

Opening Statement of Ranking Member Donald M. Payne, Jr. (D-NJ)

**“BioWatch: Lessons Learned and the Path Forward”**

Subcommittee on Emergency Preparedness, Response, and Communications

June 10, 2014

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The Department of Homeland Security’s decision to cancel the BioWatch Gen-3 acquisition raises several questions, but I think that they can be boiled down to two. First, if Gen-3 is canceled, what are we going to do instead? Second, with about \$100 million already appropriated to the cancelled Gen-3 acquisition, what efforts is DHS undertaking to make sure that acquisition decisions are made more responsibly in the future?

To the first question, I understand that current budgetary constraints contributed significantly to the Department’s decision to cancel the Gen-3 acquisition. I appreciate DHS’ efforts to reconcile the findings of the Analysis of Alternatives, bio-detection goals, and existing fiscal limitations. And I trust that the Secretary’s decision – though difficult – was informed, thoughtful, and deliberate.

But the threat posed by biological weapons remains. In February, this Subcommittee held a hearing on bio-terrorism. Each witness had the same message: the threat posed by biological weapons still exists and the consequences of such an attack would be devastating if we cannot identify it quickly and respond.

Accordingly, I will be interested to know what how DHS will ensure that it is maximizing limited resources to ensure that our bio-detection and surveillance capabilities address the threats identified by the intelligence community.

Turning to the broader acquisition issue, I note that in addition to serving as Ranking Member on this panel, I sit on the Subcommittee on Oversight and Management Efficiency. Over the past year and a half, that panel has devoted a significant amount of time to overseeing DHS’ efforts to improve acquisition management, which has been on the Government Accountability Office’s High Risk List since 2005. Although I understand that some progress has been made to get acquisition management off the High Risk List, it continues to remain a challenge.

Indeed, the acquisition process for BioWatch Gen-3 embodied many of the problems that plagued previous acquisitions: cost overruns, delayed deployment, and insufficient documentation to support the investment. I commend DHS for obtaining a thorough Analysis of Alternatives and other preliminary acquisition documents and for using those documents to inform the future of Gen-3.

That said, I am concerned that those foundational documents were not completed until nearly seven years after the BioWatch Gen-3 acquisition process began. I will be interested to learn from the Department how it will use the lessons learned from the BioWatch Gen-3 acquisition to strengthen its acquisition policies.