

Statement of
The Honorable Patrick Leahy

United States Senator
Vermont
October 26, 2005

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Hearing Before the Subcommittee on
Terrorism, Technology & Homeland Security
"Terrorism: Emergency Preparedness"
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I thank Senator Kyl for convening today's hearing and commend his efforts to address the critical issue of terrorism preparedness. I want to welcome each of our witnesses, particularly my friend Slade Gorton.

Terrorism was not a top priority of the Bush Administration when it took office in January 2001. Problems ranged from an understaffed foreign translation program, woefully inadequate information systems, and cultural attitudes that frustrated information-sharing across agencies. Just one day before the September 11, 2001, terrorist attacks, the serving Attorney General rejected the FBI's request to include more money for counterterrorism in his budget proposal. After the attacks of 9/11, the Administration resisted this Committee's efforts to examine what led to the tragedy. The Administration fought attempts by Congress to establish a Department of Homeland Security. It tried to block the formation of the 9/11 Commission, and then it put roadblocks in the way of the Commissioners as they worked to fully investigate under its mandate.

Unfortunately, this Administration has displayed a clear pattern by misreading the warning signs of impending disaster, whether in the form of a terrorist attack or a natural disaster, often with dire consequences for Americans. We recently saw the Administration's failure to plan for, and quickly react to, Hurricane Katrina. It has been shocking and sobering to see how woefully unprepared our government was to help the victims of this disaster. The government failed to react despite reports that were prepared on exactly the point at hand - a hurricane in New Orleans that caused the levees to breach. The chaotic response raises serious concerns about the adequacy of our preparedness to respond to terrorist attacks, despite the many billions of dollars spent by the Department of Homeland Security since 9/11.

Terrorism experts warn about the possibility of a catastrophic bioterrorist attack, yet we learned last fall that we are not prepared to meet the biological threat that comes every year - influenza. I hoped that the Bush Administration would learn a lesson from the 2003 shortage of flu vaccines. Instead, health providers across the country, including in my home state of Vermont, were forced to ask healthy people to forgo their flu shot. If the government's top health officials can not

prepare for the seasonal flu - an annual occurrence - what does that portend about their ability to prepare for biological terrorist attacks?

The President only recently addressed the threat of avian flu spreading to the United States, but the Administration's track record gives me little confidence that an outbreak in our country would be handled effectively. I am particularly troubled by the President's proposal to use the military to enforce quarantines and travel restrictions in the event of an avian flu outbreak. Putting the military in the lead role in domestic disaster situations negates fundamental attributes of the National Guard, its experience in working with local and state first responders and its familiarity with local communities.

It would be comforting if we could at least tell Americans that their Government was doing everything possible and practical to keep them safe. Unfortunately, we cannot truthfully tell them that. As we sit here today, there is much left undone in securing our nation. The 9/11 Public Discourse Project, a public education campaign founded by the members of the 9/11 Commission, issued a report in September on our government's progress towards improving emergency preparedness and response. The report evaluates five recommendations issued by the 9/11 Commission in July 2004. The progress of each recommendation received a status ranking; four received a "minimal progress" ranking and the fifth received a ranking of "unsatisfactory." Commissioners Kean and Hamilton issued a statement with the report in which they warned that "Congress and the Executive branch need to step up to the plate. They need to respond with a necessary sense of urgency to adopt the reforms we recommend on emergency preparedness and response."

While I share the concerns of the 9/11 Commissioners, I am hesitant to fully embrace one of their recommendations on emergency preparedness. The Commission recommends basing federal homeland security funding strictly on an assessment of risks and vulnerabilities. I strongly believe that every state - rural or urban, small or large - has basic domestic security needs and deserves to receive federal funds to meet those needs. Instead of pitting large states against small states, as the Administration has done by shortchanging overall resources for first responders, the needs of both should be recognized and addressed. These funds help police, fire and rescue squads meet the homeland security responsibilities the federal government is asking them to meet.

The attacks on 9/11 were a horrible tragedy for our nation. They should have also served as a wake up call. Four years later we remain unprepared for another major terrorist attack. Our inadequate response to natural disasters highlights how vulnerable we are to a major act of terrorism. Rather than hope that an attack does not occur, we should act as if an attack is inevitable and strive to be fully prepared. Our main focus must remain on preventing terrorism, but we cannot dismiss the possibility that we will someday confront another day like 9/11.