OPEN FOR BUSINESS: ENSURING EMPLOYEE AND CUSTOMER SAFETY AT THE FORMER BRENTWOOD POSTAL FACILITY

HEARING

BEFORE THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

OCTOBER 23, 2003

Serial No. 108–107

Printed for the use of the Committee on Government Reform

Available via the World Wide Web: http://www.gpo.gov/congress/house
http://www.house.gov/reform

U.S. GOVERNMENT PRINTING OFFICE

91–921 PDF WASHINGTON : 2004

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2250 Mail: Stop SSOP, Washington, DC 20402–0001

COMMITTEE ON GOVERNMENT REFORM

TOM DAVIS, Virginia, *Chairman*

DAN BURTON, Indiana
CHRISTOPHER SHAYS, Connecticut
ILEANA ROS-LEHTINEN, Florida
JOHN M. MCHUGH, New York
JOHN L. MICA, Florida
MARK E. SOUDER, Indiana
STEVEN C. LATOURETTE, Ohio
DOUG OSE, California
RON LEWIS, Kentucky
JO ANN DAVIS, Virginia
TODD RUSSELL PLATTS, Pennsylvania
CHRIS CANNON, Utah
ADAM H. PUTNAM, Florida
EDWARD L. SCHROCK, Virginia
JOHN J. DUNCAN, JR., Tennessee
JOHN SULLIVAN, Oklahoma
NATHAN DEAL, Georgia
CANDICE S. MILLER, Michigan
TIM MURPHY, Pennsylvania
MICHAEL R. TURNER, Ohio
JOHN R. CARTER, Texas
WILLIAM J. JANKLOW, South Dakota
MARSHA BLACKBURN, Tennessee

HENRY A. WAXMAN, California
TOM LANTOS, California
MAJOR R. OWENS, New York
EDOLPHUS TOWNS, New York
PAUL E. KANJORSKI, Pennsylvania
CAROLYN B. MALONEY, New York
ELIJAH E. CUMMINGS, Maryland
DENNIS J. KUCINICH, Ohio
DANNY K. DAVIS, Illinois
JOHN F. TIERNEY, Massachusetts
WM. LACY CLAY, Missouri
DIANE E. WATSON, California
STEPHEN F. LYNCH, Massachusetts
CHRIS VAN HOLLEN, Maryland
LINDA T. SANCHEZ, California
C.A. "DUTCH" RUPPERSBERGER, Maryland
ELEANOR HOLMES NORTON, District of Columbia
JIM COOPER, Tennessee
CHRIS BELL, Texas

BERNARD SANDERS, Vermont (Independent)

PETER SIRH, *Staff Director*
MELISSA WOJCIAK, *Deputy Staff Director*
ROB BORDEN, *Parliamentarian*
TERESA AUSTIN, *Chief Clerk*
PHILIP M. SCHILIRO, *Minority Staff Director*

CONTENTS

	Page
Hearing held on October 23, 2003	1
Statement of:	
Reid, Myke, assistant legislative director, American Postal Workers Union, AFL–CIO, accompanied by Corey Thompson; and Richard Collins, assistant to the national president, National Postal Mail Handlers Union, accompanied by Cynthia Vines	92
Ungar, Bernard L., Director, Physical Infrastructure Issues, U.S. General Accounting Office; Keith Rhodes, Chief Technologist, Center for Technology and Engineering, Applied Research and Methods; Janet Heinrich, Director, Health Care and Public Health Issues; R. Davis Layne, Deputy Assistant Secretary of Labor, Occupational Safety and Health Administration, U.S. Department of Labor; Thomas Day, vice president of engineering, U.S. Postal Service; and Jerry Lane, manager of Capital Metro Operations, U.S. Postal Service	11
Letters, statements, etc., submitted for the record by:	
Collins, Richard, assistant to the national president, National Postal Mail Handlers Union, prepared statement of	106
Cummings, Hon. Elijah E., a Representative in Congress from the State of Maryland, prepared statement of	121
Davis, Chairman Tom, a Representative in Congress from the State of Virginia:	
Letter dated November 20, 2003	75
Prepared statement of	3
Day, Thomas, vice president of engineering, U.S. Postal Service, prepared statement of	43
Gordon, Theodore, District of Columbia Department of Health, prepared statement of	67
Lane, Jerry, manager of Capital Metro Operations, U.S. Postal Service, prepared statement of	57
Layne, R. Davis, Deputy Assistant Secretary of Labor, Occupational Safety and Health Administration, U.S. Department of Labor, prepared statement of	33
Norton, Hon. Eleanor Holmes, a Representative in Congress from the District of Columbis, prepared statement of	9
Reid, Myke, assistant legislative director, American Postal Workers Union, AFL–CIO, prepared statement of	95
Ungar, Bernard L., Director, Physical Infrastructure Issues, U.S. General Accounting Office, prepared statement of	13

OPEN FOR BUSINESS: ENSURING EMPLOYEE AND CUSTOMER SAFETY AT THE FORMER BRENTWOOD POSTAL FACILITY

THURSDAY, OCTOBER 23, 2003

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The committee met, pursuant to notice, at 1:30 a.m., in room 2154, Rayburn House Office Building, Hon. Tom Davis (chairman of the committee) presiding.

Present: Representatives Tom Davis and Norton.

Staff present: Peter Sirh, staff director; Keith Ausbrook, chief counsel; Jack Callender, counsel; Robert Borden, counsel/parliamentarian; David Marin, director of communications; Teresa Austin, chief clerk; Brien Beattie, deputy clerk; Shalley Kim, legislative assistant; Corinne Zaccagnini, chief information officer; Rosalind Parker, minority counsel; Earley Green, minority chief clerk; Jean Gosa, minority assistant clerk; and Cecelia Morton, minority office manager.

Chairman TOM DAVIS. Good afternoon. The committee will come to order. Ms. Norton will join us shortly.

Before we proceed with opening statements, the Postal Service and the American Postal Workers Union have asked to videotape today's hearing, and without objection, the Postal Service and the American Postal Workers Union should be allowed to record today's hearing, subject to the requirements of House Rule XI, including the prohibition to the use of video coverage as part of some campaign material.

We're here today to discuss the cleanup and the reopening of the U.S. Postal Service's Joseph Curseen, Jr. and Thomas Morris, Jr. Processing and Distribution Center on Brentwood Road in Washington, DC. We all remember the terrible events of October 2001, when the dedicated postal employees of the Brentwood Processing Center joined the front lines in the war on terrorism. Tragically, two workers, Joseph Curseen and Thomas Morris, lost their lives to anthrax, which passed through the building in letters addressed to Senators Daschle and Leahy. Two other postal workers were infected and the building has remained closed to this day.

In July 2001, the Subcommittee on the District of Columbia held a hearing on the Postal Service's plan to clean and reopen the facility, an effort which at that point was just beginning. Now, with the cleanup complete and reopening scheduled for next month, we're following up on that hearing.

The Postal Service, in consultation with scientists and experts from various Federal and local agencies, conducted the largest anthrax decontamination using chlorine dioxide in our Nation's history. This hearing will examine the conduct of the cleanup, the manner by which the Postal Service determined the building was safe to reoccupy and how well the Postal Service communicated with its workers.

Let me reemphasize that last point. Over the next few months, the Postal Service will be asking its employees to reenter the building where two of their colleagues were killed by an invisible airborne germ. It goes without saying that they're afraid. A partial cure for their fears is complete, open communication about the cleanup and about their options.

Yesterday, we learned that a suspicious package found in the Greenville, SC Air Mail Facility was confirmed to contain ricin, a deadly plant toxin. Although it appears that no ricin escaped the package, the facility was shut down for environmental testing last night. This was a developing situation, so I don't expect to hear the full story in this hearing but how the Postal Service handles the situation in Greenville will certainly show how well they have learned the lessons of Brentwood. I am also certain that the news of the Greenville incident will weigh heavily on the minds of postal employees around the country in the coming days and weeks, so we need to be certain that appropriate time and resources are aimed at answering whatever questions or concerns they may have.

We have two panels of witnesses today. On the first panel are Bernard Ungar, a frequent testifier here from the General Accounting Office, who has been examining the Postal Service's communication with its employees.

We have Thomas Day, the Postal Service vice president of engineering, and Jerry Lane, the president of Capitol Metro Operations, both of whom have been intimately involved in every aspect of the cleanup and its reopening; Davis Layne from the Occupational Safety and Health Administration, and Theodore Gordon, of the District of Columbia Department of Health. OSHA and the D.C. Department of Health helped plan the cleanup and participated in the Environmental Clearance Committee, which reviewed the cleanup.

On the second panel, we have Dick Collins of the National Postal Mail Handlers Union, and Myke Reid of the American Postal Workers Union. Together they represent most of the craft employees who will be returning to this facility.

I want to thank everybody for coming, especially in light of the schedule change. In addition to these witnesses, the National Association of Letter Carriers and Councilman Vincent B. Orange of the District of Columbia were invited to testify but unfortunately couldn't attend today's hearing. Without objection, their written testimony will be included and placed in the record as Ms. Norton had requested.

I also understand that Keith Rhodes and Jan Heinrich with GAO are to be here. We'll swear them in because we may be asking them questions. I'll now recognize the distinguished Delegate from the District of Columbia, Ms. Norton.

[The prepared statement of Chairman Tom Davis follows:]

Opening Statement of Chairman Tom Davis
Hearing on Employee and Customer Safety at the
Former Brentwood Postal Facility
Thursday, October 23, 2003

We are here today to discuss the cleanup and reopening of the United States Postal Service's Joseph Curseen, Jr. and Thomas Morris, Jr. Processing and Distribution Center on Brentwood Road in Washington, DC.

We all remember the terrible events of October 2001, when the dedicated postal employees of the Brentwood processing center joined the front lines of the war on terrorism. Tragically, two workers, Joseph Curseen and Thomas Morris lost their lives to anthrax, which passed through the building in letters addressed to Senators Daschle and Leahy. Two others were infected, and the building has remained closed to this day.

In July 2001, the Subcommittee on the District of Columbia held a hearing on the Postal Service's plans to clean and reopen the facility, an effort which was just beginning. Now, with the cleanup

complete, and reopening scheduled for next month, we are following up on that hearing.

The Postal Service, in consultation with scientists and experts from various federal and local agencies, conducted the largest anthrax decontamination using chlorine dioxide in our nation's history. This hearing will examine the conduct of the cleanup, the manner by which the Postal Service determined that the building is safe to reoccupy, and how well the Postal Service communicated with its workers.

Let me emphasize that last point. Over the next few months, the Postal Service will be asking its employees to reenter a building where two of their colleagues were killed by an invisible, airborne germ. It goes without saying that they are afraid. A partial cure for their fears is complete, open communication about the cleanup, and about their options.

Yesterday, we learned that a suspicious package found in the Greenville, South Carolina Air Mail Facility was confirmed to contain ricin, a deadly plant toxin. Although it appears that no

ricin escaped the package, the facility was shut down for environmental testing last night. This is a developing situation, so I don't expect to hear the full story at this hearing. But how the Postal Service handles the situation in Greenville will certainly show how well they have learned the lessons of Brentwood. I am also certain that news of the Greenville incident will weigh heavily on the minds of postal employees around the country in the coming days and weeks, so we need to be certain that appropriate time and resources are aimed at answering whatever concerns or questions they may have.

We have two panels of witnesses today. On the first panel are Bernard Unger from the General Accounting Office, who has been examining the Postal Service's communication with its employees; Thomas Day, Postal Service Vice President of Engineering and Jerry Lane, Manager of Capitol Metro Operations, both of whom have been intimately involved in every aspect of the cleanup and reopening; and Davis Layne from the Occupational Safety and Health Administration and Theodore Gordon of the

District of Columbia Department of Heath. OSHA and the DC Department of Health helped plan the cleanup and participated in the Environmental Clearance Committee, which reviewed the cleanup.

On the Second panel, we have Dick Collins of the National Postal Mail Handlers Union, and Mike Reid of the American Postal Workers Union. Together they represent most of the craft employees who will be returning to the facility. I want to thank everyone for coming, especially in light of the schedule change.

Ms. NORTON. Thank you very much, Chairman Davis. When I approached Chairman Davis to ask about a hearing on the Curseen-Morris Postal Facility, formerly known as Brentwood, be held prior to its reopening, he readily agreed. My good friend Tom Davis has my sincere gratitude for today's hearing. This is the second conventional hearing on Curseen-Morris and the first full committee hearing since anthrax was discovered in the building, resulting in two tragic deaths and serious illness to two employees and subjecting other employees to a medical regimen, including the drug Cipro.

Last year, I requested a field hearing concerning this facility. It was held July 26, 2002, to bring the Congress to the community and encourage attendance by residents and employees at a time when there was still uncertainty and rumors concerning health and safety matters. However, today's hearing is appropriately before the full committee and here in the Congress itself. Curseen-Morris is responsible for congressional mail and all mail to Federal buildings in this area, as well as mail to residents, businesses and others in this city and region.

Moreover, despite the independence of the Postal Service, Congress has the ultimate responsibility to ensure that postal facilities here and around the Nation are not exposed to bioterrorism. I said at last year's hearing that before employees or the public returned to Curseen-Morris, I would request a hearing to investigate whether reentering a building where there had been two tragic deaths as well as illnesses to employees posed any risks. At that hearing, I asked the CDC to conduct an epidemiological or similar study to compare the health of workers from Brentwood with the health of workers who have never worked in an anthrax-contaminated facility. In addition, along with a Member of the Senate and a Member of the House who does not serve on this committee, I requested a GAO report on the anthrax episode from its origins to its effects. I say again that I believe in order to reassure employees, public officials should be the first to enter the buildings before employees are asked to return to work, and I am pleased that postal and union officials have said they want to be part of a reentry.

The job of decontaminating a 632,000 square foot facility, where 2,400 employees worked has no precedent anywhere in the world of which I am aware. We have an obligation today to learn whether the Postal Service has done it right, to try to determine whether such an event could occur again, and to learn how to prevent any such reoccurrence here or elsewhere. The new proposed irradiation facility on the property also raises new issues that require explanation. Besides the paramount issue of safety and security for human beings in this virtually new facility, we will be interested to learn if the witnesses can lay to rest such matters as the invidious comparison some have made between the Hart and Brentwood cleanups and the delay in closing the facility.

I hope that today's hearing will provide enough information to allow us to put behind us one of the most serious and tragic episodes in American workplace history. However, let us never forget Joseph Curseen, Jr., and Thomas Morris, Jr., the employees who died at the old Brentwood facility. In renaming the building for these dedicated employees and family men, both born and raised

in the District, where the facility is located, we will be reminded of our obligation to make this and every other workplace in our city and our country safe from bioterrorism.

I thank you, again, Mr. Chairman, and I welcome today's witnesses.

[The prepared statement of Hon. Eleanor Holmes Norton follows:]

ELEANOR HOLMES NORTON
DISTRICT OF COLUMBIA

SELECT COMMITTEE ON HOMELAND SECURITY

SUBCOMMITTEES:
EMERGENCY PREPAREDNESS AND RESPONSE

INTELLIGENCE AND COUNTERTERRORISM

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

SUBCOMMITTEES:
AVIATION

ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

COMMITTEE ON GOVERNMENT REFORM*

SUBCOMMITTEES:
CIVIL SERVICE AND AGENCY REORGANIZATION

CRIMINAL JUSTICE, DRUG POLICY AND HUMAN RESOURCES

*COVERS D.C. ISSUES

Opening Statement of Congresswoman Eleanor Holmes Norton
Government Reform Committee Hearing
"Open for Business: Ensuring Employee and Customer Safety at the Former Brentwood Postal Facility"

October 23, 2003

When I approached Chairman Davis to ask that a hearing on the Curseen-Morris Postal Facility, formerly known as Brentwood, be held prior to its reopening, he readily agreed. My good friend, Tom Davis, has my sincere gratitude for today's hearing. This is the second congressional hearing on Curseen-Morris and the first full committee hearing since anthrax was discovered in the building, resulting in two tragic deaths and serious illness to two employees, and subjecting other employees to a medical regimen, including the drug Cipro. Last year, I requested a field hearing concerning this facility. It was held July 26, 2002, to bring the Congress to the community and encourage attendance by residents and employees at a time when there were still uncertainty and rumors concerning health and safety matters.

However, today's hearing is appropriately before the full committee here in the Congress itself. Curseen-Morris is responsible for congressional mail and all mail to federal buildings in this area as well as mail to residents, businesses and others in this city and region. Moreover, despite the independence of the Postal Service, Congress has the ultimate responsibility to ensure that postal facilities here and around the nation are not exposed to bio-terrorism. I said at last year's hearing that before employees or the public returned to Curseen-Morris, I would request a hearing to investigate whether reentering a building where there were two tragic deaths as well as illnesses to employees occurred posed any risks. At that hearing, I asked the CDC to conduct an epidemiological or similar study to compare the health of workers from Brentwood with the health of workers who have never worked in an anthrax contaminated facility. In addition, along with a member of the Senate and a member of the House who does not serve on this committee, I requested a GAO report on the anthrax episode, from its origins to its effects. I say again that I believe that in order to further reassure employees, public officials should be the first to enter the building before employees are asked to return to work, and I am pleased that union and postal officials have said they want to be a part of such a reentry.

529 14TH STREET, N.W., SUITE 900
WASHINGTON, D.C. 20045-1928
(202) 783-5065
(202) 783-5211 (FAX)

2136 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515-5101
(202) 225-8050
(202) 225-3002 (FAX)
(202) 225-7629 (TDD)
www.house.gov/norton

2041 MARTIN L. KING AVENUE, S.E.
SUITE 300
WASHINGTON, D.C. 20020-5734
(202) 678-8900
(202) 678-8844 (FAX)

PRINTED ON RECYCLED PAPER

The job of decontaminating a 632,000 square foot facility where 2,400 employees worked has no precedent anywhere in the world of which I am aware. We have an obligation today to learn whether the Postal Service has done it right, to try to determine whether such an event could occur again, and to learn how to prevent any such recurrence here or elsewhere. The new proposed irradiation facility on the property also raises new issues that require explanation.

Besides the paramount issue of the safety and security for human beings in this virtually new facility, we will be interested to learn if the witnesses can lay to rest such matters as the invidious comparison some have made between the Hart and Brentwood cleanups and the delay in closing the facility.

I hope that today's hearing will provide enough information to allow us to put behind us one of the most serious and tragic episodes in American work place history. However, let us never forget Joseph Curseen, Jr. or Thomas Morris, Jr, the employees who died at the old Brentwood facility. In renaming the building for these dedicated employees and family men, both born and raised in the District where the facility is located, we will be reminded of our obligation to make this and every other workplace in our city and our country safe from bio-terrorism.

Chairman TOM DAVIS. Well, thank you very much. We will now move to our first panel. If you would rise with me, it is our custom to swear in witnesses. Raise your right hands.

[Witnesses sworn.]

Chairman TOM DAVIS. Thank you very much.

I think you know the rules of the committee. Your entire statement is in the record. We try to keep the testimony to 5 minutes.

We have questions formed, Ms. Norton and I, in terms of what we want to ask you, but you can highlight that in the 5 minutes. When your light turns orange, it means 4 minutes are up and, when it turns red, 5 minutes. If you could start to summarize at that point and, Mr. Ungar, we'll start with you and we'll move right on down.

STATEMENTS OF BERNARD L. UNGAR, DIRECTOR, PHYSICAL INFRASTRUCTURE ISSUES, U.S. GENERAL ACCOUNTING OFFICE; KEITH RHODES, CHIEF TECHNOLOGIST, CENTER FOR TECHNOLOGY AND ENGINEERING, APPLIED RESEARCH AND METHODS; JANET HEINRICH, DIRECTOR, HEALTH CARE AND PUBLIC HEALTH ISSUES; R. DAVIS LAYNE, DEPUTY ASSISTANT SECRETARY OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, U.S. DEPARTMENT OF LABOR; THOMAS DAY, VICE PRESIDENT OF ENGINEERING, U.S. POSTAL SERVICE; JERRY LANE, MANAGER OF CAPITAL METRO OPERATIONS, U.S. POSTAL SERVICE; AND THEODORE GORDON, DISTRICT OF COLUMBIA DEPARTMENT OF HEALTH

Mr. UNGAR. Thank you, Mr. Chairman, Ms. Norton. We are certainly pleased to be here to assist the committee in looking at the reopening of the Curseen-Morris mail facility at Brentwood. As you indicated this morning, Mr. Chairman, I'm accompanied by Keith Rhodes and Janet Heinrich, who are experts in the various fields in our office related to this issue, and also by Jay Bryant and Jack Melling from GAO, who can help answer questions if you get into some real technical topics.

The tragic events that unfolded in October 2001 at Brentwood were indeed unfortunate. A key lesson that was learned in that experience is that there is a high risk of the mail being used intentionally as a conduit for hazardous substances to cause harm, whether it is intended for a postal employee or someone outside the Postal Service. Accordingly the Postal Service, public health agencies, the Occupational Safety and Health Administration and others must be prepared to manage and deal with this risk and to address these kinds of incidents when they occur.

What I would like to do in my short summary this afternoon is just focus on one key area in which a significant lesson was learned, and that's in the area of communication with employees. This was a very problematic issue back in the fall of 2001, especially at the Brentwood facility. A lot of the information that was provided to the Brentwood employees changed over the course of time due to changing—largely due to changing public health knowledge of anthrax and its implications during that period of time. Unfortunately, much of the information that was given to Brentwood employees in October 2001 turned out to be, at least initially given

to these employees, turned out to be incorrect. This incorrect information, along with what the employees at Brentwood would regard as a delay in the Postal Service's closing of the facility generated a considerable amount of employee distrust of management and concern.

The problems at Brentwood obviously make it clear, at least the problems that occurred back in 2001, that accurate and clear information to employees is critical, now even more so than before. Unfortunately, recently, the Postal Service informed the employees who are likely to return to Brentwood that, on the one hand in a more fortunate sense, the facility is safe. It has been looked at. The decontamination effort has taken place, the various public health and other authorities have looked at the test results, assessed the decontamination and decided and determined after review of all that information that the facility is safe, and we certainly have no information to the contrary. On the other hand, unfortunately, the Postal Service also told employees that there is absolutely no risk in returning to the facility and that the facility is 100 percent free of anthrax contamination. According to the Postal Service, unfortunately, this was an inadvertent communication that had not fully been reviewed throughout the Postal Service, and the real dilemma here is that one cannot say, according to CDC and other authorities, that there is absolutely no risk in returning to the facility and that we can be 100 percent sure that there is no anthrax in the facility.

While it's likely to be very little, if any, there and it's likely not to be a major or a significant risk, nonetheless, one cannot say that there is absolutely no risk. We have discussed this issue with the Postal Service, and it has agreed to very quickly and promptly provide corrected information to the employees who may return, and this is important because the Postal Service has given these employees a choice as to whether to return or go to a different facility, and it will obviously be important that they have full and correct information before they return.

With that, Mr. Chairman and Ms. Norton, I would like to conclude my summary statement.

[The prepared statement of Mr. Ungar follows:]

United States General Accounting Office

GAO

Testimony
Before the Committee on Government Reform, House of Representatives

For Release on Delivery
Expected at 1:30 p.m. EDT
Thursday, October 23, 2003

U.S. POSTAL SERVICE

Clear Communication with Employees Needed before Reopening the Brentwood Facility

Statement of

Bernard L. Ungar, Director
Physical Infrastructure

Keith Rhodes, Chief Technologist
Center for Technology and Engineering, Applied Research and Methods

GAO-04-205T

October 23, 2003

GAO
Accountability · Integrity · Reliability

Highlights

Highlights of GAO-04-205T, a testimony before the Committee on Government Reform, House of Representatives

U.S. POSTAL SERVICE

Clear Communication with Employees Needed before Reopening the Brentwood Postal Facility

Why GAO Did This Study

On October 21, 2001, the U.S. Postal Service closed its Brentwood mail processing facility after the Centers for Disease Control and Prevention (CDC) confirmed that an employee there had contracted inhalation anthrax, an often-fatal form of the disease. On October 21 and 22, two other Brentwood employees died of inhalation anthrax. The contamination was linked to a letter that passed through the facility on or about October 12, before being opened in the office of Senator Daschle (see fig.) in the Hart Senate Office Building on October 15. The Hart Building was closed the next day. The Brentwood facility has since been decontaminated and will soon reopen. This testimony, which is based on ongoing work, provides GAO's preliminary observations on the decisions made in closing the facility and problems experienced in communicating with employees, as well as lessons learned from the experience.

What GAO Recommends

Because the Postal Service agreed to inform Brentwood employees before the facility is reopened that it could not guarantee that the facility is completely risk free, GAO is making no recommendations at this time.

www.gao.gov/cgi-bin/getrpt?GAO-04-205T.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Bernard L. Ungar at (202) 512-2834 or ungarb@gao.gov.

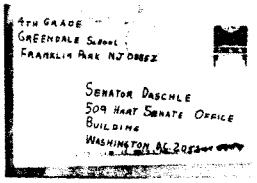
What GAO Found

The Postal Service's decision to wait to close the Brentwood facility and refer employees for medical treatment until CDC confirmed that a postal employee had contracted inhalation anthrax was consistent with the advice the Postal Service received from public health advisers and the information about health risk available at the time. However, because circumstances differed at Brentwood and the Hart Building—an observed spill at the Hart Building and no observable incident at Brentwood—the Postal Service's response differed from the response at Capitol Hill, leading some Brentwood employees to question whether the Postal Service was taking adequate steps to protect their health.

The Postal Service communicated information to its Brentwood employees during the anthrax incident, but some of the health risk information changed over time, exacerbating employees' concerns about the measures being taken to protect them. Notably, employees later learned that their risk of contracting the disease was greater than originally stated. Other factors, including difficulties in communicating the uncertainty associated with health recommendations and employees' distrust of postal managers, also challenged efforts to communicate effectively. Recently, the Postal Service informed employees that Brentwood, which has been tested and certified as safe for occupancy, is "100 percent free of anthrax contamination." However, in discussions with GAO, the Service agreed to revise future communications to acknowledge that although any remaining risk at the facility is likely to be low, complete freedom from risk cannot be guaranteed.

The Postal Service and others have learned since the 2001 anthrax incidents that (1) the risk of contracting anthrax through the mail is greater than was previously believed and more caution is needed to respond to that greater risk and (2) clear, accurate communication is critical to managing the response to an incident and its aftermath. The Postal Service is revising its guidance to respond more quickly and to communicate more effectively to employees and the public in the event of a future incident.

Anthrax-Contaminated Letter Opened in Hart Building on October 15, 2001



Source: Federal Bureau of Investigation.

Mr. Chairman and Members of the Committee:

We are pleased to be here to discuss issues related to the U. S. Postal Service's response to the anthrax[1] contamination at the Washington D.C. Processing and Distribution Center, or Brentwood, as it was commonly known.[2] As you know, the facility was renamed the Joseph Curseen Jr. and Thomas Morris Jr. Processing and Distribution Center in memory of the two Brentwood employees who died of inhalation anthrax on October 21 and 22, 2001. Inhalation anthrax is the most lethal form of the disease. The facility is about to reopen after being closed 2 years ago this week for decontamination and renovation. My testimony today will focus on the (1) decisions made by the Postal Service in closing the Brentwood facility and (2) problems the Postal Service experienced in communicating to its employees as well as (3) lessons that can be learned from the experience. While you also asked us to address the effectiveness of the facility's decontamination, we are unable to do so because this issue is outside the scope of work that we have under way. However, we will relay our observations about communication issues associated with the facility's decontamination.

My testimony today is based largely on our ongoing work addressing the treatment of postal employees at several postal facilities, including the Brentwood facility, that were contaminated with anthrax spores in late 2001. This work, which we expect to complete within the next several months, is being done at the request of Senator Joseph I. Lieberman and Representatives Christopher H. Smith and Eleanor Holmes Norton. Our work thus far has involved interviews with individuals involved in the response to the contamination, including representatives from the Postal Service, the Department of Defense, the Centers for Disease Control and Prevention (CDC), and state and local public health agencies and postal unions as well as reviews of relevant documents and literature related to the anthrax response. We are also drawing from our completed work addressing anthrax contamination at a postal facility in Connecticut,[3] issues related to the testing for anthrax in that facility,[4] and the public health response to the 2001 anthrax incidents.[5] Our work is being performed in accordance with generally accepted government auditing standards. The observations that we are making are based on our ongoing work and should be viewed as preliminary.

Before I discuss the decisions made in closing the Brentwood facility, let me briefly place these decisions in context. When the Postal Service learned that a letter contaminated

---

[1] Technically, the term "anthrax" refers to the disease caused by *Bacillus anthracis* and not the bacterium or its spores. In this report, we use the term "anthrax" for ease of reading and to reflect terminology commonly used in the media and by the general public.

[2] In this report, we refer to the facility as Brentwood.

[3] U.S. General Accounting Office, *U.S. Postal Service: Better Guidance Is Needed to Improve Communication Should Anthrax Contamination Occur in the Future,* GAO-03-316 (Washington, D.C.: Apr. 7, 2003).

[4] U.S. General Accounting Office, *U.S. Postal Service: Issues Associated with Anthrax Testing at the Wallingford Facility,* GAO-03-787T (Washington, D.C.: May 19, 2003).

[5] U.S. General Accounting Office, *Bioterrorism: Public Health Response to Anthrax Incidents of 2001,* GAO-04-152 (Washington, D.C.: Oct. 15, 2003).

with anthrax spores had been sent through the mail and opened in the office of Senator Daschle within the Hart Senate Office Building (Hart Building) on October 15, 2001, the Postal Service reports that it immediately understood that the letter passed through its Brentwood facility. However, at that point, the risk of contamination and its consequences at the facility were uncertain. The Postal Service sought advice and guidance from CDC and the District of Columbia (D.C.) Department of Health, provided information to its employees, arranged for environmental tests of the facility, and provided some protective equipment, but it did not close the facility or refer the facility's employees for medical treatment until October 21, when CDC confirmed that a Brentwood employee had inhalation anthrax. The Postal Service's actions contrasted with those taken by the Attending Physician for the U.S. Capitol—the individual responsible for the health of public officials and other congressional employees on Capitol Hill. The Attending Physician decided to make antibiotics available to the most directly exposed congressional employees on the same day the contaminated letter was opened and advised closure of the Hart Building the following day.

