

**“A World at Risk: The Weapons of Mass Destruction
Prevention and Preparedness Act of 2009”
Homeland Security and Governmental Affairs Committee
Chairman Joseph Lieberman
September 22, 2009**

AS PREPARED FOR DELIVERY

Good morning. Today we will hear testimony on legislation that Senator Collins and I introduced this month to prevent and prepare for attacks against our homeland that involve weapons of mass destruction (WMD). Our legislation has a particular focus on heightening security at laboratories that handle the world’s most dangerous pathogens.

In December of last year, then-Director of National Intelligence Mike McConnell publicly stated his chilling conclusion that a WMD terrorist attack is more likely than not to occur somewhere in the world between now and 2013 – the next four years -- and that a biological attack is much more likely than a nuclear or chemical attack.

The Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism, chaired by Senators Bob Graham and Jim Talent, reached a similar conclusion and went well beyond, documenting their work and making recommendations. It is hard not to conclude that we are still not properly prepared to counter the threat of WMD – and particularly the bioterrorist threat, despite measures taken after the 2001

anthrax attacks. In sum, and as the Graham-Talent Commission concluded, we are a Nation and world at risk.

And for anyone who thinks we are being overly zealous, imagining threats that don't really exist, one only has to follow media coverage over the past few days of the arrest of men right here in this country with direct ties to al Qaeda, who were planning a significant attack in the New York area, to know the threat is real. There are people who want to do us great harm and one way is through a biological attack.

The WMD Prevention and Preparedness Act of 2009 would provide a multi-layered approach – across the full spectrum of prevention, preparedness, and response – to this threat. Our legislation would implement the Graham-Talent Commission's recommendations and our Committee's conclusions from its ongoing investigation into our Nation's defenses against WMD attack.

Let me briefly describe the key elements of the legislation and their origin in the Graham-Talent Commission report and our Committee's work.

First, this bill would identify and categorize the most dangerous pathogens – those with the greatest potential to be used in a biological attack – and require improved security at the laboratories that handle them. Our approach ensures that we focus our security efforts where they are needed

most and not burden the wider range of scientific research unnecessarily. Our Committee's interest in laboratory security was informed by the Commission's report and Commissioners' testimony this past December. The report cited findings on inadequate security at our nation's laboratories and concluded, and I quote, "when it comes to materials of bioterrorism, America's vulnerability may well begin at home." Through this legislation, we seek to close that vulnerability.

Second, our bill would build the "culture of preparedness," as called for by the Commission, by requiring a national strategy for dispensing antibiotics and other medicines to the public to respond to a biological attack. We would also expand the use of the Postal Service for distributing countermeasures. We are spending billions of dollars to stockpile these supplies, but our Committee has found that we lack a plan for distributing them quickly and efficiently after an attack or outbreak. The bill would also provide medical kits to emergency responders so they can protect themselves as they protect us..

Third, our bill acts on the Commission's call for improved public information. It would put in place specific communications plans to inform the public of what to do during the critical moments after an attack. And, as called for by the Commission, our bill requires the development of pre-

scripted, adaptable messages so that appropriate information can be disseminated swiftly. Such information would include the direction of a deadly radioactive or biological plume and instructions about whether it is better to shelter in place or evacuate. That kind of information could save thousands of lives.

Fourth, the legislation would direct the Secretary of State to build an international biosecurity coalition by providing training and assistance to other countries in laboratory security and global disease surveillance.

Finally, the legislation would also require the Director of National Intelligence to improve intelligence on WMD and terrorism, particularly by increasing his hiring scientists and improving foreign language capabilities. The Commission praised the progress of reform in the Intelligence Community, but it specifically cited these gaps as requiring immediate attention.

Senator Graham and Senator Talent, you and your fellow Commissioners have done a great service to the country by assessing the WMD threat and proposing actionable solutions. We look forward to hearing your views regarding this legislation.

I am also pleased to welcome Gregory Kutz, Managing Director for Forensic Audits and Special Investigations at the Government

Accountability Office. Mr. Kutz and his team have spent the past two years investigating the state of security at our Nation's five most elite laboratories – the laboratories with the highest biosafety rating and that handle the world's most dangerous pathogens. In a 2008 report and a follow-up report released this year, they draw a disconcerting picture of the security regulations governing these laboratories and of the state of physical security at these laboratories, which Mr. Kutz will describe for us and which energizes even more our consideration of this legislation and remedial action.

We must be direct and honest with the American people about the risks facing this country from WMD. As the Graham-Talent Commission noted, "America's margin of safety is shrinking, not growing." Senator Collins and I hope that our WMD Prevention and Preparedness Act of 2009 would provide a comprehensive framework for closing many of the gaps in our security against WMD and grown our margin of safety. Senator Collins.