

**United States Senate Committee on Homeland Security and Governmental Affairs Hearing**

**“18 Years Later: The State of Homeland Security After 9/11”**

**September 9, 2019**

**Prepared Statement of Janet Napolitano, President of the University of California**

Chairman Johnson and Ranking Member Peters, I want to thank you for conducting this important field hearing and for inviting me to provide testimony. I am grateful to each of you for the work you do on behalf of the American people. And I am honored to be with you this morning here at the National September 11 Memorial and Museum.

Eighteen years after the attacks, September 11<sup>th</sup> remains a somber day on which we mourn and reflect on the nearly 3,000 lives lost in the attack on our nation. As we honor the memory of those whose lives were taken on that fateful morning, so, too, do we express our heartfelt gratitude to the first responders, law enforcement, and volunteers who pulled survivors from the wreckage of the World Trade Center and Pentagon – many of whom later succumbed to illnesses or died as a result of their recovery efforts.

September 11 not only changed the trajectory of our nation, but it altered how we gather intelligence, respond to terrorism, and protect our nation and its borders. Out of that tragic day, the U.S. Department of Homeland Security was born -- a new department that united nearly two dozen existing federal agencies under the leadership of a Homeland Security Secretary, a position I was deeply proud to hold. I am honored to be here with two other former Homeland Security Secretaries to discuss the department and the current state of homeland security.

I would like to begin by thanking the men and women of DHS for the work they do to keep us safe, day in and day out. In today’s environment of instability, both at home and abroad, our civil and public servants are under intense pressure to perform responsibly and to execute their mission sets flawlessly. We should all be sensitive to these pressures and recognize these public servants of DHS as the patriots they are.

From the time it was stood up, DHS has been evolving from a fledgling new member of the federal civilian family to what it has become today: a fully functional department that ably repels, responds, and helps the nation recover from all threats and all hazards. This evolution is partly the natural maturation process of a new department, and partly a result of the requirement to anticipate and respond to threat trends that change regularly.

When I inherited the Department from Secretary Michael Chertoff, DHS had mature processes in place to prevent terrorism on our shores and an all-hazards approach to protecting the homeland. I want to compliment Secretary Chertoff on his leadership and his resourceful and competent stewardship of DHS. Working with Congress, I wanted to build upon his efforts, while evolving the Department to correspond with emerging threat lines arising from intel and other channels.

Among our top concerns at the time were terrorism, aviation security, cyber security, and border management and security, as well as the security of the global supply chain, trafficking of goods

and humans, and the resilience of the nation to natural disasters. We developed and implemented programs and operations based on intelligence and those threats, while endeavoring to make travel, trade, and commerce more seamless for the public. We created TSA Pre-Check and significantly expanded Global Entry, Customs-Trade Partnership Against Terrorism, and Customs pre-clearance. We also transformed border security, immigration enforcement, and disaster preparation, response, and recovery.

During my time as Secretary, threats against the homeland evolved, and we adapted with them. Through the coordinated efforts of federal intelligence and security agencies, we effectively eliminated the likelihood that another 9/11-style attack could occur, we drove border apprehensions to historic lows, and transformed a national unity of effort on resilience. At the same time, we began to see an increase in cyber threats, threats arising out of active shooters or self-radicalized actors, and threats resulting from climate change.

As President of the University of California, a former Governor, state Attorney General, and U.S. Attorney, I see many risks to our homeland today. Described by one American business leader as “fiscal child abuse,” the escalating federal deficit is a threat to future generations. The way in which our country is bullying its friends and allies around the world is a threat to our domestic security. Finally, the willful retreat from the values that made America great is of significant concern.

We could have a lengthy discussion about each of these risks, but I am here today to address three *future* threats that the Department *can* and *must* confront. They are: cyber security, mass casualty shootings, and climate change. And I will address one issue that I believe is *not* a threat to the homeland: the U.S. border with Mexico.