In summary:

The Postal Service's decision to wait for CDC's confirmation of a case of inhalation anthrax before closing Brentwood and referring its employees for medical treatment was consistent with the advice it received from CDC and the D.C. Department of Health as well as the information about health risk available at the time. However, the decision raised questions among Brentwood employees about whether their health was being adequately protected. At the time, CDC advised waiting for such confirmation before recommending closing a facility or recommending medical treatment because CDC and local public health authorities believed it unlikely that postal employees could contract inhalation anthrax from exposure to contaminated mail. The Postal Service's decision differed from the decision to close the Hart Building, in large part, because there was an observable incident of anthrax contamination there—which was immediately recognized as a potentially high-risk situation—whereas there was no observable incident at Brentwood. However, even before CDC confirmed the first case of inhalation anthrax at Brentwood, some Postal Service employees questioned whether the Postal Service's actions adequately protected their health.

The Postal Service communicated health risk and other information to its Brentwood employees during the anthrax incident, but some of the information it initially provided changed as public health knowledge evolved—exacerbating employees' concerns about the adequacy of the measures being taken to protect them. Most significantly, employees later learned that their risk of contracting the disease was greater than originally stated. Other factors, including difficulties in communicating the uncertainty associated with health recommendations, the appearance of disparate treatment between Brentwood and congressional employees, and employees' long-standing distrust of postal managers, also challenged efforts to communicate effectively. According to postal managers, the Postal Service has made additional efforts to communicate with Brentwood employees since the facility's closure, but challenges remain, including before the facility opens to clearly communicate the impossibility of eliminating all risk of contamination from the environment. Recently, for example, the Postal Service informed employees that

Brentwood, which has been tested and certified as safe for occupancy, is "100 percent free of anthrax contamination." However, following discussions with us about the impossibility of eliminating all risk of contamination, the Service agreed to revise future communications to acknowledge that although any remaining risk at the facility is likely to be low, complete freedom from risk cannot be guaranteed.

The Postal Service, CDC, and others have learned a great deal from the 2001 anthrax incidents and have taken various steps to address the problems that occurred and to enhance their preparedness for any future incidents. One of the lessons learned is that the risk of employees contracting anthrax through the mail is greater than was previously believed and more caution is needed to respond to that greater risk. Another important lesson learned is that clear and accurate communication to employees is critical to managing the response to an incident and its aftermath. The Postal Service, CDC, and others have taken steps to revise their guidance to respond more quickly in the event of a future anthrax incident and to communicate more effectively about such an incident with employees and the public. The Postal Service told us that it would inform Brentwood employees prior to opening the Brentwood facility that while the facility is safe for occupancy, it is impossible to guarantee that it is risk free.

Background

Anthrax is an acute infectious disease caused by the spore-forming bacterium called *Bacillus anthracis*. The bacterium is commonly found in the soil and forms spores (like seeds) that can remain dormant for many years. Although anthrax can infect humans, it occurs most commonly in plant-eating animals.

Human anthrax infections are rare in the United States and have normally resulted from occupational exposure to infected animals or contaminated animal products, such as wool, hides, or hair. Infection can occur in three forms, two of which are relevant to this testimony. They are (1) cutaneous, which usually occurs through a cut or abrasion[6] and (2) inhalation, which results from breathing aerosolized anthrax spores into the lungs.[7] Aerosolization occurs when anthrax spores become airborne, thus enabling a person to inhale the spores into the lungs. After the spores enter the body, they can germinate into bacteria, which then multiply and secrete toxins that can produce local swelling and tissue death. The symptoms are different for each form of infection and are thought to appear within about 7 days of exposure, although individuals have contracted inhalation anthrax as long as 43 days after exposure. Depending on the extent of exposure and its form, a person can be exposed to anthrax without developing an infection. Before the 2001 incidents, the fatality rate for inhalation anthrax was approximately 75 percent, even with appropriate antimicrobial medications.[8] People coming in contact with anthrax in its natural environment have generally not been at risk for inhalation anthrax,

[6]Cutaneous means of, relating, to or affecting the skin. Cutaneous anthrax is characterized by lesions on the skin.

[7]The third form of anthrax infection is gastrointestinal, which results from ingesting undercooked contaminated meat.

[8]An antimicrobial medication either kills or slows the growth of microbes. Antibiotics are an example of antimicrobial medications.

and before 2001, no cases of inhalation anthrax had been reported in the United States since 1976, although 224 cases of cutaneous anthrax were diagnosed between 1944 and 1994.[9] Fatalities are rare for cutaneous anthrax.

Because so few instances of inhalation anthrax have occurred, scientific understanding about the number of spores needed to cause the disease is still evolving. Before the 2001 incidents, it was estimated that a person would need to inhale thousands of spores to develop inhalation anthrax. However, based on the cases that occurred during the fall of 2001, experts now believe that the number of spores needed to cause inhalation anthrax could be very small, depending on a person's health status and the aerosolization capacity of the anthrax spores.

In total, the contaminated letters caused 22 illnesses and resulted in 5 deaths from inhalation anthrax. Numerous postal facilities were also contaminated. The first two cases of disease involved media employees in Florida. The employees—one of whom died—contracted inhalation anthrax and were thought to have contracted the disease through proximity to opened letters containing anthrax spores. Media employees also developed anthrax in New York—the second location known to be affected. The initial cases in New York were all cutaneous and were also thought to have been associated with opened envelopes containing anthrax spores. The initial cases at the next site—New Jersey—involved postal employees with cutaneous anthrax. The postal employees were believed to have contracted the disease through handling the mail—as opposed to opening or being exposed to opened letters containing anthrax spores. Unlike the incidents at other locations, which began when cases of anthrax were detected, the incident at the Hart Building—the fourth location—began with the opening of a letter containing anthrax spores and the resulting exposure to the contamination. The discovery of inhalation anthrax in the first postal worker from Brentwood revealed that even individuals who had been exposed only to taped and sealed envelopes containing anthrax could contract the inhalation form of the disease. Subsequent inhalation cases in Washington, D.C.; New Jersey; New York; and Connecticut—the sixth location affected—underscored that finding and also demonstrated that exposure and illness could result from cross contamination of mail.[10] (See app. I for a time line of selected events related to the anthrax incident in the fall of 2001.)

On or about October 9, 2001, at least two letters containing anthrax spores entered the U.S. mail stream—one was addressed to Senator Thomas Daschle, the other to Senator Patrick Leahy. The letters were mailed in Trenton, New Jersey, and forwarded to the Brentwood facility in Washington, D.C., where they were processed on high-speed mail sorting machines and further processed in the facility's government mail section before delivery.[11] On October 15, a staff member in Senator Daschle's office opened the contaminated envelope. The envelope contained a powdery substance, which the

[9]Journal of American Medical Association, *Anthrax as a Biological Weapon: Medical and Public Health Management*, May 12, 1999. Volume 281, No. 18.
[10]Cross contamination occurs when other pieces of mail or equipment come in contact with the original source of the anthrax.
[11]The letter addressed to Senator Leahy was never delivered. Instead, it was recovered in November 2001 in mail that had been quarantined on Capitol Hill on October 17, 2001.

accompanying letter identified as anthrax, that was released in a burst of dust when the envelope was opened. The U.S. Capitol Police were notified, and the substance was quickly tested and confirmed to be anthrax. Brentwood managers analyzed the path of the letter through the facility. Although the machine that processed the letter was reportedly shut off—at least for a period of time—the facility itself was not closed or evacuated at that time. Within days, a Brentwood employee was suspected of having contracted inhalation anthrax. The Postal Service closed the facility on October 21, 2001, after CDC confirmed that the employee had the disease. Thereafter, two other Brentwood employees, Mr. Curseen, Jr., and Mr. Morris, Jr., died. Both were subsequently found to have died of inhalation anthrax.

The Brentwood facility is a large 2-story facility that operated 24 hours a day, 7 days a week. About 2,500 employees worked at Brentwood, processing mail on one of three shifts. Brentwood processed all the mail delivered to addresses on Capitol Hill, including the Hart Building. Brentwood was the second processing and distribution center closed for an extended period because of anthrax contamination. The Postal Service reported that it plans to reopen the facility in phases; by late November administrative personnel will begin working in the facility and limited mail processing operations will begin shortly after that. Brentwood is expected to be fully operational by spring 2004. The other facility—the Trenton Processing and Distribution Center—located in Hamilton, New Jersey, was closed 3 days before Brentwood on October 18, 2001, after CDC confirmed that a New Jersey postal employee had cutaneous anthrax. It is in the process of being decontaminated.

Brentwood Employees Questioned Whether the Decision to Wait for Confirmation of Inhalation Anthrax Adequately Protected Their Health

The Postal Service's decision to wait for CDC's confirmation of a case of inhalation anthrax before closing Brentwood and referring the facilities' employees for medical treatment was consistent with the public health advice the Postal Service received and the health risk information available at the time. However, the Postal Service's decision contrasted with the more immediate decision to close the Hart Building after anthrax contamination occurred. As a result, postal employees questioned whether the Postal Service's decision adequately protected their health.

The Postal Service's Decision Was Based on CDC's Advice and Available Health Risk Information

The Postal Service's decision to wait for CDC's confirmation of a case of inhalation anthrax before closing Brentwood and referring its employees for medical treatment was consistent with the advice provided by CDC and the D.C. Department of Health, as well as the available health risk information. CDC called for such confirmation before closing a facility or recommending medical treatment because, at the time, public health authorities believed postal employees were unlikely to contract inhalation anthrax from exposure to contaminated mail. Postal officials reported that they consulted CDC and the D.C. Department of Health about the possible health risks to Brentwood employees after learning that Senator Daschle's letter—opened on October 15, 2001—contained

anthrax. Even though the letter would have passed through Brentwood, the public health authorities said that they did not consider the facility's employees at risk, given the results of ongoing investigations of anthrax incidents in Florida and New York and the scientific understanding at that time. Specifically, as discussed, no postal employees were known to have developed symptoms of anthrax after contaminated letters had passed through the postal system on the way to destinations in Florida and New York, and anthrax spores were not considered likely to leak out, or escape from, a taped and well-sealed envelope in sufficient quantities to cause inhalation anthrax. Accordingly, the Postal Service reported that it kept the Brentwood facility open in order to keep the mail moving. This goal was important to managers whom we interviewed, who cited the psychological importance of keeping the mail flowing in the aftermath of the September 11 terrorist attacks.

On October 18, 2001, CDC confirmed that a postal employee in New Jersey had cutaneous anthrax. On that day, the Postal Service, in consultation with the New Jersey Department of Health and Senior Services, closed the Trenton Processing and Distribution Center. According to New Jersey public health officials, the facility was closed to facilitate environmental testing of the Trenton facility. While the contaminated letters to Senator Daschle and Senator Leahy were both processed through the Trenton and Brentwood facilities, it is not clear why the Postal Service did not take the same precautionary measures at Brentwood. We are pursuing this issue as part of our ongoing work.

Although the Postal Service followed CDC's advice and kept Brentwood open until CDC confirmed a case of inhalation anthrax, the Postal Service took interim steps to protect its employees. First, the Postal Service arranged for a series of environmental tests at the Brentwood facility, even though it reported that CDC had advised the Postal Service that it did not believe such testing was needed at that time. The results of the first test—taken and available on October 18, 2001—were from a quick test conducted by a local hazardous materials response team. The results were negative. Three days later, on October 21, 2001, CDC confirmed that a Brentwood employee had inhalation anthrax, and the Postal Service closed the facility and referred its employees for medical treatment. The positive results of more extensive environmental testing—also conducted on October 18, 2001—were not available until October 22—after the facility had already closed. In addition, Postal Service managers said they asked the D.C. Department of Health three times before October 21 for nasal swabs and antibiotics for Brentwood employees; however, the health department said the swabs and antibiotics were unnecessary. We have not yet been able to confirm this information with the D.C. Department of Health. Finally, the Postal Service took actions to protect its employees from low-level environmental risks. For example, it provided protective equipment such as gloves and masks and, according to postal managers, shut down the mail-sorting machine that processed the Daschle letter, at least for a time. Additionally, the Postal Service provided information on handling suspicious packages and required facility emergency action plans to be updated.

In 1999, the Postal Service developed guidance for responding to anthrax and other hazardous incidents. The guidance, which was developed in response to hundreds of

hoaxes, includes steps for notifying first responders, evacuating employees, and providing information and medical care to employees. The Postal Service reported that the guidance deals with observable events—specifically, spills—not events that are not observable, such as aerosolization of powders. As a result, the Postal Service said that it did not view the guidance as being applicable to the situation that occurred at Brentwood.

Given that the situation at Brentwood differed from the situation contemplated in its guidance, the Postal Service sought advice from CDC and others. According to CDC officials, the health and safety of postal employees was always the first concern of postal managers during discussions with CDC. Furthermore, they said that the Postal Service was receptive to their advice about the need to close Brentwood to protect postal employees after a diagnosis of inhalation anthrax was confirmed.

The Decisions Made at Brentwood and Capitol Hill Differed Because the Circumstances and Decisionmakers Differed

The Postal Service's decision to wait for a confirmed case of inhalation anthrax before closing the facility and referring employees for medical treatment differed from the decision to implement precautionary measures immediately after anthrax contamination was identified at the Hart Building. The decisions differed, in part, because there was an observable incident at the Hart Building, but not at Brentwood. In addition, different parties made the decisions. At Brentwood, the Postal Service made the decision in consultation with CDC and the D.C. Department of Health. These parties were not involved in the decision-making at the Hart Building. Instead, because the Hart Building is one of many congressional offices surrounding the U.S. Capitol, the Attending Physician for the U.S. Capitol—who functions independently from the District of Columbia—provided advice and made decisions about how to deal with the contamination there.[12]

The incident at the Hart Building was immediately viewed as high risk to employees there because the envelope opened in Senator Daschle's office contained a visible white powder that the accompanying letter identified as anthrax, which was quickly confirmed by testing of the substance. Consequently, the Office of the Attending Physician of the U.S. Congress arranged for congressional employees to receive antibiotics immediately and advised closure of the Hart Building the following day.

Since 2001, the Postal Service has developed new guidance to address security risks in the mail. Its *Interim Guidelines for Sampling, Analysis, Decontamination, and Disposal of Anthrax for U.S. Postal Service Facilities*—first issued in November 2001—states that postal facilities will be closed if a confirmed case of inhalation anthrax is identified or when evidence suggests that anthrax has been aerosolized in a postal facility. The Postal Service said that it plans to complete an update to these guidelines soon, and we

[12] The Office of the Attending Physician, U.S. Congress, is an office of the U.S. Navy. It serves as the local health department for Capitol Hill and is responsible for about 30,000 public officials and other congressional staff, as well as tourists, on Capitol Hill.

plan to determine whether the new guidelines will adequately address the situation that occurred at Brentwood as part of our ongoing work. In addition, the Postal Service has tested and begun to install new biodetection technology in postal facilities. This technology is designed to enhance safety by quickly identifying unobservable evidence of aerosolized anthrax, thereby allowing for a prompt response. We plan to review the guidance associated with this technology as we complete our work.

Communication Problems Exacerbated Postal Service Employees' Concerns

The Postal Service communicated health risk and other information to its Brentwood employees during the anthrax crisis, but some of the information it initially provided changed as public health knowledge evolved, intensifying employees' concerns about whether adequate measures were being taken to protect them. Most significantly, information on the amount of anthrax necessary to cause inhalation anthrax and the likelihood of postal employees' contracting the disease turned out to be incorrect. Other factors, including difficulties in communicating the uncertainty associated with health recommendations and employees' long-standing distrust of postal managers, also challenged efforts to communicate effectively. The Postal Service has made additional efforts to communicate with Brentwood employees since the facility's closure, but challenges remain, particularly the need to effectively communicate information on any possible residual risks.

Some Information Communicated to Postal Employees Changed

The Postal Service used a wide variety of methods to communicate information to employees;[13] however, some of the information it initially provided changed with changes in public health knowledge. For example, on the basis of the science at that time, the Postal Service and CDC initially informed employees that an individual would need to be exposed to 8,000 to 10,000 spores to contract inhalation anthrax. This view turned out to be incorrect when two women in New York and Connecticut died from inhalation anthrax in October and November 2001 without a trace of anthrax spores being found in their environments. Their deaths caused experts to conclude that the number of spores needed to cause the disease could be very small, depending on a person's health status and the aerosolization capacity of the spores.

Postal employees were also told that they were at little risk of contracting inhalation anthrax because, in the view of public health officials, anthrax was not likely to escape from a taped and well-sealed envelope in sufficient amounts to cause inhalation anthrax. In addition, on October 12, 2001, CDC issued a health advisory, which the Postal Service distributed to its employees, indicating that it is very difficult to refine anthrax into particles small enough to permit aerosolization. This information also proved to be incorrect when the U.S. Army Medical Research Institute of Infectious Diseases' analyses of the anthrax in Senator Daschle's letter in mid-October 2001 revealed that the

[13] Methods for communicating information included briefings, newsletters, fact sheets, videos played on closed circuit televisions in its facilities, and a toll-free information line. In addition, the Postal Service regularly updated its Web site and, after the facility closed, it mailed information to its employees' homes.

substance was not only small enough to escape from the pores of a taped and well-sealed envelope but also highly refined and easily dispersed into the air.[14]

Finally, an error occurred on October 10, when the Postal Service instructed employees to pick up suspicious letters and isolate them in sealed containers. The message was corrected within a few days when employees were instructed not to touch suspicious letters. Nevertheless, Brentwood employees we spoke with cited the miscommunication as an indication that the Postal Service was not concerned about their safety. As a result of these and other issues, union and management officials report lingering bitterness between Brentwood employees and postal management.

Communicating Information Proved Challenging

Communicating information proved challenging for several reasons. First, the incidents occurred in the turbulent period following the terrorist attacks of September 11, 2001, when the nation was focused on the response to those events. In addition, the anthrax incidents were unprecedented. The response was coordinated by the Department of Health and Human Services, primarily through CDC, and CDC had never responded simultaneously to multiple disease outbreaks caused by the intentional release of an infectious agent. Furthermore, when the incidents began, CDC did not have a nationwide list of outside experts on anthrax, and it had not yet compiled all of the relevant scientific literature. Consequently, CDC had to do time-consuming research to gather background information about the disease before it could develop and issue guidance. Moreover, since anthrax was virtually unknown in clinical practice, many clinicians did not have a good understanding of how to diagnose and treat it. As a result, public health officials at the federal, state, and local levels were basing their health-related actions and recommendations on information that was constantly changing. According to CDC's Associate Director for Science, National Institute for Occupational Safety and Health's, testimony before a Subcommittee of this Committee last year, CDC "clearly did not know what we did not know last October [2001] and this is the cardinal sin that resulted in tragic deaths."

Effective communications were further complicated by the evolving nature of the incidents and the media's extensive coverage of the response to anthrax at other localities. Comparing the various actions taken by officials at different points in time and in different locations confused postal employees and the public and caused them to question the consistency and fairness of actions being taken to protect them. For example, when employees at the Brentwood postal facility received doxycycline for prophylaxis instead of ciprofloxacin, they incorrectly concluded that they were receiving an inferior drug. In part, this was because the media had characterized ciprofloxacin as the drug of choice for the prevention of inhalation anthrax. Ciprofloxacin also had been used as the primary medication in earlier responses, including the response to anthrax at the Hart Building. CDC initially recommended ciprofloxacin for several reasons;[15] however, when CDC subsequently determined that the anthrax was equally susceptible

[14] According to the Postal Service, it learned the results of the Army's analysis after the Brentwood closure.

to doxycycline and other drugs, it began recommending the use of doxycycline instead.[16] The switch to doxycycline was considered desirable for a variety of reasons, including its (1) lower risk for side effects, (2) lower cost, and (3) greater availability. Local and CDC officials we spoke with told us that they were challenged to explain the switch in medications and to address perceptions of differential treatment.

Additional misunderstandings arose over the administration of nasal swabs to postal employees. Nasal swabs are samples taken from the nasal passages soon after a possible exposure to contamination to determine the location and extent of exposure at a site, but not to diagnose infection. Nasal swabs were administered to congressional employees on October 15 after the contaminated letter was opened to determine which employees might have been exposed and based on this where and how far the aerosolized anthrax spores had spread. Some Brentwood employees questioned why they did not also receive nasal swabs at this time and saw this difference as evidence of disparate medical treatment. As noted, the Postal Service reported requesting nasal swabs for its employees, but the CDC and the D.C. Department did not consider them necessary. Nasal swabs were then provided to at least some employees after Brentwood was closed on October 21. However, further confusion appears to have occurred about the purpose of the nasal swabs when employees who were tested did not receive the results of the swabs. The confusion occurred partly because the Postal Service issued a bulletin dated October 11, 2001, that incorrectly indicated that nasal swabs were useful in diagnosing anthrax and the media described nasal swabs as the "test" for anthrax. The bulletin was subsequently corrected, but the media continued to refer to the swabs as a test. Public health officials acknowledged that this confusion about the purpose of the nasal swabs created a great deal of anxiety within the postal community and the public. As a result, public health entities continued to collect the samples when people asked for them, simply to allay the individuals' fears.

Another area of confusion relates to the process used to administer the anthrax vaccine to interested postal employees. When the vaccine used by the military became available in sufficient quantities that it could be provided to others, CDC offered it to postal employees and congressional staff. While considered safe, it had not been approved for use in postexposure situations. Consequently, the Food and Drug Administration required CDC to administer the vaccine using extensive protocols related to the distribution of an "investigational new drug." These protocols required postal employees to complete additional paperwork and undergo additional monitoring which, according to some Brentwood employees, gave some employees the impression that they were being used as "guinea pigs" for an unsafe treatment. CDC officials acknowledged that

---

[15] The first reason for recommending ciprofloxacin was that, absent information about the strain's susceptibility to various drugs, CDC considered it most likely to be effective against any naturally occurring strain of anthrax. Also, as the newest antimicrobial available, CDC considered it less likely that terrorists would have had time to engineer a resistant strain of anthrax. Finally, the Food and Drug Administration had already approved ciprofloxacin for the postexposure prophylaxis for inhalation anthrax.

[16] The recommendation to use doxycycline also followed the Food and Drug Administration's approval of the drug for inhalation anthrax.

CDC did not effectively communicate information about the vaccine program and that, in hindsight, these deficiencies probably resulted in the "wrong perception."

CDC officials have also acknowledged that they were unsuccessful in clearly communicating the degree of uncertainty associated with the health information they were providing, which was evolving during the incidents. For example, although there were internal disagreements within CDC over the appropriate length of prophylaxis, this uncertainty was not effectively conveyed to postal employees and the public. Consequently, in December 2001, when postal employees and others were finishing their 60-day antimicrobial regimen called for in CDC's initial guidance, they questioned CDC's advice about the need to consider taking the drugs for an additional 40 days. CDC officials have since acknowledged the need to clearly state when uncertainty exists about the information distributed to the public and appropriately caveating the agency's statements.

Long-Standing Labor Relations Issues Compounded Communication Issues

CDC, local public health officials, union representatives, and postal officials told us that employees' mistrust of postal managers complicated efforts to communicate information to them. According to these parties, postal employees were often suspicious of management's motives and routinely scrutinized information they received for evidence of any ulterior motives. This view appears consistent with the results of our past work, which has identified persistent workplace problems exacerbated by decades of adversarial labor-management problems. These problems were so serious that in 2001, we reported that long-standing and adversarial labor-management relations affected the Postal Service's management challenges.[17] The need to address this long-standing issue was also raised in the July 2003 report of the President's Commission on the U. S. Postal Service.[18]

The Postal Service Has Made Additional Efforts to Improve Communication with Employees, but Challenges Remain

According to postal managers, the Postal Service has made additional efforts to communicate with the employees who were at Brentwood, including holding "town hall" meetings to explain the facility's decontamination process to postal employees and the public. The Postal Service has reported that it is also updating its 1999 guidance for responding to anthrax and other hazardous materials. At present, however, the revision of the guidance has not yet been completed and it is, therefore, unclear whether the revisions will address the issues that occurred at Brentwood. Nevertheless, the Postal Service assisted the National Response Team—a group of 16 federal agencies with responsibility for planning, preparing, and responding to activities related to the release of hazardous substances—in the development of improved guidance entitled *Technical Assistance for Anthrax Response*. This guidance provides a number of

[17] U.S. General Accounting Office, *Major Management Challenges and Program Risks: U.S. Postal Service*, GAO-01-262 (Washington, D.C.: Jan. 2001).
[18] Report of the President's Commission on the United States Postal Service, *Embracing the Future: Making the Tough Choices to Preserve Universal Mail Service*, July 31, 2003.

recommendations about communicating information during emergency situations, including the need for agencies to "admit when you have made a mistake or do not know the information."

While information on the process and outcome of decontamination efforts is technically complex and therefore challenging to present clearly to the public, the revised guidelines may be helpful in future discussions about the safety of a facility. We have not reviewed the details of the facility's decontamination or its subsequent testing and, therefore, cannot comment on the effectiveness of decontamination efforts. However, in general, discussions about the success of decontamination and any residual risk to individuals center on two related topics. The first topic entails a discussion of the degree to which contamination has been reduced, bearing in mind that all sampling and analytical methods have a limit of detection below which spores may be present but undetected. Against that backdrop, it is also important to discuss how many anthrax spores are required to infect humans and to explain that the number is variable, depending upon the route of infection (e.g., skin contact or inhalation) and the susceptibility of each individual to infection. In light of this, it is particularly important to properly communicate to Brentwood employees a clear understanding of the decontamination approach that was undertaken at the facility and the nature and extent of any residual risk there. Likewise, the Postal Service's communications to employees must be clear and unbiased to (1) clearly communicate the limitations of testing and the associated risks while, at the same time, (2) avoid inducing unnecessary fear or concern. If provided with clear and unbiased information, employees will be able to make informed decisions about their health and future employment. In this regard, the Postal Service has given employees who worked at Brentwood an opportunity to be reassigned to certain other mail processing centers in the region if they do not want to return to Brentwood.

In our view, providing complete information to employees is important for them to make informed decisions about working at Brentwood. According to recent information that the Postal Service provided to its employees, the facility, which public health authorities have certified as safe for occupancy, is "100 percent free of anthrax contamination" and there is "no remaining health risk" at the facility. This latter information is not consistent with what CDC's Associate Director for Science, National Institute for Occupational Safety and Health, told this Committee's Subcommittee on the District of Columbia in July 2002. Specifically, she said that while a science-based process can allow workers to safely return to Brentwood, it is not possible to eliminate risk entirely or to guarantee that a building is absolutely free of risk. We discussed our concerns with Postal Service officials about their characterization of the facility as completely free of anthrax contamination, and they agreed to revise their statements to indicate that it is not possible to guarantee that a building is absolutely risk free. According to the Postal Service, a misunderstanding resulted in the incorrect information being distributed to employees before the document had been fully reviewed. The Postal Service said that it would correct the information and distribute the new information to employees who worked at Brentwood within the next 2 weeks.

Lessons Learned and Implications for Reopening the Facility

The Postal Service, CDC, and others have learned a great deal from the 2001 anthrax incidents and have taken various steps to address the problems that occurred and to enhance their preparedness for any future incidents. Among the lessons learned are that the risk to employees of contracting anthrax through contaminated mail is greater than was previously believed and more caution is needed to respond to that greater risk. It is now clear, for example, that anthrax spores can be released in the air, or aerosolized, when sealed letters pass through the Postal Service's processing equipment and that a limited number of anthrax spores can cause inhalation anthrax in susceptible individuals. This increased risk of contracting inhalation anthrax indicates that decisions about closing facilities need to consider other factors as well as the presence of an observable substance, such as a powder. The Postal Service and CDC have responded to this need for greater caution by developing guidance for closing a facility that establishes evidence of aerosolization, as well as confirmation of a diagnosis of inhalation anthrax, as a criterion for closure. We have not yet evaluated this guidance to determine whether it is specific enough to make clear the circumstances under which a postal facility should be closed to adequately protect employees and the public. We recognize that developing such guidance is difficult, given that the Postal Service experiences many hoaxes and needs to accomplish its mission as well as ensure adequate protection of its employees' health.

Another important lesson learned during the 2001 anthrax incidents is that clear and accurate communication is critical to managing the response to an incident. Because the risk information that was provided to employees changed over time and some of the information was communicated in ways that employees reportedly found confusing or difficult to understand, the fears that would naturally accompany a bioterrorism incident were intensified and distrust of management, which already existed in the workplace, was exacerbated. CDC, in particular, has recognized the importance of communicating the uncertainty associated with scientific information to preserve credibility in the event that new findings change what was previously understood. In this regard, our work on the sampling and analytical methodologies used to test for and identify anthrax contamination addresses the uncertainty involved in these efforts. The Postal Service agrees that although the Brentwood facility has been tested and certified as safe for occupancy, the Postal Service cannot assert that the building is 100 percent free of anthrax contamination. Accordingly, the Postal Service stated that it would inform Brentwood employees before opening the facility that the Postal Service cannot guarantee that the building is absolutely risk free.

This concludes my prepared statement. I will be happy to respond to any questions you or other members of the Committee may have.

Contacts and Acknowledgments

Should you or your staff have any questions concerning this report, please contact me at (202) 512-2834 or Keith Rhodes at (202) 512-6412. I can also be reached by e-mail at ungarb@gao.gov. Individuals making key contributions to this testimony were Don Allison, Hazel Bailey, Jeannie Bryant, Derrick Collins, Dwayne Curry, Elizabeth Eisenstadt, and Kathleen Turner. Drs. Jack Melling and Sushil Sharma provided technical expertise.

