

Congress of the United States
Washington, DC 20510

August 30, 2019

The Honorable James F. McDonnell
Assistant Secretary
U.S. Department of Homeland Security
245 Murray Lane, SW
Washington, DC 20548

Dear Assistant Secretary McDonnell:

Recently, after speaking with over 30 current and former Department of Homeland Security (DHS) employees and contractors, the Los Angeles Times reported that the DHS "...has quietly dismantled or cut back multiple programs that were created after the Sept. 11, 2001, attacks to help detect and prevent terrorism."¹ The report goes on to say that changes "were made without rigorous review of potential security vulnerabilities, undermining government-wide efforts aimed at countering terrorist attacks involving unconventional weapons, known as weapons of mass destruction."² This reporting raises serious concerns that the Countering Weapons of Mass Destruction Office (CWMD) may be struggling with its mission, which is to plan for, detect, and protect against the importation and use of chemical, biological, radiological, and nuclear materials in the United States and to protect against an attack using such materials. It is critical that CWMD continue to execute its stated mission. For that reason, we are writing to request additional information about these recent changes to the programs and activities conducted by CWMD.

The Los Angeles Times investigative report appeared shortly after a Government Accountability Office (GAO) report on *Securing the Cities*, a CWMD-led program that seeks to enhance the nuclear detection capabilities of federal, state, local, tribal, and territorial partners. GAO found serious deficiencies within the *Securing the Cities* program, including DHS's inability to have assurance that cities can sustain threat detection and deterrence capabilities gained through the program, and that CWMD is planning to make changes to the program without assessing if they would improve the program.³

¹ *Times Investigation: Trump Administration Has Gutted Programs Aimed at Detecting Weapons of Mass Destruction*, Los Angeles Times (July 18, 2019) (<https://www.latimes.com/politics/story/2019-07-17/times-investigation-homeland-security-gutted-programs-aimed-at-stopping-wmd-terrorism>)

² *Id.*

³ Government Accountability Office, *Combating Nuclear Terrorism: DHS Should Address Limitations to Its Program to Secure Key Cities* (GAO-19-327) (May 2019).

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These reports highlight potentially serious gaps between CWMD's stated mission, its capabilities, and its actions. In order to better assess the state of CWMD, its programs, and progress towards meeting its critical mission, we ask that you respond to the following questions and requests for documents:

1. Please provide a strategic update on each of CWMD's programs activities, including Securing the Cities, BioWatch, Biodetection 21 "BD 21," and the "Red Team" initiative. Please include any changes to these programs since the formation of CWMD in October 2017.
2. According to the Los Angeles Times, a CWMD spokesperson stated that "some programs were realigned or restructured to better address threats, remove bureaucratic redundancy, and fully align with [Trump's] National Security Strategy."⁴ Please identify the programs that were "realigned or restructured" and provide a detailed explanation supporting such changes.
3. Please provide any assessments conducted by CWMD that led to or supported the realigning or restructuring of any CWMD program or activity.
4. Please provide an update on any assessments of chemical, biological and nuclear-related risks. What is the history of these risk assessments? Has DHS stopped conducting such assessments? If so, why?
5. Please identify each training and/or exercise CWMD, or its predecessors, conducted with federal, state, local, tribal, and territorial partners from October 1, 2016 to today. Please include the location, partners involved, and the subject for each training and/or exercise listed.
6. Per the GAO-19-327 report, CWMD is planning changes to the Securing the Cities program.⁵ Per Section 1928(d)(4) of the Countering Weapons of Mass Destruction Act of 2018,⁶ the Assistant Secretary of CWMD is required to brief appropriate congressional committees about the justification for proposed changes, which should include an assessment of the effect of the capabilities of the program. Please have your staff schedule a date and time to brief the Committee staff noted below on these changes, as required by the Act.

⁴ *Times Investigation: Trump Administration Has Gutted Programs Aimed at Detecting Weapons of Mass Destruction*, Los Angeles Times (July 18, 2019) (<https://www.latimes.com/politics/story/2019-07-17-times-investigation-homeland-security-gutted-programs-aimed-at-stopping-wmd-terrorism>)

⁵ Government Accountability Office, *Combating Nuclear Terrorism: DHS Should Address Limitations to Its Program to Secure Key Cities* (GAO-19-327) (May 2019).

⁶ Pub. L. No. 115-387 (2018).

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7. Following the submission of the above noted information and documents, please have your staff schedule individual briefings with the Committee staff noted below on each of these programs and/or topics:
- a. BD 21;
 - b. Biowatch;
 - c. Securing the Cities;
 - d. Training and Exercises with partners;
 - e. Agriculture Security; and
 - f. Office of Health Affairs.

These briefings should include goals and objectives for each of the areas, the measures the office has designed to meet those goals and objectives, plans for future action in these areas, and challenges the office faces in achieving those goals and objectives.

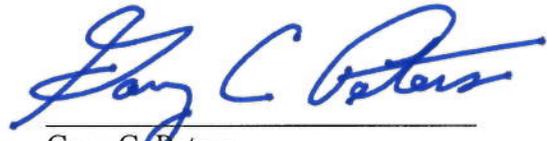
Please respond to this letter as soon as possible but no later than 5:00pm on September 19, 2019. Please provide all unclassified information directly to the Committee offices via email. Any classified information provided in response to this letter should be provided under separate cover through the appropriate channels.

Please have your staff contact William Rhodes with Chairman Johnson's staff at (202) 224-4751, Christopher J. Mulkins with Ranking Member Peters' staff at (202) 228-1346, Alison Northrop with Chairman Thompson's staff at (202) 226-2616, and Diana Bergwin with Ranking Member Rogers' staff at (202) 226-8417.

Sincerely,



Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate



Gary C. Peters
Ranking Member
Committee on Homeland Security
and Governmental Affairs
United States Senate



Bennie G. Thompson
Chairman
Committee on Homeland Security
United States House of Representatives



Mike D. Rogers
Ranking Member
Committee on Homeland Security
United States House of
Representatives