

**Written Testimony
of the**

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United States Department of Homeland Security**

**Before the United States Senate
Homeland Security and Governmental Affairs Committee**

February 12, 2009

Introduction

Mr. Chairman, Ranking Member Collins, Members of the Committee – thank you for inviting me to speak to you today.

It's been roughly five years since I last sat before you. I spoke to you many times as White House Director of Homeland Security and later as Secretary of the Department of Homeland Security.

I wore a different hat then and some of you sat in different chairs. But nothing has changed for me and I suspect for you, when it comes to the uniting desire we all still have to do what we can, and what we must, to keep our country secure, our economy thriving, our people safe and our republic free – as we continue to face ominous domestic and global challenges these eight-plus years after 9/11.

Merging the HSC with the NSC: What to Consider

I welcome and appreciate this opportunity to offer my thoughts as you review whether or not to merge the Homeland Security Council under the umbrella of the National Security Council. I also appreciate that you have brought before you people of differing points of view on this issue – which allows for an approach that is consensus-driven and an outcome that is bipartisan and thoughtful.

My personal viewpoint on this issue is that the Homeland Security Council should not be subsumed by the NSC. The Department of Homeland Security is still a young, maturing cabinet agency, established just six years ago. It needs an independent ally and advocate in the White House – a good working relationship with the National Security Advisor, yes – but its own voice, and a voice that will be heard by its chief report, the President.

On the face of it, it's easy to understand why some believe that the HSC folding within the NSC sounds easy enough and appears to be simple common sense. Many people view each Council through a national security context – why not put the two together? However, it is my view that a merger of these two Councils would not work, and if carried forward, would diminish and potentially damage a Council whose work needs to be elevated, accelerated and properly resourced – versus diluted in a mix of security roles and responsibilities of a different kind.

The NSC focuses clearly on enemy combatants – calming geo-political tensions, mapping the strategies of Iraq and Afghanistan and addressing bubbling military conflicts. The HSC focuses more so on the American people, keeping our citizens safe and helping them to recover from an incident on home soil.

The Role and Scope of Homeland Security

The Department, as its *primary* mission, is not on the whole a counter-terrorism agency. Rather, the chief focus of DHS is the protection of the American people – prevention is part of the DHS role, but as much, if not more, is the responsibility to respond to an attack or catastrophic event, minimize the damage should an incident occur and assist in the often long and arduous process of recovery.

Sometimes the true scope of Homeland Security gets lost in all the talk of terrorists and tyrants. But it's important to underscore that the Department of Homeland Security is an all-hazards agency – focused on threats and potential attacks of all kinds – to include the threats of terrorist attacks, but also the threats and warfare of Mother Nature – hurricanes, wildfires, flooding, bio-spills, tornadoes, nuclear accidents, anything that threatens the safety of our citizens.

Addressing the Horizontal Integration Challenges. Addressing such hazards requires that the mission of homeland security not be federally driven, but truly national in scope. At the federal level, homeland security encompasses the horizontal integration of many federal Cabinet agencies.

From HHS to Energy to DOD to the FDA and elsewhere – more than 30 departments and agencies have homeland security functions. Take biosecurity, for example. What the United States needs to do to improve our biosecurity against major biological threats is complex. Biosecurity depends on different programs managed by different agencies – there is no way to simplify it. DHS is in charge of the biological risk assessment that analyzes biological threats. HHS is responsible for the research and development of medicines and vaccines. DOD does its own R&D. The Food and Drug Administration has its role. Let's not forget NIH. CDC is responsible for our national stockpiles and for coordinating the grant program and technical assistance to state and locals. The intel community is responsible for assessing the biological threats posed by our adversaries. Without close White House coordination, our bio programs will move in different directions to different goals and different timelines. Putting this and other challenges under the NSC's purview would only complicate the NSC mission and the HSC's ability to receive adequate attention from a Council that already has Iran, North Korea, Russia, Pakistan-India, the Mideast and other matters in its inbox.

Moreover, the vast inter-agency coordination doesn't end there – federal agencies have equally key roles in providing grant support, technical assistance and other forms of aid to state and local agencies – those who are first on the scene when a bio event occurs. And that brings me to the important complexity of vertically integrating homeland security responsibilities.

Addressing Vertical Integration Challenges. Though much focus is put on the *horizontal* integration challenges of homeland security, our *vertical* coordination with state and local authorities is even more important. Again, homeland security is not a federal department. It is a national mission, and a national mission requires a national

response; that means well-established coordination, communication and cooperation with our 56 states and territories and thousands of localities.