Appendix I

Time Line of Selected Events Related to the Anthrax Incident in the Fall of 2001

Date	Events Occurring on That Date
Tuesday, 9/11/01	• Terrorist attacks on the World Trade Center and Pentagon prompt heightened concerns about possible bioterrorism.
Tuesday, 10/02/01	• In Florida, an American Media Inc. (AMI) employee is admitted to the hospital with a respiratory condition. • The Centers for Disease Control and Prevention (CDC) issues an alert about bioterrorism, providing information about preventive measures for anthrax.
Thursday, 10/04/01	• CDC and the Florida Department of Health announce that AMI employee has inhalation anthrax.
Friday, 10/05/01	• AMI employee dies of inhalation anthrax.
Monday, 10/08/01	• The Postmaster General announces that Postal Inspection Service is working with other law enforcement agencies on the Florida incident.
Wednesday, 10/10/01	• The Postal Service begins nationwide employee education on signs of anthrax exposure and procedures for handling mail to avoid anthrax infection.
Friday, 10/12/01	• In NY, the New York City Department of Health (NYCDOH) announces the confirmation of a case of cutaneous anthrax in an NBC employee. • The Postal Service says that it will offer gloves and masks to all employees who handle mail. • (On or about) Daschle letter passes through Brentwood. • Boca Raton post office, which had direct access to the AMI mail, is tested for anthrax and Palm Beach County Department of Health administers nasal swabs and offers a 15-day supply of ciprofloxacin to postal employees.
Monday, 10/15/01	• On Capitol Hill, an employee opens a letter addressed to Senator Daschle. Staff in that office, an adjacent office, and first responders are given nasal swabs and a 3-day supply of antibiotics. • In NJ, State Department of Health and Senior Services (NJDHSS) assures Trenton employees that they have a low risk of contracting anthrax. • Anthrax is confirmed at Boca Raton post office.
Tuesday, 10/16/01	• Part of the Hart Senate Office Building is closed in the morning, and the remainder of the building is closed in the evening. Over the next 3 days, all Hart building and other Capitol Hill employees who request them are given nasal swabs and a 3-day supply of antibiotics.
Wednesday, 10/17/01	• The Postal Service arranges for environmental testing at Brentwood.
Thursday, 10/18/01	• A local hazardous materials response team conducts "quick tests" of Brentwood, which are negative for anthrax. A contractor conducts more extensive testing in the evening. • Postmaster General Potter holds a press conference at Brentwood, in part to reassure employees they are at low risk. • CDC confirms cutaneous anthrax in New Jersey postal employee, and a second suspected case is identified. • In NJ, the Trenton facility is closed. Employees are sent home. • In NY, NYCDOH announces another case of cutaneous anthrax, in a CBS employee. • In Florida, the Postal Service cleans two postal facilities contaminated with anthrax spores. • CDC distributes a press release announcing that the Food and Drug Administration has approved doxycycline for postexposure prophylaxis for anthrax. • In the DC, a postal employee who works at the Brentwood facility seeks medical attention.
Friday, 10/19/01	• In NJ, the NJDHSS refers postal employees to their private physicians for medical treatment. Employees begin seeking treatment at a local hospital. • In DC, a postal employee who works at Brentwood is admitted to a hospital with suspected inhalation anthrax. • In NJ, laboratory testing confirms cutaneous anthrax in a second postal employee who works at the Trenton postal facility.

Saturday, 10/20/01	• In DC, another postal employee who works at the Brentwood facility is admitted to a hospital with a respiratory condition. • CDC arrives at the Brentwood facility to meet with Postal Service management.
Sunday, 10/21/01	• In DC, the postal employee who was admitted to the hospital on 10/19/01 is confirmed to have inhalation anthrax. • In DC, Brentwood is closed. Evaluation and prophylaxis of employees begin. • In DC, a Brentwood employee who had initially sought medical attention on 10/18/01 is admitted to a hospital with suspected inhalation anthrax and becomes the first postal employee (and second anthrax victim) to die. • In DC, another postal employee who worked at the Brentwood facility seeks medical attention at a hospital. His chest X-ray is initially determined to be normal, and he is discharged.
Monday, 10/22/01	• In DC, the postal employee who worked at the Brentwood facility and who sought medical attention on 10/21/01 and was discharged is readmitted to the hospital with suspected inhalation anthrax, and becomes the second postal employee (and third anthrax victim) to die. • In DC, prophylaxis is expanded to include all employees and visitors to nonpublic areas at the Brentwood facility. • The Postal Service learns that environmental tests of Brentwood are positive for anthrax.
Sunday, 10/28/01	• In NJ, a postal employee at Trenton is confirmed to have inhalation anthrax.
Monday, 10/29/01	• In NY, preliminary tests indicate anthrax in a hospital employee who was admitted with suspected inhalation anthrax on 10/28/01. The hospital where she works is temporarily closed, and NYCDOH recommends prophylaxis for hospital employees and visitors. • In NJ, laboratory testing confirms cutaneous anthrax in a woman who receives mail directly from the Trenton facility. The woman originally sought medical attention on 10/18/01 and was admitted to the hospital on 10/22/01 for a skin condition. • In NJ, laboratory testing confirms a second case of inhalation anthrax, in a Trenton postal employee who initially sought medical attention on 10/16/01 and was admitted to the hospital on 10/18/01 with a respiratory condition.
Wednesday, 10/31/01	• In NY, the hospital employee becomes the fourth anthrax victim to die.[a]
Friday, 11/2/01	• In NY, NYCDOH announces another case of cutaneous anthrax, in a New York Post employee.
Wednesday, 11/21/01	• In Connecticut, an elderly woman, who was admitted to the hospital for dehydration on 11/16/01, becomes the fifth anthrax victim to die.[b] • The Connecticut Department of Public Health, in consultation with CDC, begins prophylaxis for postal employees working in the Wallingford postal facility.
Friday, 12/27/01	• CDC offers the anthrax vaccine to postal employees.

Source: Information provided by U.S. Postal Service, Centers for Disease Control and Prevention, Connecticut Department of Public Health, D.C. Department of Health, Food and Drug Administration, Florida Department of Health, New Jersey Department of Health and Senior Services, New York City Department of Health, and Office of the Attending Physician of the U.S. Congress.

(543082)

Chairman TOM DAVIS. Thank you very much.

Mr. Layne.

Mr. LAYNE. Mr. Chairman, members of the committee, thank you for the opportunity to testify today about the Occupational Safety and Health Administration's leadership in protecting workers from anthrax exposure and our role in preparing for the reopening of the Curseen and Morris Processing and Distribution Center.

OSHA's mission is to ensure safe and healthful working conditions for America's working men and women. Protecting workers from biohazards, such as anthrax, is a critical part of OSHA's role and the Nation's domestic preparedness and emergency response efforts.

Now, under the Occupational Safety and Health Act, it is the employer's responsibility to protect the health and safety of its workers. In 1998, an amendment to the OSH Act broadened the definition of an employer to include the U.S. Postal Service.

OSHA has been working alongside USPS since the investigation into the deaths at the facility from inhalation anthrax spores began. OSHA joined USPS at its Joint Command Center shortly after it was established to provide a unified approach to sampling tests and decontamination for all USPS facilities and to coordinate those sampling and subsequent response actions with key stakeholders.

OSHA also provided technical support to the Incident Command Center established by the USPS for the Curseen and Morris Center decontamination. Members of OSHA's Health Response Team, with specialties ranging from analytical microbiology to building ventilation, had been onsite at various times throughout the last 2 years, advising the USPS. In fact, the USPS air sampling plan was developed with OSHA's assistance. Our staff reviewed safety and health plans and worked with the USPS and its contractors on training procedures for the use of personal protective equipment, such as respirators. In addition to technical support, OSHA even ensured that employers at the site were involved in the remediation effort to provide a workplace free of hazards to their employees by ensuring compliance with applicable OSHA standards.

As final plans were made to fumigate the building with chlorine dioxide gas, OSHA joined the USPS at its Joint Information Center to enhance communications about the decontamination work. OSHA staff also made presentations at town hall meetings, reminding postal employees of their right to file complaints about Brentwood's unsafe or unhealthy working conditions directly with the Occupational Safety and Health Administration.

Following the decontamination in March 2003, OSHA sent a letter to the Incident Commander at the Curseen and Morris Center, expressing the agency's concurrence with the conclusion of USPS safety and health staff that remedial efforts had successfully eliminated any significant risk of anthrax disease for its occupants of this building, thus allowing workers to enter the building without respiratory protection for most of the activities. These conclusions were based upon sampling results and analysis, as well as assessment of safety and health plans formed by OSHA's certified industrial hygienists.

As postal employees return to Curseen and Morris, OSHA will continue to respond to any safety and health complaints filed by its employees, as well as to requests from USPS and its contractors. The agency is also prepared to investigate accidents or any other hazardous situation that occurs at the facility.

We also have broadened our outreach and informational activities to help employers and workers address threats of biological and chemical hazards. We developed and continued to refine sampling methods for detecting anthrax spores in the air and on large surfaces such as floors and walls. We created a Web-based "e-tool" that provides training and information about anthrax and also increased our expertise in dealing with threats and other incidents of national significance. We will soon complete our own national emergency management plan for OSHA's national and regional office personnel as well.

Since September 11, 2001, we have become aware of new threats to workers' lives from acts of terrorism and the use of biotoxins as weapons of mass destruction. OSHA is continually evaluating and making changes to its programs to respond to this new threat. Postal workers have been on the front line in this war against terrorism and it is our responsibility to provide all the help that we can in protecting their lives.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Layne follows:]

STATEMENT OF R. DAVIS LAYNE
DEPUTY ASSISTANT SECRETARY OF LABOR FOR OCCUPATIONAL SAFETY AND HEALTH
BEFORE THE
COMMITTEE ON GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES

October 23, 2003

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to testify today about the Occupational Safety and Health Administration's (OSHA) leadership in protecting workers from Anthrax exposure and our role in preparing the Curseen and Morris Processing and Distribution Center (formerly Brentwood) in Washington, D.C. for its reopening.

OSHA's mission is to assure safe and healthful working conditions for America's working men and women. Protecting workers from biohazards, such as Anthrax, is a critical part of OSHA's role in the Nation's domestic preparedness and emergency response efforts.

Under the Occupational Safety and Health Act (the OSH Act), it is the employer's responsibility to protect the health and safety of its workers. A 1998 amendment to the OSH Act broadened the definition of an employer to include the United States Postal Service (USPS). OSHA's role at postal facilities is one of oversight and ensuring compliance with the Nation's worker safety and health laws.

OSHA has been working alongside the USPS since investigation into the deaths at the facility from inhalation of Anthrax spores began. At the invitation of the USPS, OSHA—along with other Federal agencies and private contractors—joined the USPS at its Joint Command Center shortly after it was established. This Center served as the hub in responding to the Anthrax crisis—gathering information on the extent of the problem and developing plans of action to address the crisis nationwide. The Center was established to provide a unified approach to sampling tests and decontamination for all USPS facilities—including Curseen and Morris—and to coordinate those samples and subsequent response actions with the key stakeholders.

In addition to the Joint Command Center, the USPS established Incident Command Centers for each postal facility that required decontamination. OSHA provided technical support to both the Joint Command Center and the Incident Command Center for the Curseen and Morris Center. Eight members of the Agency's Health Response Team have been on-site at Curseen and Morris at various times throughout the last two years. The team—including a chemist, an analytical microbiologist, a mechanical engineer with expertise in building ventilation systems, a safety engineer, two chemical engineers and two industrial hygienists—has advised the USPS about the best methods for sampling for Anthrax and decontaminating the facility. The Agency's team has played a two-fold role: first, it has provided assistance and technical advice to the USPS and its contractors during the decontamination process over the past two years; second, OSHA ensured that

the employers at the site—the USPS and its contractors—provided a workplace free of hazards to their employees.

OSHA's Health Response Team worked closely with the USPS on sampling protocols and methods and safety and health plans to protect workers prior to, during, and after decontamination of the building. The USPS's air sampling plan was developed with OSHA's assistance and information about the most up-to-date methods of sampling for Anthrax.

Before decontamination began at Curseen and Morris, OSHA's Health Response Team worked with the USPS and its contractors on training procedures for the use of Personal Protective Equipment (PPE), such as respirators. During decontamination, OSHA assured that employers—the USPS and its contractors—were in compliance with all applicable OSHA standards, including Hazardous Waste Operations and Emergency Response, which cover clean-up operations at hazardous locations.

In December 2002, as final plans were made to fumigate the building with Chlorine Dioxide gas, OSHA staff joined the USPS at its Joint Information Center, which was established to enhance communications with all involved groups and individuals about the decontamination work. OSHA staff also made presentations at town hall meetings for the community and for USPS employees. During the presentations, the postal employees were reminded of their right to file complaints about worker safety and health directly with OSHA.

OSHA worked with specialists in the fields of microbiology, engineering, medicine, epidemiology, chemistry, toxicology and environmental health, and members of the postal unions and the community, to review all documents related to the decontamination activities at the site including:

- Public information fact sheets and media releases;
- Surface sampling protocols and air sampling protocols;
- Waste Disposal Plans;
- Final Clearance and reopening determinations; and
- Final reports.

OSHA has also participated in the Environmental Clearance Committee co-chaired by the District of Columbia's Department of Health and the United States Environmental Protection Agency. This Committee, an independent, coordinated group of scientists with expertise in the disciplines relevant to the assessment and clean-up of the facility, serves as an advisor to the USPS and makes recommendations regarding the reoccupation of the building. OSHA served on the Committee until March 2003.

In March 2003, OSHA sent a letter to the Incident Commander at the Curseen and Morris Center, expressing the Agency's concurrence with the conclusion of USPS's safety and health staff—that remediation efforts had successfully eliminated any significant risk of Anthrax disease for occupants of this building. OSHA also concurred with USPS's decision to allow workers to enter the building without respiratory protection for most

activities. These conclusions were based on sampling results and analyses, as well as assessments of safety and health plans, performed by OSHA's certified industrial hygienists.

As postal employees return to Curseen and Morris, OSHA will continue to respond to any safety and health complaints filed by employees, as well as to requests from the USPS and its contractors. The Agency is also prepared to investigate accidents or any other hazardous situations that occur at the facility.

Mr. Chairman, as we participated at Curseen and Morris, we also broadened our outreach and informational activities to help other employers and workers address threats of biological and chemical hazards. OSHA has developed (and continues to refine) sampling methods for detecting Anthrax spores in the air and on large surfaces, such as the floors and walls of buildings. These sampling methods were used to evaluate the effectiveness of the remediation activities at Curseen and Morris, and are posted on the Internet.

OSHA has created a web-based "e-tool" that provides training and information about Anthrax. The tool allows employers, workers, and the general public to get immediate access to information on the dangers of Anthrax, who is at risk of exposure, how companies can prepare for potential Anthrax exposure, and methods for cleaning up a worksite that has been contaminated with Anthrax. The "e-tool" also includes an electronic version of the Agency's published health and safety plan for Anthrax; the plan

has been accessed by thousands of employers since it became available on OSHA's website.

From the first Anthrax exposure incident, OSHA has increased its expertise in dealing with this threat and other incidents of national significance. Several of the Agency's occupational physicians have worked with the Department of the Army to obtain expertise in assessing biological and chemical agents. OSHA has worked on an ongoing basis with the Department of Homeland Security in the development of the National Response Plan to ensure the health and safety of responders and position the Agency to provide technical assistance when needed. In December 2002, OSHA co-sponsored a summit with the Federal Emergency Management Agency that focused on PPE issues for Federal workers involved in emergency response. Additionally, OSHA will soon complete its own National Emergency Management Plan that will provide guidance to ensure national and regional office personnel are ready to address safety and health issues to support workers involved in clean up operations.

* * *

Since September 11, 2001, we have become aware of new threats to workers' lives from acts of terrorism and use of biotoxins as weapons of mass destruction. Virtually all of the victims of the September 11 and Anthrax attacks have been workers, and OSHA is continually evaluating and making necessary changes to its programs to respond to this

new threat. Postal workers have been on the front-line in this war against terrorism and it is our responsibility to provide all the help we can in protecting their lives.

Chairman TOM DAVIS. Thank you very much.

Mr. Day.

Mr. DAY. Good afternoon Mr. Chairman and members of the committee. I appreciate the opportunity to speak with you today about the Postal Service's planned reentry into the Curseen-Morris Processing and Distribution Center here in Washington, DC. With me today is Jerry Lane, the manager of Capital Metro Operations. I believe today's hearing is a reflection of your commitment both as individuals and as a committee to the cooperative process that will return this facility to safe and productive use for our employees and for the Brentwood community.

It has been a challenging 2 years, but we have achieved our goal, the successful decontamination of the Curseen-Morris facility. While we are pleased we have come this far, we cannot forget the awful events that set this process in motion. Joseph Curseen, Jr. and Thomas Morris, Jr. tragically lost their lives. Many others suffered terribly when they became infected with anthrax. They will never be far from our minds, and that is why the planning processes and technology that we relied upon to decontaminate the Curseen-Morris facility could only be the best and it had to be done right.

It became apparent very quickly that we would be writing the book on this subject, and it was a book on a grand scale, a scale of 17 million cubic feet to be precise, but we had a great deal of help from experts in the military, government and private sector. Our partners included the Armed Forces Radiobiology Research Institute, Centers for Disease Control and Prevention, District of Columbia Department of Health, U.S. Environment Protection Agency, and the Occupational Safety and Health Administration, as well as our three contractors, Ashland, Sabre, and Shaw. Of course, the generous help of Congress and the administration in making $762 million available to the Postal Service to respond to the anthrax attack was also a critical part of the success.

The process of reclaiming the Curseen-Morris facility actually began on October 21, 2001, when it was closed. While our primary focus was the safety of our employees, we also had to address operational issues such as the disposition of the 1 million pieces of mail that remained at the building. We arranged for the irradiation of this mail at contractor sites in Ohio and later New Jersey before it was returned to Washington for processing and delivery.

Once the mail was removed from the building, we completely sealed it and developed a thorough decontamination plan. Qualified contractors began cleaning known contaminated surfaces in the building. Pumping and mixing stations were constructed for the chlorine dioxide that would be used for the decontamination. Scrubbers were used to remove the chlorine from the building and backup systems were put in place. We tested every element of our gas manufacturing, delivery, and scrubber system to ensure they operated properly. Safety was the watchword.

An expert Environmental Clearance Committee was formed in July 2002 to provide an independent evaluation of our cleanup and testing efforts to determine if we could ultimately reoccupy the building. That decision would not be made by the Postal Service. Committee members included representatives—and I want to go

through the list because they were of great help to us, although there are several to mention here—but they included the Office of the Chief Medical Examiner of the District of Columbia, The Centers' for Disease Control and Prevention National Institute of Occupational Safety and Health, the U.S. Environmental Protection Agency, the U.S. Food and Drug Administration, the U.S. Army Center for Health, Protection, and Preventive Medicine, the Occupational Health and Safety Administration, the District of Columbia Department of Health, the Armed Forces Radiobiology Research Institute, and the University of Minnesota School of Public Health all participated as ECC members.

On December 14, 2002, fumigation began. We established and maintained a temperature of 75 degrees Fahrenheit and a relative humidity of 75 percent within the building. This was necessary so any anthrax spores would be receptive to the neutralizing ability of the chlorine dioxide gas. Chlorine dioxide was then pumped into the building until we reached a concentration of 750 parts per million, and we maintained that concentration level for 12 hours. Afterwards, sampling results confirmed that the fumigation process was successful. We used more than 6,000 surrogate spore strips to ensure that the chlorine dioxide permeated the facility. All of the surface samples and aggressive air samples showed no growth.

By February 26, 2003, members of the Environmental Clearance Committee were able to enter the building without personal protective equipment and agreed, "The fumigation of the Curseen-Morris facility met the criterion that the U.S. Postal Service and the District of Columbia established for a successful fumigation effort." That standard was no spore growth.

On May 30, 2003, the ECC concluded the fumigation was successful and we began restoring the building. The restoration is now near completion. More than 600 tons of debris has been removed. The entire facility has been cleaned and painted, the medical unit replaced, restrooms rebuilt, electrical and telecommunications wiring replaced, cafeteria kitchen renovated, mail processing equipment renovated and rebuilt, ceiling tiles replaced, employee lockers installed, safety and emergency systems modernized, repaired or replaced, heating ventilation and air conditioning systems upgraded, the retail area and the office space has been modernized. And finally, I would note, Delivery Bar Code Sorter #17, the machine that processed the letters for Senators Daschle and Leahy, the most contaminated spot in the building, no longer exists. It was dismantled, removed, and shredded.

We assigned a full-time safety professional to the facility to ensure a safe and healthy working environment for our employees and contractors renovating the facility and, in conjunction with OSHA, we implemented an aggressive post-fumigation, transitional sampling program with particular attention to many areas that were disturbed by construction. More than 1,000 wet-wipe surface samples have been taken, dried filter units located throughout the building have been sampling air around construction areas, and that sampling also includes the use of high-efficiency, particulate air filters. Every sample has tested negative for anthrax. These test results are made available to employees every day.

We will continue testing when operations resume at the facility, using air sampling in mail processing areas. A sophisticated sampling system will provide rapid onsite DNA analysis of air samples. If Baccillus anthracis is detected, the building will be evacuated, local health and public safety officials alerted, so we can quickly take appropriate action to protect those employees who may have been inside.

I'd also note, given the events of the last day or so in Greenville, SC, we have a well-established nationwide process for dealing with suspicious mail. Last Wednesday, an employee at the Greenville, SC Airmail Facility Annex did what she had been trained to do: she recognized a letter that looked suspicious; she notified her supervisor. The letter was isolated and contained. Local officials were contacted, as well as the FBI. The HAZMAT team responded and removed the suspicious letter from the building. When we were contacted by the CDC and the FBI to let us know that they in fact found ricin through their testing, we then took the next steps for 24 hours to close the facility, bring in medical officials to speak with all those employees that would be at the facility. I would point out that the entire process is a demonstration of how seriously we take these matters and how well the process can work when employees are trained and know what to look for.

Right now, mail for delivery to Federal Government offices in the District of Columbia continues to be irradiated. Last week, we announced a proposal to locate a mail irradiation facility in Washington. The preferred site is on the property of the Curseen-Morris Processing Center. A local facility would reduce costs, improve delivery time and minimize logistic and security requirements. We will work closely with the community and its elected representatives as we develop this proposal.

I am pleased to report that on September 19, the Environmental Clearance Committee concluded, ". . . the remediation was successful, that rigorous sampling was unable to find any residual viable spores, that workers can safely return and that normal service to the public can safely resume." I certainly welcome this finding.

Mr. Chairman, as we prepare to restore operations to the Curseen-Morris Processing and Distribution Center, our memory of those days guides what we do today. We will continue our efforts to explore the latest technology and process solutions to protect our employees, our customers and the mail.

Mr. Chairman, I appreciate your time and interest in learning more about our efforts to reenter the Curseen-Morris facility and would be pleased to answer your questions.

Thank you.

[The prepared statement of Mr. Day follows:]

TESTIMONY OF
THOMAS G. DAY
VICE PRESIDENT, ENGINEERING
UNITED STATES POSTAL SERVICE
BEFORE THE
COMMITTEE ON GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC

October 23, 2003

Good afternoon, Mr. Chairman and members of the Committee. I appreciate the opportunity to speak with you today about the Postal Service's planned reentry into the Curseen-Morris Processing and Distribution Center here in Washington, DC. With me is Jerry Lane, manager, Capital Metro Operations.

Throughout the entire two-year process leading to the reclamation of this facility, our primary commitment has been the safety of our employees and those we serve. A key element of that commitment has been ongoing communications with employees, the community and public officials at all levels, as we shared our plans, reported on our progress and sought input and suggestions.

I believe today's hearing is a reflection of your commitment – both as individuals and as a Committee – to the cooperative process that will return this facility to safe and productive use for our employees and for the Brentwood community.

Working together, we have achieved our goal – the successful decontamination of the Curseen-Morris facility. While we are pleased that we have come this far, we cannot forget the awful events that set this process in motion. Two of our employees, Joseph P. Curseen Jr. and Thomas L. Morris Jr., tragically lost their lives simply by doing what they had done for so many years – coming to work to make sure the mail got through. Too many others – employees and those we serve – suffered terribly when they became infected with anthrax.

All of our efforts over the last two years have been anchored by our knowledge of the tremendous individual and human costs of the bioterrorist attacks of 2001. As we move forward, those individuals will never be far from our minds.

It is fitting, as well, to acknowledge the dedication and commitment of every employee of the Brentwood Road facility – and all Washington, DC, postal employees – in the days and weeks following the attacks. Despite their understandable anxiety and fear, they continued to do their best, providing uninterrupted service to the hundreds of thousands of families, businesses and government agencies that depend on the mail. We are grateful for the cooperation and understanding of our employees as we worked together through this challenging and difficult period. I cannot say it more simply or sincerely than this: our employees are second to none.

That is why the planning, processes and technologies we relied upon to decontaminate the Curseen-Morris facility could only be the best. This was the largest biohazard decontamination ever undertaken. It had to be done right.

Fortunately, the experience in fumigating the Hart Senate Office Building, contaminated by one of the same letters that contaminated the Brentwood Road processing plant, served as a guide. We learned, through the Hart experience, that chlorine dioxide, commonly used in water treatment and food sanitization, was effective in neutralizing anthrax spores. We knew that it could be used, in the proper concentrations and under the right environmental conditions, to decontaminate large interior spaces.

Yet the uniqueness and complexity of applying this technology to the Brentwood Road facility presented challenges. The decontamination area of the Curseen-Morris facility is 17 million cubic feet, compared to only 100,000 cubic feet in the Hart Building. Curseen-Morris is primarily one hugea large, open workspace. The Hart Building is a more traditional business environment, consisting of individual office suites spread over several floors.

It became apparent, very quickly, that we would be writing the book on this subject – on a grand scale. But, I might add, we had a great deal of expert help with its authorship. We could not have been successful without the help of specialists from the military, government and the private sector.

The Postal Service was just one part of a team that included the Armed Forces Radiobiological Research Institute, the Centers for Disease Control and Prevention, the District of Columbia Department of Health, the United States Environmental Protection Agency and the Occupational Safety and Health Administration. Their expertise and knowledge helped us to create and implement a decontamination plan that would not only be effective, but would protect the health and safety of our employees, our contractors and residents and business people in the Brentwood neighborhood.

Our contractors, Ashland, Inc., Sabre Oxidation Technologies and Shaw E&I, brought us the benefit of invaluable years of experience in areas that lent themselves to adaptation, expansion and integration at the Brentwood location.

And a number of Postal Service employees, represented so well by Dennis Baca, our manager of Environmental Policy, and John Bridges, who served as on-site incident commander during the entire decontamination process, showed themselves to be infinitely resourceful, knowledgeable and, quite literally, tireless.

Of course, this story could have been very different without the generous help of Congress and the Administration by making $762 million available to the Postal Service to respond to the anthrax attacks and develop and implement technologies to protect against similar, future incidents.

We are grateful for the assistance and cooperation of so many who shared our goal of eradicating the anthrax threat at the Curseen-Morris facility and returning it to active use to serve Washington, DC, without risk to our employees or to our customers.

The process of reclaiming the Curseen-Morris facility actually began on October 21, 2001, when it was closed. From an operational standpoint, we had to consider how – and even if – we could reclaim the facility. We also had to determine how we would deliver the more than 1 million pieces of mail that remained in the plant.

While these were important issues, our primary concern was the health and safety of our employees. That is why we closed the facility as soon as public health officials understood the nature and extent of the risk. And that is why we cooperated fully with medical professionals in their efforts to provide information and medical prophylaxis to employees with potential anthrax exposure.

We had three choices regarding disposition of the Brentwood facility. We could close it permanently and demolish it. We could attempt to sell it. Or we could work to reclaim it. But, frankly, each of these options required complete decontamination of the building. Whatever the building's ultimate fate, the Postal Service would not allow it to present an open-ended risk to the community.

Our decision was to return the facility to active use as a mail-processing center. With a daily mail volume of more than three million pieces, the nation's capital and its service needs support the continuation of a modern, efficient processing and distribution center in Washington, DC.

The second operational issue we faced was the delivery of the mail still inside the facility. We worked quickly to establish a contract for the irradiation of this mail at a site in Ohio. A second location was later established in New Jersey. The mail was removed from the facility by trained, contract employees wearing protective equipment. It was then packaged and trucked to the off site locations for treatment and only then was it returned to the mailstream for delivery. To this day, the New Jersey facility continues to irradiate mail destined for Congress, the White House and federal government offices within the District of Columbia.

Once the mail was removed from the building we could begin to implement the decontamination plan we had developed in the first weeks following the incident. This involved completely sealing the building. Every opening presented the potential of aerosolized anthrax spores escaping from the building. This included every exterior door and window, skylights, the HVAC system, all utility conduits, expansion joints, and every crack and crevice.

Qualified contractors began cleaning known, contaminated surface areas in the building – mail processing equipment, counters, sorting cases, furniture, kitchen equipment, rolling stock and floors. Ultimately, we sanitized decontaminated some 150,000 items. We could then begin to remove some of it from the building to make room for the equipment used during the decontamination fumigation process itself.

As I mentioned, this was the largest undertaking of its kind. It required construction of an on-site chemical factory to manufacture the chlorine dioxide gas that would be used for the fumigation. To assure the safest process possible, the components of the gas were delivered to the site individually and were mixed together only when it was necessary for tests or the actual fumigation.

Pumping and mixing stations were constructed. Huge Large gas-distribution pipelines connected them to the facility so that the chlorine dioxide and the necessary water vapor could be pumped into the building. Smaller pipes snaked throughout the interior to ensure that the chlorine dioxide and water vapor were evenly distributed. Scrubbers were constructed to neutralize and remove the chlorine dioxide from the building following fumigation. These waste products would be disposed of in accordance with applicable environmental regulations.

Every system used in support of fumigation was redundant. If a primary system failed, a back-up system was prepared to take over. Electric generators were on site in the event of a power failure during critical recovery operations.

Communication – with postal employees and with members of the Brentwood community – was equally important. The anthrax attacks and the clean-up efforts were situations never before experienced. There were understandable concerns. It was necessary that we understood and responded to those concerns as we developed our plans.

As I said earlier, we were writing the book. We could not take the risk that we had failed to ask ourselves a key question or that, if we did, somebody else might have a better answer. So, prior to every critical step of the process, Capital Metro Operations Manager Jerry Lane arranged for community and employee town hall meetings. The participation of Congresswoman Eleanor Holmes Norton, Mayor Anthony Williams and Ward 5 Council Member Vincent Orange was a large part of their success.

We worked closely with public officials, the media, our unions, and our employees to make sure every key stakeholder had current and accurate information about our progress. Understanding that not everyone could attend scheduled meetings, we also established a toll-free hot line to provide information and respond directly to questions and concerns.

And we tested every element of our gas manufacturing and delivery system to ensure that it operated properly. We tested the scrubber system to make sure it could remove the gases pumped into the building and break them down into harmless salts and water.

Safety was our watchword during every step of the process. Only trained, authorized personnel were permitted to enter the Brentwood property beyond the fence line. Our

goal was to do it right, not quickly. And we worked to provide the appropriate level of oversight for our efforts.

