

THOMAS DASCHLE  
SOUTH DAKOTA

COMMITTEES:  
AGRICULTURE  
FINANCE  
RULES AND ADMINISTRATION  
(202) 224-2321  
TOLL FREE 1-800-424-8084  
<http://daschle.senate.gov>

## United States Senate

WASHINGTON, DC 20510-4103

320 SOUTH FIRST STREET, SUITE 101  
ABERDEEN, SD 57402  
(605) 225-8823

1313 WEST MAIN STREET  
RAPID CITY, SD 57702  
(605) 348-7551

320 NORTH MAIN AVENUE, SUITE B  
SIOUX FALLS, SD 57101  
(605) 334-9598  
TDD (605) 334-4822

December 20, 2002

Dr. John H. Marburger  
Director  
Office of Science and Technology Policy  
Executive Office of the President  
Washington, DC 20500

Dear Dr. Marburger:

I am writing regarding a Memorandum you issued on July 19, 2002 to federal mail managers and first responders about commercially available anthrax detection technologies. In that Memorandum, you recommended that federal agencies cease purchasing such anthrax detection equipment.

It is my understanding that your recommendation has caused many first responders to stop using hand-held anthrax detection technologies. Hand-held anthrax field testing equipment can be a vital screening tool for first responders, and last year we learned how important such screening can be.

As you know, many in the first responder community are concerned that what they believe to be effective tools might no longer be available to them. I share this concern but also realize that some commercially available tests may be unreliable or marketed misleadingly. I have been informed that although some of these tests have an unacceptable rate of inaccurate results, others are, in fact, accurate, useful tools that help first responders assess emergency situations.

While I recognize that the use of inaccurate testing equipment could have disastrous results, removing accurate tools from the hands of qualified first responders could seriously impede their evaluation abilities. Furthermore, waiting several hours to confirm the presence of a biological agent could have very negative consequences. In the case of anthrax in particular, waiting several hours to confirm its presence could lead either to: a) needless evacuation, anxiety, and lost productivity if one inaccurately assumes its presence; or b) dangerously prolonging individuals' exposure to the deadly bacteria if one inaccurately assumes its absence. Obviously, the latter consequence is especially problematic. For that reason, I believe the blanket recommendation in your Memorandum should be revisited.

In addition, I understand that some first responders are not adequately trained in how to use handheld tests. The proper response to a lack of training is education, rather than removing the equipment from the hands of all first responders, regardless of whether they have the necessary skills. Used by an appropriately trained professional, an accurate commercially available test can be a valuable tool.

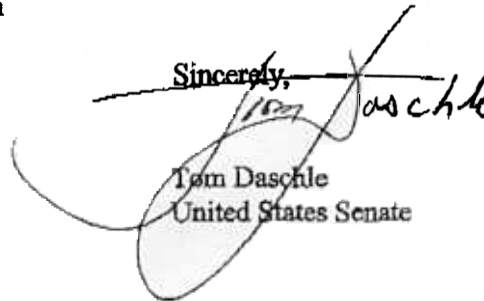
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I would welcome the opportunity to work with you to develop a way to ensure that first responders have access to tests that are accurate as well as the proper training necessary for reliable testing. Our staffs have met about this issue and discussed developing standards for this equipment, providing legislative authority for regulating these tests, and establishing educational programs to ensure the tests are properly used. It is critical that these matters are properly and fully addressed, but it is also crucial that you act in a timely fashion. Especially in the case of anthrax field tests, first responders need further guidance as quickly as possible, as we have been facing this issue for over a year. Simply removing the tools from first responders' hands is not enough. Please clarify what you believe to be the strengths and weaknesses of these tools, how best to choose appropriate tests, and how to educate the staff who administer them.

I look forward to your response. If you have any questions, please contact Kate Leone in my office at (202) 224-2321.

With best wishes, I am

Sincerely,  
  
Tom Daschle  
United States Senate

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