more you dilute the proximity of the teams by reducing the number, the more you increase the normal response time for those teams to get to the scene of an incident.

Mr. SHAYS. I want to go to Mr. Blagojevich, but I want to say conceptually we have these tradeoffs, and they are clear tradeoffs. And one is to have truly crack teams and then give a little on time. The other is to have teams in all 50 States, have the local control or State control a little more obvious.

But I simply can't believe that they would be as good as a few that are just totally focused, and your ability to be part of this team is very difficult. I mean, you are like a SEAL. You have to have proven yourself time and again. And I am not passing judgment on which I prefer, I am just trying to understand the logic that you all are going through. And it seems to me that you have decided that a presence in every State makes sense, even before we know operationally how these are going to work.

Mr. CRAGIN. Mr. Chairman, the Secretary of Defense has not decided that we need a presence in every State. That has not been the position of the Department. The position of the Department is we have requested five additional RAID teams for deployment in fiscal year 2000. There was a Tiger Team report that I mentioned that General Shultz was the director of that made a recommendation to the Secretary for 54 teams. The Secretary did not accept the report. He received the report. And that is a very important word. He received the report and then he directed the Department of Defense through a budget decision to implement.

Mr. SHAYS. Congress is doing this with the red light. We have 25 States that have made requests. I conceptually can argue that being near is better than being a little further away. Yet as I sat down, I am reevaluating how I came down on this. You made in your statement two comments which I will come back later on.

I wanted to give you a sense that I would love to know your concept of the issue of—you made this analogy that dealing with one kind of a disaster in an industrial chemical exposure is much different than dealing with a chemical exposure by a terrorist. I am not quite sure that I agree with that. They are different, but I think there are tremendous similarities. The advantage it seems to me is that the local people have practical experience dealing with them. The disadvantage that we have in the chemical is that most of it is theoretical rather than practical. General Shultz.

General SHULTZ. Thank you, Mr. Chairman. As we develop the concept of the RAID idea in the first place, we went to first responders. We talked to Chief John Eversole from Chicago. He said if you are going to create this capability and you want to back us up, do at least a chem-bio detection and help us in those areas where we are not skilled today, chemical and biological on the high end of the releases we are talking about. So the idea of the RAID design came from first responders, in this case Chief Eversole.

Mr. SHAYS. I am sure that he said that is a skill that you add, but I am sure that he didn't say that they were radically different.

General SHULTZ. What he said, in his department today, he does not have the ability to detect and respond to the extreme chemicals that we have in terms of weaponized or chemical biologic agents.

Mr. SHAYS. You are on, Mr. Blagojevich.

Mr. BLAGOJEVICH. Thank you, Mr. Chairman.

Mr. SHAYS. I am making an assumption that General Lawlor and General Shultz, you can stay past noon; and we have no problem with you, Mr. Cragin, leaving before noon. I also have no problem with you summarizing how you feel on this issue so that we do not leave something hanging before you leave, and we will give you time to do that.

Mr. BLAGOJEVICH. Thank you, Mr. Chairman. The old saying, will it play in Peoria—evidently the RAID teams think that it does because that is why they are in Peoria. Many of us from Chicago think you ought to give us some of the RAID teams because we have a much bigger population. The Chicago metropolitan area is the third largest in the country.

Having said that, let me ask you a question about the local aspect and the first responders. There are about 600 HAZMAT teams active as first responders. Is that fair to say?

Mr. CRAGIN. I will take GAO at its word on that.

Mr. BLAGOJEVICH. So the question is why shouldn't we use some of the RAID team funding to enhance the capabilities of those 600 HAZMAT teams? And how do you respond to the opinion that this money would be better spent enhancing the capabilities of those local responders?

Mr. CRAGIN. I think if we had unlimited resources, we should put a RAID team in every firehouse in America that would have that specific expertise and that specific equipment. We don't have those resources.

What we do and what you do every day in your decisionmaking is you compromise. The Nunn-Lugar-Domenici Domestic Preparedness Program, a program funded by Congress, does in fact provide training to first responders in the 120 largest cities in America. As General Shultz said, when we talk to these first responders and ask them to identify capabilities that they did not have, the capabilities that were not in existence were the ones that we designed into these RAID teams as a State resource, not as a Federal resource that could in fact serve at the behest of the Governor to respond within his jurisdiction and in the jurisdiction surrounding it.

Mr. BLAGOJEVICH. General Fenimore, do you have any thoughts on that?

General FENIMORE. Yes. There are 600 HAZMAT teams, I will give you that. But how well are they actually trained? Most of them are trained reasonably well. But I am reminded of the 32,000 or 33,000 fire departments in the United States, about 27,000 are volunteer fire departments, and I am familiar with their training, including their HAZMAT training because I spent many years as a volunteer fire fighter myself. And while they are trained to deal with basic HAZMAT situations, they don't have the expertise to deal with some of the more exotic chemicals that are used by terrorists, and they are certainly not trained and have no equipment to deal with any potential biological incident. So we don't see the RAID team as being redundant or duplicative.

It provides a capability that we do not possess, and even in New York City where they have one of the most robust capabilities in the Nation for dealing with these kinds of situations, even they admit that there are situations where they would like to be able to call on our RAID team to do assessments because we could have combined chemical and bio situations. There could be multiple chemical releases and in those cases they would definitely be calling on our RAID team to help them out. So we see it as a critical middle-tier response as part of the State response.

Mr. BLAGOJEVICH. Let me just—I have this idyllic vision of small towns with the volunteer fire departments. Do you remember the Frank Capra movie *Mr. Deeds Goes to Town*? He was from a small town, something Falls, and he had this thing about—he came to the big city, and he wanted to see the fire trucks go by because he was a volunteer fire department in a small town.

