



United States Senate
Committee on Homeland Security and Governmental Affairs
Senator Susan M. Collins, Chairman

Opening Statement
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Chairman, Committee on Homeland Security and Governmental Affairs

“Chemical Attack on America: How Vulnerable Are We?”
Wednesday, April 27, 2005

This morning, the Committee begins a series of hearings on the security of our chemical industry and its vulnerability to terrorist attack.

Our ultimate goal is to determine whether the risk of a terrorist attack on the chemical industry warrants a legislative solution, and, if so, what that solution should be.

One of the most sobering lessons of September 11th was that terrorists will use the productive tools of our society against us as weapons. There were more than 5,000 commercial airliners ready to fly American skies that day. The terrorists only had to commandeer four to use as missiles to murder 3,000 people.

The threat of a chemical attack takes two basic forms: one, causing a harmful release of chemicals from a facility, and second, the theft of chemicals from a facility for use at another time and place. According to a recent report by the Congressional Research Service, during the 1990s both international and domestic terrorists attempted many times to cause the release of chemicals from manufacturing or storage facilities.

There is evidence that the second approach has been attempted as well. One of the 1993 World Trade Center bombers, Nidal Ayyad, was employed as a chemical engineer. He used company stationery to order the chemical ingredients to make the bomb. In addition, testimony at the bombers’ trial indicated that they had successfully stolen cyanide from a chemical facility and were planning to introduce it into the ventilation systems of office buildings.

There are at least 15,000 facilities across the country that use, manufacture, or store large quantities of extremely hazardous chemicals. To us, these facilities are vital parts of our economy that create jobs and improve lives. To our enemies, they are weapons waiting to be used against an unsuspecting population. And, like the airliners of September 11th, it would only take a few, or even one, to cause a horrifying loss of life and enormous economic harm.

The potential of productive chemicals to cause terrible harm was made clear in the early morning hours of December 3rd, 1984, in Bhopal, India. The improper filling of a water tank at a plant that made pesticides led to the release of a cloud of poisonous gas – a cyanide compound – that drifted across that city of some 850,000 people. Within a few hours, thousands were dead, and hundreds of thousands sickened.

On another historical note, it was 90 years ago this month – April 22nd, 1915, to be precise – that the first major chemical attacks were launched in World War I. The chemicals that caused so much death and horror on the battlefields of the Western Front were not the bizarre concoctions of diabolical scientists, but useful tools of industry, such as chlorine and phosgene. The compound that formed mustard gas, the most dreaded chemical weapon of all, was being investigated elsewhere as a treatment for cancer.

But we do not have to travel nearly a century back in time to see that terrorists have used chemicals as weapons. We know that Saddam Hussein used chemical weapons against both Iran and his own people. It also has been reported that chemical trade publications have been found in al Qaeda hideouts.

The Department of Homeland Security is assessing the potential for worst-case scenarios involving the release of hazardous chemicals in the United States. The findings thus far are alarming. The Department has identified 297 chemical facilities where a toxic release could potentially affect 50,000 or more people. The EPA numbers are even more alarming. Nothing will ever diminish the loss we experienced on September 11th, but the loss from a chemical attack could be even greater, both in terms of the loss of life and the economic impact.

A study released last month by the Government Accountability Office details the many challenges that remain in protecting our chemical infrastructure. The GAO found that there is no comprehensive federal approach to chemical facility security. Federal regulations have been enacted to help prevent and mitigate the accidental release of hazardous chemicals, but these were not designed to secure facilities against a terrorist attack. Hazardous chemicals raise important environmental safety issues, but it is time we recognize our obligation to address the security implications as well.

Today, we begin to lay the foundation for a national strategy addressing chemical security. In addition to describing what should be done to better protect our chemical industry from terrorism, our expert witnesses today will provide valuable insight into how it should be done.

Earlier this month, I accompanied Senator Lieberman as an observer of the TOPOFF 3 terrorism exercise in Connecticut. This test of our counterterrorism and emergency-response capabilities simulated a chemical attack at a waterfront festival in New London, while a simultaneous biological attack was mounted in New Jersey.

It was an enlightening and alarming experience. The attack itself was decidedly low-tech and low-cost – a car bomb detonated at the fairgrounds parking garage, spewing deadly chemicals, likely stolen or fraudulently obtained, over fairgoers. Had it been a real attack, there would have been hundreds dead and thousands sickened, the New London waterfront would be contaminated, and the economy of the entire region would be devastated.

The first responders who rushed to the scene of this brutal attack were tenacious in their efforts to aid the victims. Our efforts to prevent such an attack must be the same.