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Testimony of

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**Improving Confidence in Anthrax Testing:
A Union Perspective**

Before The

**Subcommittee on National Security
U.S. House of Representatives**

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Congressional Testimony

Good afternoon. I want to thank Subcommittee Chairman Christopher Shays, Ranking Member Dennis Kucinich, and all of the committee members for the opportunity to address the important issues of this hearing. As requested, my testimony will concentrate on the GAO draft report about anthrax detection methods, as well as the impact of the events surrounding the recent anthrax incident at the Pentagon mail facilities.

I am William Burrus, president of the American Postal Workers Union. The APWU is the nation's largest postal union, representing more than 330,000 postal workers in the clerk, maintenance, and motor vehicle crafts.

Postal Workers Continue to Feel the Effects

The terrible events of September and October 2001 had a lasting effect on our country, taking lives and shattering our sense of security. As we evaluate what can be done to prevent such tragedies in the future, we must apply the lessons learned.

Through experience we now know the deadly affect biological agents can have if they are placed in the mail stream. We know that if it is undetected, anthrax can be distributed throughout the country. This knowledge – and the deaths of two of our members – place postal workers on the front lines in the war on terror.

The fears postal workers harbor about the accuracy of anthrax testing following the October 2001 attack remain, and they will not be overcome until a comprehensive plan of detection and protection is put in place.

I preface these remarks by restating my belief that, in the immediate aftermath of the attack, the United States Postal Service acted appropriately based on the limited scientific knowledge available. Postal management relied upon the advice of public health officials; the unions were informed as critical decisions were made, and, when presented with evidence that postal employees had been exposed to anthrax, postal managers did not hesitate to close postal facilities.

Mistakes were made, but they were honest mistakes. Hopefully, we have learned from them.

In the weeks and months that followed, however, serious errors were made – errors that could have been avoided.

Negative Results: True or False

Considerable resources have been expended to study anthrax detection methods since the October 2001 incident. The GAO draft report titled, “Anthrax Detection: Agencies’ Validating Detection Methods Would Improve Confidence in Negative Results” presents a detailed analysis that reflects many of the concerns the APWU has raised since the fall of 2001.

Following the October 2001 attacks, the Postal Service initiated a testing protocol to evaluate all mail processing facilities. The facilities tested negative, but the experience in Wallingford, CT, called into question the accuracy of the sampling and testing protocol. Subsequent tests using a different method – conducted after the death of an elderly woman who received mail from the facility – revealed the presence of anthrax.

In response to GAO recommendations to reassess postal facilities that had previously tested negative, the Postal Service asserted that because there had been no additional incidents of anthrax-related illness or death there was little or no risk to postal workers or the public. Despite our request, the Postal Service declined to conduct further tests.

We strongly disagree with the Postal Service’s rationale and the decision not to conduct additional tests. No one can reasonably suggest that our members should serve as the “canaries in the coal mines” of years past. The absence of illness or death cannot serve as proof that all is well. The buildings and their contents must be tested and declared free of agents of bioterrorism.

The GAO report underscores the lack of confidence in the testing at postal facilities across the country. Among the many complex issues addressed are the sampling and testing methods used and whether those methods have been validated. The report confirms that many of the concerns the APWU expressed in 2001 were well placed.

APWU concurs with the GAO report that all testing should utilize the best known practices and the methods that will provide results that first and foremost protect employees and the public.

In those circumstances where non-validated processes have been used, we must ask: Are postal facilities really safe, or could improper sampling and testing methods have missed anthrax? Could anthrax be lying dormant? Could unsuspecting employees be exposed at some future date? While the GAO report does not answer these questions, it brings them to the forefront for thorough examination.

In October 2001 the Postal Service was forced to make an emergency decision regarding the type of sampling to be used in postal facilities – whether to use dry-swab or wet-swab sampling. Despite the fact that the scientific community expressed concerns about the efficiency of the dry-swab method, that was the method chosen. This choice was accepted by public health officials. However, it was known at the time – and GAO has now confirmed – that dry-swab sampling is less efficient than the wet-swab method.