And I look at that character, and I think he is probably the personification of these small town fire departments. He would not be trained to deal with something as technical and complicated as this.

On the other hand in Chicago, particularly with our unique history with fires—and we lost our city in 1873 because of a big fire—it makes sense to me that the GAO and the Chicago fire department would take issue with the statements that have been made regarding the HAZMAT teams, that they do not have the basic capability to detect and identify industrial chemicals and mitigate the effects of a chemical emergency.

GAO claims this is exactly what they are trained to do, places like the Chicago fire department. If that is true, shouldn't we provide some funding to those HAZMAT first responders as opposed to, for example, having RAID teams in Peoria?

General FENIMORE. I agree that they are trained to handle those basic HAZMAT situations. I don't believe that I said that they are not. What they are not trained to do is handle those situations involving weaponized chemicals, specific chemicals used by terrorists that are not standard industrial chemicals. They don't have that kind of training, and the people that I know in New York State, to include the Office of Fire Prevention and Control, the individuals that run that organization which is responsible for training all of the fire fighters in New York recognize, while they can handle most HAZMAT situations, there are some weaponized chemical situations that they are not qualified to detect and they need more training to be able to deal with that and frankly they need the protective equipment.

General LAWLOR. May I respond to that?

I think it is really important for us to recap what the RAID team brings to the scene of the incident. Really, when you strip away what we have been discussing, it brings two things.

First, it brings a sophisticated communication system. One of the things that we found all across the country—my office also runs the domestic preparedness program, training in those 120 cities. One of the things that we find is that these communities cannot talk to each other. In some cases, the police cannot talk to the fire department within the same community because of different communications systems that have been purchased over the years, different frequencies.

One of the things that we set out to do when we constructed this team was to create a capability that would allow the first responders from multiple jurisdictions in the event of an intercity compact, intercounty compact, to talk to each other and also to be able to talk to our expertise, whether that expertise be resident at the USAMRIID or CDC or the chemical school, and also enable them to talk back to whatever follow-on forces might be needed on the scene. That is a capability that does not exist today. I think I can say that with a fair degree of confidence because we are building it. The ability to create that interoperability at the local level is an enormous asset, and I think General Fenimore alluded to it earlier; but you cannot simply underemphasize the value of communications in this kind of an incident.

So the first thing I would suggest to you is that the RAID brings to the table a very sophisticated communications capability, and that is No. 1.

The second thing that RAID brings to the table is an analytical capability and that is—to put a fine point on it, agent detection.

Whether that agent is biological, we are building in the capabilities to detect biological agents, and people keep talking about chemical threat, but we cannot dismiss the biological threat. We are building in that capability. And I know of only one other unit in the entire United States that has that capability.

And we are building in two types of sophisticated chemical detection capabilities and also radiological detection capabilities. Those capabilities with all of these organizations probably do not exist except for a couple of highly specialized military units. So most of these organizations do not have either of those two capabilities.

Were you to duplicate those capabilities for the 600 departments, the cost would be enormous because you are now talking probably approximately \$5 million to purchase the equipment and to get the necessary training on the equipment, multiply it by 600, and that doesn't address the issue of whether the coverage is there because the 600 HAZMAT teams may not, and we have not run the statistics or the analysis to know, but may not have the same coverage that you are now receiving with the RAID teams.

So we think this brings a unique capability to this particular fight, and it is one that would be very, very difficult to duplicate across the country throughout all of the HAZMAT communities.

Mr. SHAYS. Mr. Cragin, I want to be respectful of my commitment to you. Do you have anything you want to say before we continue this process?

Mr. CRAGIN. First, Mr. Chairman, I appreciate you permitting me to retire prematurely. I am well represented by my special assistant, Ellen Embrey, who works these issues day in and day out, and I am sure if there is any critical question that my colleagues can't field, Ellen will be able to help out.

Mr. SHAYS. Do you want her to come to the table? She is shaking her head and you are nodding your head. We are going to call you up and swear you in.

Mr. CRAGIN. She is an excellent colleague of mine and works in this field.

Let me just say, Mr. Chairman, that I think part of the confusion that you've seen and heard—and we have had this discussion on several occasions—is because of the real novel approach that the Secretary has taken with respect to these RAID teams. This is the Department of Defense, a Federal agency, developing a State resource that is going to be utilized primarily by the States. And I think that has taken people some time to appreciate what is being developed and how it is going to work.

Frankly, the more information that we get out throughout the United States, the more people recognize and appreciate the utility of this sort of expertise being available throughout America.

Mr. SHAYS. Thank you. Your statement was very helpful. I am sorry that we needed to draw it to a conclusion, and we appreciate your answers to the questions.

I think what we will do is invite your colleague to come to the table.

Mr. CRAGIN. She always wanted this opportunity, Mr. Chairman.

Mr. SHAYS. Could you state for the record your title, and first let me swear you in.

[Witness sworn.]

Mr. SHAYS. Note for the record that you have responded in the affirmative. It may be that you don't have anything that you want to say, but it would be nice to take care of that business now and have you be here. If you would state for the record your name and title.

Ms. EMBREY. Ellen Embrey. E-M-B-R-E-Y. I am the Special Assistant to Mr. Cragin for Military Assistance to Civil Authorities.

Mr. SHAYS. Thank you. I am sorry, you have the floor back and we will—did we go 10 minutes? So we will give you a few more minutes and then we will go to Mr. Souder.

Mr. BLAGOJEVICH. I will be brief. It is my understanding that the RAID teams, there is one RAID team for each State. Is that fair to say?

General FENIMORE. One per FEMA region and there are 10 FEMA regions.

General SHULTZ. If I may clarify, the 44 light teams that were referred to are not full time, less robust, and have less capability but each State and territory and the District will have some chem-bio response as directed by the Congress last year this next year. We are training the members, arranging for equipment; but it will be less robust, as I talk about RAID lights, than the full-time teams with the capabilities that we are discussing here with the 10.