To that end, an independent Environmental Clearance Committee was established in July 2002. Its role was to provide an independent evaluation of the clean-up and testing efforts we were undertaking at the Curseen-Morris Processing and Distribution Center. The Committee, not the Postal Service, would determine if our decontamination efforts were successful and if we could ultimately reoccupy the building.

Environmental Clearance Committee membership includes representatives of the Office of the Chief Medical Examiner of the District of Columbia, the Centers for Disease Control and Prevention's National Institute for Occupational Safety and Health, the U.S. Environmental Protection Agency, the U.S. Food and Drug Administration, the U.S. Army Center for Health Protection and Preventive Medicine, the Occupational Health and Safety Administration, the District of Columbia Department of Health, the Armed Forces Radiobiology Research Institute, and the University of Minnesota School of Public Health.

By mid-December 2002, all systems were ready. The Environmental Protection Agency had cleared our final legal hurdle by issuing a crisis exemption permitting the use of chlorine dioxide for this special purpose of fumigating the Brentwood Road plant.

On December 14, 2002, we began. The first steps were to bring the internal temperature of the building to 75° Fahrenheit while achieving a relative humidity level of 75% – and holding both at those levels. This environment was necessary to rehydrate the dry anthrax spores so they would be receptive to the neutralizing ability of the chlorine dioxide gas. When these conditions were achieved, chlorine dioxide was pumped into the building until a concentration of 750 parts per million was achieved. This was sustained for 12 hours. The process was monitored by closed circuit television cameras located strategically throughout the building.

More than 6,000 surrogate spore strips had been placed throughout the facility beforehand to determine the effectiveness of the treatment. Following completion of the fumigation on December 15, contractors reentered the building to begin gathering the spore strips and to take additional surface samples and air samples. The air sampling involved disturbing surfaces with fans and blowers while the samples were taken.

The results confirmed that the fumigation process was successful. We used more than 6,000 surrogate spore strips to ensure that the chlorine dioxide permeated the facility. One hundred percent of the 4,428 surface samples and 601 aggressive air samples – using fans and blowers to disturb surfaces – showed no growth. Renovation of the facility could begin.

By February 26, 2003, the members of the Environmental Clearance Committee were able to enter the building without the need for personal protective equipment. In an interim statement on March 10, 2003, the Committee agreed that "the fumigation of the Curseen-Morris facility met the criterion that the U.S. Postal Service and the District of Columbia established for a successful fumigation effort." On May 30, 2003 the Committee issued a letter noting that "the results of approximately 2,400 additional samples collected during renovation work were also found to be negative for Bacillus anthracis spores." The Committee concluded that fumigation was successful.

With that finding, restoration work was transferred from our Engineering group, which had responsibility for decontamination, to our Facilities group, which normally handles renovation of postal facilities.

The restoration is now nearing completion. More than 600 tons of debris have been removed. The entire facility has been cleaned and painted. The medical unit has been replaced. Restrooms have been rebuilt. Electrical and telecommunications wiring has been replaced. Cafeteria kitchen equipment has been renovated. Automated mail processing equipment has been refurbished and rebuilt. Ceiling tiles have been replaced. New employee lockers have been installed. Metal corroded from exposure to

high humidity and chlorine dioxide gas has been restored and painted. Safety and emergency systems have been repaired, modernized and, in some cases, replaced. The parking lot has been refurbished. The heating, ventilation, and air conditioning system has been upgraded. Retail and office areas have been modernized.

The obsolete sack-sorting system has been removed, freeing much-needed floor space for modern, automated mail processing equipment.

And, significantly, Delivery Bar Code Sorter #17, the most contaminated spot in the facility, no longer exists. It was dismantled, removed from the site and shredded.

We are extremely mindful of the need to provide a safe and healthful working environment for the protection of our employees and our contractors working to restore and renovate the facility. A full-time safety professional has been assigned to the Curseen-Morris facility, with responsibility for multiple, daily site-safety inspections and addressing day-to-day safety issues. Other duties include development and implementation of safety protocols and documentation, management of visitor safety, and serving as liaison with the safety staff of the contractors involved in the renovation, with OSHA, with the Postal Inspection Service and with other Postal Service safety professionals.

Throughout the entire restoration process, in conjunction with the OSHA, we have implemented an aggressive post-fumigation, transitional sampling program. General and targeted sampling has been taking place on a daily basis. Given the magnitude of these efforts, it was critical that we sampled thoroughly throughout the building and, in particular, in the many areas that were disturbed by construction.

To date, more than 1,000 wet-wipe surface samples have been taken. Dry-filter units located throughout the building have been sampling air in and adjacent to construction areas. Sampling also includes the use of vacuums with High Efficiency Particulate Air

filters. Each and every sample has tested negative for anthrax. And test results are made available to employees on a daily basis.

We will continue with testing even after operations resume at the facility. This will involve air-sampling in mail-processing areas using a sophisticated Polymerase Chain Reaction or PCR-based sampling system. The system will provide rapid, on-site DNA analysis of the sample. If the analysis reveals the presence of Bacillus anthracis, the building will be evacuated immediately and local health and public safety officials will respond and quickly take the actions they deem necessary to protect employees and others who may have been exposed.

As I mentioned, earlier, mail for delivery to federal government offices in the District of Columbia continues to be irradiated at a contractor site in New Jersey prior to local delivery. Last week we announced our proposal to locate a mail-irradiation facility here in Washington, DC.

The preferred site is located on Postal Service property at the Curseen-Morris Processing and Distribution Center. The first step in this process is our publication of a "Notice of Intent" to begin the Environmental Assessment process that will help determine the feasibility of our proposal. Construction of a local, Postal Service-owned irradiation facility would reduce costs, improve delivery time and minimize logistic and security requirements. We will work closely with the community and its elected representatives as we develop this proposal.

And, I am pleased to report, on September 19, the Environmental Clearance Committee provided the Postal Service with a reoccupancy recommendation.
The ECC concluded that "a science-based process has allowed a determination that the remediation was successful, that rigorous sampling was unable to find any residual viable spores, that workers can safely return, and that normal service to the public can safely resume."

We welcome this finding. And we are pleased that the restoration efforts undertaken this year mean that our employees will be returning to a workplace that has been almost completely renovated. We have worked closely with employees and their union and management association representatives to prepare for planned reentry. Professional counselors from our Employee Assistance Program have been and are available to all employees as needed. We continue to provide updates about our progress in restoring the building.

We have been working closely with our employees and their union representatives as we plan our re-entry to the Curseen-Morris facility. Jerry Lane will tell you more about these efforts.

Mr. Chairman, the events of the fall of 2001 were unprecedented. For that reason, they were virtually unimaginable. The Postal Service, our employees and the nation were shaken. As an organization, we suffered a terrible loss. Yet the men and women of the Postal Service continued on their rounds, serving America, undeterred.

As we prepare to restore operations to the Curseen-Morris Processing and Distribution Center, our memory of those days informs all that we do. Yes, the world changed for the Postal Service. Fortunately, it continues to change. The state of knowledge about biohazards and, specifically, anthrax, has grown tremendously. The medical community's ability to respond has advanced dramatically. Advanced technology that offers detection and early warning, unavailable two years ago, will soon become commonplace in the Postal Service. And we will continue to explore other technology and process solutions that protect our employees, our customers and the mail.

Mr. Chairman, I appreciate your time and interest in learning more about our efforts to reenter the Curseen-Morris facility. I would be pleased to answer any questions you may have.

# # # #

Chairman TOM DAVIS. Thank you very much.

Mr. Lane.

Mr. LANE. Good afternoon, Chairman Davis and members of the committee.

Chairman TOM DAVIS. Your microphone I don't think is on.You have a button there. There we go.

Mr. LANE. I'll try it again.

Good afternoon, Chairman Davis and members of the committee. Thank you for this opportunity to speak with you today about the efforts of the Joseph Curseen, Jr. and Thomas Morris, Jr. Processing and Distribution Center.

In October 2001, the U.S. Postal Service, its employees, and its customers, became victims of a series of unprecedented and insidious acts of bioterrorism. As a result, the Curseen-Morris facility has been closed since October 21, 2001. This facility is a major mail processing and distribution center for the Washington, DC, area. Despite losing their primary mail processing center, Capital District employees continue to provide mail service to the residents of the Washington, DC, area, at among the best service levels ever.

At the time the facility was closed, I was the Capital District manager. My office was in the Brentwood Road facility, so I understand anxiety and uncertainty and the concern that these attacks caused my employees. These are my coworkers. Their safety and health and the public's safety has been and will continue to be our paramount concern. We also worked closely with the Centers for Disease Control and the District of Columbia Department of Health to assist their efforts to provide medication to all employees.

During the weeks following the anthrax attacks, public health officials were uncertain about the extent of the exposure and risk, so we supplied our employees with protective masks and gloves. We worked very hard to reduce the impact of the facility's closing on our employees. We quickly moved operations to alternative locations. Employees were struggling with new routines for getting to work, so we provided no-cost transportation to bring employees to these locations for the first 3 months. We continue to reimburse employees who drive beyond their normal route or who take public transportation to get to these temporary locations.

We understood that communications was key. We made a point of communicating actively and cooperatively with everyone in every way involved, including the District of Columbia Government, our employees, their unions, and local residents and businesses. We participated in numerous town hall employee meetings, sent out community-wide mail links, provided toll-free numbers for additional information, posted current information on the USPS Web site, and held weekly coordinated information sessions. Those employees who returned to work at the Curseen-Morris Processing and Distribution Center we offered a fit test for a mask. The use of these masks is strictly voluntary. We understand that some employees may prefer the added sense of security they provide.

We established an extensive communication plan to ensure that all employees are aware of all aspects of the cleanup and aftermath of the Curseen Processing Distribution Center. As part of the communication plan, we had been providing our maintenance employees who had returned to the facility with daily safety talks, daily

sampling reports, and employee publications on specific information about the process. There was also an open door policy with an onsite safety professional for any safety and health concerns that employees have voiced or immediately addressed. There has been a lot of information out there, and we want our employees to know what we know, when we know it, so the communication plan also established communication facilitators at all locations on all shifts who are responsible for disseminating stand-up talks, gathering questions, and maintaining the Curseen-Morris update bulletin boards. But sometimes employees want to ask questions of the experts, so we have had a number of employee town hall meetings as well.

Our communication plan also included many other ways of providing employees with timely and accurate information. We provide right-to-know forms at the time clocks. Employees can mail the forms in and receive prompt replies to their questions. We established an 800 number where calls are returned within the next business day. A special number was also established for deaf and hard-of-hearing employees. We have held biweekly telecoms with all unions to keep them informed of the progress on the facility. We have given local unions two private tours of the facility to show them the progress of the restoration. As Tom Day mentioned, the restoration of the building includes a new medical facility which will have a 24-hour doctor and nurse available. We have held a number of focus groups with employees to discuss their concerns and anxiety about returning, and we will continue to have employee assistance counseling programs available to monitor employee's stress and anxiety. We will also be providing briefings, training, and publications on employee stress as we reoccupy the facility. We'll work closely with the Occupational Safety and Health Administration to develop a site-specific health and safety plan designed to ensure our employees' safety at the facility throughout the restoration and reconstruction.

We have established a multifunctional team, including private sector expertise, to implement a human resource plan. This plan would ensure that all Curseen-Morris employees are provided with the information, tools and training they need to feel safe and be productive when they return. With this in mind, we have agreed with our national unions to accommodate all requests for permanent reassignment to other facilities.

Our schedule calls for the administrative staff to return to work in late November. We anticipate retail and limited mail processing operations to follow within weeks. At the end of the day, we want this facility to be the best, the safest, and the finest representation of the men and women who worked there for so many years. A reentry committee, with employee and union representation, is planning a reentry ceremony which will also serve to dedicate the building in honor of Joseph Curseen, Jr. and Thomas Morris, Jr. We recognize this facility's importance to the local community.

Now that the Environmental Committee has concluded that the fumigation was successful and employees can safely return, we look forward to reopening the facility and restoring it to its critical role of serving the people of Washington, DC, and the Nation.

Thank you, Chairman Davis and the committee, and I'll be happy to respond to any questions.

Chairman TOM DAVIS. Thank you very much.

[The prepared statement of Mr. Lane follows:]

TESTIMONY OF
JERRY LANE
MANAGER OF CAPITAL METRO OPERATIONS
UNITED STATES POSTAL SERVICE
BEFORE THE
COMMITTEE ON GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC

October 23, 2003

Good afternoon, Chairman Davis and members of the Committee. Thank you for this opportunity to speak with you today about our efforts at the Joseph Curseen, Jr., and Thomas Morris, Jr., Processing and Distribution Center.

In October of 2001, the United States Postal Service, its employees and customers became victims of a series of unprecedented and insidious acts of bioterrorism. As a result, the Curseen-Morris facility has been closed since October 21st, 2001.

This facility is a major mail processing and distribution center for the Washington, D.C. area. The role this facility plays in local mail service to this area is not easy to duplicate, especially under the circumstances. Our employees rose to the challenge, though.

Despite losing their primary mail processing center, Capital District postal employees continue to provide mail service to the residents of Washington, D.C. at among the best service levels ever.

At the time this facility was closed, I was the Capital District Manager. My office was in the Brentwood Road facility. So, I understand the anxiety, the uncertainty, and the concern that these attacks caused to the people working there.

These are my co-workers. Consequently, I invested a great deal of time and energy into ensuring that we met employee needs, concerns, and safety issues.

The safety of our employees and the public has been and will continue to be our paramount concern.

We also worked closely with the Centers for Disease Control and the District of Columbia Department of Health to assist in their efforts to provide medication to all employees.

During the weeks following the anthrax attacks, public health officials were uncertain about the extent of the exposure and risk. So, we supplied our employees with protective masks and gloves.

We worked very hard to reduce the impact of the facility closing on our employees. We quickly moved our employees and operations to alternate locations so that all employees could continue working within the Capital Metro Performance Cluster.

Employees were struggling with new routines for getting to work, so we provided no-cost transportation to bring employees to these locations for the first three months. We continue to reimburse employees who drive beyond their normal commute or who take public transportation to get to these temporary work locations.

We changed maintenance procedures. We provided information to employees about how to react to suspicious mail.

We understood that communication was key. In fact, we could not over-communicate about this issue. We want employees to feel secure in their work environment. Communication is a critical element in promoting that sense of security.

So, we made a point of communicating actively and cooperatively with everyone in any way involved, including the District of Columbia government, our employees, their unions, and local residents and businesses.

We participated in numerous town hall and employee meetings, sent out community-wide mailings, provided toll-free telephone numbers for additional information, posted current information to the USPS website, and held weekly, coordinated information sessions.

As part of the re-entry process for those employees who return to work at the Curseen-Morris P&DC, we are offering a fit-test for masks. The use of these masks is strictly voluntary. We understand that some employees may prefer the added sense of security they provide.

Our experience at the Curseen-Morris facility will help to determine the feasibility of fit tests at other facilities in the future.

We established a comprehensive Communications Plan to ensure that all employees are aware of all aspects of the clean-up and aftermath at the Curseen-Morris P&DC.

As part of the Communications Plan, we have been providing our maintenance employees who have returned to the facility with daily safety talks, daily sample results reports, and employee publications on specific information about the process.

We include updated certification sheets attesting to employees' receipt of safety talks or other communications in the onsite Health and Safety Plan documentation.

Employees who are new to the site, or have missed the safety talks or communications briefs, are then identified and brought up-to-date.

Sampling results are also posted and updated daily in three locations onsite. All areas are accessible by USPS Maintenance employees.

There is also an open door policy with the onsite safety professional. Any safety and health concerns that employees have are voiced and immediately addressed.

The Communication Plan also established Communications Facilitators at all locations, on all shifts, who are responsible for disseminating stand-up talks, gathering questions and maintaining the "Curseen-Morris Update" bulletin boards.

All of our mandatory stand-up talks are placed on these bulletin boards as well.

There has been a lot of information out there, and we want our employees to know what we know, when we know it. So, we've already had 25 stand-up talks on various topics, with most of them also mailed to employees' homes.

Along the same lines, our NEWSBREAKS are also widely disseminated and placed on the bulletin boards as required, so employees hear any breaking news from us, rather than from the newspaper.

But, sometimes, employees just want to ask questions of the experts. So, we've had a number of employee Town Hall meetings as well. Let me summarize the list for you:

March 27, 2002. A community meeting was hosted by DC Councilmember Vincent Orange, Sr. with multiple agency participation.

May 16, 2002 – three sessions with USPS Vice President of Engineering Tom Day, DC Dept of Health, EPA , CDC and all Capital Performance Cluster leadership team.

May 22, 2002 – two sessions with USPS Vice President of Engineering Tom Day, DC Dept of Health, EPA , CDC and all Capital Performance Cluster leadership team.

June 27, 2002: Community Meeting – Coordinated by USPS with multiple agency participation. Over 82,000 notification flyers mailed to Ward 5 residents & businesses; additional flyers distributed to area churches

August 19, 2003 – three sessions with Tom Day, DC Dept of Health, Facility Restoration Manager Mike Goodwin and Capital Performance Cluster leadership.

September 26, 2002 -- Community Meeting

October 3, 2002 – three sessions with the same speakers.

December 11, 2002 – Final community meeting before decontamination began.

Two one-day, free conferences were held for employees at the Wyndham Hotel in Washington, DC on Oct. 12 & 13, 2002 to offer inspirational support to employees.

And, three supervisory briefing sessions were held on August 12, 2003 to provide updates on building.

But we've done more than just hold meetings. Our communications plan included many other ways of providing employees with timely and accurate information.

We provide "Write to Know" forms at time clocks. Employees can mail the forms in and receive prompt replies to their questions.

We established an 800 number, available 24-hours-a-day, 7-days-a-week. Answers are provided within 36 hours. A special number was also established for deaf and hard-of-hearing employees.

We have held bi-weekly telecons with all local unions to keep them informed of the progress on the facility. We have given local union members two private tours of the facility to show them the progress of restoration.

In addition, we kept track of every single question raised at the employee town halls. These questions were answered in writing, mailed to employees' homes and placed on the bulletin boards.

Postal Vision, our internal TV network, has been utilized extensively throughout the process to inform employees of major events.

Three posters have been produced and placed on bulletin boards showing restoration progress.

As Tom Day mentioned, the restoration of the building includes a number of enhancements for our employees, including replacing all water fountains, public telephones, complete renovations of all restrooms, and the re-wiring of the entire building.

The medical facility in the building will be brand new as well. It will have 24-hour doctor and nursing help available for the first 30 days of operation. It will be a top-of-the-line facility, and will give employees the best medical advice and services possible.

We have held a number of focus groups with employees to discuss their concerns and anxiety about returning. And we will continue to have Employee Assistance Program counselors available around the clock to better address possible employee stress or anxiety.

These counselors will be closely monitoring employee stress levels and walking the workroom floor to better gauge employee comfort with working in the facility. We have also developed training for all supervisors returning to the facility on managing employees under increased stress.

We will be mailing out two documents to the homes of all returning employees. The first one explains how to discuss their return to the facility with their family members. The second focuses on discussing the issue with their children.

We are also initiating a short term voluntary program to monitor employees who are absent for work-related illnesses. This will help us identify any trends regarding types of illnesses, note any clusters of complaints, and assist employees in obtaining care if they so desire.

In addition, during the first day back in the facility, we are holding a briefing to, among other things, explain to our employees about these stress monitoring efforts and the specific resources available to them in the restored facility.

As for the building itself, as Tom Day mentioned, we decided that it was in the best interest of the Postal Service and our neighbors in Washington, D.C. to clean the building, clean it completely and return it to active service.

Throughout the process, safety was – and remains – our top concern.

We worked closely with the Occupational Safety and Health Administration to develop a site-specific health and safety plan designed to ensure our employees' safety at the facility during the restoration and reconstruction.

The plan addresses standard construction site safety as well as that of our maintenance employees, and has been fully reviewed by OSHA.

It also includes personal protective equipment requirements, standard safety talks and certifications, hazard communications documentation and site-related Material Safety Data Sheet documentation. These datasheets provide detailed emergency response information for exposure to specific chemicals and other workplace substances.

We also developed a complete hazard communication package that includes a responsibility matrix, labeling requirements, handling and storage requirements, ordering requirements, disposal requirements, proper use documents, first aid data and datasheets for all chemicals and other substances known or possibly present within the facility during the restoration and renovation.

Employees and maintenance workers have access to these materials, which are continually updated as conditions onsite change.

A multi-functional team, consisting of experts from the private sector and the Postal Service, has created, and is implementing, a Human Resources Plan to provide all Curseen-Morris employees with the information, tools and training they need to feel safe and be productive when they return.

We recognize that some may find returning to the building simply too difficult. With this in mind, we have agreed with our national unions to accommodate all requests for permanent reassignment to other facilities.

Our schedule calls for plant and district leadership to return to work at the Curseen-Morris facility in late November. We anticipate that retail and limited mail processing operations will follow within weeks.

At the end of the day, we want this facility to be the best, the safest, and the finest representation of the men and women who've worked there for so many years – in particular, our co-workers Joseph Curseen, Jr. and Thomas Morris, Jr.

In the past two years, we've held two memorial events to honor Joseph Curseen, Jr. and Thomas Morris, Jr. – one in November of 2001 and another in December of 2002.

A Moment of Silence was also held earlier this week.

In addition, a Curseen-Morris Reentry Committee, with employee and union representation, is planning a reentry ceremony which will also serve to dedicate the building in honor of Joseph P. Curseen Jr. and Thomas L. Morris Jr. The event will be open to all employees and their families. We will also provide tours of the facility.

We recognize this facility's importance to the local community. Now that the Environmental Clearance Committee has concluded that the fumigation was successful and that employees can safely return to the Joseph Curseen, Jr. and Thomas Morris, Jr. Processing and Distribution Center, we look forward to reopening it and restoring it to its critical role of serving the people of Washington, D.C. and the nation.

Thank you, Chairman Davis and members of the Committee. I would be happy to respond to any questions you might have.

-- END --

Chairman TOM DAVIS. Mr. Gordon.

Mr. GORDON. Good afternoon, Chairman Davis, and Honorable Congresswoman Eleanor Holmes Norton. My name is Theodore Gordon. I'm the senior deputy director for environmental health science and regulation for the District of Columbia Department of Health. On behalf of Mayor Anthony Williams and Mr. James Buford, the director of the Department of Health, we appreciate the opportunity to present testimony on the reopening of the U.S. Postal Service's Joseph Curseen, Jr. and Thomas Morris, Jr. Mail Processing Distribution Center, formerly known as Brentwood. With me today are key staff involved in the decontamination and reoccupation of the Curseen-Morris facility.

As has been previously noted, in October 2001, letters containing anthrax spores sent to the Hart Senate Office Building also contaminated this postal facility. Mr. Chairman, the Department of Health has collaborated since October 21, 2001 to carry out the process of decontamination of the Curseen-Morris facility. Our comments will focus on providing an update of the role of the Department of Health in the decontamination of this facility.

As you know, this is the largest chlorine dioxide fumigation process undertaken in the country. The process has three steps. The first step is prefumigation planning, the second step is chlorine dioxide fumigation of the facility, and the third step is postfumigation and cleaning and reoccupancy.

Very early in the process, we at the Department of Health assembled the Brentwood Scientific Advisory Committee and charged it with assessing whether the work done at the facility was done according to applicable Federal and District of Columbia regulations and science. This included specialists in the fields of microbiology, engineering, medicine, epidemiology, toxicology, and environmental health. The committee included members of the postal union and community members from ward 5, where the facility is located. The Honorable Vincent Orange, Sr., councilmember for ward 5, council of the District of Columbia, also served as a member of this committee. The Department of Health contributed to each of the ward 5 community meetings convened by the U.S. Postal Service and participated in each postal worker technical information meeting.

The Brentwood Scientific Committee provided advice to the Postal Service, with a strong commitment to reduce the risk of decontamination at the facility and to ensure the safety of the public. The major technical issues of concern to the Department of Health from the beginning are, one, effectiveness of the decontamination; two, the proper chlorine dioxide dosage; three, the postfumigation sampling protocols; and, four, shutdown authority and reoccupancy clearance.

In this regard, we have collaborated with the U.S. Centers for Disease Control and Prevention, EPA, the National Institute for Occupational Safety and Health, Occupational Safety and Health Administration, and the Armed Forces Radiobiology Institute to review the results from the following: the Sampling and Analysis Plan; the wall cavity sampling demonstration plan; the ambient air monitoring plan; the line 17 fumigation remedial action plan; the

negative pressure plan testing plan; the scrubber tests, including carbon bed test; and the remedial action plan.

The Department reviewed and advised the Postal Service on the air dispersion modeling plan and issued several permits for testing and operation of boilers, air handling units, and negative air pressure systems. We were onsite during all phases of the fumigation with the Environmental Protection Agency to monitor the air in the surrounding neighborhoods.

In order to provide an independent evaluation to cleanup and testing efforts undertaken by the Postal Service in the Curseen-Morris Processing and Distribution Center in July 2002, the Department of Health agreed to partner with the Postal Service and experts from CDC, EPA, NIOSH, OSHA, and the American Armed Forces Radiobiology Institute, in establishing the Environmental Clearance Committee. The goal of the ECC has been to evaluate results for remediation to ultimately provide a recommendation for reoccupancy.

I might point out that the D.C. Department of Health set a clearance standard at the onset before this entire process of non-detection. There was no anthrax prior to October 2001 and we will not permit anyone to occupy this building if we find any results of anthrax through our testing process. We have been successful in achieving that objective.

The ECC consists of experts from the various technical disciplines representing a variety of Federal and local agencies and academia. A representative from the Department of Health and the Environmental Protection Agency served as co-chairpersons for the ECC. Their deliberations have involved a number of steps and stages, numerous meetings, technical briefings, consultations, recommendations, and subgroup reviews that have been used to evaluate technical issues. The ECC members also visited the facility for a walk-through on February 26 and September 5, 2003.

In closing, the Department of Health believes that the science and technology available has been used to identify and kill active, live anthrax spores at the Curseen-Morris facility. The Department remains steadfast in its commitment that the facility is safe for reoccupancy. We recommend reoccupancy of this building, and that the risk is absolutely minimum.

Thank you for the opportunity to come before you and discuss this important effort. We'd be happy to answer any questions. Thank you.

Chairman TOM DAVIS. Thank you very much.

[The prepared statement of Mr. Gordon follows:]

TESTIMONY OF
THEODORE J. GORDON
SENIOR DEPUTY DIRECTOR FOR
ENVIRONMENTAL HEALTH SCIENCE AND REGULATION
GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH

Oversight Hearing on the Reopening of
The U.S. Postal Service's Joseph Curseen Jr. and Thomas Morris, Jr. Mail Processing and Distribution Center

Congress of the United States
House of Representatives
Committee on Government Reform

October 23, 2003
Washington, D.C.

Good morning, Chairman Davis and Distinguished Members of the Committee on Government Reform. I am Theodore J. Gordon, Senior Deputy Director for Environmental Health Science and Regulation of the District of Columbia Department of Health. On behalf of Mayor Anthony Williams and Mr. James Buford, Director of the Department of Health, we appreciate the opportunity to present testimony on the reopening of the U.S. Postal Service's Joseph Curseen Jr. and Thomas Morris, Jr. Mail Processing and Distribution Center (formerly known as Brentwood). With me today are key staff involved with the decontamination and re-occupation of the Curseen and Morris facility.

As has been previously noted, in October 2001, letters containing anthrax spores sent to the Hart Senate Office Building also contaminated this postal facility. Mr. Chairman, the Department of Health has collaborated with the U.S. Postal Service since October 21, 2001 to carry out the process of decontamination of the Curseen and Morris facility. Our

comments will focus on providing an update of the role of the Department of Health in the decontamination of this facility.

As you know, this is the largest chlorine dioxide fumigation process undertaken in this country. The process has three steps. The first step is pre-fumigation planning. The second step is the chlorine dioxide fumigation of the facility. The third step is post-fumigation cleaning and re-occupancy.

Very early in the process, we assembled the Brentwood Scientific Advisory Committee and charged it with assessing whether the work done at the facility was done according to applicable federal and District of Columbia laws and regulations. The committee included specialists in the fields of microbiology, engineering, medicine, epidemiology, toxicology and environmental health. The committee included members of the postal union and community members from Ward 5, where the facility is located. The Honorable Vincent Orange, Sr., Councilmember for Ward 5 of the Council of the District of Columbia also served as a member of this committee. The Department of Health contributed to each of the Ward 5 community meetings, convened by the U.S. Postal Service, and participated in each postal worker technical information meeting.

The Brentwood Scientific Advisory Committee provided advice to the Postal Service with a strong commitment to reduce the risks from the decontamination of the facility and to ensure the safety of the community and the public.

The major technical issues of concern to the Department of Health have been from the beginning: one, the effectiveness of the decontamination; two, the proper chlorine dioxide dosage; three, the post-fumigation anthrax sampling protocols; and, four, shut down authority and re-occupancy clearance.

In this regard, we have collaborated with the Centers for Disease Control and Prevention (CDC), the Environmental Protection Agency (EPA), the National Institute for Occupational Safety and Health (NIOSH), the Occupational Safety and Health Administration (OSHA), and the Armed Forces Radiobiology Research Institute (AFRRI) to review the results from:

- the Sampling and Analysis Plan;
- the wall cavity sampling demonstration plan;
- the ambient air monitoring plan;
- the line 17 fumigation remedial action plan;
- the negative pressure testing plan; the scrubber tests (including the carbon bed test); and,
- the remedial action plan.

The department reviewed and advised the Postal Service on the air dispersion modeling plan, and issued several permits for testing and operation of the boilers, air handling units and the negative pressure air system. We were on site during all phases of the fumigation, working with the Environmental Protection Agency to monitor the air in the surrounding neighborhood.

In order to provide an independent evaluation of the clean up and testing effort undertaken by the Postal Service at the Curseen and Morris Processing and Distribution Center, in July 2002, the Department of Health agreed to partner with the Postal Service, and experts from the CDC, EPA, NIOSH, OSHA and AFRRI in establishing the Environmental Clearance Committee, known as the "ECC". The goal of the ECC has been to evaluate the methods and results from the remediation to ultimately provide a recommendation on re-occupancy of the facility.

The ECC consists of experts from various technical disciplines representing a variety of federal and local agencies and academia. A representative from the Department of Health and the Environmental Protection Agency serve as co-chairpersons for the ECC.

