

**The Honorable Joseph I. Lieberman
The Honorable Thomas J. Ridge
Co-Chairs, Blue Ribbon Study Panel on Biodefense**

November 3, 2015

**Full Committee Hearing of the
House Committee on Homeland Security
"Defending Against Bioterrorism: How Vulnerable is America?"**

Statement for the Record

Chairman McCaul, Ranking Member Thompson, and Members of the Committee: Thank you for inviting us here to provide the perspective and recommendations of the bipartisan Blue Ribbon Study Panel on Biodefense. On behalf of our colleagues on the Panel – former Secretary Donna Shalala, former Senate Majority Leader Tom Daschle, former Representative Jim Greenwood, and former Homeland Security Advisor Ken Wainstein – we present the findings, concerns, and determined optimism of our group.

As you know, we both have addressed homeland security in various capacities for many years. Senator Lieberman served 24 years in the United States Senate, where he spent six years as Chairman of the Senate Committee on Homeland Security and Governmental Affairs. Governor Ridge was the Nation's first Secretary of Homeland Security and served six terms in the United States House of Representatives. Although we have left government, we remain committed to public service and concerned about the challenges our homeland faces. The biological threat is among our greatest concerns. We know that many have undertaken good work to address this threat, but that we have still not achieved what we potentially could in this regard.

The federal government and its public and private sector partners began strengthening national biodefense before the anthrax attacks of 2001 (fourteen years ago this month), they redoubled their efforts thereafter. As we are sure you recall, letters containing anthrax spores were sent to the Hart Senate Office building (shutting it down for three months) and elsewhere throughout the East Coast. Anthrax killed 5 Americans, sickened 17 more, reduced business productivity, and cost the Nation a great deal in terms of money, time, impact on government operations, and our sense of security.

Yet today, the United States is not taking the biological threat seriously enough and therefore, the Nation is not ready to deal with a biological event. Most recently, the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism (WMD Commission) raised the issue seven years ago, but others preceded them – the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction raised it ten years ago, the National Commission on Terrorist Attacks upon the United States raised it eleven years ago, and the U.S. Commission on National Security/21st Century raised fourteen years ago.

In 2008, Senators Bob Graham and Jim Talent presented the findings of the WMD Commission to the Senate. Senator Talent also testified to this Committee as to the seriousness of the biological threat in 2010 and again in 2011 as you considered legislation to implement the Commission's recommendations. They believed that by the end of 2013, it was more likely than not that terrorists would use a weapon of mass destruction in a terrorist attack. They were proven correct when Bashar al-Assad deployed chemical weapons on the Syrian people in 2013. Their grave concerns regarding the biological threat were also well founded and we should assume that they could come to fruition.

With this in mind, we began our work with the Panel by posing two questions: (1) is the United States still vulnerable to the same weaknesses in biodefense that Senators Graham and Talent found in 2008; and (2) what are we doing to heed their advice – and that of the esteemed panels before them – to take decisive action to strengthen our national biodefense?

Beginning last year, we held four public meetings to help answer these questions. At these meetings, we spoke with more than sixty experts, including current and former lawmakers and federal officials, local health department representatives, emergency service providers, academicians, business leaders, and thought leaders. Their input, along with significant additional research, enabled us to scrutinize the status of those activities deemed necessary for biodefense by both Republican and Democratic administrations, and many policy experts – prevention, deterrence, preparedness, detection, response, attribution, recovery, and mitigation.

Our efforts to examine national defense against intentionally introduced, accidentally released, and naturally occurring biological threats culminated in our bipartisan report, "A National Blueprint for Biodefense: Major Reform Needed to Optimize Efforts." We thank you for the opportunity to present our findings and recommendations and discuss them with you today.