Mr. SHAYS. Those are 22 individuals who are on active duty and 10 FEMA regions?

General SHULTZ. That is correct.

Mr. BLAGOJEVICH. But the goal is one per State?

General SHULTZ. The goal is that each State and territory would have some capability. That was our original intent.

Mr. BLAGOJEVICH. Does Missouri have one?

General SHULTZ. Yes.

Mr. BLAGOJEVICH. Peoria, I think that it is closer to St. Louis than it is to Chicago. Can't you give us a RAID team closer to Chicago since Peoria is in the middle? Give it some thought.

General LAWLOR. I can respond to tell you how the decisions were made, because that is an issue. I can provide you with some insight as to how the decisions were made originally to station these teams. We did an analysis that took in a number of factors, the first of which was the population within the FEMA region of the State itself, the total population.

The second factor we used was the standard metropolitan statistical area. This is an area that is identified through the census as being a metropolitan area. We looked at the number throughout any given State. We looked at the lift capability of the National Guard within that particular State, helicopter, C-130, what kind of air transport they had, which States had interstate compacts, so that there was some basis for the States to cooperate.

We also looked at the level of the State interest; and finally, we looked at the location of the FEMA regional headquarters in order to facilitate cooperation with the FEMA.

Throughout this process we have tried to utilize existing procedures, and that is very important. There is a Federal response plan, and that is the procedure that is used across the United

States to respond to large scale disaster, and we specifically adopted that procedure.

So once we had received all of this criteria and the analysis, we then went to the State Governors and Adjutant Generals and requested their specific station recommendation because we believe that they have the greatest knowledge on the ground of where this team should be placed.

We got that input, and then we bounced it back against the criteria to make certain that it fit the criteria that we devised. And if it did not, we made a recommendation that it be moved. But that is how the decision was made.

Mr. SHAYS. Thank you. I thank the gentleman. I am sorry that I interrupted twice here, and I appreciate your tolerance.

Mr. Souder, you have the floor for 5 minutes.

Mr. SOUDER. First, I want to agree with my friend from Illinois that Indianapolis seems to make more sense because Peoria and Missouri are very close together and Indianapolis could have covered both.

Also if he didn't carry on so much about the nuclear waste going through Chicago. Maybe he would have had a HAZMAT team there, because he wouldn't let anything go through.

I am not sure who would best answer this question, but, General Fenimore, we have an Air Guard unit in Fort Wayne; and they are training as part of their regular duties because they get assigned into the—they have been in the Middle East and other places of high risk.

Is that pretty standard, that these Air Guard units, and I would also be interested in Army Guard units. Are they prepared because of their deployments how to handle this if they were attacked while they were overseas, and how does that differ from some of the RAID training?

General FENIMORE. Well, it is very different. Most Air Guard units have a mission that requires them to deploy, so most Air Guard units do training in survival, in chemical and biological warfare situations. Many Army units do as well.

The difference is, whereas they have the capability to operate in a chemical or biological environment, they don't have the sophisticated sensing equipment to detect precisely what they have got in all cases. The RAID team is the organization that has that equipment and can tell the people exactly what they have got. But it is a different thing. The Air Guard and the Army Guard people on deployment status are training to operate in an effort—and the RAID team is a small cluster of people specifically trained to detect what it is we are facing.

Mr. SOUDER. I went through a simulation and they certainly set up the tents, and there were assumptions that they were going to do that. Were they assuming that when they were in the zone of combat that somebody would be there with that equipment?

General FENIMORE. In many cases that is true. Not all of them have the integral equipment built in to make those kinds of chemical and biological detections.

General SHULTZ. Could I respond to a piece of your question. As it relates to the Army, we have chemical defense teams, NCB defense teams, nuclear, chemical and biological defense teams, and

we train annually to operate in a contaminated environment, and that would include chemical and biological kinds of releases.

The one thing that we don't have in the military today is biological detection capability with any level of sophistication. That is why that category always seems to stand out as a bit unique. But we do train for releases of chemical and biological agents on an annual basis.

Mr. SOUDER. Are these 10 RAID teams in the FEMA intended to be regional coverage?

General SHULTZ. The intent was that we would have some response capability in each of the FEMA regions, yes.

Mr. SOUDER. And I understood from General Lawlor's comment that one of the reasons a site is selected, they have the ability to move by air?

General LAWLOR. That is correct.

Mr. SOUDER. For example, Peoria would cover Terre Haute and Indianapolis. Who makes a decision whether to deploy out of State?

General LAWLOR. The request would come—I will defer to General Shultz. It is really a National Guard issue.

General SHULTZ. The Governor of a State or jurisdiction would approve the release of that individual team that belonged to them to go to another State.

Mr. SOUDER. So if the Governor of Indiana said we don't have the capability, who would he call to get it so that the Governor of Illinois would release it?

General SHULTZ. They talk to their fellow Governors. We respond routinely to these kinds of requests, across State lines and jurisdictional boundaries, and this kind of request would also fit that category. If we had a case where the Governor said you can't have my team, we have a Federal authority that we would have to apply.

Mr. SOUDER. If two incidents occurred at the same time and one was in the State where the team was, what would happen to the other State?

General SHULTZ. We would reach to another region and access their team.

General FENIMORE. From a practical standpoint in terms of requesting help from other States, the Governors may do that; but in fact it is more likely for people like myself or even some of the operational people on my staff who know the operational people from adjoining States to make that request directly so that the help is on its way while all the blessings from higher levels are being dealt with.

