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March 2, 2004

The Honorable David Walker
Comptroller General of the United States
General Accounting Office
Washington, DC 20548

Dear Mr. Walker:

This letter is in reference to the level of spending being made by the private sector to protect the Nation's critical infrastructure. According to the Department of Homeland Security, private industry owns 85 percent of the national critical infrastructure, and for most private business owners, the decision to improve security is voluntary.

In February 2003, the Administration released a document called the *National Strategy for the Physical Protection of Critical Infrastructure and Key Assets*. That document states that "the lion's share of our critical infrastructures and key assets are owned and operated by the private sector" and that "private-sector owners and operators should reassess and adjust their planning, assurance, and investment programs to better accommodate the increased risk presented by deliberate acts of violence."

Accomplishing this goal will require private sector corporations in critical industries to increase spending on security. Although the Administration has stated that many businesses have increased their investments in security, an independent assessment of this claim has not been made.

Of particular concern to me has been the chemical industry, which has the responsibility of hardening security at chemical plants. Department of Homeland Security Secretary Ridge has testified that the chemical industry is better suited to assess vulnerabilities and take appropriate security measures at chemical plants. However, many plants containing chemicals that, if attacked, could adversely affect millions of people, remain unsecured. Last November, 60 Minutes reporter Steve Croft and Carl Prine, an investigative reporter at the Pittsburgh Tribune-Review, found their way in to numerous chemical plants containing dangerous materials without a hint of resistance.

The lack of security at our chemical plants leads to the broader question of whether the private sector is making the necessary investments to secure our critical infrastructure and key assets across all sectors. In assessing the need for Federal investments to secure our critical infrastructure, it will be essential for Congress to have measurable benchmarks of private sector investments in such infrastructure, such as investments in chemical facilities, port security, and cyber-security. In recent testimony on chemical plant security, GAO found that "Despite the industry's voluntary efforts, the extent of security preparedness at U.S. chemical facilities is unknown."

Therefore, I respectfully request that you investigate and evaluate the changes that have been made and are being planned by the private sector since September 11, 2001 to improve the physical protection of critical infrastructure and key assets.

Specifically:

- What is the average increase in security spending by the private sector across all critical infrastructure sectors since September 11, 2001?
- What is the average increase in security spending by the private sector in each of the critical infrastructure sectors since September 11, 2001?
- Has the private sector made the necessary investments in our critical infrastructure to meet the demands of the post 9/11 threat environment?
- What is the incentive for the private sector to increase its investment in security?
- Does the health of the economy have an impact on the private sector's ability to increase security spending?

Thank you for your cooperation in this matter.

Sincerely yours,

Robert C. Byrd

Robert C. Byrd
Ranking Member
Subcommittee on Homeland Security