We found both substantial achievements and serious gaps in our capacity to defend against major biological events, gaps that create vulnerabilities to the homeland. We also found that our preparedness is inversely proportional to how catastrophic consequences could be. We believe that the root cause of this vulnerability is the lack of strong centralized leadership at the highest level of government. No one person has the charge and authority to take the dozen departments and agencies responsible for some aspect of biodefense and from them create a cohesive, effective, and efficient whole. The last three Presidents appointed a Special Assistant or Czar at the White House to address the issue. While their roles were important and the individuals holding these positions achieved significant accomplishments, they lacked the fundamental jurisdictional and budgetary authorities necessary to drive public and private sector efforts.

The WMD Commission shared our concern about the lack of White House leadership and governance regarding biodefense. The absence of guidance and accountability

created by this lack of centralized leadership may have been the reason why the Commission's recommendations were not implemented effectively. These recommendations included reviewing the Select Agent Program, strengthening global disease surveillance, and enhancing national rapid response. Recent events, such as Ebola and U.S. laboratory biosafety and biosecurity incidents, demonstrate that these are still not functioning as well as they should.

There are those who believe that many issues are at least as important, complicated, and in need of a centrally led whole-of-nation effort, from cyber attacks to violent extremism. We believe, however, that biodefense is unique. Biodefense is one of the federal government's most important national defense functions, falling squarely within the purview of the federal government. Biodefense affects national security, homeland security, public health security, and economic security. As such, it requires a complex and highly sophisticated enterprise approach. More than a dozen departments and agencies must work in tandem toward a common endpoint, with an understanding of intermediate and end goals and the need to eliminate duplicative expenditures in this time of fiscal constraint. We need a driven leader with policy, political, and budget authority sufficient to achieve what has never been achieved before and establish needed harmony and priorities for biodefense.

Insufficient coordination, collaboration, and innovation result from this lack of centralized leadership. The efforts of well-intentioned departments and agencies to coordinate among themselves and address some aspects of biodefense have fallen short. An overarching leader at the White House must direct and harmonize these efforts, setting priorities, goals, and objectives for biodefense and holding members of the Executive Branch accountable for meeting them.

This leader must also take charge of intergovernmental collaborative efforts because biodefense depends on the substantial participation of state, local, territorial, and tribal governments and their non-governmental partners. They – not the federal government – will immediately feel and respond to biological events. The federal government must help them become more capable, allow them greater access, and provide them far more support than they are currently getting.

Biological threats are imminent, biological vulnerabilities have existed for too long, and the complexity of the threat requires equally complex solutions. As a result, biodefense is in urgent need of much greater focus on innovation. The risk aversion generally demonstrated by the government is often prudent, but in biodefense, it inhibits the entrepreneurial thinking and technological improvements we need for radical, effective solutions.

Sufficient coordination, collaboration, and innovation in biodefense will improve the security of the American people. With effective and efficient biodefense, for example, we would have hospitals able to handle diseases like Ebola, city governments able to dispense medical countermeasures to their populations, and industry able to solve our greatest challenges in biodetection.

The 33 recommendations and more than 100 short-, medium-, and long-term programmatic, legislative, and policy actions in our report can improve our Nation's ability to prevent, deter, prepare for, detect, respond to, attribute, recovery from, and mitigate biological events. Collectively, they serve as a blueprint for biodefense. While we believe they are all important, our most important recommendations address leadership, biodefense strategy, biosurveillance, and medical countermeasures.