In the fall of 1995 when we had the worst forest fires in our history on Long Island and New York State, we simply called the—we were in desperate need of heavy lift helicopters to drop water on the fires. We called Connecticut National Guard, and they responded because we have an understanding. In some cases it is memorandums of understanding, but in most cases it is just agreements among the members of the Guards that we will respond and take care of the paperwork later where it is a life threatening situation. As a practical matter, that is not an impediment.

Mr. SOUDER. So in Burlington, VT, if something occurred, the Guard would know to call New York.

General FENIMORE. They would indeed. Martha Rainville, the Adjutant General of Vermont would probably call me if she knew about it. If she were away on vacation or at some conference, her operations people would call my operations people, and our team would be on its way.

Mr. SOUDER. Is part of the assignment of the 10 RAID teams to watch for incidents in their zones so they would call if these people—the HAZMAT teams, that Guard unit, there will be a proactive in New York State, if you saw something happening in Burlington, you would be contacting them and saying hey, we have these resources if you need us?

General FENIMORE. Absolutely. We work out protocols with our State police, with the Office of Fire Prevention and Control. We are working on protocols with all first responders to include emergency managers in cities, counties and the State so that anyone seeing a problem which would potentially require the assistance of a RAID team gets that word through their operation. Or more likely, based on the emergencies in the last few years, someone in that local community, knowing a member of the RAID team or of the National Guard, will make that call even before you get it through official channels.

And very often we have our people on the road well in advance of the first official requests for help. That is one of the values of a RAID team or other National Guard assets because we work with these first responders around the State every day. We go to conferences with them and train with them. They know each other on a first name basis so there is not the same kind of delay that you will get going after other resources.

General LAWLOR. Also, there is an assumption here that there is a necessity to deploy the entire team to any given incident, and that is not necessarily true. Oftentimes you will see those folks deploy in teams of five or six folks to do sampling or testing. So there is some split-base operations capability. You would not necessarily have to deploy the entire team to a given incident.

Obviously, depending on what the incident was, if this was a massive release, probably you would want to deploy it in its entirety. If it were an investigatory kind of inquiry, we have something here, we don't know what it is, we are concerned about it, there would not be the need to deploy the entire team. There would be the capability to go forward with a piece, perhaps a survey team, to provide the information that the local authorities need.

Mr. SOUDER. General Shultz, you said something about weaponized chemicals. That sounds more like a delivery system. Anthrax, is that something that you are saying is a weaponized chemical?

Mr. SHULTZ. Anthrax in and of itself is not so dangerous. It is when you weaponize it and release it into the atmosphere when it becomes the critical agent. Weaponizing in terms of an enemy, perhaps a terrorist, makes it more risky and it is not so easy to do. But those that have the willpower, the financial wherewithal, that is where the risk comes from, primarily.

Mr. SOUDER. Hopefully this would not occur, but certainly we are looking at these kinds of potentials. How do you see this overlapping with our potential threats in school violence, which clearly we

are seeing the pipe bombs? We are not very far from that being the No. 1 place where they are real threats right now in this country.

We have all kinds of threats coming from Mr. Blitzer but we are not really seeing very many executions of those threats. The mass violence right now seems to be in our schools. Has that been calculated in any of the RAID teams?

General SHULTZ. It has not been a discussion in any of our discussions.

Mr. SOUDER. Would you respond if there was a school incident where there was a chemical that was—I mean, disbursed in a bomb of some sort?

General FENIMORE. Our plan is to not try to make an assessment first as to whether or not this is a WMD incident. We will respond for any chemical incident, whether we know it is WMD or not because very often we would not know what it is.

Frequently the local responders will assume that it is a standard HAZMAT when in fact a sophisticated analysis will indicate that it is something far more than that.

So we will respond to every one of these, whether in a school or a truck rolling off the highway with chemicals or a railcar. Whatever it is, we will respond and then make the determination later. We are not worried about whether the railcar containing chlorine was derailed because of an accident or willful act. We just respond, period.

Mr. SOUDER. I want to put this on record because I haven't heard it discussed much because as we have worked with the anti-terrorism question in the last few years, clearly the initial was international terrorists and fear of strikes by bin Laden or agents thereabouts.

Then we seem to have the boost up of agents in this country worried about internal domestic terrorism, which for the most part has not happened. We hope what we saw was a lot of spring fever and copy cat alarms this past spring, but this may be in fact the fastest growing category in the United States if we are not careful, and guns may only be a small portion of this.

I hope that there is some consideration in the long-term planning here because handling a bunch of kids and the response time needed, how they are going to be impacted by that may be substantially different than if you have some sort of supernationalist in Montana who is threatening some incident at a courthouse.

General FENIMORE. I agree with you, and I am sure as we get further into that there will be some training in that regard. However, that is principally the concern of the first responders. Our RAID teams have a very, very narrow focus, and that is to detect what kind of agent it is that we are dealing with to help the first responder and help the incident commander and to provide communication and other links with other responding organizations from the State first and then if necessary from the Federal Government. We are going to have to factor that in.

Mr. SOUDER. Thank you.

Mr. SHAYS. Thank you. As I am listening to this, I am thinking we are talking about extraordinary possibilities. And Oklahoma City, for me, I thought that was a possibility; but I thought if it happened, it would be an external force outside the United States

that would come in. It is very difficult for me to contemplate an American citizen would have sought to do what he did with others.

And so it just points out to me the real possibility of something really horrific, the use of explosives, the use of chemical and biological agents, and even a nuclear weapon exploded in the United States.

And so what we are talking about is absolutely an unbelievable topic, and we pray that it won't happen and we certainly pray that it won't happen sooner. We pray if it does happen we will be able to deal with it.

We all want to do the right thing on this issue, and I would love to—General Shultz, just have you or General Lawlor just respond to—I still seem to be a little focused in on the so-called crack team versus giving everyone a capability. It may be that we are moving in both directions.