The USPS also advanced a strategy of “targeted sampling” that proscribed testing the areas that were most likely to be contaminated. This approach, known as “following the mail and monitoring employees” neglects the use of statistical probability in selecting sampling sites.

The APWU – and the GAO – reject the premise that “following the mail and monitoring employees” can serve as a means of determining contamination. This is unacceptable and should not be permitted by the Congress of the United States.

The GAO report concludes that a coordinated approach is necessary to increase confidence in negative test results. This would include working with agencies and unions to ensure that appropriate validation studies of the overall process are conducted. We concur.

But the GAO report does not go far enough in addressing the importance of the communication of protocols. The unions are a valuable resource in this process and are a primary vehicle for communicating testing procedures and results to employees.

Positive Anthrax Results at the Pentagon

Recent anthrax-related events at the Pentagon mail rooms demonstrate a number of deficiencies in communication; highlight the absence of standardized and validated testing protocols, and expose the lack of coordination in public messages. These most recent events serve as the poster child for inefficiency.

To act effectively, all agencies involved must coordinate the release of information and information must be released immediately. Affected unions must be fully engaged in the process and must understand the rationale for all related decisions. The recent Pentagon incident shows that when unions are not thoroughly involved, the mass media fills the void, often disseminating erroneous or conflicting information.

Media accounts of the Pentagon incident indicate that the initial sampling was done March 10, and that a positive result was announced March 14. Reports also specify that the positive result was confirmed on March 15, 2005. That means there was a lapse of five days between the initial sampling and the confirmatory results. If it had been a true positive, postal workers would have been in grave danger.

If anthrax had been present in mail at the Pentagon, postal employees’ exposure would have begun even earlier. That is because government mail undergoes initial processing at the V Street facility in Washington, DC, before it is transported to New Jersey for irradiation. This process can take up to two days. The mail is then returned to the V Street facility to undergo additional sortation prior to being delivered to the Pentagon mail facilities. This can take an additional day. So, prior to being delivered, the mail has been handled by unprotected postal workers for a three- to four-day period.

Had a biohazard been present, postal workers would have been exposed for eight or nine days before the results of confirmatory tests were received. We know from our experience at Brentwood that waiting even a few days to act can result in death.

Other major concerns arise from this most recent incident as well. First, timely notification was not provided by the Department of Defense to the Postal Service that anthrax exposure may have occurred. Second, a certified laboratory was not selected to perform the initial tests. Third, reporting the results took too long and as a result workers were potentially at risk. It is fortunate that the positive results were false and biohazards were not involved. But these failures cannot be overlooked.

Of major concern to the American Postal Workers Union is the alarming fact that postal employees at the V Street facility are not protected by any type of bio-detection system. After the traumatic events of 2001, one would expect that primary consideration would be given to protecting those employees and providing an early warning system.

Instead, all that has been done is to isolate these employees and the government mail sorting operations. If there is real concern that Congress may be a target and that mail may be used as a vehicle of terror, how do we justify withholding protection from the employees on the front line?

Also troubling is what I learned from a recent visit to this facility: in addition to the lack of a bio-detection system, large oscillating fans are being used to circulate air. One of the first precautions taken after the death of two Brentwood workers was to discontinue the use of such fans because of concern that they would circulate contaminated air in the event of future attacks.

There is still a great deal of work to be done and I thank you for doing your part. Postal workers and the mail must be protected. This will help protect the public at large. To accomplish this, we must establish appropriate validating processes and procedures. While we can provide a measure of protection to the members of Congress and their staff through the irradiation of mail, we cannot irradiate employees. They need a different level of protection.

Mr. Chairman and Committee members, I endorse in large part the conclusions of the GAO draft report and I hope you will find them useful in initiating a comprehensive and effective program for bio-hazard protection.

Thank you for the opportunity to testify before your committee. I will be pleased to answer any questions that you may have.