1. **Leadership:** First and foremost, we recommend the instatement of a leader at the highest level of government who recognizes the severity of the biological threat and possesses the authority and political will to defend against it. This top-level leader should be the Vice President of the United States. The Vice President can act on behalf of the President when instilled with presidential imprimatur and given authority as the President's proxy. The primary goal of centralizing leadership is to place coordination and oversight responsibility in a location that will have sufficient jurisdictional and budget authority regardless of personalities or party in power, and with a person in a position with the ability to make executive decisions. The Vice President possesses these attributes. By establishing and leading a Biodefense Coordination Council, the Vice President can also drive a federal and non-federal coalition toward solutions.
2. **Biodefense Strategy:** Solutions depend on a well-considered comprehensive strategy. The Vice President's top priority must be to develop the National Biodefense Strategy of the United States of America. This strategy should address all organizations with responsibilities for biodefense and harmonize their efforts, as well as define the Executive Branch organizational structures and requirements, modernization and realignment plans, and resource requirements necessary for implementation. The White House staff must collate existing strategies and plans, identify requirements within extant policies, assess spending history and value, and then draft a comprehensive strategy. With this strategy, policymakers will be able to assess where we are falling short of meeting the goals and objectives included therein and the President and the Congress will be able to determine where best to allocate resources. We strongly recommend that the President implement a unified biodefense budget for this purpose.
3. **Biosurveillance:** Improving our capacity for rapid detection of dispersed or circulating biological agents is one of the most important actions we can take to protect ourselves. The Department of Homeland Security (DHS) has made early detection a key goal of its biodefense efforts since the Department was established. Some limited progress has been made with the fielding of BioWatch detectors in high-risk jurisdictions around the country and the collection and integration of biosurveillance data by the National Biosurveillance Integration System. Unfortunately, we are still not reliably capable of the kind of rapid detection of the spectrum of biological threat agents envisioned a decade ago. We have two choices: either we make existing biodetection and biosurveillance programs work, or we replace them with solutions that do. We believe that the

many departments and agencies which must coordinate with DHS on detection and biosurveillance will only do so if someone above the level of the White House staff forces the issue.

4. **Medical Countermeasures (MCM):** According to Senator Talent, the development of MCM should be a high priority for policymakers because it is clear that success can be achieved in this specific area. We can surmount the technological and resource challenges to taking threats off the table with MCM. Industry is abounding with innovative ideas. We must reduce bureaucratic hurdles at the Department of Health and Human Services and increase efforts to incentivize and fund what is still a growing MCM industry for biodefense. Returning contracting authority to the Director of the Biomedical Advanced Research and Development Authority and convening industry partners to help determine which incentives will be most effective.

5. **One Health:** Animal health and environmental health are equal to human health. This approach, known as One Health, is the glue that will cohere these efforts. Zoonoses comprise the vast majority of emerging infectious disease threats faced by humans. They are also the pathogens the intelligence community is most concerned about terrorists acquiring. Zoonotic diseases interact with their environments and move between animals and people. Ebola, for example, came to humans through animals and avian influenza spread from wild birds through their environment to reach farm animals. Clearly, we were not and still are not prepared to deal with the impact of this type of disease. The DHS National Bio- and Agro-Defense Facility will provide an important laboratory capacity. Nevertheless, we must also prioritize, properly guide and fund, and fully integrate Department of Agriculture, Department of the Interior, and state level animal infectious disease surveillance, as well as state, local, territorial, and tribal planning and surveillance for zoonoses, into all biodefense efforts.

While we only described a few of our recommendations here, we submit that all thirty-three recommendations are necessary. Our other recommendations, including those to enhance intelligence collection, protect pathogen data from cyber threats, overhaul the Select Agent Program, support hospital preparedness and public health preparedness grants, and lead international efforts in public health response and biological weapons diplomacy, will lead us to a position of much greater strength.

We know that the Committee has a particular interest in DHS. You will find that in addition to biosurveillance, we recommend changes in other areas. For instance, we believe that the Federal Emergency Management Agency needs a more prominent seat at the table in discussions on how to remediate communities after a biological disaster. We believe that the Office of Intelligence and Analysis has an important role to play in information sharing with fusion centers and our state and local partners. We also submit that the Department's role in providing bioforensics services to federal partners needs to shift rather dramatically, and that the forensics laboratory that does this work should have been established at the FBI, rather than at DHS, from the beginning.

If executed efficiently, effectively, and in concert, we can advance our national defense against biological threats by implementing these recommendations.

Congress plays an extremely important role in conducting oversight and providing authorities regarding all of these recommendations. We provide a number of recommendations to amend legislation and coordinate congressional oversight. We hope you and your colleagues on other committees and in the House will consider the extensive list of suggested topics in need of oversight also contained in our report. We offer that our recommendations for a comprehensive strategy and unified budget will enable this oversight and allow Congress much greater transparency into the successes and continued challenges within the Executive Branch.