First off General Shultz, what you said, seemed a little bit in contradiction to what Mr. Cragin had said. I think we need to make sure that the record is clear as to the distinction. You said that it is the goal to have the capability in all 50 States, and Mr. Cragin said we haven't made a determination that we are going to have that in all 50 States. He said we have 10, and we are going to go 5 more. Help me sort those out.

General SHULTZ. Congress has said we will create a capability in each State and territory and the District. I am responding to congressional direction here. I happen to agree that we need some capacity in each State and territory to respond.

Mr. SHAYS. And the congressional one is more—is not a definitive law that says we will have 50. It is the recognition that Members of Congress are concerned about the ability to respond quickly. We have encouraged the RAID light approach. And I guess Ms. Embrey, your boss, Mr. Cragin, is basically saying the policy of the Department is we have 10 now. We are going to move forward and we have 5 more to go. We may go beyond that, but we have not locked into 50.

Ms. EMBREY. The establishment of RAID lights were dictated in law. The difference between a RAID light and a full up RAID is the way that it is staffed. The Department plans to implement 15 of the full-time RAID teams. Consequently, we are planning to implement 39 RAID light teams, comprised of part-time staffs.

Mr. SHAYS. Right.

Ms. EMBREY. Congress this last year mandated that we establish these RAID lights with part-time traditional National Guard members serving these teams.

Mr. SHAYS. Not active duty?

Ms. EMBREY. Right. For every State that does not have a RAID full time.

Mr. SHAYS. General Shultz, I think you are giving—a generally accepted view is that there is this movement in that direction and we call it RAID light; but before this hearing, I would have said that I think you need to have one in all 50 States. I bet most Members of Congress would say that, and I think your response is that there seems to be a will of Congress, some expressed in law, RAID light—and some expressed verbally to you and others that that is the direction that we are likely to move in.

So you have the GAO report saying let's take a deep breath here, and let's analyze this in terms of where we head, and I think it is an important thing that GAO is doing.

And one of the points that they seem to make is that they have a concern that the RAID teams will have a difficulty maintaining their proficiency without having opportunities to practice under actual conditions.

Mr. SHAYS. And that's why I kind of reacted to Mr. Cragin's comment about, you know, the industrial experience versus one bioterrorist chemical. The value that the locals have is that they are an actual crisis experience. So maybe General Lawlor, General Schultz, or General Fenimore can respond to that.

General SHULTZ. We share GAO's concern on the sustainment of the skills that are obviously perishable over time. If I could just respond to your point about the crack teams, the 10 teams will be crack soldiers and airmen, indeed. And they're on duty all the time, at least in small cells for response in the times we discussed earlier.

As it relates to how many teams do we need, we're taking this actually a step at a time. The OSD recommendation was that we add five times and that's what you'll see in the budget recommendations. So it is actually kind of a crawl-walk kind of approach with at least some capacity in the States that don't have full-time teams.

Mr. SHAYS. And yet, though, we still haven't seen how they will operate.

General SHULTZ. That's true. We're just standing these teams up. This is work in progress.

Mr. SHAYS. You want to comment, General Lawlor?

General LAWLOR. Yes, I would, if I may. I would respond with three thoughts. The first is that specifically with regard to the RAIDS as opposed to the RAID lights, but specifically as regard to the RAIDS, these are folks who are going to be focussed 100 percent of the time on weapons of mass destruction. This is not going to be an additional duty. In other words, in many cases—

Mr. SHAYS. I understand. You made your point.

General LAWLOR. So we have that focus. The second thing I would offer is that the training on the equipment and the skills needed are no more complex than those needed to fly an F-16 or drive an M1 tank or operate a Paladin or an MLRS, which we do all the time.

So I think—and those soldiers who do that so magnificently don't always, thank God, have to train under actual circumstances. So I think that there is an argument to be made that the sustainment of these can be certainly kept alive.

Third is that we are together with the National Guard focussing very carefully on the continued training of these teams through exercises, through—through updates as the technology improves, as the understanding improves. We have here, which we can make available to the committee if it wishes, this is the doctrine that we are beginning to compile as to how these teams actually operate. A lot of work has gone into it with a lot of folks, and I would say most of the folks that are shown up on this chart have contributed to this document.

So we're refining these techniques, so I think that we're going to find that these teams will serve as the spirit—the tip of the spear in this whole arena in developing how we respond to these incidents effectively. Very important.

General FENIMORE. Much of what I say here, although brief, it will be a mirror image of what General Lawlor is saying. I was very surprised to read in the GAO report that they had concerns that would be—we might have difficulty operating this complex equipment. I have a lot of difficulty understanding that because we operate B1 bombers and many of the other things that general Lawlor described—and this is test equipment. And we have people that not only operate some pretty sophisticated avionics and other equipment, but they maintain it and I think they just missed on that one.

In terms of maintaining proficiency—

Mr. SHAYS. And I think that's important for this to state on the record so I'm happy you're making that point. You're reinforcing a point that's already been made.

General FENIMORE. Maintaining proficiency as was mentioned—this is all we do and they're going to be doing it all the time. It's not like HAZMAT teams, although well trained. In those 20,000 volunteer fire departments, they just don't do that full time.

One of the advantages we give to the first responder community is—and this is one of the reasons that the first responders in New York State are looking forward to the arrival of these teams—is that they will have the time in between responding to whatever incidents occur from time to time—and we have them almost daily in New York State, although not sufficiently serious enough to call them more than once a week, I would predict—but in between responding to those things, we will be working.

We have already planned to start working with first responders all over the State to export to them DOD expertise in what are the most current potential weapons that could be used. So we're going to be providing unlike the program to train 120 cities, we come and we help you and we do good things and you learn a lot but these fire departments have turnover every year.