A significant difficulty in the vertical integration piece is that the President and the federal government as a whole lack the authority to mandate states to carry forward all recommended or preferred protocols. The federal government cannot ensure training is carried out and emergency equipment is purchased. The President cannot call up the National Guard; only the governor of a state can do so.

Those kind of sovereignty issues and others are what led to the creation of the Homeland Security Council and its unique role in relationship-building between state, local and tribal governments.

I would also point to one of our strongest partners in the homeland security mission – and that is the private sector. The private sector owns 85 percent of the country’s critical infrastructure. Its responsibility to secure its own infrastructure – our planes, railways, bridges, nuclear facilities, etc. – and its ability to drive technological innovation to develop weapons of detection, protection and response – is critical to the nation’s ability to secure everything from our chemical facilities to our nation’s borders and the skies overhead. The need to work effectively with the private sector has not been a focus of the traditional national security community, but it is readily understood, nurtured and advanced by those with existing national homeland security expertise and authority.

NSC policies and relationships are not hinged to the private sector. They are not hinged to the state and local world and, in some cases, by our own laws, cannot be. And so, my concern is that HSC would lose critical access and priority under the umbrella of a Council that has long played offense in battles far afield, and not defense within the states, communities and water’s edge of our homeland.

Reform over Relocation

Many recent reports concerning a potential merger cite inefficiencies in the HSC and the occasional overlap of certain national security matters. Relocation does not address those issues. Reform does. Thus, it’s my belief that the answer to what we’re discussing today is not in the relocation of the HSC – but more so in the reforming, modifying and bolstering of it.

Recommendations. The HSC staff and resources are minimal compared to the NSC and the HSC is not sufficiently empowered to lead the homeland security effort in the White House as was the intention when it was created under HSPD-1.

With that said, before we rush to reorganize, I’d like to make a few recommendations on reforming the HSC, some of which would still be appropriate should the HSC find itself in a new location and within a new structure.

1. At the President's discretion, he should give the Secretary of Homeland Security a seat at the NSC table on those occasions when the homeland security and the national security missions meet. That was not something that Secretary Chertoff or I had during our tenure, but I would encourage President Obama to exercise that authority with Secretary Napolitano, so that she has full and complete access to important NSC information and discussions – and a strong relationship with the NSC in place before an incident might occur.

2. The HSC should not be faulted for doing its utmost while lacking the resources to do its job. Instead, it would be advisable to staff up the HSC with more than adequate resources. The HSC staff is quite slim compared to the formidable staff of the NSC. Less budgetary and salary constraints can make sure that HSC personnel have the tools to do their job efficiently and without impediment.

3. In making my third recommendation, I add this context: I suspect that I was not chosen to be the first White House Director of Homeland Security, and later the Department's Secretary, because I was a counter-terrorism expert. Because I wasn't one. I was a former congressman; I understood the legislative issues I would have to navigate as coordination began in the early days post 9/11. I was a Governor. The state space was familiar frontier to me, and I had many good, bipartisan relationships established with my fellow governors and local authorities across the country. Additionally, as is the case with all of our nation's governors, I had trade experience. I understood that security and prosperity go hand in hand in this interconnected world. That while borders have to be secure, the welcome mat has to be ever present, so that travel and trade are not be disrupted.

While I did, indeed, have to become a counter-terrorism expert – and fast – it is my recommendation that the HSC – whether kept independent or under the umbrella of NSC – not rely solely on counter-terrorism experts to advocate homeland security issues.

Rather, the HSC should have as its lead or at its disposal those with a strong core in state and local structure. The HSC must have the ability to hire more subject matter experts who already understand the unique nature of homeland security issues, who bring backgrounds in coordinating prevention, response and recovery procedures brought on by both weather events and terrorist incidents and who have established experience in working within the universe of federal, state and local government.

Conclusion

No matter what decision is made regarding the HSC, I would like to salute those who have worked these many years since 9/11 to do more with less and who have given their all to protect lives and protect the American way of life.

Homeland security requires extraordinary effort. Nearly 8 ½ years on from 9/11, the mission is just as challenging as it ever was. Much has been done, but much more is left to do. I appreciate that we are still carrying out this mission together and having this discussion today – to make sure that when choices are available, we make them in a manner that is collective, reasoned, civil and bipartisan.

Mr. Chairman, this concludes my testimony. I look forward to any questions you may have.

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