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August 7, 2007

DENNIS B. FITZGIBBONS, CHIEF OF STAFF
GREGG A. ROTHSCHILD, CHIEF COUNSEL

The Honorable Michael Chertoff
Secretary
U.S. Department of Homeland Security
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20229

Dear Secretary Chertoff:

The Committee on Energy and Commerce and its Subcommittee on Oversight and Investigations are investigating the management, operation, and activities of the Department of Homeland Security's (DHS) National Biosurveillance Integration System (NBIS). The Committee has jurisdiction over interstate and foreign commerce generally, public health and quarantine, biomedical programs and health protection in general, food safety, drug safety, environmental protection, and the homeland security-related aspects of the foregoing.

We view biosurveillance to be a matter of great importance to our country, as we know you do. The purpose of our investigation is to assess the adequacy of DHS's current biosurveillance efforts, the extent to which biosurveillance systems have been integrated thus far, and whether biosurveillance resources are being effectively used.

Unfortunately, in a briefing provided to Committee staff on May 4, 2007, the Acting Director of NBIS, Mr. Kimothy Smith, refused to answer certain questions regarding the contract support for NBIS. In addition, documents promised in the course of the briefing have yet to be delivered. We, therefore, find it necessary to broaden our inquiry to gain a full understanding of the relevant issues.

To aid in our investigation, please provide the following information and records:

1. Homeland Security Presidential Directives 10 (HSPD-10) directs the Secretary of Homeland Security to establish a National Biosurveillance Group (NBSG) to collate, integrate, analyze, and disseminate biosurveillance information in accordance with the

requirements of HSPD-9 and HSPD-10. When was the NBSG created and who are its members?

2. In the course of the May 4 staff briefing, the NBIS Acting Director stated that the creation of NBIS was proposed in a study performed by Science Applications International Corporation (SAIC). Please provide a copy of the SAIC study.
3. According to the Acting Director, following adoption of the NBIS concept, DHS solicited proposals for creation and operation of NBIS. SAIC then won the competition for the contract. With regard to the contract, please provide the following:
 - a. A copy of the Request for Proposal (RFP) (or similar document, if an RFP *per se* was not issued);
 - b. Copies of all proposals received in response to the RFP;
 - c. Copies of any comparative analysis that was done in the course of evaluating and selecting the final contractor;
 - d. A copy of the final contract, including all subsequent amendments to the contract, including the list of deliverables and due dates;
 - e. Copies of all invoices received from SAIC since it began work on the contract;
 - f. Copies of all deliverables provided by SAIC up to the date of this request;
 - g. Copies of all status reports, briefings, or other materials related to this contract provided by SAIC, up to the date of this request;
 - h. Names of any subcontractors or other entities, if any, that may be performing work under the contract; and
 - i. A list of all disbursements made under this contract, indicating the amount, date, payee, and the person authorizing the disbursement.
4. On what date was the NBIS established?
5. Please provide copies of the budgets for NBIS for fiscal years 2006 through 2008.
6. Please provide an organizational chart indicating the location of NBIS within DHS, and an organizational chart for NBIS, showing all subdivisions and the names of the managers of each subdivision.

7. Who is the current director of NBIS? As of May 4, 2007, a permanent director had not yet been appointed. If that is still the case, when do you anticipate a permanent director will be appointed?
8. Please provide a list of all NBIS managers at the GS-15 level or above, indicating their names, positions, and grades, and indicate which, if any, are employees of DHS or other entities.
9. How many full-time equivalents are permanently assigned to NBIS? Please list the number of employees assigned full time to the NBIS by office, occupation, and pay grade, as of July 31, 2007.
10. When is NBIS scheduled to be fully operational?
11. Please provide a timeline showing major milestones in the creation of NBIS, both past and future, from the time of inception to the time NBIS is scheduled to be fully operational.
12. A functioning NBIS will require the cooperation and participation of numerous Federal agencies. Please identify all such agencies.
13. The participation of Federal agencies and other entities generally requires the execution of a memorandum of understanding (MOU) setting forth the functions, responsibilities, and commitments of the parties. How many MOUs have been signed with other agencies or entities? Please provide copies of all such MOUs.
14. What agencies or other entities are currently providing timely information and analysis through NBIS on a regular basis? Please list the dates on which such agencies or other entities began to regularly provide such information and analysis.
15. A fully functional NBIS will require an information technology (IT) system to enable the integration, analysis, and dissemination of information and analysis among numerous agencies and other entities. What steps have been taken to create such an IT system? What will such system cost and when will it be fully operational?

Please deliver the requested information and records to the Subcommittee on Oversight and Investigations, room 316 Ford House Office Building, no later than the close of business on Friday, August 24, 2007.

The Honorable Michael Chertoff
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If you have any questions regarding this request, please contact us or have your staff contact John Arlington with Committee staff, at (202) 226-2424.

Sincerely,



John D. Dingell
Chairman



Bart Stupak
Chairman
Subcommittee on Oversight and Investigations

cc: The Honorable Joe Barton, Ranking Member
Committee on Energy and Commerce

The Honorable Ed Whitfield, Ranking Member
Subcommittee on Oversight and Investigations