These RAID teams will help provide sustainment training for first responders around the State and although they do get first—they get sustainment training to some extent in standard and industrialized chemicals, they aren't getting it in weapon-specific chemicals; and they're not getting it in the bio arena and we will provide that and that's why they're so anxious to see this.

In terms of retention, that was another concern expressed, sure. In DOD and all of the public sector, we have difficulty retaining highly trained, highly skilled technicians. They're jumping over to private industry but that's true for all of us. I think we have one advantage and that is that most of the people we've been able to attract to these RAID teams, have left the private sector because they're so excited about being on the first line of defense.

Mr. SHAYS. That was clearly a point made in the GAO report that needed to be responded to, and I thank you for responding to it.

The question that I just very quickly—I don't need a big response. I'm not familiar with retention of active duty Guards per-

sonnel. They're paid the standard salary that you would receive in the general Army, general Air Force?

General FENIMORE. Yes, sir.

Mr. SHAYS. Do they sign up as general Guard personnel with the knowledge they'll be active duty or do you transfer them from—

General FENIMORE. The people that we have hired, we have hired into active duty jobs. Some of them have come off active duty from the armed forces. Some were in the private sector and were traditional Guardsmen or reservists, the weekend people; but they did sign up for a full-time active duty job.

Mr. SHAYS. General Shultz, I was about to get into this whole issue when I talked about special training. You're making the point that all 10 and the 22 within each 10 of these units will be highly trained and qualified. All of you have made that point. But I make an assumption that they're augmented in part by true specialists in particular parts of chemical biological or nuclear response. For instance, I make an assumption that we have trained personnel that can dearm a nuclear weapon.

General SHULTZ. Correct.

Mr. SHAYS. But they wouldn't be given this kind of training, I would think, in these RAID units. These would be truly specialized personnel.

General SHULTZ. That's correct.

Mr. SHAYS. Do they exist in all three branches of government, the ability to—picture a scenario. This is totally makeup—I want to say this again—but possible. There is a warning that the truck that is illegally parked in Times Square, a small panel truck, has a nuclear weapon in it; that it's set to go off in 10 hours or something or 3 hours. Is this a response that one of the RAID teams is going to jump into or who would respond to that kind of—

General LAWLOR. The RAID teams would not respond to that, sir. There is no render-safe capability built into the RAID teams.

Mr. SHAYS. That means something you render safe—

General LAWLOR. Render safe would be deactivate the nuclear weapon, disarm an explosive device.

Mr. SHAYS. It may be an explosive device that has a chemical in it.

General LAWLOR. Whatever. They do not have render-safe capability.

Mr. SHAYS. But the RAID teams are responding to a disaster that's already occurred, not a disaster in progress.

General LAWLOR. That's correct, sir. I say that's correct, but it could be a situation where people have discovered a substance that they don't know what it is and they want to find out, but if there is an explosive device involved, they do not have that capability.

Mr. SHAYS. But it would strike me that the teams would be called because whatever may happen, whatever the threat may actually happen and they're on their way.

General LAWLOR. They would—they certainly would be called to monitor in the event that the device exploded.

Mr. SHAYS. Let's just say it's a Soviet nuclear backpack, one that some of us wonder if the Soviets could—if they have knowledge of where all of them are. So one of them got in the hands of an Af-

ghan terrorist organization and the next thing we know it's in New York City. What happens under that circumstance?

General LAWLOR. Sir, I think the best way to answer that is there are capabilities to respond, but I believe they're classified.

Mr. SHAYS. I don't want to know details but I would want—I would think that we would—just tell me in this sense is it a military response or is it a State, local, or national response?

General LAWLOR. There's a Federal response capability.

Mr. SHAYS. And then just tell me how the RAID teams would interface with whatever national response team we have.

General LAWLOR. The RAID teams might not respond. It depends on how the information flow occurs. In the event of that kind of an incident, I'm assuming that the State emergency management authorities would be notified. If in fact General Fenimore was notified, then he would make the decision whether to deploy the RAID teams in support of the Federal response.

Mr. SHAYS. I've had, obviously, briefings on this but in general terms—it's difficult to have a dialog about nuclear biological or chemical without having some general ability to have dialog about this. One of the things we're talking about is the issue of the Federal Government injecting itself on a State or local level.

In the case of a very dangerous situation with a biological chemical or nuclear weapon, is it automatic that the Federal Government supersedes any activity in the State; and they can step in and push away the police, push away—I mean, that's—

General LAWLOR. I believe there is some statutory language, sir. I would have to get the actual language, but I believe there is some statutory language that provides what the responsibility is.

General FENIMORE. If I'm not mistaken, sir, even PDD 39 recognizes the fact that the State has jurisdiction. The Federal responders come in at the State's request. We're talking here about consequence management. Specifically in the case you're talking about where there's a suspected nuclear device somewhere in the State of New York. Although we have pretty good capability to deal with the consequences of a nuclear mishap, because we have nuclear power plants in the State and we routinely exercise for these kind of scenarios, we have no capability to disarm a nuclear device.

So if we thought we might have one in that panel truck in Times Square, we would then invite the Federal Government to please respond as quickly as they could with people who could assess what it was in that truck and deal with it.

Mr. SHAYS. As someone who lives 30 miles away as the crow flies—or now 50 miles away, as a crow flies from New York City, I could care less that New York City or New York State has a sense of jurisdiction. I would want to know whoever is most capable would be able to step in without any jurisdictional battle.

General FENIMORE. We would agree with you, sir. That's why we would call in whoever the most expert people are that can respond. In the case of a nuclear situation, we flat out don't have that expertise. We have no choice but to call in the Federal Government. We would do that immediately.

For HAZMAT situations obviously where we do have capability, we would look at those resources first but certainly would not hesitate to be notifying the Federal responders to get ready to come.

General LAWLOR. Mr. Chairman, I think I can answer your question, if I may.

Mr. SHAYS. Sure.

