

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 979

To require the Secretary of the Army to submit to Congress a report regarding the management of the Chemical Stockpile Emergency Preparedness Program and to require that additional emergency warning sirens be provided for communities near chemical stockpile sites.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 1995

Mr. BROWDER (for himself and Mr. HANSEN) introduced the following bill;  
which was referred to the Committee on National Security

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## A BILL

To require the Secretary of the Army to submit to Congress a report regarding the management of the Chemical Stockpile Emergency Preparedness Program and to require that additional emergency warning sirens be provided for communities near chemical stockpile sites.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. FINDINGS.**

4       (a) FINDINGS.—Congress makes the following find-  
5       ings:

6               (1) In section 1412 of the Department of De-  
7       fense Authorization Act, 1986 (Public Law 99–145;

1 50 U.S.C. 1521), Congress required the Secretary of  
2 Defense to carry out the destruction of the United  
3 States stockpile of lethal chemical agents and muni-  
4 tions. In subsection (c)(1)(A) of that section, Con-  
5 gress required that the Secretary, in carrying out  
6 the stockpile elimination, provide for maximum pro-  
7 tection for the environment, the general public, and  
8 the personnel involved in the destruction of lethal  
9 chemical agents and munitions.

10 (2) In order to carry out the statutory require-  
11 ment to provide maximum protection for the general  
12 public while carrying out the destruction of the  
13 chemical munitions stockpile, the Secretary of the  
14 Army, as executive agent for the chemical munitions  
15 stockpile destruction program, established the Chem-  
16 ical Stockpile Emergency Preparedness Program  
17 (CSEPP) to enhance the capabilities of local com-  
18 munities to respond to an emergency arising from a  
19 chemical munitions stockpile site. In furtherance of  
20 that emergency preparedness program, the Secretary  
21 entered into an agreement with the Federal Emer-  
22 gency Management Agency to provide Federal emer-  
23 gency response funds and assistance to State and  
24 local emergency management agencies for the pur-  
25 pose of that program.

1           (3) The Comptroller General of the United  
2 States, in a report to Congress in February 1994  
3 entitled “Chemical Weapons Stockpile: Army’s  
4 Emergency Preparedness Program Has Been Slow  
5 To Achieve Results” (GAO NSIAD-94-91), re-  
6 ported the following:

7           (A) Although the Army has worked for five  
8 years and spent about \$200,000,000, commu-  
9 nities near chemical weapons storage sites are  
10 not yet prepared to respond to a chemical emer-  
11 gency.

12           (B) The Chemical Stockpile Emergency  
13 Preparedness Program has experienced delays  
14 in acquiring and installing essential equipment,  
15 such as warning sirens and automated systems.

16           (C) Although planning documents for the  
17 Chemical Stockpile Emergency Preparedness  
18 Program identify requirements for installation  
19 of warning sirens to alert surrounding commu-  
20 nities, for tone alert radios to provide instruc-  
21 tions on what protective actions to take, for  
22 computer automation to help local officials plan  
23 for evacuations, and for sheltering-in-place for  
24 persons who, because of their proximity to the  
25 chemical weapons storage site, would not have

1 time to evacuate, the communities involved do  
2 not yet have the equipment needed to perform  
3 these tasks.

4 (D) Weaknesses in program management  
5 have contributed to program delays.

6 (E) Officials in many of the States and  
7 counties visited by investigators of the General  
8 Accounting Office for purposes of the Comptrol-  
9 ler General's report said that, because of the  
10 lack of guidance and standards, they are unable  
11 to complete their emergency response plans.

12 (F) Delays in acquiring and installing  
13 warning sirens and tone alert radios have oc-  
14 curred for several reasons, including disputes  
15 between some counties and the State or the  
16 Federal Emergency Management Agency over  
17 the numbers and placement of the sirens.

18 (G) Although the Federal Emergency Man-  
19 agement Agency has administered nearly 70  
20 percent of funds allocated for the Chemical  
21 Stockpile Emergency Preparedness Program—  
22 \$130,000,000 out of a total of \$200,000,000—  
23 it could not accurately account for how those  
24 funds were spent.

1 (b) CONCLUSION.—In light of the findings in sub-  
2 section (a), Congress is greatly concerned that the funds  
3 being provided for the Chemical Stockpile Emergency Pre-  
4 paredness Program are not being allocated to provide the  
5 maximum protection for the general public as required by  
6 section 1512(c)(1)(A) of Public Law 99–145.

7 **SEC. 2. REPORT ON EXPENDITURES.**

8 (a) REPORT REQUIREMENT.—Not later than 60 days  
9 after the date of the enactment of this Act, the Secretary  
10 of the Army shall submit to the Committee on National  
11 Security of the House of Representatives and the Commit-  
12 tee on Armed Services of the Senate a report on expendi-  
13 tures for the Chemical Stockpile Emergency Preparedness  
14 Program since 1986.

15 (b) ACCOUNTING REQUIREMENT.—The report shall  
16 contain a detailed accounting of all expenditures related  
17 to the Chemical Stockpile Emergency Preparedness Pro-  
18 gram, shown by expenditures for administration, person-  
19 nel (including those on the State and local level), travel,  
20 contract work, communications, automation, alert and no-  
21 tification devices, and emergency operations centers.

22 (c) JUSTIFICATION.—The report shall include a jus-  
23 tification for all of the monies expended for the Chemical  
24 Stockpile Emergency Preparedness Program administra-  
25 tion, as well as a detailed plan for reducing administrative

1 costs under that program in order to allow more money  
2 to pass to the communities near chemical stockpile sites  
3 in pursuance of the statutory requirement that the Sec-  
4 retary of Defense, in carrying out the chemical munitions  
5 stockpile destruction program, provide for maximum pro-  
6 tection for the general public.

7 **SEC. 3. PLACEMENT OF ADDITIONAL WARNING SIRENS.**

8 In order to expedite accomplishment of the statutory  
9 requirement that the Secretary of Defense, in carrying out  
10 the chemical munitions stockpile destruction program,  
11 provide maximum protection to the general public, the  
12 Secretary of the Army shall approve immediate placement  
13 of a minimum of three additional outdoor sirens in every  
14 county in the United States that is situated within a des-  
15 ignated Immediate Response Zone (IRZ) and Protective  
16 Action Zone (PAZ) covered by the Chemical Stockpile  
17 Emergency Preparedness Program. Those sirens shall be  
18 placed within each such county at the discretion of the  
19 director of the county Emergency Management Agency.  
20 Funds for the sirens shall be provided from funds available  
21 for the Chemical Stockpile Emergency Preparedness  
22 Program.

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