

STATEMENT OF RANKING MEMBER LAURA RICHARDSON OPENING STATEMENT

Subcommittees on Emergency Preparedness, Response, and Communications
And Cybersecurity, Infrastructure Protection, and Security Technologies

“BioWatch Present and Future: Meeting Mission Needs for Effective Biosurveillance?”

Thursday, September 13, 2012 at 2:00 PM

As ranking Member of the Subcommittee on Emergency Preparedness, Response, and Communications, I am committed to ensuring that money allocated to make our communities safer and mitigate the devastation that follows a major incident is carefully targeted to develop the best solutions to pressing capability gaps.

We must ask whether it is necessary to invest unproven technologies when simple and cost-effective solutions will do.

This is a question that must be asked about the BioWatch Gen-3 program.

In March 2008, DHS advanced its Integrated Planning Guidance for FY 2010-2014, which included specific criteria for generation of BioWatch – even though the Department had never engaged in the process of identifying the capability gap and determining whether addressing it is worth the cost.

By failing to engage in a deliberative review of the risk of a aerosolized biological attack and the costs and benefits associated with acquisition before establishing specific goals for the program, the March 2008 Integrated Planning Guidance initiated an acquisition process seems to run on its own momentum—like a snowball down a hill.

One of the trends that I find most troubling about the findings in GAO’s report is that, at every level of review, it appears to have been a foregone conclusion that automated biodetection was the only way to make BioWatch technology cheaper and faster.

The momentum of this acquisition process appears to have been driven by individuals wedded to the concept of deploying an automated biodetection system, regardless of the increasing cost, the questionable benefits, and repeated delays.

At this point, I have to wonder if the \$104 million we have spent investing in developing Gen-3 would have been better spent providing grants to State and local governments that would have invested in viable and locally based solutions.

Quite frankly, it seems that in 2003, a decision was made that acquisition of automated biodetection was an inevitability.

It is unfortunate that we do not know who made those decisions or why. A faulty procurement process seldom leaves usable records.

Steps in the acquisition process designed to inject thought and analysis into the process were completed in a cursory manner to speed the process along.

Although I am pleased that the Department has agreed to partially adopt the GAO’s recommendations to reevaluate the mission need and alternatives and update the associated cost and schedule information, I am disturbed that this will occur while Gen-3 is in the performance testing phase.

I am concerned that simultaneously conducting an Analysis of Alternatives while performance testing will allow payment for a product that the government may never use.

I am worried that we will waste money on performance testing a technology that may not address our current biosurveillance gaps.

Finally, I am concerned that performance testing sets the stage for a predetermined outcome.

The concerns raised by the stories in the *Los Angeles Times* this summer and the GAO report released yesterday mark an important opportunity to stop and reevaluate Gen-3 and assess where BioWatch fits into our Federal biosurveillance efforts.

For almost a decade, many have bought into the concept of BioWatch because of fear of an aerosolized biological attack.

In 2010, the National Academy of Sciences testified before Congress and observed that the existing BioWatch technologies would only detect a aerosol attack under very limited and narrow circumstances.

Moreover, as the *Los Angeles Times* observed, there have been 56 Biowatch actionable alerts since the program's inception.

But no jurisdiction has ever initiated the distribution of countermeasures as a result.

Although I understand that the BioWatch Program Office has improved its guidance and outreach to States and local governments on how to respond to a BioWatch Actionable Result, nearly one billion dollars later, I have to wonder if it is necessary.