General LAWLOR. In the event of a crisis, the FBI has lead Federal agency jurisdiction. It would step in and then it would call upon assistance to include assistance from the DOD to render the device safe. That is very clear.

Mr. SHAYS. Thank you.

That clearly isn't top secret. Just a comfort level for all of us, including me.

General SHULTZ. Specifically in terms of a lead Federal agency, Department of Energy actually has the nuke weapons response mission. DOD is not the best answer, but that's how it's stated in the plans today.

Mr. SHAYS. If a terrorist organization got into Millstone 1, 2, and 3 in Connecticut and gained control of it, that becomes a response of the Federal, State, or local government?

General LAWLOR. It's the same response, sir. The FBI has lead Federal agency jurisdiction in crisis, and they will call upon other Federal agencies as needed to assist them.

Mr. SHAYS. Do you have any questions you want to ask?

Mr. BLAGOJEVICH. I just have one question. This is for General Lawlor. An important element to the success of the RAID team is the ability to coordinate and perform with the civilian emergency responders. What training and exercises are planned to build confidence and experience between the civilian emergency responders and the managers of the RAID team personnel?

General LAWLOR. There are numerous exercises that are being—let me back up and start out by saying the—I'm sorry. The initial operating capability of the RAID teams is January 2000. That's when we believe they'll be certified by the Secretary of Defense and ready to meet their missions.

There are a number of exercises to include the Domestic Preparedness City Training Program, whereby RAID teams have already been requested to participate; but we have deliberately asked them not to until their training is farther along so that they can make a reasonable contribution.

So I expect that in addition to cities that are undergoing domestic preparedness, that you will have annual training; for example, there is mandated training every year for a chemical exercise and a biological exercise. One this year is happening in September in New York City. The RAID teams will be—they will be somewhat observers in that particular exercise. At this point they're observers as opposed to participants because they haven't been certified.

And there are exercises that will be planned throughout the year as DOD continues its consequence management efforts. In addition to that, the State authorities have their exercises that they participate in. I can't give you specifics in terms of the dates except for the one in New York City. That's the one I'm most familiar with right now.

General SHULTZ. If I could respond just to a couple of examples. It's our intent to have RAID teams conduct sustainment training every quarter. Two of those quarterly exercises must be outside of

their own State that they're currently assigned so they'll move to another jurisdiction and train for events.

On an annual basis, we will also train and exercise with the FEMA leadership and their response cell, so we're looking at both a quarterly and an annual kind of refresher exposing ourselves to the scenarios and exercises that we may well be called to respond to.

General FENIMORE. In our State, the National Guard has already worked up memorandums of understanding with the two main responders. We would be working with the Office of Fire Prevention and Control and the State police. We will be developing exercises before the year is out so that once these teams are operational in January, we will begin a series of exercises and we will continue these for the foreseeable future so that we're accustomed to working with the local responder. We'll be helping to train them.

We'll actually be learning some things from them in this process, but it will be part of an integrated package that will be exercised routinely all over the State and we've already planned to do that, and some of those plans are already well along to being complete.

Mr. BLAGOJEVICH. Ms. Embrey.

Ms. EMBREY. Earlier you asked about the conduit between the local, State, and Federal responders, and I think the RAID teams, as we envision them, represent that very conduit. The program that we have for training focuses on working with the local responders on at least a quarterly basis—well, much more often than that—and working with other States' responders on a quarterly basis.

It also involves us working with the other Federal assets at least twice a year in every FEMA region and how they might respond. So it really is trying to get all the players together to work together and anticipate how each will play what role to respond to an unthinkable incident.

Mr. BLAGOJEVICH. Thank you.

Mr. SHAYS. We're going to get you out of here in 5 minutes. When I view this—and tell me if I should think of it differently—first I see dealing with a chemical, biological, or nuclear terrorist attack. You have prevention; you have detection. You want to get into their cells. You want to stop it before it starts. You want to have a deterrence that this won't happen.

You then—you get into the whole issue of crisis management and consequence management, and we're really in the issue of consequence management pretty much. And in crisis management—and one, we're trying to protect as many people as we can and then we're also trying to determine the extent of the damage.

We're trying to determine also who did it. You're going to have the FBI step in here and say, OK, let's find the individuals involved. You're going to have specialists who are able to come in who are going to augment obviously the State and local response and our RAID teams, and we're determining whether we want more RAID teams, whether they should be full time, and this is one of the decisions Congress has to make. And we don't yet have in operation these RAID teams.

How are you able to determine without an actual event their capability? This clearly happens to the military all the time. In other

words, we don't always have wars and we don't always have fighting but this is probably the—you are the best people to answer that question.

General LAWLOR. I can address immediately the two capabilities that the RAID teams have, the analytical capability and the communications capability. We're in the process, as I indicated, of constructing the architecture that will enable us to test the communications capability. And we are planning a demonstration specifically designed around a scenario where it will require us to link communities, multiple communities to the RAID communication suite and through that communication suite back to the expertise and reachback capabilities that we have in the Federal Government.

So the ability to test and demonstrate the communication system is clearly there through exercises. The second capability that we're looking at is the analytical capability and that is strictly—that is strictly an issue of taking the equipment to our testing facilities, testing it on live agents, and it works or it doesn't.

So we think we have the capability to demonstrate clearly that what we are trying to provide with the RAID teams will work, and that's why we have such a degree of confidence in their value to the communities because we don't believe these capabilities exist out there today.

Mr. SHAYS. General.

General SHULTZ. If I could also respond to that question. What we want to do in terms of training realistically is use the combat training center logic that we have in the Army at Fort Irwin, CA; Fort Polk, LA. We take the Army to war without going there. We meet the best opposing force in the world at those two training centers; and what we want to do in training and certifying the skills of our response teams is create through a series of scenarios a very demanding training environment, and that's how, I believe, we would begin to answer your interest in this question, how good can we really be.

