

SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING THREATS,
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Statement of Rep. Christopher Shays March 10, 2003

The attacks of September 11, 2001 should have seared this hard truth into our national consciousness: Security is not a state of rest. It is not a static measure. Sanctuary from the terrors of the 21st century demands a new level of vigilance to protect the public from known and emerging threats.

Heightened awareness of new threats, and proactive countermeasures, are particularly imperative to protect critical infrastructure facilities, fixed assets of enormous importance to national economic and social well-being. Of those, civilian nuclear power plants stand as highly attractive targets of terrorism.

Today we ask if federal regulators are demanding the physical security and preparedness enhancements needed to protect public health and safety from nuclear terrorism.

Recent reports suggest the answer may be no. Although specific to the Indian Point reactor complex in Buchanan, New York, observations by the General Accounting Office (GAO) and a private security firm point to systemic weaknesses in nuclear incident response planning that have implications for every community within fifty miles of any of the nation's 64 active reactor sites.

A release of radiation caused by terrorists is a unique event, one that requires acknowledgement of the distinct factors and fears that will define the public response to such an incident. Yet the Chairman of the Nuclear Regulatory Commission recently wrote, "Necessary protective actions and offsite response are not predicated on the cause of events."

I disagree. That view overstates the reach of an "all hazards" approach to first responder capabilities, and ignores the obvious need to accommodate unique causal elements in any effective response scenario. Just as flooded roads will alter an evacuation strategy, transportation routes flooded by the spontaneous evacuation of frightened families will impede response to an attack on a nuclear plant.

One dangerous element not predicated on the cause of an incident, but certainly capable of compounding the negative effects, is poor communication between federal, state and local officials. County, city and town leaders wait at the far end of a dysfunctional daisy chain of confusing directives from the Federal Emergency Management Agency (FEMA), the NRC, and plant operators. In the event of a terrorist attack on a reactor, accurate, timely information will be local officials' most potent weapon against the panic and over reaction that terrorists hope will drive property damage and loss of life. Emergency response plans and exercises have to include more accurate, more direct communication to local officials and the public.

It is telling no nuclear plant license has ever been suspended or revoked due solely to weaknesses in emergency response and evacuation planning. Deficiencies can linger for years. Compliance with critical incident response and evacuation planning has been allowed to become a static, bureaucratic exercise. That has to change.

If the planning requirement is to be real, not just cosmetic, reasonable assurance a plan protects public health and safety cannot be achieved through paperwork alone. It must be gained through robust exercises and measurable outcomes for which operators are held closely accountable.

We appreciate the testimony of all our witnesses today as we continue our examination of terrorism and the protection of critical infrastructure from new threats.