During his tenure, Secretary Johnson did a remarkable job of bolstering DHS’s cyber capabilities, and I applaud Congress for working with the department to transform the National Protection and Programs Directorate into an operational agency, the Cybersecurity and Infrastructure Security Agency. But we have much more to do in this area. Our nation’s critical infrastructure, its utility grids, election systems, and our public and private networks are all vulnerable. Our adversaries and international criminal organizations have become more determined and more brazen in their efforts to attack us and to steal from us. We need a whole of government and a whole of public and private sector response to this threat, and it needs to happen immediately. We have the greatest minds in the world in this country. I know this firsthand because as the president of the University of California, I have met many of them on our 10 campuses and at the national laboratories. Our public research universities and the Department of Energy national labs are tremendous resources and incredible partners for DHS in working to address the real challenges before us. We can all do more to build partnerships and invest in our nation’s research enterprise that is critical to protecting our national security. Together, we can address the cyber threat by out-thinking, out-innovating, out-researching, and out-hustling those who seek to do us harm.

The less technical threat of mass casualty shootings is no less consequential than those posed in the cyber arena. In the mid-2000s we began to see hints that these types of events could be on the upswing, but there was no indication of just how significant a problem it would become. Today,

we have sadly grown accustomed to stories of yet another tragic shooting. We cannot be and we should not allow this sort of learned helplessness to penetrate our society on this topic. DHS's Office of Intelligence and Analysis was created to evaluate the nexus between threat and vulnerability. It needs to be aggressive in doing so with respect to gun violence and mass casualty shootings.

I believe in the 2<sup>nd</sup> Amendment, but it didn't contemplate citizens with combat-ready assault rifles. I believe people should be able to use weapons for recreation, hunting, and protection, but if you cannot hit your target with ten shots, you should not be shooting a gun. It is time for Congress to ban high capacity magazines and assault weapons, and it is time to enact universal background checks.

It is also time for Congress and the Department of Homeland Security to recognize that climate change is a generational threat to the homeland that must be addressed in a meaningful way. The uptick in extreme weather events on land, at our shores and in the littoral waterways of the United States clearly impacts the missions of FEMA and the U.S. Coast Guard. From rescue and reconnaissance to disaster preparation, response, and recovery, our changing climate requires DHS to approach these missions differently.

Climate evolution also implicates our border and our immigration system, thereby directly affecting USCIS, CBP, and ICE. Extreme weather is destroying crop yields in Central and South America, devastating economies, and drying up jobs and gainful employment opportunities. With lost jobs and lost wages, the aperture toward radicalization widens as does the draw of northward migration. There are many factors that lead to migration to the United States, but the downstream effects of climate change are certainly among them. If we as a nation fail to address climate change in a holistic and global way as a threat to the homeland, we will be ignoring one of the nation's and the world's greatest security risks.

Finally, I would like to address a topic that I do *not* believe is a threat to the Homeland—the U.S. border with Mexico. I have worked on issues related to that border for nearly 30 years as a prosecutor, a Governor, and as Secretary of Homeland Security. I have walked it, ridden along it on horseback, flown it in fixed and rotor-wing aircraft, explored its tunnels, and visited almost every Land Port of Entry along it. There have been times during my three decades of public service when I did argue that the border was a threat, but now is not such a time.

The border is a zone where millions of dollars of lawful commerce, trade, and travel traverse every day. It produces jobs for citizens living along it and throughout the United States. On its own, it is an economic engine. From a security perspective, at the conclusion of the Obama Administration, it was also very much in control. Apprehensions were at all-time lows, trade was at an all-time high, and the border was being managed in a manner consistent with America's values.

Proper border management requires a blend of physical infrastructure, manpower, and technology. What we do not need, and what doesn't make sense, is a wall from one end of the border to the other. As Governor, I once proclaimed, "show me a 10-foot wall and I will show you an 11-foot ladder." That was more than a decade ago and it is still true today.

The debate about a costly and needless border wall should come to an end. It distracts from the overall mission of DHS, and it is a red herring used for political gain in an arena—namely the security of our nation—where politics should play neither a role in decision-making nor in operations. The billions of dollars it would cost to build a border wall are better deployed on other homeland missions, such as cyber security, or on reducing our ballooning deficit, or even on addressing infrastructure improvements that are sorely needed throughout the country. I urge this committee to consider putting an end to discussions related to the construction of a border wall, and to return your worthy attention to the critical requirements of the homeland mission.

I am grateful to each of you for inviting me to appear today and thank you for your attention to my testimony. I welcome your questions.