The ECC's deliberations have involved a number of steps and stages, and numerous meetings, technical briefings, consultations, recommendations, and sub-group reviews that have been used to evaluate technical issues. ECC members have also visited the facility for walkthrough evaluations on February 26 and September 5, 2003.

In closing, the Department of Health believes that the best science and technology available has been used to identify, kill and inactivate live anthrax spores at the Curseen and Morris facility. The department remains steadfast in its commitment to ensure that the facility is safe for re-occupancy and will continue its mission to protect the public health and safety of residents and visitors to the District of Columbia.

Thank you for the opportunity to come before you to discuss this important project. We will be happy to answer any questions you may have.

END OF TESTIMONY

Chairman TOM DAVIS. I gather from the testimony that everybody feels comfortable about the new building, but nobody can say it's 100 percent safe; is that fair? Anybody want to raise their hand and say it's 100 percent safe?

OK. Have all of you been through the building? Have all of you been through the building?

Mr. DAY. I've been in the building.

Chairman TOM DAVIS. Ms. Norton and I would like to go through the building before it opens and we'd like you all to join us. We need to feel it's safe. I would like to see the facility anyway, it's a tremendous effort, and we'd like you to join us next week in doing that.

Before I get to the cleanup of the building, I want to ask—I'm not sure who to address this to—but my understanding is this goes to yesterday's incident in South Carolina. My understanding is that the envelope that was found to contain ricin was indeed labeled "ricin" on the exterior; is that correct? Does anyone know?

Mr. DAY. I can speak to what I know, Mr. Chairman. The letter was addressed, as I understand, to DOT. It pertains to a dissatisfaction with some recent rules that DOT has passed in regards——

Chairman TOM DAVIS. Right, I understand. Possibly it was a disgruntled worker or something.

Mr. DAY. And it was labeled that way and indicated it was ricin as a content, as part of the threat.

Chairman TOM DAVIS. And it gets that. But the facility wasn't immediately closed upon it being labeled "ricin" was it?

Mr. DAY. No, it was not.

Chairman TOM DAVIS. Now, if someone had called in and said, "there's a bomb threat," would the facility have been closed immediately or would we have stopped and looked at it?

Mr. DAY. We have different procedures, depending upon the threat. Just to give you some frame of reference, we've had over 20,000 suspicious substance incidents in the Postal Service over the course of the last 2 years, so better than 30 incidents per day on average, so quite——

Chairman TOM DAVIS. You would never get the mail out if you had to stop.

Mr. DAY. The protocol does not call for a shutdown. It does call for an isolation of the suspicious item and then the notification of local officials, which was done in this case.

Chairman TOM DAVIS. OK. How much did the cleanup of the Curseen-Morris facility cost?

Mr. DAY. Mr. Chairman, we don't have a final number to date, and this also involves the testing, the cleanup, and the refurbishment. I would put the estimates in the $120 to $130 million price range.

Chairman TOM DAVIS. Now, how much did Congress appropriate extra for that, do you know?

Mr. DAY. It was part of a total appropriation. We received the $762 million in three pieces. There was an additional $175 million that the President provided to the Postal Service as an immediate response to the anthrax attack, which was quite quickly spent on

testing, masks, gloves, all of that. So the $175 millioin went rather quickly in the initial response in the fall of 2001.

The additional appropriation came in two parts, an initial $500 million, followed by a supplemental for an $87 million appropriation. The cleanup costs were embedded in that total of $587 million. We were required by Congress to develop an emergency preparedness plan and gave our cost estimates as to what the $587 million would be spent on. Those cost estimates have changed dramatically since the plan was first submitted in March 2002. We updated it recently and we'll update it again.

Chairman TOM DAVIS. I mean, one of the concerns in this committee is the Postal Service basically has its own enterprise fund, and we'd like to keep it that way. Obviously, for incidents like this, it shouldn't be the ratepayers. It is a terrorism threat and it ought to come from the general fund, and we would be interested in looking at this and seeing if we are putting this cost back on ratepayers or if this is general government. And we have these arguments all the time.

Mr. DAY. Mr. Chairman, we concur. We believe this is a unique circumstance that should not be borne by the ratepayer; that is, a response to a terrorist action is much more of a national issue than a specific Postal Service ratepayer issue. And in fact we have an appropriations request for the fiscal year 2005 budget to help us to complete the full deployment of the technology to provide protection to employees and customers.

Chairman TOM DAVIS. Thank you.

Let me ask a question of GAO. In your opinion, what's the most important thing the Postal Service needs to do to respond effectively to an emergency like this?

Mr. UNGAR. Well, first of all, to take the appropriate action to close the facility or evacuate the facility if that's what is appropriate under the circumstances, to notify appropriate authorities, and at the same time communicate with employees, making sure that it provides clear and accurate information, the best that it can.

Chairman TOM DAVIS. Do you think communication has improved between the employees and the Postal Service as a result of this?

Mr. UNGAR. Mr. Chairman, yes, it seems to have improved based on what we have seen. I think a number of lessons were learned back in 2001. I think this most recent example I mentioned in my summary statement would indicate there's the opportunity for continuous improvement and being particularly careful in communications with the employees who are slated to return to Brentwood to recognize the sensitivities of what happened in 2001.

Chairman TOM DAVIS. Let me ask our OSHA rep, is there any health risk associated with long-term exposure to any residue of agents used in the decontamination piece of this?

Mr. LAYNE. Mr. Chairman, you're talking about the chlorine dioxide exposure? There is nothing there that is recognized that should be a concern to the employees.

Chairman TOM DAVIS. OK.

Mr. Gordon, has the District of Columbia been reimbursed for the costs that you incurred during the cleanup of the facility?

Mr. GORDON. Not to my knowledge, Chairman Davis. Certainly, it's not just the Department of Health, it is the police department and other agencies that participated in this process. We were providing that information to Doctor Ghandi so that he can provide an adequate listing to the Postal Service.

Chairman TOM DAVIS. If you could get that to Ms. Norton and to me at the committee, we would be very grateful for that.

Mr. GORDON. Very good.

[The information referred to follows:]

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Health

Office of the Senior Deputy Director
For Environmental Health Science
And Regulation

November 20, 2003

The Honorable Eleanor Holmes Norton
Member of Congress
Congress of the United States
House of Representatives
2136 Rayburn House Office Building
Washington, DC 20515-5101

RE: Oversight Hearing on the Reopening of the Joseph Curseen Jr. and Thomas Morris Jr. Mail Processing and Distribution Center

Dear Congresswoman Holmes Norton:

Thank you for the opportunity to provide testimony on the reopening of the Joseph Curseen Jr. and Thomas Morris Jr. Mail Processing and Distribution Center (Curseen/Morris Center). The Department of Health submits the following response to your questions enclosed in your letter, dated November 4, 2003.

All District of Columbia agencies have been advised to submit costs associated with the decontamination of the Curseen/Morris Center to Ms. Barbara Childs-Pairs, Acting Director of the District of Columbia Emergency Management Agency (EMA). Estimated personnel costs for the Department of Health's Office of Environmental Health Science and Regulation alone are $31,981.81. The decontamination process took nearly two years to complete and cost information is now being forwarded to the EMA.

If you have any questions, please contact me at (202) 442-8982. Thank you!

Sincerely,

Theodore J. Gordon
Senior Deputy Director for
Environmental Health Science and Regulation

Cc:
Robert C. Bobb, Deputy Mayor/City Administrator
Kelvin Robinson, Chief of Staff
Natwar M. Gandhi, Chief Financial Officer
Carolyn N. Graham, Deputy Mayor for Children, Youth, Families and Elders
James A. Buford, Director, District of Columbia Department of Health
Barbara Childs-Pairs, Acting Director, Emergency Management Agency
Ronald Lewis, Chief Operating Officer, Department of Health

825 North Capitol Street, N.E., Room 4163, Washington, D.C. 20002 (202) 442-8982 • Fax: (202) 442-4808

Chairman TOM DAVIS. There shouldn't be a cost, I think Ms. Norton agrees with me, a cost to the city in a case like this.

Has your Department's response to biohazards changed since the anthrax?

Mr. GORDON. Oh, certainly. I mean, since the whole anthrax event. As you know, we've not only been involved in the decontamination, but we provided the antibiotic therapy for approximately 17,000 people, the majority of which were from the postal facility. Our response in dealing with these kinds of circumstances has changed dramatically and certainly this has been a best management practice for us as we move forward. As Tom Day indicated, we have kind of written the book on this.

Let me say this: the collaboration which existed between these Federal agencies I think is unique in history. We came together, we clearly defined the problem, and we focused on resolving that problem in what I would characterize as a superlative manner. I'm not saying this is a rubber stamp, but I'm saying the scientists and the engineers came together and we focused and we worked hard to do and apply the science in this country, and I think that is what we achieved.

Chairman TOM DAVIS. Has there ever in history been an issue before where anthrax was sent through the mail?

Mr. GORDON. Not to my knowledge, no.

Chairman TOM DAVIS. Anyone? So you really live and learn, basically.

OK. Let me ask the Postal Service, can the equipment that you're planning to install now detect hazards other than anthrax? Would it detect ricin, for example?

Mr. DAY. Mr. Chairman, it can detect other biological hazards. The system that we worked to develop with our suppliers is capable of multiple threat detection. It obviously was developed initially for anthrax, but it is capable, and we are working toward multiple threat detection. Ricin is not a biohazard. It is actually a toxin. It's actually a protein. If there is residual DNA content from the castor bean from which it is produced from, you can sample for that DNA content. However, a purified form of ricin, which is truly where the threat comes from, is not detectable by this kind of PCR-based DNA analysis.

Chairman TOM DAVIS. Now, we're going to hear testimony later from the American Postal Workers Union that the biohazard detection equipment you're planning to install is not going to be used on presorted mail. I guess because pre- sorted mail has an identifiable sender, terrorists would generally be deterred from using it. Is that the rationale, in terms of costs and cost benefits?

Mr. DAY. Mr. Chairman, as part of our emergency preparedness plan there is a vulnerability threat and consequence management assessment we perform. That's a classified document, so we have not put it in the public domain. We went through and assessed 162 scenarios, and when you go back and look at biological threats such as anthrax, presorted mail, mail produced in bulk quantity, while not impossible to contaminate, is highly improbable and an impracticable vector for attack. It would be virtually impossible to do a targeted attack, and the method by which you would do it would likely contaminate the facility where the mail was produced and af-

fect those employees. And you also have the issue that you already pointed out of a known shipper. So there are a number of reasons why, although possible, that is not a very practicable way to do it.

Chairman TOM DAVIS. Thanks.

I also understand that the employees have asked for medical and mental health professionals to be onsite when employees return. Does the Postal Service have a position on that request?

Mr. LANE. Yes. Yes, Chairman. In fact, we have plans to have 24-hour doctors and nurses available to them.

Chairman TOM DAVIS. Onsite, or just available?

Mr. LANE. Onsite.

Chairman TOM DAVIS. OK. What kind of training do employees receive for responding to an emergency like a bioterrorist attack? Obviously, when you look at this incident you have to refocus your orientation and your training. Are they getting additional training, now?

Mr. DAY. Nationwide, yes. We have defined protocols. We have always had hazardous material response teams, typically from within our maintenance crafts of employees that have been available to deal with this, particularly at our processing centers, but there's been an increased focus on what to look for in suspicious mail items. And again I would point out, with over 20,000 reported incidents over the last 2 years, we obviously have employees who have been trained to and do pay attention. Again, the most recent incident that was reported in the media yesterday was the direct result of an employee who was paying attention and did the right thing.

Chairman TOM DAVIS. Thank you. Those are my questions.

Ms. Norton.

Ms. NORTON. Thank you very much, Chairman Davis.

We really need more information about how you would handle a contaminated item that wasn't labeled. We congratulate you on dealing, apparently expeditiously, with ricin. It certainly helps restore our confidence. But, of course, it says "ricin" right on the label; so it's not hard to detect by the Postal Service, when obviously someone was trying to let you know that it was something dangerous, and you had to see if it was dangerous at all, and you found out it was dangerous.

Suppose the ricin had not been labeled. How would it ever have been detected?

Mr. DAY. Let me first point out that, again, with the number of incidents we have had, the overwhelming majority are not because it's labeled as anthrax, ricin, or anything else.

Ms. NORTON. Have you found ricin before?

Mr. DAY. No, we have not.

The fact is that our employees have been trained on some of the specific things to look for on what might be suspicious.

Ms. NORTON. Have they been trained to look for ricin?

Mr. DAY. They're trained to look for suspicious things coming out of the envelope or mail piece and what the characteristics might be.

Ms. NORTON. Did this come out of the envelope?

Mr. DAY. Excuse me?

Ms. NORTON. Did the ricin come out of the envelope?

Mr. DAY. No. I would tell you that if it wasn't labeled, other than the fact that it didn't have postage on it—which obviously would have brought our attention to it—and the way it potentially was addressed, there was nothing about the way it was made up or anything spilling out of it that would've brought it to our attention.

Ms. NORTON. If it had continued as an envelope, at first the Postal Service and the CDC thought that anthrax couldn't come through the envelope, and of course the facility wasn't shut down. Can ricin come through the envelope? And, if it does, what happens?

Mr. DAY. Ricin is one of the——

Ms. NORTON. Maybe I should ask Mr. Gordon as well to chime in here.

Mr. DAY. I can just tell you from our threat assessment ricin is possible, but it is viewed as one of the impractical means to be sent through the mail. But it is possible.

Ms. NORTON. Well, it was sent through the mail this time, Mr. Day, so I'm not talking Brentwood as a hypothetical here.

Mr. GORDON. Congresswoman Norton, it is possible, but it is very improbable that you would have the same type of dispersion and distribution that you would have with anthrax spores.

Ms. NORTON. Suppose some came through an envelope? Could it harm an individual? I mean, can you inhale it? I'm just trying to find out what the threat is there when you don't know what the substance is.

Mr. GORDON. I think through an envelope the risk is much more minimal.

Ms. NORTON. Than with anthrax?

Mr. GORDON. Absolutely.

Ms. NORTON. How does it poison people? What are its symptoms? What does it do to you?

Mr. GORDON. It's a protein process. It can affect the central nervous system, it can affect the lungs, it can cause cardiopulmonary distress on someone who may have some clinical problems.

Ms. NORTON. So normally would you breathe it or would it have to get on your body?

Mr. GORDON. You could breathe it and/or skin absorption. There are three pathways: inhalation, skin absorption, and ingestion. Those are the three pathways from which it could cause problems.

Ms. NORTON. But you think pretty much it would have to get out of the envelope?

Mr. GORDON. Yes and you'd have to have what we characterize as a substantial bioload and exposure, like we did with anthrax, and I don't think you have ricin as the type of substance that has the same dispersion capability as anthrax.

Ms. NORTON. Mr. Gordon, who has anthrax? Who has access to ricin in this country?

Mr. GORDON. Who?

Ms. NORTON. I mean, do laboratories have it? Is it a prohibited substance so it's hard to get ahold of? Is it easy to get ahold of?

Mr. DAY. Congresswoman Norton, from what I understand, ricin is produced from the castor bean. The technology required to refine the ricin from the castor bean is not overly sophisticated. However, getting it into a weaponized form is a bit more of a challenge, so

it is not a controlled substance. It is something which a person with a level of knowledge, not overly sophisticated, could produce from a castor bean.

Ms. NORTON. I suppose now that we've had this tragic episode involving anthrax there are all kinds of precautions that have been taken here. But, very frankly, the President and Congress and Federal officials now are perhaps as much concerned about substances that haven't yet come into the mails. We are concerned about bioterrorism.

So I've got to ask you about other toxins and chemicals and things like—you know, we got the bejesus scared out of us about smallpox until we found that it perhaps caused more harm than not to try to vaccinate everybody. But I would like to ask you about other substances that may come through the mail and whether the—quite apart from anthrax, whether you're prepared for other substances that may come in the mail, just as ricin has come through the mail just this week. So what in the world—how are you prepared?

Mr. GORDON. I'd like to just give some clarity to your earlier question and give you some additional information.

Ricin is a chemical. It is not a bacteria. Anthrax is a bacteria which is microscopic and went through the envelope itself because of its porousness. Ricin is a chemical compound that is derived through various methods, very rudimentary, as Tom Day has indicated. You would have to have a substantial amount of this chemical for someone either to inhale or ingest in order to become a major risk factor.

Ms. NORTON. So more than anthrax.

Mr. GORDON. Substantially more than anthrax. There are no bioloads, Congresswoman Norton, for anthrax. In other words, one of the difficulties and challenges that we had and why we set a nondetect level for Brentwood is, there is no exposure dose ratio set in the United States for anthrax. A person who may be exposed to 1 or 10 spores can contract the disease versus 100 spores. So, therefore, the standard of nondetect is what is important.

Ms. NORTON. Mr. Day, you're aware that a woman who—an employee who worked within feet of one of the employees who died found a suspicious letter that had powder in it, came to supervisors and spoke about it. It turned out to be false positive, but she was turned back.

I want to know, if somebody came with such a letter today—I mean, she's very fortunate it wasn't that, because she knew somebody was ill; and there are all kinds of concerns that were raised that there were some supervisors who reprimanded employees when the numbers went down immediately following the incident, but nothing has been found. People were reassured to go back to work, get your work done.

I want to know what happens when somebody comes with maybe a false positive and says, "this envelope looks to me like it could contain something." And we know that the chances are, you know, 99.9 percent perhaps that it won't, but I want to know what if she has in hand something, what the Postal Service says to that employee. You and Mr. Lane tell me, whoever is in the best position to tell me what your regulations now tell me should happen.

Mr. DAY. We have a defined process and procedure on how to handle such an event.

First of all, I would point out the first part, that we have told employees and hopefully they will follow, is that they wouldn't have it in their hand.

Ms. NORTON. So what would they do?

Mr. DAY. If they have a mail piece that is suspicious or has powdery substances coming out of it, they are to identify where it is and notify a supervisor or manager.

Ms. NORTON. Now is this training that has now been given in Brentwood and to postal employees throughout the United States what you're just telling me?

Mr. DAY. That training has been provided over the course of well over a year. The process has been defined, employees have been trained.

Ms. NORTON. So "don't touch it" is what they're told.

Mr. DAY. "Do not touch. Notify, isolate and notify local authorities." The Postal Inspection Service becomes involved as well as local officials.

Again, we have had over 20,000 incidents Postal Service-wide in the course of the last 2 years. We've experienced some level of facility shutdown as we've dealt with suspicious items.

Ms. NORTON. Thank you very much.

Now I'm concerned about information that is beginning to emerge about the slow close-down, the delayed close-down; and, of course, the Postal Service has said, well, you know, "the CDC made me do it." Would you rely on the CDC today? You know, "we went to the scientists, and they said it wasn't necessary," is what we were told over and over again. Would you rely on the CDC today or would you close down a facility even without CDC or other scientific affirmation?

Mr. DAY. Congresswoman, we must rely upon public health and medical experts. The example of the Greenville, SC, situation—I, along with other senior managers in the Postal Service, were involved in telephone conversations with Homeland Security, the CDC and the FBI. We jointly made that decision. We must——

Ms. NORTON. Did they look at the substance first?

Mr. DAY. Excuse me?

Ms. NORTON. Did they test the substance first?

Mr. DAY. They came to us and let us know that they had trace amounts of ricin. We then had a discussion about—as they indicated to us, they found the trace amounts, but the vial was sealed. We had a discussion about what was prudent to do.

Ms. NORTON. So, you know, once again they said, "look, you know, it's sealed. We haven't had time to test it." But——

Mr. DAY. We jointly reached the conclusion that we needed to close the facility, get public health people there talking to employees and test the facility.

Ms. NORTON. How soon after the discovery was the facility closed?

Mr. DAY. The discovery, we found it last week. CDC came back to us with the positive results in the last 24 hours. That's when we reacted, when we had a result.

Ms. NORTON. So you found it last week. You didn't know—of course, they said it was ricin. Last week on what day?

Mr. DAY. It was last Wednesday, the 15th, I believe.

Ms. NORTON. And it was closed down when?

Mr. DAY. We closed it down yesterday. So a week. But right the same day that we were notified that we had some result that indicated there was a problem, up to that point it had been removed from the facility, and nothing had been indicated. It was just like many other incidents we had.

Ms. NORTON. So you waited until it was tested? Is that why you waited that long?

Mr. DAY. You have to. You have to get a result to understand what you've got.

Ms. NORTON. Well, that's exactly what the CDC said.

Look, you know, I'm concerned. That concerns me. The thing said "ricin." I could understand if you had an unidentified envelope. The thing said "ricin." It could have been a prank, but what is this almost a week that you waited to close down the facility? I mean, that's of some concern. I don't know if there's overdependence on scientific experts as there was in CDC—as there was a dependence on CDC or what. But let me—you seem to have—and I think I am going to ask you to look far more closely at what you do, particularly if you have a labeled matter. Now I don't want to indicate that every labeled matter—but, apparently, even in your conversations they told you there was residue. There appeared to be residue there, and you didn't close it. Oh, that didn't happen until a week later.

Mr. DAY. We found out yesterday what they had sampled. We had nothing prior to that.

Ms. NORTON. Except the label.

Mr. DAY. Just—and, unfortunately, Congresswoman, we get things sent through the mail that have any number of anonymous hoaxes written on them. That, unfortunately, is too commonplace.

Ms. NORTON. OK. Mr. Day, I'm going to assume from what I heard from Dr. Gordon that what is generally known about ricin would mean that knowing only that this was labeled ricin, knowing what at least he informs us about the nature of ricin and its ability to contaminate far less than anthrax, that may have been a reasonable decision not to shut down for that period of time. I'm really not trying at all to show you didn't do the right thing. I am trying to be reassured and to reassure members of the public and the employees that we are today using the best we have.

Now I have a question about your own policies and regulations. Four days after the anthrax letter was opened on Capitol Hill—and the date I'm looking at is October 19, 2001—the Postal Service apparently issued a policy, a written policy. As I am informed, it stated that the discovery of a suspicious or unopened envelope should trigger the shutdown of equipment and evacuation, cordoning off the area. That's what your own regulation said. Now you were aware that the Daschle letter had passed through that facility on October 15th, so responding by the 19th you had new regulations. That's very good. That's a quick response in writing. However, the facility itself was not shut down. In fact, it was kept running 24 hours a day, 7 days a week, and there were 2,000 employees in

that building, approximately. To me, this says you weren't following your own regulations, despite the fact that a letter had been found here and everybody knew that letter went through Brentwood. I want to know, in light of that, in light of your own written response, why there was a delay in shutting down that facility, given what you knew about that letter, that Daschle letter on Capitol Hill.

Mr. DAY. Yes, ma'am. Let me just clarify. What we put out on October 19—and I don't specifically remember that date or what was issued that day, but I can tell you there were existing policies in the Postal Service, something which I specifically remember. Because a year and a half prior, as a district manager in southeast New England, we had gone through a simulation of an anthrax event.

Ms. NORTON. So you had existing policies plus a new policy. The one I'm interested in is the one that says, "shut down the place; cordon off the area."

Mr. DAY. But let me be clear on what the policy was and what we knew on how this worked. On October 19, the examination policy and the clarification spoke to shutting down the facility where the letter was found. The concept of a trail of contamination was not known on the 19th. The letter in question, the Daschle letter, was in the Hart building, which was shut down; that's in full conformance. We didn't have the concept—history now tells us much differently, and our policies have changed to reflect that, but what we didn't know on the 19th was that there was a trail of contamination that went back upstream.

Ms. NORTON. Well, wait a minute. You did close—you did know enough, apparently, to close the Trenton postal facility——

Mr. DAY. The Trenton postal facility.

Ms. NORTON [continuing]. And you certainly knew enough to close the Capitol Hill mail facility. One's an upstream. Capitol Hill is a downstream. Yet, Brentwood, which is midstream, remained open on the 19th, the 20th, and part of the 21st. Why shouldn't we conclude that Brentwood was treated differently from these other facilities, and why was it treated differently, if you were so quick to close down upstream and downstream and here's Brentwood in the middle of it and not closed down?

Mr. DAY. Take it on either end. In Trenton, on October 18, you have the first incident of a postal employee, a letter carrier, who was diagnosed as suffering from cutaneous anthrax. In dealing with local public health officials in the State of New Jersey, specifically Dr. Ed Bresnet, a decision was made. Given the specific known issue of an employee of the Postal Service with cutaneous anthrax, that facility was closed.

Ms. NORTON. How many hints do you need?

Mr. DAY. Unfortunately, we did not——

Ms. NORTON. This person had anthrax. He's upstream.

Mr. DAY. No. No. That's not upstream. That is at the source. That's where it occurred. And in turn, again, working with local public health officials, we had not yet come to that conclusion. That was not the advice I think Mr. Ungar——

Ms. NORTON. Had not yet come to the conclusion that it could travel.

Mr. DAY. That we had this path of contamination.

Ms. NORTON. That what? I'm sorry.

Mr. DAY. There is a path of contamination.

Ms. NORTON. First of all, what did we learn about that employee at that time? The postal carrier?

Mr. DAY. Up in New Jersey?

Ms. NORTON. Yes.

Mr. DAY. That specific carrier was suffering from a case of cutaneous anthrax.

Ms. NORTON. OK. He had it.

Mr. DAY. She had it, yes, at that facility; and so there was advice from local public health officials to close Trenton, NJ. We were responsive to what public health officials advised us to do. In New Jersey, on the 18th, given that case, we closed. When Mr. Morris, Mr. Curseen, Mr. Richmond were diagnosed over the course of the weekend of the 20th and 21st then, in turn, public health officials said we needed to close. We did that. We did not know that on the 19th.

Ms. NORTON. All right. Again, once you get—I don't know what to tell you, Mr. Day, but if there are deaths around me, I then begin to look very closely at what had been the existing knowledge. And I recognize that was—that's a postal carrier who had a letter, right? We believe he had the letter. Now we believe that somebody—we now know at least two people in Brentwood had a letter. Again, I don't find it hard to connect these dots.

Mr. DAY. Not on the 19th, though, Congresswoman. The only death as of October 19 was Mr. Stevens in Boca Raton, FL, at AMI. Then you had a series of cutaneous anthrax cases that took place in New York City in the newsrooms of several network TV stations as well as the New York Post. So when you look at the dates, on the 19th, you do not have, other than the first employee in Trenton, NJ, a case of anthrax. The first cases diagnosed here in the Washington area occurred over the course of the weekend, the 20th and 21st.

Ms. NORTON. Mr. Day, what I'm looking at is that people who handled mail clearly got anthrax, ergo, somebody in Brentwood has handled mail, and yet Brentwood is not closed. Moreover, the Capitol Hill facility, downstream, was closed. Why? They handled mail. But so did somebody in Brentwood, and perhaps more people than we know.

Mr. DAY. But that's at the end of the stream where you've got the mailroom and Senator Daschle's administrative aide. You're at the end of the trail, and that's why that's closed. Congresswoman, I agree with you totally. In hindsight, again, we would have done this. It wasn't known at the time. If that's what CDC or anyone else had advised us was the right thing to do, we would have done it. We did it in New Jersey. When public health said "close," we closed.

Chairman TOM DAVIS. And you won't do it again.

Mr. DAY. Absolutely. I think we all understand how anthrax and biohazards can come out. Our process and protocol calls now for when detection occurs we will shut down the facility and work with local public health.

Ms. NORTON. Just let me say why I am still dissatisfied. When—because there had been anthrax deaths occur—that occurred in people who had handled mail, or anthrax, if not deaths. Because people had gotten anthrax from handling mail, because mail had clearly been handled in the Daschle office and, therefore, in the Brentwood office seems to me that, regardless of where the scientific folks are, give them time to figure it out, but you have enough real live evidence, quite apart from any analysis, that there may be danger in a particular facility where people have handled anthrax. That's what I want to be assured of, that if, in fact, people can connect those dots, you will not do what you did with the CDC. "We waited for them, our hands are clean, and we did what the scientists told us."

I'm looking for some fail check, and I tell you the best fail check I can think of: "Somebody got sick in a facility that handled this." I don't want to know anything else except will somebody get sick here who is handling the very same substance?

Now I would ask that the Postal Service consider what I am saying. I'm not talking about not depending on the scientific evidence. I understand that can take time. I'm saying, depending on real evidence that, by analogy, could likely apply to this facility, even though it isn't in this facility. I hope I am clear, and I'd like to know if the Postal Service is willing to consider this chain of—this chain problem I'm talking about where you have to figure it out even though you don't have the substance tested.

Mr. DAY. Congresswoman, I would tell you—let's speak to a real-world example where we learned our lesson. We established new protocols, and we implemented them.

This past year at the Federal Reserve here in Washington they reported to us back in January that they had a preliminary positive on a piece of mail at the Fed for anthrax contamination. We, in fact, specifically reacted to it. We knew the trail of mail that would have followed. We went to the V Street facility where we process government mail. That facility was closed. I personally was involved with the notification to the public. Jerry Lane personally notified the employees. We shut down the facility, we got it tested, we made sure we took care of it.

Ms. NORTON. What about Brentwood, in that instance?

Mr. DAY. Excuse me?

Ms. NORTON. What about Brentwood? Did it go through Brentwood?

Mr. DAY. No, it did not. We followed the trail. It was processed at the V Street annex. So that's not theory, that's a real-world case——

Ms. NORTON. Well, I just gave you a real-world case, and you have not satisfied me with respect to that real-world case. I congratulate you on the real world and, as you say, we have learned our lesson. I do want to know whether or not we are also dealing with an analytic process whereby you have to do what the physicians do. Physicians often diagnose without having the scientific evidence. They have to put it together, and that's essentially the kind of process I'm asking you also to use.

Mr. Ungar.

Mr. UNGAR. Ms. Norton, I just wanted to mention that our testimony today was based on our work at Brentwood, which was part of a larger review we were doing of the Postal Service and other authorities' reactions to the incidents in 2001 in several major postal facilities. And as part of that review, what we would like to do is take a look at the revised postal guidance for dealing with these situations to see whether it would indeed cover the type of situation that occurred back then. So we do hope to report on that within the next few months.

Ms. NORTON. I very much appreciate that, because, you know, I'm hearing a little bit of fighting the last war here. We've got to think proactively of "what if" and we have to look specifically for a very different situation than we found.

Mr. Chairman, I apologize for taking this time, but I wonder if I could have the time to pursue this matter further.

Chairman TOM DAVIS. Of course. Without objection.

