

TESTIMONY

STATEMENT OF THE HONORABLE JANE HARMAN
Senate Committee on Government Affairs
October 12, 2001

In President Bush's compelling speech to the nation last Sunday as we launched air strikes, he told out young men and women heading into harm's way, "your mission is clear... your cause is just... and you will have all the tools you need."

Few in our country doubt the careful and effective planning for our military response in the wake of September 11. The same cannot be said of other parts of our response.

The federal response to September 11 is still ad hoc. We have provided emergency funds for victims and airlines and begun to look at airports and airline security and new tools for biological attacks. What we really need, however, is a national strategy: to reform how we collect, analyze and disseminate intelligence and coordinate our response across all levels of government in the event of a terrorist attack.

We are no closer to that strategy now than we were a month ago.

The tools to compel a new national threat assessment, design an integrated strategy and compel all government agencies to follow it are in H.R. 3026, the Office of Homeland Security Act, which Congressman Jim Gibbons and I, joined by other members of the House Intelligence Committee, introduced last week.

Our bill matches the Administration's approach for federal organization as articulated on Monday by an Executive Order.

I will describe this legislation, but I also want to stress that it complements the other proposals discussed this morning. I urge the Committee to consider all the pending legislation as a complementary package, and not as competing approaches.

The Administration issued on Monday of this week an Executive Order establishing the Office of Homeland Defense. This Order cited the need to:

Detect;
Prepare for;
Prevent;
Protect against;
Respond to; and
Recover from terrorist attacks against this nation.

This mission is challenging in its breadth and its complexity.

According to President Bush's Executive Order, Governor Ridge's mission is to "develop and coordinate the implementation" of a comprehensive national strategy against terrorism. But he is not directed to actually *develop* the strategy itself – in fact, no one appears to be.

Ridge is directed to “advise” the Office of Management and Budget on the appropriateness of other agencies’ budgets for homeland security. But he is not given real budget authority.

He is authorized to “review” plans and preparations for ensuring the continuity of government.

He is directed to “work” with executive departments and agencies to “ensure” the adequacy of the national strategy for detecting, preparing for, preventing, protecting against, responding to, and recovering from terrorist threats or attacks.

He is directed to “encourage” and “invite” the participation of state and local governments and private entities to carry out his office’s duties.

And he is subject to the White House Office of Communications in “coordinating” the strategy of communicating with the public in the event of a terrorist attack.

Governor Ridge has been told to do a lot of things, but has to rely on the cooperation of the various departments and agencies to succeed.

Beyond his persuasive abilities and his close relationship with the President, Ridge has none of the tools required to force coordination of efforts or to win turf battles.

And the turf battles have already begun. To overcome expected objections from cabinet secretaries, the President appointed himself to chair the newly-created Homeland Security Council than give Ridge the assignment.

Congressman Gibbons and I, with sox of our House Intelligence Committee colleagues on a bipartisan basis believe that what Governor Ridge needs most is the authority to design a national strategy and compel agencies and departments to follow it. This is best achieved by giving Ridge direct authority to reject agency and department spending proposals that are inconsistent with homeland defense. Only our bill gives him that authority.

Veto is real power and without it Governor Ridge stands at a distinct disadvantage to agencies and departments that have had more than nine months lead time preparing their budget submissions. The sheer momentum of their effort – backed by thousands of federal employees who have helped shape the budget decisions – will be next to impossible to stop if Ridge can only jawbone.

In addition to budget authority, our bill gives Director of Homeland Security clear authority to do a new current threat assessment (the last National Intelligence Estimate was done in 1997). And, it directs Ridge to design a comprehensive national strategy.

The need for our bill has already been indicated by recent press articles.

A *New York Times* editorial noted of Director Ridge: “[h]is portfolio is enormous, but his authority is vague.”

The *Wall Street Journal* reported this week that President Bush’s Executive Order “gives its director, former Gov. Tom Ridge, little control over the counterterrorism budgets of the various federal agencies he is

supposed to oversee – fueling concerns that Mr. Ridge will lack the tools to force the dozens of often-warring agencies to work together.”

The *Washington Post* wrote yesterday “In any circle but those of the federal cutthroats who guard their turf, [Ridge’s] friendship with the commander in chief would be a boon. But the gladiators he is about to face devour czars.”

At his swearing in, Governor Ridge said “the only turf we should be worried about protecting is the turf we stand on.”

We need prompt passage of legislation to make Ridge’s statement come true. Every day that Governor Ridge does not have the right set of powers, his turf shrinks and his ability to provide for our homeland security decreases.

Let me close with the suggestions that legislation introduced in the House by my friends, Mac Thornberry and Wayne Gilchrest, and bills as introduced by you, Mr. Chairman, Senators Specter and Smith are complementary to our bill.

Both the National Homeland Security Agency Act and the Preparedness Against Domestic Terrorism Act focus primarily on the response to terrorist attacks, and not the entire spectrum of terrorism prevention and response.

The National Homeland Security Agency Act centers on policy implementation by FEMA, the Coast Guard, Border Patrol, Customs, and infrastructure offices. I agree that this reorganization of agencies should promote homeland security. But I question whether this new Cabinet department can coordinate the efforts of its sister departments and agencies.

Coordinating programs involving turf wars is a challenging matter at best. Trying to do this from an Agency seen as trying to steal turf in the process is even harder.

Only H.R. 3026 equips the Office of Homeland Security with the authority to coordinate efforts and to carry out the conduct of a national homeland strategy and threat assessment. I consider it the critical first step, and hope this Committee will include it in any legislative package it reports.

[Committee Members](#) | [Subcommittees](#) | [Hearings](#) | [Key Legislation](#) | [Jurisdiction](#)
[Press Statements](#) | [Current Issues](#) | [Video of Select Hearings](#) | [Sites of Interest](#)