

**Statement of Frank J. Chellino,
Panel Chairman for the Department of Homeland Security
Presidential Transition Study,
National Academy of Public Administration**

On the Presidential Transition at the Department of Homeland Security

**Before the
Subcommittee on Oversight of Government Management, the Federal Workforce
and the District of Columbia,
Committee on Homeland Security and Governmental Affairs Committee,
United States Senate**

September 18, 2008

Mr. Chairman and Members of the Subcommittee, thank you for inviting the National Academy of Public Administration to testify on the Department of Homeland Security's (DHS) preparation for the 2009 Presidential Transition. I served as Panel Chair for the Academy's June 2008 report that assessed DHS' executive profile and its plans for the 2009 Presidential Transition.

The Presidential Transition of 2009 is the first major transition since "9-11" and the first for DHS which was created in 2003. DHS not only built a new organization from the ground up, but has undertaken two major departmentwide reorganizations, and absorbed new or expanded responsibilities that were not part of its original charter. This continuously changing environment, coupled with major ongoing operational responsibilities, has caused a continuous "white water" management environment at DHS. With the 2008 Presidential election on the horizon, DHS leadership is about to turn over responsibility for managing this complex and challenging organization to a new team.

As we point out in our report, recent history demonstrates that political transitions present an opportunity for terrorists to take advantage of real or perceived weaknesses in a nation's ability to detect, deter, prevent or respond to attacks. The final report of the 9-11 Commission raised concerns about the impact of future transitions on the government's ability to deal with terrorism. Due partly to the delayed resolution of the 2000 election, the incoming Bush administration did not have its deputy Cabinet officials in place until Spring 2001 or its sub-Cabinet officials in place until that summer. Historically, getting the Presidential team in position has been a slow process. The Commission strongly pushed for changes to the process so that the Nation is not left vulnerable to these types of delays in a post-9/11 world. During the transition, DHS must retain the ability to respond quickly to both man-made and natural disasters.

In light of these issues, Congress and DHS asked the Academy to assess DHS' executive profile, study its transition training, and review its plans for the 2009 Presidential transition. Our June report was the result of the request.

Regarding DHS' executive profile, the Academy: 1) assessed the appropriateness of the overall number of executives for DHS, given its size and broad mission objectives; 2) assessed the department's allocation between career and non-career executives; 3) compared the department with similarly structured agencies' career and non-career executives, and 4) identified gaps in the department's career senior leadership structure, including risks associated with changing leadership during a Presidential transition.

Although no entity has provided a formula or guidelines for the specific optimum number of executives or political appointees in an agency, the Academy concluded that the total number of DHS executives and the percentage of political appointees are well within the norms of other Cabinet-level agencies. However, the Academy does recommend that DHS shift more executives to field locations in immigration and border management agencies and change non-career headquarters deputy officials, FEMA regional administrators and other officials to career executives. In addition, the report identified gaps in DHS' executive staffing including, high turnover, many vacant positions, and a lack of ethnic and gender diversity.

Regarding transition training, the Academy: 1) assessed the adequacy of executive training programs as they relate to the transition; and 2) compared DHS' transition training programs with those of similarly structured Cabinet-level agencies. The Academy concluded that DHS' transition training and development efforts are consistent with executive development programs in most federal agencies and has a balanced set of transition-specific training programs underway. If implemented these should help executives prepare to meet their homeland security responsibilities during transition. DHS is well along in its transition training especially given that it is a young agency with a critical national mission and going through its first Presidential transition.

Lastly, the Academy reviewed DHS' transition planning and made 22 recommendations spread across a defined timeline from prior to the National Conventions in August to

following Inauguration Day in January 2009. These specific recommendations are discussed in detail in the report.

DHS has begun to address these 22 recommendations and has advised the Academy that they have substantially or partially completed ten (10) of the first 12 NAPA recommendations which were to be completed by September 4th.

Regarding Academy recommendations 13 and 14, which were to be completed by November 4th, DHS has advised the Academy that the White House has the responsibility for reaching out to the Presidential Transition Teams to solicit names of potential political appointees. To our knowledge, this has not yet been implemented. However, DHS has geared up its internal security processes to meet the demands of incoming executive selectees.

DHS' actions are positive but there remain important areas that must be addressed if the department is to be completely prepared. To the greatest extent possible, incoming DHS leadership - including the Secretary and key staff—must be in place on Inauguration Day or shortly thereafter. This requires the support and cooperation of other federal agencies with background check and clearance responsibilities, as well as the Congress given its confirmation role and responsibilities.

Finally, the Academy noted that DHS has NOT fully achieved its intended mandate of providing an integrated and universal approach to homeland security. Much has been

asked of DHS since 2003. However, the department's key seven components still largely operate as "stand alone" entities. Important steps are being taken by DHS Headquarters to improve coordination among the components. If the void in leadership during the Transition results in components continuing to operate "independently" in areas that call for a more collaborative approach, DHS' operational efficiency and effectiveness will suffer and its stated objectives will remain out of reach. In addition, and compounding this lack of coordination, is the 86 Congressional Committees that oversee DHS. These multiple Committees make it difficult to both align resources to strategy and pass authorizing legislation but it also subjects the department to policy disarray. These issues will provide a major challenge for the leadership team appointed by the next President.

Mr. Chairman, that concludes my statement. Thank you for inviting the Academy to this Hearing.

I would be happy to respond to any questions.