Mr. SHAYS. What difference, if any, exists between the RAID teams and the FBI HAZMAT response units? Obviously there are some differences; but, one, we decided to do the RAID teams which are Federal—excuse me, State National Guard and HAZMAT teams we mentioned close to 600 of them which means you're coming in locally and training people on how to deal with HAZMAT materials and so on.

I guess the question I'm asking, they are slightly different models. How do we integrate the two of them? Maybe that's not the question. I don't think I asked the question—I look at confused looks and I think I deserve—the question I'm really asking is we decided to step forward—my understanding is that these are local responders. Correct?

We have both local and Federal because the FBI has theirs as well. But the Federal Government is providing grants—this is really the question. The Federal Government is providing money to give expertise to the local level. We decided to give this expertise in a sense to the National Guard. It's a slightly different model and I guess I'm asking the question why. I think that's—it's really an important question for me to have a response to. Why did we de-

cide to go this route rather than just make sure that all local communities had the expertise that the RAID teams have?

General FENIMORE. Well, the—from our perspective, it's good that there are going to be grants to give them the expertise, but what they will not have is that analytical capability that we cannot afford to put with each one of these HAZMAT teams. The cost would be astronomical. This is a more cost-effective way. You're getting a 95 percent solution for a tiny fraction of the cost.

Mr. SHAYS. I think the answer really—this is the question you could have answered earlier because in a sense you've answered it; but I would just like it in response to this question. I make an assumption, General Lawlor, that your point, the communication and the analytical ability is better addressed—that can't be—well, you've answered the question, General, and you're reinforcing it.

General LAWLOR. It could be addressed if the Congress was willing to spend the funds it would take to put that capability in every community or every—even every HAZMAT team. It could be done. It's clearly a question of cost.

Mr. SHAYS. The tradeoff, it seems to me, is the events when they occur will be horrific, but they will be infrequent but they will or may occur.

General LAWLOR. The other issue I would raise for you, sir, is that—and I haven't done the analysis, but it should be done if that's the way that you choose to go—is I'm not sure what the coverage would be of those 660 HAZMAT teams. I don't know if you get the same coverage because they clearly have jurisdictional issues attached to them that do not apply to the RAID teams.

We can take a RAID team, and we can move it anywhere within the State. We can easily through cooperation move it anywhere within the FEMA region. We can federalize it, move it anywhere within the country. I'm not sure you can do that with a local HAZMAT team from a local jurisdiction.

Mr. SHAYS. Fair enough. Ms. Embrey, do you want to make a response? My 5 minutes stretched to 10. Then we'll be done.

Ms. EMBREY. Initially, I thought you were talking about the Federal FBI's HAZMAT or HMRT.

Mr. SHAYS. That's why my staff looked so concerned. They didn't know what I was talking about.

Ms. EMBREY. If you're talking about the FBI's assets, I think the focus of their capability is to identify and detect for forensic purposes, for the crime scene, for evidence. I think that's a very important capability that they have to have. But I think that the RAID teams have a broader, more specific focus on weaponized chemicals and biologics and that's why they compliment each other. They don't conflict or duplicate.

Mr. SHAYS. You were reluctant to participate, and you have made wonderful contributions. So I'm happy you did. I'm happy all of you did. Any last word any of you would like to make before we hit the gavel?

General LAWLOR. Sir, I'm sorry. At the risk of prolonging this, I just want to make one point because we've talked about the time of response. And that seems to be an important issue. I would invite the committee to look at the locations of the RAID teams in the existing States, and you will find that in seven of the cases, I

think, they are virtually on top of the major population area in that particular State.

So the local and the gubernatorial input has been to locate them in the area of the greatest population concentration. In a couple of areas where they have not, sir, I think it's because—and I can't speak for them, but I know in the case of New York is that New York City has a very robust capability and were they to locate it—colocate it in New York City, it really would be duplicative. However, that's my closing comment. I appreciate your patience.

Mr. SHAYS. I appreciate your making that comment. Any other comments before we conclude? It's important for you to make sure we put things in the record that you would have liked us to ask or want to emphasize.

General FENIMORE. Nothing specific, but just from the State's standpoint thank you all for having this level of interest on a subject that's very, very important to us. We really believe this is a serious threat. We know that today we do not have sufficient capability to deal with it. And we've been living on borrowed time. We've been very fortunate, and we need to have a sense of urgency about this and we thank you for your interest.

Mr. SHAYS. Thank you, General.

General SHULTZ. Thank you for your interest, Mr. Chairman.

Mr. SHAYS. We're very interested. I'll just use that—we'll use that as an excuse to say to you that this committee has by—the subcommittee has been given the jurisdiction of all terrorist activities, whether they're domestic or foreign, and we have capability to draw on any department of government to look at this issue.

So we really do have the ability to have a kind of a comprehensive view of it, and we consider it our first and primary charge and we're really kind of just getting our feet wet as well; and we just intend to develop that expertise and make a contribution. Thank you for helping us.

Ms. EMBREY. I'd like to correct something for the record. The GAO chart here shows the RAID teams as just Army National Guard and yet they are mixed with Air National Guard personnel as well.

Mr. SHAYS. But it is Army ultimately that has the primary responsibility. Correct?

Ms. EMBREY. The Department of Army is the Secretary of Defense's executive agent for domestic response operations and support; so, therefore, the Army ultimately helps marshal the appropriate resources.

Mr. SHAYS. Do you have an Air Force background here?

Ms. EMBREY. I just wanted to make sure you knew there was Air Guard personnel there.

Mr. SHAYS. Note for the record no answer to the question. With that we adjourn this hearing.

[Whereupon, at 12:45 p.m., the subcommittee was adjourned.]