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COMBATING TERRORISM

Use of National Guard Response Teams Is Unclear

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G A O

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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

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

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

³Combating Terrorism: Federal Agencies' Efforts to Implement National Policy and Strategy (GAO/NSIAD-97-254, Sept. 26, 1997).

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.

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,⁴ 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"

⁴See our report Combating Terrorism: Opportunities to Improve Domestic Preparedness Program Focus and Efficiency (GAO/NSIAD-99-3, Nov. 12, 1998) for a discussion of this program.

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.

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 \$0.5 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.

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