Ms. NORTON. I am now concerned—I now want to be—I now want to ask you about other substances. Because CDC has long-existing regulations going back to 1980, as I understand it, and included anthrax. There must be—for example, anthrax, if you're sending it lawfully, must be in a three-layered packaging and the rest. It's all quite correct, scientifically correct.

We know that researchers—we know this renowned scientist who was just arrested and is being investigated because he just carried stuff with him, so we know that, you know, that researchers may just be becoming aware of what you're supposed to do; and many have obviously not been following these regulations in one form or fashion. But I am concerned, Dr. Gordon, that these regulations—these CDC regulations said that, even if taped and sealed—and the Daschle letter was quite visibly taped and sealed—there still would probably be a leak of anthrax. Yet we were told nobody knew that, even though these regulations from the CDC said you'd better, you know, seal all this stuff up because, even if you do, there could be a leak. Why didn't—I mean, they claimed not to know—the Postal Service claims not to have known, and here in their own regulations they warn that a layered envelope all buttoned up could leak. How did this occur?

Mr. GORDON. Well, certainly I can only give you—theoretically, anthrax, as you may or may not know, is a ubiquitous organism that is commonly around us. It's in the soil; it's out there. The difference between the anthrax that went through the mail service processing area is that this stuff was man-prepared. It was a highly refined type of anthrax that literally defied gravity in terms of its dispersion capability.

Ms. NORTON. So that's what they had in mind when they said it would probably leak even if it was taped and sealed.

Mr. GORDON. That's correct. And being as highly refined as it was, certainly, the—I don't think anyone anticipated that the porousness of the envelopes were such that it could come through the envelope. It's our understanding——

Ms. NORTON. Then why did the regulations say that, even if taped and sealed, it would probably leak anthrax?

Mr. GORDON. Well, that's something, Congresswoman, you're going to have to ask CDC. It doesn't make much sense, other than

that the porousness of the envelope would leak it, being highly refined it would leak even that much more. And that's exactly what happened. It came through the envelope, and when it hit the dusting machines with the air, it aerosolized it, and it distributed it throughout the Brentwood facility. Your question is excellent. Why it wasn't thought of before, I don't know. It's one of the issues that we raised with the Department of Health—Dr. Walks and I raised it—that it would be common for us to understand that bacteria that highly refined would come right through that.

Ms. NORTON. Well, they understood it enough to put it in their regulations, but they didn't understand it enough to tell the Postal Service.

Let me go further and move on. I need to know how you know, if you do, Mr. Day, that there is no risk to employees from the new irradiation facility that will be located, as I understand it, on the Brentwood grounds.

Mr. DAY. Let me say a few words about irradiation. I would preface it by saying that when you get into a very specific scientific discussion I'm not aware of really anybody that would describe anything as no risk, 100 percent certainty, zero risk.

Ms. NORTON. You're right. There's always risk. There's risk in breathing just air. So I'm not talking—I'm trying to be reasonable, Mr. Day.

Mr. DAY. There is, however, because of——

Ms. NORTON. I mean, even the GAO leaves us with the fact that—everybody protects their butt, and if they say 100 percent then they are afraid somebody will come back and say they found 1/10th of 1 percent.

Mr. DAY. And that's the issue. So no one claims no risk. Low risk, however, I think is reasonable. Irradiation technology has been around for decades. It's been used for food processing, medical sterilization, it's got a number of industrial uses; and so it is well known, well understood. The ability to properly build a facility that is as low risk as anyone possibly can build one is well understood.

The facility we currently use in New Jersey, is owned and operated by IBA, Ion Beam Applications actually, a firm out of Belgium. The facility is one that I've driven by many times. I've been into it. It's immediately adjacent to Route 295 in New Jersey. There are literally thousands upon thousands of vehicles that drive by that facility within 100, 150 feet. Irradiation is understood. The procedures to make it safe are understood, and it's well regulated.

Ms. NORTON. It's not unlike the facility in New Jersey where we now send mail to?

Mr. DAY. It would be custom-designed for the particular aspect of irradiating mail. The facility in New Jersey had a more industrial use although we put mail through it. This facility will be built just for mail. But, most importantly, what you have with irradiation is very thick concrete or steel walls or some combination that prevent any of that irradiation from being harmful to anyone outside the facility.

Ms. NORTON. And this is located in a remote corner of the facility of the area.

Mr. DAY. It's located in the most remote corner. For those familiar with the site, if you're looking at the front of our building where

the retail is, it would be off to the left, to the left of the auto auction facility that's across the street from us, bounded somewhat by New York Avenue and with all of the train tracks behind it. So it's on the most remote portion of our property away—the farthest away from any residence. So it's quite a distance away from any residential properties.

Ms. NORTON. Will OSHA be testing this facility——

Mr. LAYNE. Yes, ma'am.

Ms. NORTON [continuing]. This irradiation facility?

Mr. LAYNE. Yes. We are prepared to continue on with our work with USPS to address any concerns that employees have about unsafe or unhealthful working conditions, and all of those will be evaluated. We're currently still working with the USPS and evaluating all the samples that they're getting, and so we will continue to work with them to address any potential unsafe or unhealthful working conditions.

Ms. NORTON. Today, Mr. Lane, Mr. Day—I don't know who can answer this question—who would have the final say on closing down Brentwood in this city?

Mr. DAY. If we were——

Ms. NORTON. How's the chain of command work? Who makes that call?

Mr. DAY. Ultimately, it remains with the agencies of the Postal Service. We certainly seek the advice of other agencies such as CDC. We work with Homeland Security in the case of South Carolina where there's some aspect that might suggest terrorism.

I can tell you, as we deploy our new technology there is a predetermined protocol that the new system we are putting in place, that if we get a confirmed result from that it, in fact, has found the DNA structure of anthrax, it's not really a decision. The protocol just flat out says we close down. We remove the sample; we take it to a certified CDC lab for final confirmation.

So we have a facility that's closed, a facility that has the machinery shut down, the employees taken out; and then if we get a confirmed result we're working with public health to follow a medical protocol. So it's very defined, it takes decisionmaking upfront. It's all decided by the protocols.

Ms. NORTON. You wanted to say something on that, Mr. Gordon.

Mr. GORDON. Yes. From the District of Columbia's standpoint, if we felt that a postal facility or any other facility located in our community represented an immediate public health threat, we would request that the Mayor declare a public health emergency; and we would then move forward to request the facility's closure.

Ms. NORTON. One of the great concerns here has been information, and I know how much work you have done on the communication issue. But I have a question for Mr. Layne in that regard because of OSHA regulations. Because OSHA regulations don't require—we're dealing here with a nationwide—potentially nationwide problem, and the OSHA regulations don't require the disclosure to workers of contamination or of the test results of contamination, I don't understand how that is appropriate. As I read your regulations, they allow management 14 days to communicate potentially deadly contamination to workers.

Mr. LAYNE. That is the existing requirement under 29 CFR 1910.1020, which is our access to Medical Records Standard; and that's the regulation as it exists now. Certainly, under the Occupational Safety and Health Act, if employees believe that there is some condition that—or information that should be made available to them, they can contact the local office, but the responsibility for providing a safe and healthful workplace lies with the employer under the Occupational Safety and Health Act.

Ms. NORTON. Yeah, but they're going to look to that regulation. Mr. Ungar.

Mr. UNGAR. Yes, Ms. Norton. We identified this dilemma in the review that we recently completed at the Wallingford Connecticut facility, and we did make a very explicit recommendation to OSHA to take a look at that regulation because of the very issue that you just raised, that an employee has to ask for the information first. In response, OSHA did agree to relook at that regulation. We haven't heard from OSHA yet whether they are going to change it, but they did agree to revisit that regulation.

Ms. NORTON. Mr. Layne, are you in the process of revising these regulations now based on the experience?

Mr. LAYNE. Yes, ma'am. We are evaluating the regulation based upon the recommendation from the GAO, and we responded back in July 2003 that's exactly what we are doing.

Ms. NORTON. Well, when can we expect revised regulations, Mr. Layne?

Mr. LAYNE. I don't have that answer for you. I'll be happy to answer you, provide a response later. I don't have the answer to that.

Ms. NORTON. Would you provide a response to the chairman within a week so that we know when your goal is? I didn't ask you when you have—when is your goal to come forward with regulation. That is something I'm asking you to give the committee.

Mr. LAYNE. Under the Occupational Safety and Health Act, there is a very detailed process about rulemaking that has to go through a very public——

Ms. NORTON. Are you in the process of rulemaking now?

Mr. LAYNE. We're responding to the GAO report. We're looking to see what is the best way to make the regulations.

Chairman TOM DAVIS. Mr. Layne, she just wants an approximation. You can go back and review it in a week and give us a ball park.

Mr. LAYNE. I don't have an answer for you right now.

Ms. NORTON. I can understand you might not have it sitting right here. You see, the way in which the government works, it's perfectly reasonable for an employer, including the Federal Government, to look at your regulations, to decide whether or not the employer is doing the right thing. After all, the employer is not sure. He doesn't want to panic employees. And yet he knows that his union or his employees are going to say, "Why didn't you tell me?" To avoid recrimination, you may want to look at giving more discretion to the employer. You may want to look at a shorter timeframe. But all we need to know is when you expect the process to have something. And I'm sure that your agency sets goals for when they want to do something, recognizing that those goals cannot always be kept.

Mr. LAYNE. Yes, ma'am, we will.

Ms. NORTON. Thank you very much.

Now I—Mr. Gordon, D.C. General is closed. It was, of course, indispensable at the time because it was set up almost immediately to receive people who got Cipro and to handle people's—at least initially, their health concerns. What would happen today if we had an episode? Where would people go?

Mr. GORDON. We would still be prepared, if necessary, to operationalize D.C. General Hospital. While the hospital hasn't been operated, as you know, we have our health care safety net unit there. The rest of the facility's integrity has been maintained. It's not a situation that is crumbling down around our knees. We would operationalize D.C. General Hospital. We would also—we do have other alternative sites as part of our emergency response plan that we could provide to you.

Ms. NORTON. What are those sites, please?

Mr. GORDON. I would prefer to provide that to you under separate cover because of the very nature of bioterrorism and where we would operationalize——

Ms. NORTON. Well, they already know about D.C. General. So what are you keeping from us all?

Mr. GORDON. Well, certainly we would have access to the Armory there. The Office of Emergency Management, the Department of Health is prepared to set up emergency medical tech operations on property adjacent to D.C. General Hospital and other locations throughout the city as part of our emergency response plan. We feel that we're very capable now to respond to these types of events. Our experience has been enormous, as you know, operationalizing D.C. General Hospital; and treating 17,000 people is not an easy task. I was there.

But I can also tell you that there are a lot of other parts, such as mental health counseling, that went on from our mental health department. The Postal Service's participation in working with Postal Service employees and helping them get through their tremendous effort was absolutely superb. We couldn't have done it without Postal's coordination and assistance and other offices of the Federal Government. And based on those lessons and how we operated, certainly we feel comfortable if we had to operationalize and treat we could do that in rapid deployment.

Ms. NORTON. Mr. Chairman, I only have one more question.

I do want to say this. At that time, D.C. General was open. It wasn't opened as a full-fledged hospital. That was open. So I'm talking what you saw even though the whole facility is in mothballs now you could get right back up. Because you know what? We're going to hold you accountable for that.

Mr. GORDON. Well, we have—that's one of the reasons why it's not been torn down or is crumbling around our knees. We have the facility; we have chairs and tables and stuff that are still there. It hasn't been ravaged. We've maintained appropriate maintenance on the building.

Ms. NORTON. OK. And it's got electricity and all that stuff.

Mr. GORDON. There's electricity in the building.

Ms. NORTON. All that good stuff.

Mr. GORDON. You must understand, Congresswoman, this facility is contiguous to a number of buildings and the power sources supply also not only D.C. General but the D.C. Jail and other facilities that are located on that campus. So we cannot individually isolate and deprogram. Again, while it's been mothballed and we are not investing a lot of money other than maintaining it on a limited capital basis, if we had to operationalize to deal with an emergency situation we certainly would do it.

Ms. NORTON. My final question is, who is monitoring the health of the employees who were in Curseen-Morris at the time and what are the results of whatever studies or monitoring that is being done?

Mr. GORDON. It is my understanding—and Tom Day can add more to this—but through Dr. Michael Richardson, our chief medical officer, Dr. Richardson is involved in the monitoring of those employees along with CDC. It's my understanding that CDC has primacy; and they coordinate with Dr. Richardson, who is our chief medical officer, with relationship to followup complaints of those employees. And their coordination is also with Dr. Reid, who is the chief medical officer for Postal Service.

Mr. DAY. I would concur with that. That is what's happening. I would tell you, on a more personal level, having spoken at a number of employee town hall meetings here in Washington as well as up in New Jersey with the employees at both facilities, our employees want that, and they deserve it. However, there's a level of mistrust that has kicked into this. CDC has had to use a contractor to help them to do the monitoring, and to a large extent they use telephone surveys.

I've personally spoken with employees who say, "Why aren't they doing a better job to monitor my health?" And I asked them—I said, "Well, were you contacted by the telephone survey?" The answer is yes. Well, "What did you tell them?" "Well, I didn't want to talk to them."

We're having a problem to get employees who deserve and want this tracking and treatment if necessary, but most importantly tracking to understand the methodology that CDC needs to employ to do it. So there is a level of mistrust unfortunately that's crept in there. And we're trying to get our employees to understand, yes, CDC is doing this, they are monitoring. They have done a number of reports, but, as you get contacted by this contractor that CDC is using, please communicate with them and let them know what's happening if you have any——

Ms. NORTON. Have you seen any improvement in the responses from employees based on——

Mr. DAY. I don't have any quantitative data to tell you whether it's gotten better or worse. Anecdotally, I still hear from employees who raise the question but then admit to you they——

Ms. NORTON. Is it because CDC—they hear the name CDC? Is that why?

Mr. DAY. I think there's an expectation that an M.D. is literally going to come to your doorstep and give you a physical exam and that's what the monitoring is, as opposed to CDC trying to monitor a population of people and talk to them periodically through this

telephone survey and understand if there's any symptoms that would indicate a problem.

Ms. NORTON. Mr. Lane.

Mr. LANE. Yes, Congresswoman. We also have an Employee Assistance Program that is, around-the-clock, doing surveys and having counseling sessions with those employees to determine, you know, what their requirements are; and we constantly followup through that process as well.

Ms. NORTON. Thank you very much; and thank you very much for your indulgence, Mr. Chairman.

Chairman TOM DAVIS. Thank you. I will dismiss this panel. I thank you very much for being here. I will look forward to having you accompany Ms. Norton and I when we walk through the facility before it opens. And I think, Mr. Layne, you've got a week to try to get us some information on that.

Mr. LAYNE. Yes, sir.

Chairman TOM DAVIS. Thank you very much.

We'll just take a 2-minute recess as we switch panels. Thank you.

[Recess.]

Chairman TOM DAVIS. We are ready to move to our second panel. I just appreciate everybody's patience in staying with us, and hopefully the first panel has provoked some comments we'll get.

I understand we have Dick Collins, the assistant to the president of the National Postal Mail Handlers Union, accompanied by Cynthia Vines; and Myke Reid, assistant legislative director of the American Postal Workers Union, AFL–CIO, accompanied by Corey Thompson. Thank you both for being here with us. What I would like to do is swear all four of you in. Have we got everybody? All right. We'll just wait a second.

We appreciate everyone being with us today, and I know this is very, very important to your membership. You're the front lines. I just want to say that Ms. Norton and I both very much appreciate the work that you're doing and hazards that you could potentially encounter any day. So we look forward to your testimony. As soon as we get Mr. Collins, we'll swear everybody in in one fell swoop.

I'll tell you what I can do. I can start over here. Mr. Reid, I can start with you; and if I swear you all in right away—I'll start with you, and then when Mr. Collins comes in I'll swear him in. We can move ahead.

[Witnesses sworn.]

Chairman TOM DAVIS. Thank you, and thanks again for bearing with us and being with us. Now you can proceed. Try to stay within 5 minutes, but we're not real tight on time today, so if you feel you need to take more time we can give you more. We have read your testimony. Thank you.

STATEMENTS OF MYKE REID, ASSISTANT LEGISLATIVE DIRECTOR, AMERICAN POSTAL WORKERS UNION, AFL–CIO, ACCOMPANIED BY COREY THOMPSON; AND RICHARD COLLINS, ASSISTANT TO THE NATIONAL PRESIDENT, NATIONAL POSTAL MAIL HANDLERS UNION, ACCOMPANIED BY CYNTHIA VINES

Mr. REID. Good afternoon, Mr. Chairman and Congresswoman Norton. My name is Myke Reid. I am the legislative assistant director of the American Postal Workers Union, which represents approximately 330,000 clerk, maintenance and motor vehicle craft employees of the Postal Service nationwide. I am testifying today on behalf of APW President William Burrus, who is out of town to attend a national APW conference. I am joined by APW Safety and Health Specialist Corey Thompson, who is available to answer any questions of a scientific or technical nature.

When the anthrax crisis arose in October 2001, the terrorist attacks of September 11 were still vivid, and our Nation was reeling. On October 5, 2001, a tabloid newspaper employee in Florida became the Nation's first inhalation anthrax fatality from a terrorist act. Ten days later, anthrax-contaminated mail was discovered in Senator Tom Daschle's office on Capitol Hill. Brentwood postal worker Thomas Morris died on October 21, and the facility was immediately shut down. Joseph Curseen, another Brentwood employee, died the following day.

We have certainly traveled a long road to get to the point where we are finally anticipating the reopening of the Morris—or the Curseen-Morris facility, which has been renamed to honor the two fallen postal workers. Yesterday's announcement that a piece of mail in Greenville, SC, contained the deadly poison ricin highlights the importance of the concerns we are discussing today.

The deaths of Curseen and Morris and the closing of the Brentwood facility were only the beginning of a long and difficult period for postal workers. Some are still suffering ill effects from the exposure, and many still bear emotional scars. For 2 years they have had to dramatically adjust to the disruption of their work life while struggling with the mental turmoil wrought by the attack. I must say that, by all accounts, they have endured these hardships and remain dedicated to their mission.

As the anticipated reopening approaches, workers are asking the question, "is the facility safe for me to return?" While there was cooperation between management and labor in the immediate aftermath of the attacks, there also have been serious breaches. The Environmental Clearance Committee cleared the facility for reoccupancy on September 19, yet this information was not provided to the union until October 20. While we were relieved to learn that the facility is deemed safe by the experts, we are troubled by the delay in sharing this information.

Five months ago, APW President Burrus testified before the House Subcommittee on National Security, Emerging Threats and International Relations about the handling of the anthrax contamination at the southern Connecticut processing center in Wallingford. While there was no question that the amount of anthrax present in the Wallingford facility was sufficient to cause death, contamination was described to employees as being in trace

amounts. A GAO report issued last April notes that the Postal Service requested, and the investigation team agreed, that the USPS would be the sole party responsible for communicating test results and other information to the workers at the Connecticut facility. Still, the Postal Service withheld information about the level of contamination from its workers, despite a formal request made in January 2002, by local union officials. The Wallingford situation was one of the most egregious violations of postal workers' rights in the 2 years since the anthrax incidents began, and it is why we are troubled by the recent breakdown in communication. It appears that the lessons learned were quickly forgotten.

The Mail Security Task Force, a working group of postal and union officials formed immediately after the anthrax attacks, has been holding discussions for some time about the decontamination of the Washington, DC, and Hamilton, NJ, facilities and the timetable for reopening the Curseen-Morris facility. The Postal Service has presented an outline—but few details—on plans for reopening the facility to workers. The USPS has been communicating an overview of its reopening plans to workers through work-floor talks, through letters mailed directly to their homes, and through a variety of postings at facilities where Brentwood Road employees temporarily have been working. We appreciate the increased communication, in spite of the lack of specifics.

The issue of whether individual employees will be required to return to work at the Curseen-Morris facility was resolved through an agreement between the Postal Service and the APWU. It provides that employees of the facility would be given one opportunity to indicate whether they wish to return to that facility or prefer to be reassigned to another facility.

Much has been done over the past 2 years, both to bring the Curseen-Morris facility back online and to ensure that other facilities are safe and made safer. We would especially like to commend the USPS efforts led by vice president of engineering Tom Day to decontaminate the Brentwood Road facility and for his involvement in the development of the biological detection systems.

Overshadowing much of the progress in decontaminating the facility, however, is the fact that little has been accomplished to prevent a similar incident in the future. The mail processing and collection system is complex, and the installation of Biological Detection Systems [BDS], and HEPA filtration equipment provide only limited protection against exposure. Because more than 50 percent of all letter mail is processed in presort mailing houses and bypasses the BDS, this equipment cannot be considered an adequate early warning system. And it must be remembered that at this time the BDS system tests only for anthrax. Furthermore, the Biological Detection System may provide for a rapid response in treating workers but only after there has been an attack. Detection would occur only after a contaminated piece of mail has entered the system—only after workers have been exposed. Sounds grim, and it is.

Because postal workers are very dedicated to their jobs, they will continue to perform their duties. But they need more than a report suggesting that a workplace is safe to enter. They deserve to know that the responsible parties are dedicated to ensuring their safety

and that progress is being made expeditiously. We urge the Postal Service to follow the recommendations of the Environmental Clearance Committee to continue monitoring the work environment after the facility is reopened. We urge the responsible parties to be especially sensitive to the needs of the employees of the Brentwood facility and to make every effort to accommodate them.

Again, we'd like to thank the chairman, Congresswoman Norton and Ranking Minority Member Waxman for these hearings; and we would be happy to answer any questions you might have following this testimony. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you very much.

[The prepared statement of Mr. Reid follows:]

American Postal Workers Union, AFL-CIO
William Burrus, President
1300 L Street, NW
Washington, DC 20005
202/842-4250

Testimony of

Myke Reid, Legislative Assistant Director
American Postal Workers Union, AFL-CIO

Re-opening of the U.S. Postal Service's
Joseph Curseen, Jr. and Thomas Morris, Jr.
Processing & Distribution Center

Before The

Committee on Government Reform
U.S. House of Representatives

October 23, 2003

Good afternoon. My name is Myke Reid. I am the Legislative Assistant Director of the American Postal Workers Union, which represents approximately 330,000 clerk, maintenance and motor vehicle craft employees of the Postal Service nationwide. I am testifying today on behalf of APWU President William Burrus, who is out of town to attend a national APWU conference.

I'd like to thank Chairman Davis, Ranking Minority member Waxman, and the other committee members for the opportunity to speak on this most important issue: the re-opening of the Brentwood Road Processing and Distribution Center. I'd like to thank you for your continuing interest in the safety of the mail, of postal employees, and the American public.

When the anthrax crisis arose in October 2001, the terrorist attacks of September 11th were still vivid, and our nation was reeling. On Oct. 5, 2001, a tabloid-newspaper employee in Florida became the nation's first inhalation anthrax fatality from a terrorist act. Ten days later, anthrax-contaminated mail was discovered in Sen. Tom Daschle's office on Capitol Hill. Brentwood postal worker Thomas Morris died on Oct. 21, and the facility was immediately shut down. Joseph Curseen, another Brentwood employee, died the following day.

Until the tragic deaths of these two postal workers, there were conflicting opinions within the scientific community regarding the danger of anthrax escaping from a sealed envelope.

We have certainly traveled a long road to get to the point where we are finally anticipating the re-opening of the Brentwood Road facility, which has been renamed to honor the two fallen postal workers, Joseph P. Curseen Jr. and Thomas L. Morris Jr.

APWU members Curseen and Morris were among the tens of thousands of postal workers exposed to the deadly biological agent during terrorist attacks on our nation's mail. The terror was not confined to postal workers – a Bronx, New York, woman died Oct. 31, 2001, and a 94-year-old woman in a rural area of Connecticut died Nov. 21, 2001, both from exposure to anthrax believed to have been released in the nation's mail system. Hundreds of thousands of postal workers were terrified, and millions of American citizens were fearful as well.

The deaths of Curseen and Morris and the closing of the Brentwood facility were only the beginning of a long and difficult period for postal workers. Some are still suffering ill effects from the exposure and many still bear emotional scars. For two years, they have had to dramatically adjust to the disruption of their work life while struggling with the mental turmoil wrought by the attacks. I must say that by all accounts they have endured these hardships and remained dedicated to their mission.

As the anticipated re-opening approaches, workers are asking the question: Is the facility safe enough for me to return?

While there was cooperation between management and labor in the immediate aftermath of the attacks, there also have been serious breaches. The Environmental Clearance Committee cleared the facility for re-occupancy on Sept. 19, yet this information was not provided to the union until Oct. 20. While we're relieved to learn that the facility is deemed safe by the experts, we are troubled by the delay in sharing information.

Five months ago, APWU President Burrus testified before the House Subcommittee on National Security, Emerging Threats, and International Relations about the handling of the anthrax contamination at the Southern Connecticut processing center in Wallingford. That facility handled the tainted mail that resulted in the last-known anthrax-related death two years ago. Testing at the Wallingford facility shortly after the elderly woman's death revealed high concentrations of anthrax spores.

While there was no question that the amount of anthrax present in the Wallingford facility was sufficient to cause death, contamination was described to employees as being in "trace amounts."

The subcommittee hearing highlighted significant failures: Discussions were held among various agencies, including the Postal Service, the Centers for Disease Control, and the Connecticut Department of Health, regarding who would assume responsibility for notifying employees, yet the full extent of the contamination was not revealed to workers for more than a year. A GAO report issued last April notes that the Postal Service requested, and the investigation team agreed, that the USPS would be the sole party responsible for communicating test results and other information to the workers at the Connecticut facility. Still, the Postal Service withheld information about the level of contamination from its workers, despite a formal request made in January 2002 by local union officials.

At the hearing in May, Chairman Christopher Shays urged the agencies involved to apologize to the workers, yet, to date, no apology has been forthcoming.

The Wallingford situation was one of the most egregious violations of postal workers' rights in the two years since the anthrax incidents began, and it is why we are troubled by this recent breakdown in communication. It appears that the lessons learned were quickly forgotten.

The Mail Security Task Force – a working group of postal and union officials formed immediately after the anthrax attacks – has been holding discussions for some time about the decontamination of the Washington, DC, and Hamilton, New Jersey, facilities and the timetable for re-opening the Curseen-Morris facility. The Postal Service has presented an outline – but few details – on plans for re-opening the facility to workers. For example, the union has requested that medical and mental health professionals be made available to workers and that employees be educated about the health risks they may encounter. We await a commitment from the Postal Service.

The USPS has been communicating an overview of its re-opening plan to workers through work-floor talks, through letters mailed directly to their homes, and through a variety of postings at facilities where Brentwood Road employees temporarily have been working. We appreciate the increased communication, in spite of the lack of specifics.

The issue of whether individual employees will be required to return to work at the Brentwood Road facility was resolved through an agreement between the Postal Service and the APWU. It provides that employees of the renamed Curseen-Morris facility will be given one opportunity to indicate whether they wish to return to that facility or prefer to be reassigned to another facility. Employees who choose not to return will be reassigned either to existing job vacancies or to positions created to accommodate them within the metropolitan area.

Much has been done over the past two years, both to bring the Curseen-Morris facility back online and to ensure that other facilities are safe and made safer. We would especially like to commend the USPS efforts led by Vice President of Engineering Tom Day to decontaminate the Brentwood Road facility and for his involvement in the development of the Biological Detection Systems.

Overshadowing much of the progress in decontaminating the facility, however, is the fact that little has been accomplished to prevent a similar incident in the future. The mail processing and collection system is complex, and the installation of Biological Detection Systems (BDS) and HEPA filtration equipment provide only limited protection against exposure: Because more than 50 percent of all letter-mail is processed in presort mailing houses and bypasses the BDS, this equipment cannot be considered an adequate early warning system. And it must be remembered that at this time the BDS system tests only for anthrax.

Furthermore, the Biological Detection System may provide for a more rapid response in treating workers, but only *after* there has been an attack. Detection would occur only *after* a contaminated piece of mail has entered the system – only *after* workers have been exposed. Sounds grim, and it is.

Because postal workers are very dedicated to their jobs, they will continue to perform their duties. But they need more than a report suggesting that a workplace is safe to enter. They deserve to know that the responsible parties are dedicated to ensuring their safety and that progress is being made expeditiously. We urge the Postal Service to follow the recommendations of the Environmental Clearance Committee to continue monitoring the work environment after the facility is re-opened, and we urge the Postal Service to engage medical and mental health professionals to monitor employees for signs of post-traumatic stress.

For two years, the Brentwood Road workers not only have been displaced, they have had to cope with the fact that they were the victims of a terrorist attack – they were exposed to a biological hazard that killed two of their fellow workers and made others ill; the perpetrator has not been caught, and the long-term effects of this act are unknown. Now, in addition, they are hearing that some assignments may not be returned to the Curseen-Morris facility and the future of their work life remains uncertain.

We urge the responsible parties to be especially sensitive to the needs of the employees of the Brentwood Road facility and to make every effort to accommodate them.

Again, I'd like thank the committee for this opportunity to present testimony, and I would be pleased to answer any questions you may have.

Chairman TOM DAVIS. Mr. Collins, I need to swear you in. Could you just raise your hand?

[Witness sworn.]

Chairman TOM DAVIS. Thank you very much. You can proceed. Thanks for being with us.

Mr. COLLINS. Thank you.

Mr. Chairman and distinguished members of the committee, I am Richard Collins, assistant to the national president of the National Postal Mail Handlers Union. On behalf of the 50,000 union mail handlers employed by the U.S. Postal Service, including hundreds of mail handlers who work at the Curseen and Morris processing and distribution center, I appreciate the opportunity to testify about the reopening of that facility. I am accompanied here today by Cynthia Vines, who serves as the branch president for the Mail Handlers Union at that facility. Sister Vines has done fantastic work on behalf of the mail handlers at that facility, and she is intimately familiar with many of the matters at issue in this hearing today.

The recent incident at the Greenville, SC, airmail facility reminds us that mail handlers and all postal workers continue to fight to protect the public from potentially lethal hazards. As you noted on the radio this morning, Mr. Chairman, when the headlines disappear and the news coverage vanishes, our members remain on the job and on the front lines of defense against terrorism and biochemical hazards. We must all work together—the unions, the Postal Service, the community, and Congress—to adapt to this new world in which we live.