As we close, we ask you to keep in mind the concerns of our citizenry. Ebola came to the United States and claimed lives here and abroad. Chikungunya is beginning to encroach upon Puerto Rico and the U.S. Virgin Islands, and sick travelers from abroad have presented throughout the mainland. Americans are wondering why we still do not have vaccines or treatments for these diseases. The Islamic State of Iraq and the Levant used chemical weapons in the Middle East earlier this year, and the public is worried about the proximity of our troops. Television shows and movies feature diseases and their devastating effects on society, and they know many aspects of those scenarios are realistic. They understand and are close to this issue. They want us to do something about it, before terrorists use biological weapons, laboratories release more agents accidentally, or new diseases emerge.

The biological threat is already out there. It is too late to get ahead of it, but we can still reduce our vulnerabilities and get ahead of its impact.

The Committee on Homeland Security has been one of the most active House committees on this issue. We recognize that with the introduction of authorizing legislation, you have attempted to resolve capability gaps. The Committee has, in many ways, provided substantial oversight to try to ensure that those DHS elements responsible for biodefense run efficiently and in a fiscally responsible manner, and that other agencies coordinate with them. We strongly encourage your continued work in this area and look forward to working with you to strengthen national biodefense.

Thank you again for this opportunity to provide our perspective. We would also like to thank our institutional sponsors (Hudson Institute and the Inter-University Center for Terrorism Studies at Potomac Institute for Policy Studies) and all of the organizations that provided financial and other support to our efforts.

Please see our bipartisan report, “A National Blueprint for Biodefense: Major Reform Needed to Optimize Efforts” for our 33 recommendations and associated action items.

Recommendations of the Blue Ribbon Study Panel for Biodefense:

1. Institutionalize biodefense in the Office of the Vice President of the United States.
2. Establish a Biodefense Coordination Council at the White House, led by the Vice President.
3. Develop, implement, and update a comprehensive national biodefense strategy.
4. Unify biodefense budgeting.
5. Determine and establish a clear congressional agenda to ensure national biodefense.
6. Improve management of the biological intelligence enterprise.
7. Integrate animal health and One Health approaches into biodefense strategies.
8. Prioritize and align investments in medical countermeasures among all federal stakeholders.
9. Better support and inform decisions based on biological attribution.
10. Establish a national environmental decontamination and remediation capacity.
11. Implement an integrated national biosurveillance capability.
12. Empower non-federal entities to be equal biosurveillance partners.
13. Optimize the National Biosurveillance Integration System.
14. Improve surveillance of and planning for animal and zoonotic outbreaks.
15. Provide emergency service providers with the resources they need to keep themselves and their families safe.
16. Redouble efforts to share information with state, local, territorial, and tribal partners.
17. Fund the Public Health Emergency Preparedness cooperative agreement at no less than authorized levels.
18. Establish and utilize a standard process to develop and issue clinical infection control guidance for biological events.
19. Minimize redirection of Hospital Preparedness Program funds.
20. Provide the financial incentives hospitals need to prepare for biological events.
21. Establish a biodefense hospital system.
22. Develop and implement a Medical Countermeasure Response Framework.
23. Allow for forward deployment of Strategic National Stockpile assets.
24. Harden pathogen and advanced biotechnology information from cyber attacks.
25. Renew U.S. leadership of the Biological and Toxin Weapons Convention.
26. Implement military-civilian collaboration for biodefense.
27. Prioritize innovation over incrementalism in medical countermeasure development.
28. Fully prioritize, fund, and incentivize the medical countermeasure enterprise.
29. Reform Biomedical Advanced Research and Development Authority contracting.
30. Incentivize development of rapid point-of-care diagnostics.
31. Develop a 21st Century-worthy environmental detection system.
32. Review and overhaul the Select Agent Program.
33. Lead the way toward establishing a functional and agile global public health response apparatus.

