

**STATEMENT OF SENATOR JON KYL
CHAIRMAN
SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY
SENATE JUDICIARY COMMITTEE**

“TERRORISM: EMERGENCY PREPAREDNESS”

26 OCTOBER 2005

Overview

Hurricane Katrina exposed the weakness of our nation’s emergency preparedness. As reported in an October 20 *Washington Post* article, Homeland Security Secretary Michael Chertoff “acknowledged that Hurricane Katrina ‘overwhelmed’ FEMA, exposing major flaws in the nation’s preparations for terrorism and natural disasters. [Secretary] Chertoff vowed to ‘re-engineer’ U.S. preparedness . . . ”¹

We have learned a lot in the weeks since Hurricane Katrina. Today, the subcommittee will focus on the question of whether we are prepared for a possible terrorist attack involving problems similar to those caused by the natural disaster on the Gulf Coast. A moderately sophisticated terrorist attack could easily replicate the type and amount of damage caused by this natural disaster. And the response would be even more difficult to coordinate because we would have little or no warning about the type of attack, or when, or where it would occur.

¹ Spencer S. Hsu, *Chertoff Vows to “Re-Engineer” Preparedness*, WASH. POST, Oct. 20, 2005, at A2. *See also* Spencer S. Hsu, *Bush Advisor Acknowledges Lack of Preparation for Katrina*, WASH. POST, Oct. 22, 2005, at A7 (“White House homeland security advisor Frances Fragos Townsend acknowledged yesterday that the government failed to prepare adequately for the consequences of Hurricane Katrina, noting studies of New Orleans’s vulnerability to flooding and lessons from flawed U.S. responses to past natural and terrorist disasters”).

The objective of the hearing is to gain a better understanding of

- (1) The types of terrorist attacks that could still take place, specifically those that could have an impact similar to Hurricane Katrina's;
- (2) The key success factors in planning for and responding to an attack;
- (3) The emergency preparations of the federal government and how it should work with state and local authorities to respond effectively; and
- (4) Any existing shortfalls that need attention by local, state, and federal authorities to improve readiness.

The Subcommittee on Terrorism, Technology, and Homeland Security has held numerous hearings about terrorist attacks, such as attacks against seaports,² attacks with biological weapons,³ and attacks against critical information infrastructure.⁴ Earlier this year, the Subcommittee held a hearing on the potentially devastating impact of an electromagnetic pulse explosion.⁵ Today, the Subcommittee will examine what should be done to achieve an immediate, effective, and successful response to terrorist attacks.

² *Covering the Waterfront: A Review of Seaport Security Since September 11, 2001: Hearing Before the Subcomm. on Terrorism, Technology, and Homeland Security of the Senate Comm. on the Judiciary*, 108th Cong., 2nd Sess. (Jan. 27, 2004).

³ *Rapid Bio-terrorism Detection and Response: Hearing Before the Subcomm. on Terrorism, Technology, and Homeland Security of the Senate Comm. on the Judiciary*, 108th Cong., 2nd Sess., (May 11, 2004).

⁴ *Virtual Threat, Real Terror: Cyberterrorism in the 21st Century: Hearing Before the Subcomm. on Terrorism, Technology, and Homeland Security of the Senate Comm. on the Judiciary*, 108th Cong., 2nd Sess. (Feb. 24, 2004).

⁵ *Terrorism and the EMP Threat to Homeland Security: Hearing Before the Subcomm. on Terrorism, Technology, and Homeland Security of the Senate Comm. on the Judiciary*, 109th Cong., 1st Sess. (Mar. 8, 2005) (examining Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack, *Report of the Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack*, prepared 2004, pursuant to Pub. L. No. 106-398, Title XIV (Oct. 30, 2000)). See also Jon Kyl, *Unready for this Attack*, WASH. POST, Apr. 16, 2005, at A19 and *One Way We Could Lose the War on Terror* and Jon Kyl, WKLY. COLUMN (Mar. 14, 2005), at <http://www.kyl.senate.gov/record.cfm?id=233434>.

Witnesses

The subcommittee will hear from five expert witnesses: one former Senator and member of the 9/11 Commission, a private sector expert, two state officials from California, and a scholar from the Brookings Institution. Senator Feinstein will introduce the two California witnesses in her opening statement; I will introduce the other members of our panel.

Slade Gorton

Senator Gorton has served in public office for four decades — 18 of those years in the U.S. Senate. Late in 2002, then-Majority Leader Trent Lott appointed him to the National Commission on Terrorist Attacks Upon the United States, where he served with distinction and played a prominent role in formulating the final report. He will testify to the Commission's findings and warnings about preparedness for terrorist attacks.

Wayne Thomas

Wayne Thomas is Vice-President of Homeland Security for Innovative Emergency Management (IEM), a Louisiana-based private corporation focused on improving emergency preparedness at federal, state, and local levels. IEM has particular experience planning for responses to natural disasters and attacks involving weapons of mass destruction. Founded in 1985, IEM has worked with federal organizations such as the Office of Domestic Preparedness, the Federal Emergency Management Agency, and the Department of Defense, as well as state and local emergency management agencies in more than 25 states. Before joining IEM, Mr. Thomas was Administrator of the Chemical Demilitarization Program for the Oregon Department of Environmental Quality (DEQ).

Michael O'Hanlon

Michael O'Hanlon, a senior fellow at the Brookings Institution formerly worked at the Congressional Budget Office. He specializes in defense issues, leads the work on Brookings' Iraq index, and has served as team leader on two Brookings studies on homeland security in the last three years. The latest Brookings study on homeland security is expected to be published in early 2006. Dr. O'Hanlon received a Ph.D. in Public and International Affairs from Princeton University. He is also a visiting lecturer at the Woodrow Wilson School at Princeton University.

One final note about the witnesses at today's hearing. I would like to point out that I invited officials from the Departments of Homeland Security and Defense to testify. A witness from DOD was prepared to testify, but DHS, the agency charged with leading the response in the wake of an attack, informed me that FEMA was too busy to send a witness and that no other witness could be made available. DOD would not send a witness if a DHS witness was not going to testify. It is highly regrettable that these witnesses are unable to attend today; I look forward to hearing from DHS and DOD in the future.

Conclusion

The United States must be prepared to respond to a terrorist attack. Hurricane Katrina exposed the weaknesses in our nation's emergency preparedness. We must determine whether similar problems could occur with a terrorist attack.

I would like to thank Senator Feinstein for her hard work in putting together this hearing. We have always had an excellent working relationship; I look forward to examining this issue with her.