As you said this morning, Congress must spend the money to protect postal workers and the public; and the money needs to be spent wisely. The lives of all postal employees depend on it, and this must be our paramount concern. This includes not only ensuring that the Curseen-Morris facility is free of anthrax but also making sure that the employees are emotionally ready, willing and able to move back into the facility.

To this end, the Mail Handlers Union has been an active participant in the Mail Security Task Force, established by postal management and including representatives of all unions and employee associations, which has been meeting regularly since October 2001, to ensure that all reasonable measures are being taken to prevent any further infection from anthrax or other biological agents. We also have been active supporters of the efforts to obtain sufficient congressional funding for the clean-up efforts both here, at Curseen-Morris and at other postal facilities along the eastern seaboard. We particularly appreciate the efforts made by the members of this committee and fervently hope that the Congress will continue to provide complete funding for the costs imposed on the Postal Service because of the anthrax attacks and their aftermath.

Turning to the present situation at Curseen-Morris, again, our primary concern must be the health and welfare of the postal employees who work at Curseen-Morris and who for the past 2 years have been scattered around in neighboring postal facilities. To meet these concerns, the employees at Curseen-Morris must know that the facility is safe.

First, the employees at Curseen-Morris must know that all levels of government and postal management have done everything possible, using the best available science and technology, to ensure that the Curseen-Morris facility is fully decontaminated. To this point, each and every scientific study conducted about Curseen-Morris and each and every environmental sample taken at Curseen-Morris have demonstrated that the facility is ready to be reopened. Several representatives of the Mail Handlers Union, including me, have toured the facility both in June of this year and most recently on October 8, 2003, to ensure that the facility is clean and clear of anthrax.

Second, the employees at Curseen-Morris must be kept fully informed about the latest developments, including information about the actual clean-up, so that there is no misinformation disseminated and so that the rumor mill is not allowed to operate. It is my understanding that the employees have received routine safety talks about the reopening of the facility, that the Postal Service has been mailing copies of these talks to affected employees, and that the Postal Service currently is trying to arrange a tour of the facility for employees prior to its official reopening. While communications with employees generally have been good, there is a need to do additional training on the emergency protocols that will control after the reopening of the facility.

Third, the employees at Curseen-Morris must know that they have a choice on whether to return, so that employees who are experiencing particular fear or anxiety can choose not to return to Curseen-Morris without any loss of pay or economic benefits. The Mail Handlers Union and the Postal Service recently signed a memorandum of understanding that grants each mail handler who previously worked at Curseen-Morris, but who does not want to return to that facility, an opportunity to transfer to a nearby location. That transfer will be accomplished pursuant to the longstanding rules that govern voluntary transfers, as negotiated in Article 12 of our collective bargaining agreement.

Fourth, the employees at Curseen-Morris must know that when they return to Curseen-Morris they will be carefully monitored for any illness or other adverse side effects, whether physical or emotional, especially during the first few days and weeks after the facility is reopened. The Postal Service's testimony on that point was that the medical unit would be staffed 24 hours a day, 7 days a week. But what was not said at the microphone was that was going to be for a 30-day period, and we believe that 30-day period should be extended.

Fifth, the employees at Curseen-Morris must know that the reopening of Curseen-Morris is not the end of our concerns but rather another starting point from which the Postal Service will take all steps that are necessary and use whatever technologies are available to ensure that postal employees and the mail that they process remain safe.

Sixth, the employees at Curseen-Morris must know that their elected representatives, meaning their union representatives at the local level, will continue to be active participants in the process that leads up to and follows the reopening of the Curseen-Morris facility.

If these general guidelines are followed, we believe that the reopening of Curseen-Morris can be accomplished smoothly and successfully. All the participants must work together to ensure the safety and well-being of the employees at Curseen-Morris. Anything less would increase the fear and anxiety of these employees who have already suffered too much.

There are just a few concerns that I would mention to you, Mr. Chairman. We have heard about the offer by the Postal Service to do fit tests and provide masks to people and attempt to provide some level of reassurance and ease their anxiety. But we believe that if the facility is clean this may generate more fear than it calms. In meetings with management, representatives of this union suggested that very fact to the Postal Service officials; and apparently they had some prior commitment or promise that these masks would be provided.

There's also concern about the biodetection systems that are to be placed in the Curseen-Morris facility. As of now, it is my understanding that there are operational questions left unanswered by the Postal Service as to whether or not originating mail will be processed in the Curseen-Morris facility. Originating mail is the collections mail or the anonymous mail for which the biodetection systems were primarily designed. These machines are placed on individual, automatic, facing and sorting machines that are operated by mail handlers in such a way as to isolate individual pieces of mail as they go through the last pinch point to take air samples that can then be tested for the presence of DNA that might match an anthrax profile. If that originating mail does not return to that facility, there is no set plan in place to address the concerns of the employees as to how they will be protected from any other possible contamination from anthrax-laced mail or mail that contains any other biological agents. We've been told that there is consideration being given to placing free-standing units around the facility and taking random air samples, but we have yet to hear the final completed plan, and there's great concern as to whether or not that plan will be adequate.

And, finally, the training that was mentioned earlier; it has been the experience of the Mail Handlers Union in the Curseen-Morris Facility that most of that training has been handled through safety talks and stand-up talks on the floor where employees are gathered around in a group and told what to look for in terms of characteristics of mail pieces and the types of things that might indicate a potential problem. We would like to see the Postal Service move away from the paper training, and do some actual SITREPs, and let people come into an area where a piece of mail that is—simulates a suspicious package or mail piece is placed, and take them right through the drill. And we would like that training to be done in the presence of the supervisors from that facility so that everybody in that facility gets the same message at the same time, so that if an incident occurs, we will not have to deal with a supervisor who is not familiar with the protocol or perhaps misunderstood a protocol. We would like everybody to get the same message at the

same time. We think that is critical.

With that, I thank you for your time and the opportunity to testify here today. I would be happy to answer any questions.

Chairman TOM DAVIS. Thank you.

[The prepared statement of Mr. Collins follows:]

National Postal Mail Handlers Union

John F. Hegarty
National President

Mark A. Gardner
Secretary-Treasurer

Hardy Williams
Vice President
Central Region

Samuel C. D'Ambrosio
Vice President
Eastern Region

Arthur S. Vallone
Vice President
Northeastern Region

James C. Terrell
Vice President
Southern Region

Efraim Daniel
Vice President
Western Region

TESTIMONY OF

RICHARD COLLINS
ASSISTANT TO THE NATIONAL PRESIDENT
NATIONAL POSTAL MAIL HANDLERS UNION

before the

COMMITTEE ON GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES

REOPENING OF THE U.S. POSTAL SERVICE'S
JOSEPH CURSEEN JR. AND THOMAS MORRIS JR.
MAIL PROCESSING & DISTRIBUTION CENTER
(BRENTWOOD FACILITY)

OCTOBER 23, 2003

National Headquarters: 1101 Connecticut Avenue, NW, Suite 500, Washington D.C. 20036
(202) 833-9095 FAX (202) 833-0008 http://www.npmhu.org

Mr. Chairman and Distinguished Members of the Committee. I am Richard Collins, Assistant to the National President of the National Postal Mail Handlers Union. On behalf of 50,000 union mail handlers employed by the U.S. Postal Service, including approximately 500 mail handlers who work at the Curseen and Morris Processing & Distribution Center, I appreciate the opportunity to testify about the reopening of that facility.

As you know, the employees represented by the Mail Handlers Union are an essential part of the mail processing and distribution network utilized by the Postal Service to move more than 200 billion pieces of mail each year. Mail handlers work in all of the nation's large postal plants, and are responsible for loading and unloading trucks, transporting mail within the facility, preparing the mail for distribution and delivery, operating a host of machinery and automated equipment, and containerizing mail for subsequent delivery. Our members are generally the first and the last employees to handle the mail as it comes to, goes through, and leaves most postal plants.

As always, our paramount concern must be the safety and well-being of postal employees, including all mail handlers. This includes not only ensuring that the Curseen-Morris facility is free of anthrax, but also making sure that the employees are emotionally ready, willing, and able to move back into the facility.

To this end, the Mail Handlers Union has been an active participant in the Mail Security Task Force – established by postal management and

including representatives of all unions and employee associations – which has been meeting regularly since October 2001 to ensure that all reasonable measures are being taken to prevent any further infection from anthrax or other biological agents. We also have been active supporters of the efforts to obtain sufficient Congressional funding for the clean-up efforts, both here at Curseen-Morris and at other postal facilities along the Eastern seaboard. We particularly appreciate the efforts made by the Members of this Committee, and fervently hope that the Congress will continue to provide complete funding for the costs imposed on the Postal Service because of the anthrax attacks and their aftermath.

Turning to the present situation at Curseen-Morris, again our primary concern must be the health and welfare of the postal employees who work at Curseen-Morris, and who for the past two years have been scattered around in neighboring postal facilities. To meet these concerns, the employees at Curseen-Morris must know that the facility is safe.

First, the employees at Curseen-Morris must know that all levels of government and postal management have done everything possible, using the best available science and technology, to ensure that the Curseen-Morris facility is fully decontaminated. To this point, each and every scientific study conducted about Curseen-Morris, and each and every environmental sample taken at Curseen-Morris, have demonstrated that the facility is ready to be reopened. Several representatives of the Mail Handlers Union, including me,

have toured the facility, both in June of this year and, most recently, on October 8, 2003, to ensure that the facility is clean and clear of anthrax.

Second, the employees at Curseen-Morris must be kept fully informed about the latest developments, including information about the actual clean-up, so that there is no misinformation disseminated, and so that the rumor mill is not allowed to operate. It is my understanding that the employees have received routine safety talks about the reopening of the facility, that the Postal Service has been mailing copies of these talks to affected employees, and that the Postal Service currently is trying to arrange a tour of the facility for employees prior to its official reopening. While communications with employees generally have been good, there is a need to do additional training on the emergency protocols that will control after the reopening of the facility.

Third, the employees at Curseen-Morris must know that they have a choice on whether to return, so that employees who are experiencing particular fear or anxiety can choose not to return to Curseen-Morris, without any loss of pay or economic benefits. The Mail Handlers Union and the Postal Service recently signed a Memorandum of Understanding that grants each mail handler who previously worked at Curseen-Morris, but who does not want to return to that facility, an opportunity to transfer to a nearby location. That transfer will be accomplished pursuant to longstanding rules that govern voluntary transfers, as negotiated in Article 12 of our collective bargaining agreement.

Fourth, the employees at Curseen-Morris must know that, when they return to Curseen-Morris, they will be carefully monitored for any illnesses or other adverse side effects – whether physical or emotional – especially during the first few days and weeks after the facility is reopened.

Fifth, the employees at Curseen-Morris must know that the reopening of Curseen-Morris is not the end of our concerns, but rather another starting point, from which the Postal Service will take all steps that are necessary and use whatever technologies are available to ensure that postal employees, and the mail that they process, remain safe.

Sixth, the employees at Curseen-Morris must know that their elected representatives, meaning the union representatives at the Local level, will continue to be active participants in the process that leads up to, and follows, the reopening of the Curseen-Morris facility.

If these general guidelines are followed, I believe that the reopening of Curseen-Morris can be accomplished smoothly and successfully. All of the participants must work together to ensure the safety, and the well-being, of the employees at Curseen-Morris. Anything less would increase the fear and anxiety of these postal employees, who already have suffered too much.

Thank you, and I will be glad to answer any questions you may have.

Chairman TOM DAVIS. It is real clear that communications are critical in these areas from the very beginning to the end. It hasn't gone as good as it could, even in the aftermath. That is fair to say, both of you?

Mr. COLLINS. Yes.

Chairman TOM DAVIS. You are obviously a very critical part of this equation. As you look at the existing protocols, you heard the previous panel talk about the existing protocols and Ms. Norton go into excruciating detail about differences in the changes in these protocols. Are you satisfied with the existing protocols or do you have additional suggestions for the Postal Service, in terms of handling hazardous packages and letters?

Mr. COLLINS. I believe the Postal Service has some of the best written protocols in the Federal Government. They need to learn to follow them.

Mr. THOMPSON. I would agree. There are some protocols which constantly need modification because things do change and more information becomes available. The implementation of those protocols out into the various number of facilities needs considerable improvement.

Chairman TOM DAVIS. And training is a key part of that as well.

Mr. THOMPSON. Training, not only about the protocols for the folks who are actually working, but of the supervisors and managers; definitely, that needs to be included.

Chairman TOM DAVIS. How about, when it is identified or identifies a potential threat, how should that be communicated? Are you comfortable with the way it is done now, like in South Carolina? You don't want to be alarmist about things, if you have an indication. On the other hand, you want to make sure that people who might be endangered know that. Are we comfortable with that?

Mr. THOMPSON. I think that at this point in time, we are still trying to gather evidence or information, if you will, on what occurred in South Carolina. We know that there was a suspicious envelope discovered on the 15th. And it was the 22nd when the actual test results came back. That is quite a lag of time.

Had there been a contamination at that facility with the material that we are dealing with, I think we would be talking about something totally different than a suspicious package and it being identified at a later date. So I think that protocols and understanding those protocols, we are still looking into that particular incident. I know with thousands of suspicious packages and envelopes that are found on a regular basis that——

Chairman TOM DAVIS. Therein lies the problem. If you can't react to anything, or have more people, do you close it down and the like?

Mr. THOMPSON. I think you can react to everything. What you do, though, in those circumstances in handling them may take in various considerations.

Chairman TOM DAVIS. Let me ask you each: In your respective unions, what percentage of the employees are going to return to the Brentwood area facility, under your agreement, and how many are we anticipating will go elsewhere? Do you have an idea?

Mr. REID. We do not know.

Ms. VINES. I can't give you a definite number.

Chairman TOM DAVIS. You may not know until the date?

Ms. VINES. Exactly.

Chairman TOM DAVIS. We would appreciate getting that. I would be interested to know what that would be at the appropriate date.

Do you think they have made adequate accommodations for members who are fearful of returning for one reason or another?

Ms. VINES. I do think so, yes.

Chairman TOM DAVIS. Have you been talking to your local representatives in South Carolina at this point? Mr. Reid, do you want to tell us about any communication you have had with them, how they are feeling at this point?

Mr. REID. Yes, Mr. Chairman. Our union has five regional coordinators that operate throughout the country. And our southern regional coordinator, who is responsible for Greenville, SC and with that local, I have been in contact with the local. So, yes, we have been in touch with them.

Chairman TOM DAVIS. As I understand your testimony, they are still feeling their way through how this was handled, and the consequences. It is really too early to make a determination or judgment. Is that fair?

Mr. THOMPSON. Yes.

Mr. REID. Yes, sir.

Chairman TOM DAVIS. Do you have any thoughts on the Postal Service's proposal to locate an irradiation facility at the Curseen-Morris Processing Center, either one of you?

Ms. VINES. We have some concerns. I believe that if they must have an irradiationsite, that it should not be onsite with the employees. And most employees feel the same way.

Chairman TOM DAVIS. OK.

Mr. THOMPSON. I think we are still investigating. They are in the permit phase now. We have asked for copies of the initial investigation from the Postal Service. It is—it again is too early to make a determination. We haven't really gotten feedback from a tremendous number of employees that are out at that site at this point in time.

Chairman TOM DAVIS. You know, it looks like, hearing the testimony from the previous panel, that everybody thinks they have done everything they can to make sure this facility will be safe. But you saw, nobody is willing to step forward and say it is 100 percent safe, which gives us some concern. That is why Ms. Norton and I want to walk it with them, and try to give some level of comfort to workers who may be coming in. What is your level of comfort at this point? What are your workers' levels of comfort?

Mr. COLLINS. Well, Cynthia and I have both been through it. So we are hoping it is at least 99.9 percent clean.

Chairman TOM DAVIS. You are still here to tell about it.

Mr. COLLINS. I went through there in June. At that time there had been contractors working in the building for a couple of months without personal protective equipment. And to my—at that time in June, we were told that nobody had suffered any ill affects from that exposure.

Chairman TOM DAVIS. I guess the question is, we are dealing with something that we haven't had to deal with before, so nobody is willing to swear up and down that it is foolproof.

Mr. COLLINS. The people that knew about it in October 2001 wouldn't talk about it. These are the people from Ft. Detrick.

Chairman TOM DAVIS. Is that right?

Mr. COLLINS. Ft. Detrick is the weapons facility where the Army——

Chairman TOM DAVIS. I am surprised that they wouldn't talk to you about it more frankly.

Mr. COLLINS. I actually helped to develop some of the early protocols, and there was a doctor there from Ft. Detrick. And many times we asked questions and we were simply told that we could not be given that answer because of national security.

Chairman TOM DAVIS. There is still no closure on the underlying case, as I understand it either, which also makes everybody feel nervous. Whoever sent that letter could do it again.

Mr. COLLINS. Absolutely.

Chairman TOM DAVIS. Mr. Reid, anything to add to that?

Mr. REID. No. I was just thinking if we were guaranteeing that and returning to the Curseen-Morris facility, we were going to say that, then a light fixture would fall from the ceiling and hit somebody. So there is—there is just no way to guarantee safety.

But, with the irradiation facility that is being planned and discussed at Brentwood, we actually have a different position. The Postal Service has announced a position to staff that facility with the contract employees. And we would actually be concerned that if there is going to be mail processed in that facility, we would like it to be by postal workers.

Chairman TOM DAVIS. Employees?

Mr. REID. Absolutely.

Chairman TOM DAVIS. I like that kind of candor. It is refreshing to hear it.

Ms. Norton, any questions?

Thank you very much. It has been very illuminating for Ms. Norton and for the committee. I hope we have a successful opening and, for the employees that are fearful, that we can accommodate them in line with the agreements that you have reached with the Postal Service. Thank you again for the job that you and your members are doing.

Ms. NORTON. Thank you, Mr. Chairman. Just a few questions. I was interested in your response, Mr. Reid. I was concerned that the irradiation facility had been contracted out. It is not that postal employees were doing the irradiation before, but I am aware that in New Jersey, postal employees take the mail to the facility, and of course postal employees take the mail out. And while I commend you instead of running from the facility, especially in a government that is contracting out everybody except their grandmother, wanting the facility to be serviced by postal employees. I mean, after all, these employees are going to have to handle this mail, perhaps almost immediately.

After we in the Congress don't get our mail for weeks now, and the whole point of moving it to Brentwood is, of course, to shorten that time. I was—I will be very concerned about my own residents. But, I am going—I must say that when I hear that the facility here is going to be considerably more safe than the one in New Jersey, because it is being constructed to—it is being tailored, if I was in

the union, I would try to get those jobs is what I am saying, rather. All your people are going to be in Brentwood. And some balance here has to be kept in the age of weapons of mass destruction. I mean, I am confronted all of the time in the Congress by people who want to shut down everything. We can make everything safe. Nobody will have any jobs, tourists won't come to Washington or to anyplace else. We will all be locked down. Though we have been tough on the Postal Service, I don't want to leave the impression that for the first time in the history of mankind, everybody is entitled to 100 percent assurance that nothing will ever happen to them.

I do have just a few questions. I don't know if it was you, Mr. Reid, or you Mr. Collins who testified about this delay in sharing the information that the building has been cleared. I don't recall it—to be maybe a month before you knew that. Did you ask for an explanation for the time lag? What was the explanation given? I would have asked them had I thought about that when they were here.

Mr. THOMPSON. We just received the information, the letter the other day. Prior to—well, was prior to—at our meeting for the work force. We haven't had time to ask why the delay?

Ms. NORTON. Our concern would be all of the discussion about communication, yet there kind of—what—the word, the operative words to me are cleared. So if they were holding the information because they weren't sure, that is one thing. But, according to your testimony, it was cleared. And then there was a month lag in telling people. Well, that is good news there was a month lag. But, suppose there had been bad news? Would it take—would there be a gap in time as well? The communication issue has been vital here. And so we need to know. We will have—Mr. Chairman, it seems to me we ought to ask the Postal Service why did it take a month if they cleared the facility—that is good news—when they get that news out so that we don't have these lingering doubts among employees that something was being held back, even after the facility has been cleared?

Mr. REID. To answer that Congresswoman, we think, had these hearings not been scheduled for today we might not still have it.

Ms. NORTON. You say you don't have it?

Mr. REID. We do have it now. But we got it 3 days before today's hearing. So there is a feeling that had the hearings not been scheduled for today, we still might not have received the report.

Ms. NORTON. Well, we will find out. You perhaps all heard testimony, I have been very concerned about monitoring health and had pressed CDC. Now, we heard testimony just before you came forward that they are calling employees that don't want to talk. They think maybe they are bringing trouble onto themselves, doctors coming in, they may fear for their jobs. I don't know what the reason is. I want to ask you, inasmuch as I am sure you want their health monitored, whether it is—monitoring is necessary, or why you think employees are reluctant to talk on the phone to people who are trying to do the kind of surveys that you initially to know if you have a health problem among subjects.

Mr. THOMPSON. Within the—I believe there are—you are speaking about the CDC monitoring the health of employees? What I

have heard from employees is, first of all, they didn't know what the call was. They have been inundated with a number of requests for information. They felt, many of our members, had spoken of feeling like guinea pigs as part of studies, and they really did not get a good understanding of what this contractor was asking them for. So, in many cases, folks just said, "I am not talking to anybody about this; who are you?" And then it was the, "I am not going to talk to you." It wasn't a good introduction of, "This is the CDC; we are monitoring this."

Ms. NORTON. Did the contractor consult with the union?

Mr. THOMPSON. No.

Ms. NORTON. You contract this stuff out, they just do it.

Mr. THOMPSON. Neither did CDC.

Ms. NORTON. Mr. Chairman, this is something that—a question I would like to have submitted to the CDC. We will work with the committee on this question. It seems to me that if you are going to go to employees after that terrible tragedy to ask them about their health, the facility isn't open, one of the first things you would say: "We have consulted with your representative in preparing these questions. The purpose of these questions is to assure that your health continues to be good, or if it is not good that we learn of it in time to be helpful," rather than—sounds like people going through a checklist. And, you know, I am not sure that I would answer those if you called me. Before you get the words out of your mouth, I would hang up the phone before I even know what you want because of these people who bother you with phone calls. So I believe that is a very serious communication problem. It is I who press the CDC to say, "we want to know if employees have doubts." We—they don't know if, for example, there will be remaining problems that don't come—that don't come until later. We know that the problem with a causal effect, you know, what causes what.

But we, at least, have to make sure that this experience informs us so that we learn from it. It is tragedy if we don't learn anything from it, if we don't learn how to help these employees. I think, I am not sure what in the world we are going to do with it except regret it.

You testified, I think it was Mr. Collins, about simulated training. And for the first time I think you explained that there was paper training going on. And I assumed once we heard the word "training," that somebody was sitting down with some folks and showing them how to do things and seeing responses from them and saying, what are your questions? You are telling me that kind of training is not going on?

Mr. COLLINS. The HAZMAT training that was referred to by the Postal Service is annual training, that is something that the people that go in and actually take that mail out or assess it or work with the first responders get trained on. But people on the floor get safety talks.

Ms. NORTON. There is a distinction here between mail handlers on the one hand, then, and the postal workers on the inside?

Mr. COLLINS. There are differences in the jobs that are performed. But, we are all——

Ms. NORTON. But you, of course, are the first line of—you, the mail handlers, are the first ones to get ahold of the mail. So they——

Mr. COLLINS. We take it off the trucks and we move it inside. We do the first cull inside the building and prepare it for the distribution functions.

Ms. NORTON. Your training would be different in any case. I understand that, but—because you are doing a different job. But you say that with the HAZMAT training, that is simulated training, where you actually do something and see somebody do something, a paper trial.

Mr. COLLINS. Let me see if I can clarify exactly what I did mean for you. The HAZMAT training, there are individuals in the facility, members of the American Postal Workers Union, they come out of the maintenance branch, to get hands-on training on how to respond to a hot piece of mail or a suspected hot piece of mail.

When I speak to the problems that are experienced by the mail handlers, who work the letter belts and cull that mail to prepare it for preparation, and quite possibly, I believe, mail that is worked on belts by members of the American Postal Workers Union, when that mail is out in the open in the distribution process or in preparation for the distribution process, that is when you find a suspicious mail piece. And the people who are working those belts don't get actual training on identifying a mail piece, they get shown a poster or they are given a stand-up talk, or what the Postal Service calls a safety talk. They will be told what types of characteristics to look for on that mail piece, perhaps a stain from a leaking container inside that envelope, or perhaps a parcel with an inordinately large number of stamps on it, or a parcel that is addressed by hand with no return address. Those are all the types of characteristics that people are told to look for. And then they are told to leave that mail piece alone and go and get their supervisor. But, all too often when that happens, a supervisor will walk over, simply take that piece of mail, take it off the floor, or tell the employee, "don't worry about it, toss it over there in the bin, let's keep moving." We have had those type of situations in the wake of the anthrax attacks at Curseen-Morris. We have had those types of problems across the country. We have brought them to the Postal Service's attention. They have gone out and attempted to remediate their training with their supervisors to avoid similar occurrences. But, that is what I meant when I said they have some of the best written protocols.

Ms. NORTON. But they have not instituted simulated training as a result of those?

Mr. COLLINS. No. That is what I was talking about. If you take the supervisors, you take the employees, you put a piece of mock-up mail on that letter belt, everybody gets the training. You bring in the safety specialists, you bring in all of the supervisors, you bring in the employees and everybody gets that training, so if it does happen in real life, nobody says: "Why don't you go to the bathroom. I will take this over." Those are the types of things that we are up against.

Ms. NORTON. Mr. Reid, again, were the people who are handling mail on the inside the same people who are given written instructions?

Mr. THOMPSON. It is the same. We get a stand-up talk which may be included with any other item non-safety related. There is no training program. I get the opportunity, when we see them, to review the training programs from the post office. And there isn't one that I have seen that specifically says that it is titled or provides training for biohazards or detection or how to take care of yourself.

Ms. NORTON. That is not acceptable. That is just not acceptable. We are going to have to followup with the Postal Service. First of all, they are leaving themselves open to liability, in my considered legal judgment, once you have had the kind of thing to happen, and you then issue some paper to thousands upon thousands upon thousands. First of all, have they read it? You issue a piece of paper. And, I am not suggesting there ought to be a test, you know, on this paper. But, I am suggesting that you have an obligation to make sure that training—I do not regard reading regulations as training, not after an incident like this has occurred. I might in some circumstances. That is a followup matter that we should have, in my judgment, for the Postal Service.

I just have a couple more questions. That is a very important issue it seems to me, especially for people about to go back. I don't think it would take a great deal given their explanation of how it occurs. But, it does seem to me that you would want to see people do it, if for no other reason, than to impress upon them how you are supposed to handle such mail, particularly since we are not talking about anthrax. We don't know what in the world we are talking about.

These masks, we keep hearing about these masks. I assume that people do—a lot of folks don't want to wear any mask all day, have a mask on. So I don't know how to handle this matter that we hear of from time to time about the masks don't fit and, you know, there was guys—Mr. Collins, you testified was it, that people have concerns about them?

Mr. COLLINS. It has caused anxiety. They are being told on the one hand that the facility is clean and clear. We believe that to be the truth. Then, they are saying, "if you are not comfortable with that, we will provide these N–95 filtering face pieces so that you don't feel too insecure or anxious about performing your duties."

Ms. NORTON. So do people wear those masks? What do you think should help with those masks? Well, if people—do people wear them at all? Is it really necessary to wear a mask constantly at work? It does seems to me that it might be something like between a rock and a hard place on this one.

Mr. COLLINS. These masks were provided after a great deal of discussion on the—at the mail security task force, and distributed around the country in the fall of 2001. There were two types of masks. One was an N–95 and one was an N–100. And they were named as such because the N–95 is supposed to filter out 95 percent of the particulates in a range of 3 to 5 microns diameter. And the N–100 was something like 99 percent effective in that same range. And that was protection that was provided when we didn't

know if there was widespread contamination in the Nation's mail. And in the wake of the anthrax contamination at Brentwood in 2001, these masks went out and people wore them for a short period of time, and then very much dropped back onto the comfort zone that we are all guilty of as human beings and stopped wearing them.

Mr. THOMPSON. I think that it is true. They were developed, and it was done on a voluntary basis. It was—also, gloves were provided at the same period of time for folks to wear with the uncertainty of what could come through, such as the incident in South Carolina. The opportunity for our members, and our members, there are a number of them that do wear masks. There are a number of them that do wear gloves. They wear them for their own personal protection. Until such time as other protections, through administrative control or engineering controls can be provided to workers that handle mail, they have to have some type of a protection, and those are provided, the gloves and masks, which are considered personal protective equipment. They aren't the first choice, but they are a choice.

And the issue of whether or not to provide fit testing for masks, if you wear a mask, it should fit the best possible way. And, in conversations with the Postal Service, the program at the Curseen-Morris facility is for those who choose to do that. All postal employees can wear gloves and masks. That has been established since very early in the process with anthrax. The issue of fit test is for those that want to.

Ms. NORTON. I can see the problem there. You—I am not sure there is much more that you can do about it. I have two more questions. One has to do with the Biological Detection System that is described in Mr. Reid's testimony. And that is said to provide only tests for anthrax. And of course, 50 percent of your mail, according to this testimony, is processed in presort mail houses, in any case.

First of all, is the biological detection system in place in Curseen-Morris?

Ms. VINES. No.

Mr. COLLINS. No. It is not. Nor will it be in place by the time that employees go back into the facility.

Mr. COLLINS. It is my understanding, again, that there are operational considerations for the Postal Service to determine whether or not they are going to run the uncanceled mail. And the Biological Detection Systems that were produced, were originally produced with the intention of protecting that particular portion of the mail stream. If they do not put a canceling operation in the Curseen-Morris facility—we just learned earlier this week for the first time of plans to try to protect that facility with a series of those machines placed about the facility in a freestanding manner.

But, we have grave——

Ms. NORTON. Biological Detection Systems?

Mr. COLLINS. Yes. We have grave concerns about their efficiency because they weren't engineered to perform random testing or random air sampling in the facility. They were specifically designed to be placed on those canceling machines, the automatic facing canceling system.

These machines are placed at the very last set of rollers, the very last pressure point where the mail is essentially whittled down to a very single letter before it enters that machine so that the stamp can be canceled. It was done that way for the purpose of ensuring that every single letter that gets processed has a chance to be sampled in the event that there is anthrax in that envelope. That when those rollers come together and pinch that envelope, and create that little puff of air that we probably all saw on the news a couple of years ago, that sampling device, this Biological Detection System, has the opportunity to take a sampling of that air so that the air can be sampled and tested and run against what is essentially a library of DNAs to determine if anthrax was present in any of the envelopes that were tested during the sampling period.

