

**The Nomination of Rand Beers
to be Under Secretary for the National Protection and Programs**

Senator Joe Lieberman

June 2, 2009

Good afternoon. Thank you all for coming to our hearing today on the nomination of Rand Beers to be Under Secretary for the National Protection and Programs Directorate (NPPD) at the Department of Homeland Security (DHS).

Mr. Beers is a highly-qualified nominee with a record of more than 30 years of public service, dating back to his service as a Marine in Vietnam. He has served in Democratic and Republican administrations, working as the Senior Director for Combating Terrorism at the National Security Council (NSC) during the Administration of George W. Bush, as Assistant Secretary of State for International Narcotics and Law Enforcement Affairs during the Clinton Administration, and Director of Counter Terrorism and Counternarcotics at the NSC for the Administration of George Herbert Walker Bush. More recently, Mr. Beers played a key role in the transition at the Department of Homeland Security from the Bush to Obama Administrations and has been a chief counselor to Secretary Napolitano since that time.

If confirmed, Mr. Beers will be required to apply his wealth of experiences to harness and provide vision for the National Protection and Programs Directorate, which includes programs covering cyber security, infrastructure protection, foreign traveler screening, and emergency communications. The President's FY2010 budget proposes to expand this Directorate further by moving the Federal Protective Service into the NPPD.

Cybersecurity is clearly one of the directorate's top priorities. The threat of cyber attacks is an urgent national security challenge. Last week, President Obama announced the results of the 60-day review of cyber security policy and government structures, and I am grateful for the President's focus on this issue. We believe, and the President has confirmed, that DHS has a central role to play in any government-wide cyber security strategy, and NPPD will lead the Department's efforts in that regard. I look forward to hearing what Mr. Beers thinks the Department's role should be and how he will ensure that DHS has the necessary tools to perform its job.

NPPD's critical infrastructure responsibilities are no less challenging. Because the majority of the nation's critical infrastructure – our energy, communications, and transportation networks, for example - are owned and

operated by the private sector, DHS must work closely with the private sector to put appropriate security structures in place.

The lesson from the Mumbai, London, and Madrid attacks is that terrorists will seek out “soft targets” such as hotels, shopping districts, and inner city transit lines. So we must accelerate our efforts to harden those targets.

NPPD also plays a critical role in our nation’s security through the US-VISIT program, which requires foreign nationals to undergo biometric screening as they enter the country. The 9/11 Commission concluded that three of the September 11 hijackers had overstayed their U.S. visas, and concluded that requiring biometric exit screening was vital to homeland security. In fact, if we had implemented a biometric system to detect overstays prior to 9/11, we could have prevented the attacks of 9/11. I am very concerned that almost eight years later, despite the clear need for a viable biometric exit system to ensure that we know when foreign nationals overstay their visas, we still do not have a workable exit system in place. This committee will continue to work with DHS to ensure that a secure biometric exit system is expeditiously deployed at the nation’s airports.

Many other challenges face the NPPD, including the future of chemical security, the directorate’s challenge in hiring and retaining qualified staff, and the over dependence on contractors to do what otherwise

might be considered inherently governmental work. I intend to work closely with the new Under Secretary to reauthorize and strengthen the Department's Chemical Facility Anti-Terrorism Standards (CFATS), the chemical security site program.

I also want to discuss with him whether DHS is becoming so dependent on contractors that it risks having too little in-house ability to evaluate the solutions its contractors propose, or to develop options on its own. And I want to know how he intends to attract and hire the necessary permanent staff to fulfill the directorate's critical missions.

Mr. Beers is an experienced public servant of long standing. If confirmed, his expertise will be put to good use at NPPD. I look forward to hearing his views on the direction of the Directorate.

Senator Collins?