The sampling period is intended to be roughly 1 hour. We were told that every hour a vial will be processed to check for the presence of anthrax against the DNA in the mail that has been processed in that time period.

Ms. NORTON. Mr. Thompson.

Mr. THOMPSON. It is—you know, Dick had just said that we just found out that there may be the possibility that the machinery that biological detection equipment was designed to operate on may not even end up at the Curseen-Morris facility. And that there was a proposal to have a free-standing piece of equipment which had the same scientific principal. The concern raised——

Ms. NORTON. But you don't know whether that is going to be in there or not, the free-standing machine. Is that—are they going to be in there for sure?

Mr. THOMPSON. We don't know that for sure. It is still being evaluated. The Postal Service hasn't determined that yet.

Ms. NORTON. They may not be useful because they are not attached to the machines?

Mr. THOMPSON. Well, that is very well true. They may not. The difficulty comes in—there has been a 2-year process in developing this equipment, with folks from NIOSH and folks from other agencies doing testing to determine the best way for this equipment to work on a piece of equipment.

Now, to just try to apply the analytical theory to a free-standing machine leaves a tremendous amount of sample collection, sample design, whether or not it can sample a sufficient amount of air, how often and so on. It leaves a lot of scientific principles unanswered. And until it is tested, I think that we are trying to apply it to something which doesn't have good enough theory behind it.

Ms. NORTON. It looks like a jerry-built mechanism.

Mr. Chairman, again, I appreciate your indulgence. I just want to say to these witnesses, your testimony has been very important. We got good testimony, it seems to me from the Postal Service, from the scientific authorities. But, there is new and important information that came out because of your very vital testimony, I thank you for coming forward.

Chairman TOM DAVIS. I also want to thank you. It has been very revealing to us as we move ahead with jurisdiction over those issues. And again, congratulations to the men and women that work for you. They are doing a good job. We want to give them every protection and make sure that the protocols are in place, the

equipment is in place, the training is in place, as we move to reopen the facility in the Brentwood area and that we meet your concerns. So thank you very much.

This committee stands adjourned.

[Whereupon, at 4:05 p.m., the committee was adjourned.]

[The prepared statement of Hon. Elijah E. Cummings and additional information submitted for the hearing record follow:]

Statement of Congressman Elijah E. Cummings
Government Reform Hearing
On
"Open for Business: Ensuring Employee and Customer Safety at the Former Brentwood Postal Facility"
October 23, 2003 at 1:30 p.m.

Thank you, Mr. Chairman for holding this important hearing to review the plans instituted to ready the United States Postal Service's Joseph Curseen, Jr. and Thomas Morris, Jr. Processing and Distribution Center (Curseen-Morris Facility), formerly the Brentwood Postal Facility, for reopening.

Before the reopening of the Curseen-Morris Facility in November, it is important that we address any outstanding questions regarding the safety of the facility, not only due to the previous anthrax infestation, but also because of the subsequent chloride dioxide fumigation. We need to ensure that the reopening of the facility is successful and that both the postal workers and residents of Brentwood feel confident in the safety and security of the Curseen-Morris Facility. It is pertinent that we hold this hearing to educate everyone on the health standards of the building and the ongoing safety and training related to the new equipment and procedures put in place to detect and prevent future chemical and biological contamination.

Because the Joseph Curseen, Jr. and Thomas Morris, Jr. Processing and Distribution Center houses a workforce of about twenty-four hundred (2400), it is also important that all of the employees know the latest developments related to the facilities' opening, the options available to them as employees located out of this facility - whether they will have to return or stay at the Curseen-Morris facility, and the precautions that will be taken to ensure their continued safety and security. These workers must know that the United States Postal service has their best interest at heart and that Congress has not forgotten about the incidents surrounding the October 21, 2001 anthrax contamination and the untimely deaths of both Joseph Curseen, Jr. and Thomas Morris, Jr. We must insure that these two postal workers' lives have not been lost in vain and that the $500 million Congress appropriated as part of the emergency preparedness plan to protect postal employees and customers from exposure to bio-hazardous material and to replace or repair the facilities that were destroyed or damaged is spent appropriately.

In fact, we must all be clear about the effectiveness of the new programs established for the protection of postal facilities and postal workers as well as the measures taken post anthrax to decontaminate the five infected postal

processing and distribution centers. It is my hope that the witnesses today will shed light on these issues and that the postal workers and residents of the Brentwood community will leave here today with the assurance that the government cares about their health and safety, and more importantly, their lives.

Again, thank you for holding today's hearing. I look forward to hearing from today's witnesses as we discuss the reopening of the Capital's main mail-processing center, the Joseph Curseen, Jr. and Thomas Morris, Jr. Processing and Distribution Center.

Testimony of William H. Young
President of the National Association of Letter Carriers
Committee on Government Reform
October 23, 2003

I would like to thank you, Mr. Chairman, as well as the ranking member and all of the members of this committee for the opportunity to testify in this important matter. The National Association of Letter Carriers looks forward to continuing our discussions, not only when it comes to protecting our members and the public at postal facilities, but also as we move forward with postal reform legislation.

The anthrax attacks of 2001 jolted all postal employees throughout the country. The 220,000 active members of the NALC take great pride in serving the American public. But for a time, the day-to-day challenges of dog bites and inclement weather were overshadowed by fears of something far worse. I am happy to say that the tremendous public support we received got us through those tough times, and the vast majority of our members returned to their normal routine in shorter order.

At the same time, some letter carriers are still waiting for things to return to the way they were prior to the anthrax attacks, or as normal as they can be given what took place. Some 242 letter carriers were displaced when the Brentwood facility was shut down. The vast majority of them (with the exception of a few who handle government mail) will be returning when the Curseen-Morris facility is reopened. Letter carriers have been provided with the opportunity to transfer rather than returning to the facility, and it is still too early to know how many, if any, of our members will do so.

We would not let our members return to work at Brentwood unless we were fully satisfied that it is safe for them to do so. I intend to tour the facility myself to make that determination, and if there is a shred of doubt in my mind as to the safety of our members, I will not allow them to return to work there. Over the years, the NALC and its members have not been shy about letting our voices be heard when we don't like what the Postal Service is doing. Thus far, the Postal Service has been diligent about answering the questions we have posed to them as the clean-up process has moved forward, and we believe that the Postal Service is doing and will continue to do all in its power to ensure the safety of those returning to work.

The initial response to the anthrax attacks was chaotic. That was due in large part to the unprecedented nature of the circumstances. However, within the Postal Service, unprecedented circumstances gave rise to unprecedented levels of cooperation. The Postal Service established a line of communication with all of the employee organizations, initially meeting on a daily basis to deal with events as they occur. The Mail Security Taskforce Working Group as it has come to be known was formed with representatives from all of the employee organizations and all relevant departments within the Postal Service. At any given time, agencies with expertise in a particular area have briefed the group. Once the immediate anthrax threat subsided, that structure

remained in place. Meetings of the task-force still take place two or three times a month.
As new information has become available, postal supervisors have delivered stand up talks to our members to keep them up to date. A toll-free number for answering questions has been set up, there are Brentwood Update Bulletin Boards, and there have been several town hall meetings. Many of the questions gathered through these channels are answered in writing and distributed on a regular basis.

Every inch of the Brentwood building is being methodically cleaned, and it is safe to say that this facility will be as clean as any postal facility in the nation. A panel of experts constituting the Environmental Committee has conducted an independent evaluation of the clean up efforts and made a formal recommendation for re-occupancy. Finally, protocols have been established in the event of another anthrax-type emergency. We are far more prepared to deal with such a situation today than we were two years ago.

It now appears that we are close to the day when postal employees can return to their jobs at the Curseen-Morris Processing and Distribution Center. While the memory of what happened there will not soon fade, our members are looking forward to getting back there, and putting behind them the disruptions they have experience over the last two years. It appears that the facility will be reopening as the Postal Service enters its busiest time of year when. The day-to-day responsibility of moving the nation's mail will make for a speedy return to a normal routine at Brentwood. That will serve as fitting tribute to those who gave their lives during those trying days in the Fall of 2001.

TESTIMONY OF
VINCENT B. ORANGE, SR.
WARD 5 COUNCILMEMBER
DISTRICT OF COLUMBIA CITY COUNCIL

Oversight Hearing on the Reopening of the Joseph Curseen Jr. and Thomas Morris, Jr. Mail Processing and Distribution Center

Before the
Committee on Government Reform
Of the
House of Representatives
Congress of the United States

October 23, 2003

Good morning, Chairman Davis and distinguished members of the Committee on Government Reform. I am Vincent Bernard Orange, Sr., the elected representative of the 72,000 citizens that live in the District of Columbia's Ward 5. I appreciate the opportunity to testify on the reopening of the U.S. Postal Service's (USPS) Joseph Curseen Jr. and Thomas Morris, Jr. Mail Processing and Distribution Center (Curseen-Morris Center).

The Curseen-Morris Center is located on Brentwood Road, Northeast in Ward 5. The location of the Curseen-Morris Center, and the tragic loss of life due to the processing of anthrax infected mail at the site, mandated that I participate in and closely monitor the process used to address the clean up and reopening of the facility.

The Curseen-Morris Center is in close proximity to New York and Rhode Island Avenues Northeast—both of which are major commuter thoroughfares, and the Washington Metropolitan Area Transit Authority's Red Line Metrorail train to Grovesnor. Houses of Worship in the area include the Isle of Patamos and Israel Baptist Churches and the Greater Mount Calvary Holy Church, School and Community Center. Gallaudet and Catholic Universities are not far from the Curseen-Morris Center and Ward Five's nearby residential communities include Brentwood, Brookland, Ivy City and Edgewood. Ward 5 is a fantastic community to live, work and play in, and a significant commuter gateway for Maryland residents into the District. I am extremely concerned with the safety of the residents of Ward 5 as well as the many commuters who pass through Ward 5 on a daily basis.

In addition, the Curseen-Morris Center is next to the Brentwood Road Shopping Center, which held a grand opening within weeks of the fumigation of the Curseen Morris Building. The Brentwood Road Shopping Center, which represents a key milestone in the commercial renaissance of the District of Columbia, opened with the District's first and only Home Depot followed by a new full-service Giant Supermarket in the fall of 2002. The safety of the many new shoppers at the Brentwood Road Shopping Center who bring tax dollars into the City, contributed to my interest in exactly how the USPS, in conjunction with the Environmental Protection Agency (EPA), the Center for Disease Control (CDC), the Occupational Safety and

Health Administration (OSHA), the Armed Forces Radiobiology Research Institute (AFRRI), the District's Emergency Management Agency (DC-EMA) and the Department of Health (DC-DOH), would work together to ensure the safety of the residents and the Ward 5 community at large during the remediation of this tragic terrorist event and the reopening of the Curseen-Morris Center.

In response to the terrorist attack, I worked closely with the USPS, EPA, CDC, DC-EMA and DC-DOH. Soon after the event, my staff and I personally distributed flyers from these agencies door-to-door to all of the households in the communities near the Curseen-Morris Center, to alert them to the signs of anthrax infection, and advise them of what to do if they had concerns. In addition, I held a Town Hall Meeting at the Isle of Patamos Baptist Church to inform the community and the employees of the then Brentwood Road Postal Facility of what was being done to handle this emergency. Well over 150 people attended my Town Hall Meeting and a good dialogue ensued between the community, USPS employees and the federal and District partners from the USPS, EPA, CDC, OSHA, AFRRI, DC-EMA and DC-DOH.

Some of the concerns raised in the many community hearings held by the USPS, including those at Greater Mount Calvary, Gallaudet University and my Town Hall Meeting, focused on coordinating the clean-up process with traffic patterns and notifying and protecting the residential community if a situation occurred, while other concerns focused on whether the facility should be reopened or torn down.

Throughout the process, I participated as a fully involved member of the Brentwood Scientific Advisory Committee (BSAC). Having been informed that remediation of the anthrax threat was a necessary predicate to making a decision about the continued use of the building, our efforts this far have been focused on the fumigation process.

While I am not a scientist, I contributed to the fumigation process by representing the concerns voiced by members of the Ward 5 community. To express these community concerns as clearly as possible to our federal partners in the clean up process, the Council of the District of Columbia unanimously passed on an emergency basis, Resolution 14-656, the "Sense of the Council That Fumigation Hours Occur Only on the Weekend Emergency Resolution of 2002," on December 3, 2002. I introduced this resolution to ensure that every precaution was taken during the clean-up process, including the conducting of the clean up over the weekend, when New York Avenue and Rhode Island Avenue are not grid locked with commuter traffic. I have attached a copy of the resolution for your review.

I am pleased that the fumigation process was successfully and professionally completed. Life in Ward 5 was minimally disrupted by the closure of Brentwood Road during the weekend when the actual fumigation process occurred. I appreciate the consideration that our federal partners in this effort expended to allay the fears of the residents of Ward 5 with respect to filling a 17.5 million square foot building with Chlorine Dioxide gas in their neighborhood.

When the building will be reopened is a decision for the members of the Congressional Committee on Government Reform. The District is open for business and we all look forward to bringing 100,000 new residents to the city. Within the Brentwood neighborhood, there will be a

significant residential and retail development of apartments and restaurants at the Rhode Island Avenue Metrorail station. I have enclosed a copy of my recent newsletter for your record, as it details the changes that are occurring in Ward 5.

The Curseen-Morris Center has been a mainstay of the Brentwood community for many years. Many people in the neighborhood and throughout the metropolitan area, use the Curseen-Morris Center, because when it was open, it was the only mail facility in the District of Columbia with 24 hour self-service access by the public to post office boxes. The facility provides a number of high quality employment opportunities for District residents and is easily accessible by Metrorail and the New York Avenue and Rhode Island Avenue commuter routes.

It is my understanding that the Curseen-Morris Center will re-open with a device to irradiate the mail within the facility. I trust that the same thoughtful attentiveness used to address the anthrax fumigation is used to make sure that the workers and patrons of the Curseen-Morris Center are shielded and protected so that any health risks from irradiating the mail, whether it occurs in Ward 5 or at some other facility, are minimized. I will continue to work to keep my constituents informed of progress at the Curseen-Morris Center.

One suggestion I would offer for allaying public concerns with the reopening of the facility is that the AFRRI, EPA and all of the partners that worked together to address the decontamination process, should continue to monitor the ambient air quality in the facility for one year after its reopening, and report their results on a monthly basis to this Committee and my office. In this manner the public patrons, employees and neighborhood residents can be assured as we go forward that the facility is indeed safe and secure.

Thank you for inviting me to testify on this issue. It is my hope that by testifying here today, I have provided this Committee with a few insights on the issues surrounding the reopening of the Curseen-Morris Center.

RALPH J. MODEN
SENIOR VICE PRESIDENT
GOVERNMENT RELATIONS

November 26, 2003

The Honorable Tom Davis
Chairman
Committee on Government Reform
House of Representatives
Washington DC 20515-6143

Dear Chairman Davis:

Attached are the responses to the questions for the record from the U.S. Postal Service to the Committee on Government Reform from the October 23 hearing on the Postal Service's efforts to reopen the Curseen-Morris Processing and Distribution Center in Washington, D.C.

Thank you for the opportunity to include our responses in the comprehensive hearing record. If you have any questions, please feel free to contact me or Judy de Torok at 202 268-3420.

Sincerely,

Ralph J. Moden

Attachment

475 L'ENFANT PLAZA SW
WASHINGTON DC 20260-3500
202-268-2506
FAX 202-268-2503
WWW.USPS.COM

QUESTIONS FOR THE RECORD FROM
DELEGATE ELEANOR HOLMES NORTON
TO THOMAS DAY AND JERRY LANE
FROM THE COMMITTEE ON GOVERNMENT REFORM

Hearing on the Reopening of the Washington, DC
Processing and Distribution Center

October 23, 2003

1) **Why did it take approximately one month (Sep-Oct '03) to tell postal employees that Curseen-Morris had been decontaminated? What steps, if any, have you taken to expedite procedures for communicating with union officials?**

On September 19, 2003, the Postal Service received a letter via fax from the independent Environmental Clearance Committee (ECC), stating that the ECC is providing a formal reoccupancy recommendation to the Postal Service. The letter stated that refurbishment was not yet complete at the Curseen-Morris facility. As an example, the letter cited the fact that letter-sorting bins still had to be removed and that the tops of the inspection galleries still had to be painted.

On October 17, 2003, the Postal Service informed union and management association officials of the news. The communication timing depended upon the completion of the refurbishment items noted in the letter. In addition, the Postal Service was awaiting a copy of the official letter; in the interest of time, however, we sent copies of the faxed letter.

Communication with local and national union officials, in general, is conducted in a variety of ways. At the national level, monthly meetings are held with Mail Security Task Force members, who include postal management and union and management association officials. The Task Force was formed in October 2001 in response to terrorist attacks involving the U.S. mail. The Task Force's mission is to enhance the safety and security of all postal employees and to improve our customers' confidence in the mail.

At the local level, Capitol Metro area postal officials meet weekly to discuss issues concerning the re-entry to the Curseen-Morris facility. These meetings previously were held biweekly. The meetings now will continue weekly until the re-entry process is complete.

QUESTIONS FOR THE RECORD
DELEGATE ELEANOR HOLMES NORTON
October 23, 2003 Hearing
(continued)

2) **What type of safety training do you offer postal workers? Please describe. Does it go beyond paper training? For example, do you provide hands on training or live action drills for any personnel? If so, for whom? Please provide us with a copy of the training.**

Integrated Emergency Management Plan

Safety training covers a broad range of activities at the Postal Service, including Postal Inspection Service's offerings and Human Resources safety programs.

During the October 23, 2003 hearing, the discussion focused on the training provided to employees to help them detect suspicious envelopes or packages in the mail. We have taken additional steps to enhance employee protection specifically in this area. We have developed an all-hazards Integrated Emergency Management Plan (IEMP) that incorporates and streamlines mitigation, preparedness, response and recovery planning and implementation. This Plan supports Homeland Security Presidential Directive 5, which details the National Incident Management System (NIMS) and the National Response Plan. As an all-hazards plan, IEMP prepares employees for human threats, technological disruptions and natural emergencies,

During July and August 2003, the Postal Service tested a pre-production model of the Biohazard Detection System (BDS) at 15 sites throughout the nation. Prior to those tests, site and district emergency management teams were trained in IEMP and employees at BDS sites received awareness training and participated in evacuation exercises.

In November 2003, the Postal Service began training BDS site and district employees for the first phase of national deployment. By late 2005, more than 280 BDS sites and their supporting districts will receive site-specific IEMP training -- including specific directions on 18 different emergency types, including anthrax.

To ensure that our employees are continually reminded about proper protocols in this situation, the Postal Service will set aside time every month to remind employees about proper handling procedures.

QUESTIONS FOR THE RECORD
DELEGATE ELEANOR HOLMES NORTON
October 23, 2003 Hearing
(continued)

Hazardous Waste Operations and Emergency Response (*HAZWOPER) courses*

As part of our long-standing training program on hazardous materials, we have a series of HAZWOPER courses specifically designed to address leaks or spills in the mail. Here is a brief description of these courses:

HAZWOPER First Responder Awareness level (30 min):

This course is for clerks, mail handlers, mechanics, custodial employees, supervisors and any others who may discover leaks or spills from mail pieces. The focus of this training is to instruct those employees who discover a leak or spill to shut down equipment (conveyors, etc.) where the mail is being processed, warn others in the area that there is a spill and to keep away from it, and to notify their supervisor. The supervisor in turn notifies the Spill/Cleanup team.

HAZWOPER First Responder Operations level (8 hours)

This training for the Spill/Cleanup team teaches team members to identify the difference between incidental spills, which they can safely clean up, and emergency spills, where external HAZMAT teams would be brought in to clean up the spill. They are instructed in the proper personal protective equipment to wear, spill-kart minimum contents, and specific instructions for cleanup of blood borne pathogens.

HAZWOPER Specialist (Postal Equivalent) level (24 hours):

This training is designed for Safety Specialists, Environmental Coordinators, Maintenance Supervisors, employees who will be assisting the Spill/Cleanup team in identifying *incidental* versus *emergency* spills. They are trained to use various resources in determining the risk posed by a spill, and also to act as liaisons with external resources such as police and HAZMAT teams.

Following the anthrax attacks, information on anthrax was added to all of these training courses. Information about other possible biohazards, such as ricin, smallpox, and plague, are currently being added to the courses.

New Office: Vice President Emergency Preparedness

The protection of postal employees continues to be the top priority of the Postal Service. The Postmaster General announced on November 13, 2003 that he has created a new position, Vice President of Emergency Preparedness. This office will

FOR THE RECORD
DELEGATE ELEANOR HOLMES NORTON
October 23, 2003 Hearing
(continued)

be responsible for the development, implementation and coordination of emergency preparedness plans to protect Postal Service employees, customers, operations and mail security during disasters and national emergencies. Henry Pankey, former Vice President, Delivery and Retail, has been appointed to this position.

We are including additional training material with these answers for your review.

3) **When will the Biological Detection System (BDS) be installed and running at Curseen-Morris? How will the BDS be deployed at Curseen-Morris? For example, will it be free standing and if so what are the positives and negatives of such deployment?**

The BDS detection system is identical to the units being deployed on the Advanced Facer Canceller Systems (AFCS) nationwide. The difference will be the interface. On the AFCS this interface consists of a collection hood that is installed over the first pinch point of the AFCS machine. In Brentwood, since there will not be any AFCS machines available, we will sample the facility air. Northrop Grumman will be conducting facility models to determine the best method to sample the facility air. The current, leading design concept is to interface the BDS unit with the facility HVAC systems.

Once the final interface design is developed we will conduct appropriate modeling and testing to confirm the performance level of the new interface. The current plan calls for the BDS and interface to be in place at Brentwood by the end of January 2004.

Regarding your question about the positive and negative approach of this technology, we recognize that it will perform only general air sampling. The issue with air sampling is whether or not the flow of air may draw in a spore that is released inside the building. Air flows are not predictable enough to identify specific stationary locations in which to gather samples to guarantee absolutely that a spore would be detected.

We will have multiple systems in the building and will do 3-D air modeling to determine optimal locations.

QUESTIONS FOR THE RECORD
DELEGATE ELEANOR HOLMES NORTON
October 23, 2003 Hearing
(continued)

4) **Please describe the communication procedures between the Centers for Disease Control (CDC) and postal workers. Has CDC and/or its contractors approached and/or communicated with union management? If not, do you plan on taking steps to improve communication between CDC and postal workers?**

In the immediate aftermath of the anthrax incidents, the Postal Service created a Unified Incident Command Center, which included CDC representation. In addition, CDC officials made frequent presentations to the Mail Security Task Force during the height of the anthrax incidents. CDC also established a U.S. Postal Service Liaison Team, slated with coordinating and communicating with the Postal Service on matters related to the anthrax attack.

Today, the Postal Service has an emergency management work group, which has the responsibility of interacting and coordinating with CDC officials regularly. This group manages general safety and health topics, and works with the CDC on developing necessary communications.

In urgent health situations, the Postal Service's Safety Performance Management team works with Labor Relations officials in notifying union and management officials. On a regular basis, Human Resources officials update unions and management officials at the Mail Security Task Force meetings.

Draft interim recommendations have been developed in response to the Postal Service's deployment of biodetection systems (BDS) in postal mail processing and distribution facilities across the nation. These recommendations address:

1) personal decontamination;

2) timing of post exposure prophylaxis administration;

3) environmental sample transport and testing for Wet Wipe samples;

4) environmental sample transport and testing for Hepa-Sock, Hepa-Filter, and other-Filter samples; and

5) BDS sample transport and testing. Notification of a BDS signal alert would be communicated to the CDC Director's Emergency Operations Center (DEOC) Duty Officer.

QUESTIONS FOR THE RECORD
DELEGATE ELEANOR HOLMES NORTON
October 23, 2003 Hearing
(continued)

During the October 23 hearing, the issue of monitoring the health of employees was raised. There was concern that postal employees did not realize that a telephone contractor was acting on behalf of the CDC in tracking employees' health. Subsequent to that hearing, the Postal Service has raised this issue with the CDC. CDC has assured the Postal Service that its contractor, RTI, does and will continue to identify its organization appropriately in all interactions with postal employees.

5) Can you provide the final costs for the cleanup of Curseen-Morris?

The Postal Service has committed approximately $130 million to the decontamination and cleanup of Curseen-Morris. That figure could increase as the final accounting takes place at Curseen-Morris.

U.S. Department of Labor

Occupational Safety and Health Administration
Washington, D.C. 20210

Reply to the attention of:

DEC 3 2003

The Honorable Eleanor Holmes Norton
U. S. House of Representatives
Washington, D. C. 20515

Dear Congresswoman Norton:

This is in response to your letter, dated November 4, in which you request information about the Government Accounting Office (GAO) recommendations in April 2003. Specifically, you ask about the target date and steps for completion of Agency action to revise guidelines and policies relating to worker communication.

The Occupational Safety and Health Administration (OSHA) is on a working group with the National Response Team (NRT). In the NRT's document "Technical Assistance for Anthrax Response, Interim Final Draft," several sections contain language that addresses the concern that information regarding exposure sampling should be provided in a timely and complete fashion to employees working in the affected sampling areas (e.g., Sections 5.2, 5.4, 6.7, and 9.2 of the interim draft).

While OSHA does not enforce the NRT recommendations, OSHA has issued a memorandum to the Regional Administrators, on September 12, stating, "Therefore, the purpose of this memorandum is to establish the policy that, whenever a nationally significant event takes place where bulk, area and/or personal samples have been collected, the area and/or regional offices are to ensure employers of emergency personnel provide exposure results to all affected workers and his/her representatives in a timely manner. This is per the requirements of 29 CFR 1910.1020, and, as stipulated to GAO, are to be provided regardless of whether the results are requested or not by workers or his/her representatives."

OSHA believes that using the policy described above in combination with the records access rule at 29 CFR 1910.1020 mitigates the need to revise the standard.

OSHA will continue to review its options to ensure that employees are notified of exposure records in a timely manner, as appropriate.

Sincerely,

R. Davis Layne
Deputy Assistant Secretary

U.S. Department of Labor

Assistant Secretary for
Occupational Safety and Health
Washington, D.C. 20210

JUL - 2 2003

Mr. Bernard L. Ungar
Director, Physical Infrastructure Issues
United States General Accounting Office
441 G Street NW
Washington, DC 20548

Dear Mr. Ungar:

This is in response to the recommendations the United States General Accounting Office made to the Occupational Safety and Health Administration (OSHA) in the report entitled, "U.S. Postal Service: Better Guidance is Needed to Improve Communication Should Anthrax Contamination Occur in the Future." The report included two major recommendations that affect OSHA.

The first recommendation is directed to the Administrator of the General Services Administration; the Postmaster General and the Administrator of the Environmental Protection Agency, as the Chairperson of the National Response Team. It recommends specific revisions to the guidelines each organization has developed related to the anthrax crisis. Although this recommendation affects OSHA only indirectly, as a member of the National Response Team (NRT), we want to assure you that OSHA pledges to work with the other NRT participants to properly revise the NRT guidelines to ensure timely and accurate disclosure of exposure information to workers.

The second recommendation, directed specifically to OSHA, proposes that the "Assistant Secretary for OSHA consider whether OSHA regulations should require—in emergency situations—full and immediate disclosure of test results to workers, regardless of whether the information is requested by an employee or his or her designated representative." OSHA's Access to Employee Exposure and Medical Records regulation, 29 CFR 1910.1020, requires employers to provide this information when it is requested by employees or their representatives. During the NRT review process, OSHA will seek advice from other participants in that body as to whether additional regulatory action is required, or whether guidance to employers, workers and regulatory staff is a more appropriate way to ensure prompt sharing of information. We note, as we have elsewhere, that the untimely release of information at Wallingford was due to unprecedented circumstances, not the lack of an appropriate rule.

While the NRT is evaluating and developing methods to ensure exposure information is shared with employees, OSHA intends to take action on GAO's recommendations by strengthening its responses to incidents like the one at Wallingford. OSHA will establish a policy that directs its Regional and Area Offices to initiate priority action at sites where the Agency becomes aware of the possible release of chemical, biological, or radiological agents. This policy will help to prevent the type of delay that occurred at Wallingford.

Using the policy described above in combination with the records access rule at 29 CFR 1910.1020 may mitigate the need to revise the standard. If we determine that a new regulation is warranted, OSHA will schedule this action, along with its other priorities, for inclusion in future publications of the President's regulatory agenda.

OSHA wants to ensure that the situation at Wallingford is not repeated. We will diligently review our options to ensure that the intent of the report and the problem of failure to release exposure information in a timely manner is addressed appropriately.

Sincerely,

John L. Henshaw

National Postal Mail Handlers Union

John F. Hegarty
National President

Mark A. Gardner
Secretary-Treasurer

Hardy Williams
Vice President
Central Region

Samuel C. D'Ambrosio
Vice President
Eastern Region

Arthur S. Vallone
Vice President
Northeastern Region

James C. Terrell
Vice President
Southern Region

Efraim Daniel
Vice President
Western Region

By Facsimile and First Class Mail

November 14, 2003

The Honorable Eleanor Holmes Norton
2136 Rayburn House Office Building
Washington DC 20515

Dear Representative Norton:

I am writing in response to your letter dated November 4, 2003, in which you requested information regarding employees who might choose not to return to the Curseen-Morris facility. Just this afternoon, Cynthia Vines, who is the Mail Handler Branch President at Curseen-Morris, met with District Level representatives of the Postal Service to discuss some of the issues addressed in your letter.

According to information provided by the Postal Service's Human Resources personnel, only six mail handlers have opted to transfer out of the facility. This transfer option is available to any employee who does not wish to return to the Curseen-Morris building. As I understand it, there are also some employees who will simply retire from the Postal Service because they have the age and creditable years of service to allow them that option. The people who exercise the transfer option will carry their service time with them to their new facilities.

I trust these answers are responsive to the questions your letter raised. If I can be of any further assistance, please do not hesitate to contact me at your convenience.

Very truly yours,

Richard Collins

Richard Collins
Assistant to the President

National Headquarters: 1101 Connecticut Avenue, NW, Suite 500, Washington D.C. 20036
(202) 833-9095 FAX (202) 833-0008 http://www.npmhu.org