

Dated: September 26, 2008

Signed: \_\_\_\_\_  
Joseph I. Lieberman, U.S.S

LIVE

Statement of Senator Joseph I. Lieberman on Introduction of Department of Homeland Security Authorization Act

Mr. President, I rise today to introduce a bill to authorize appropriations for the Department of Homeland Security – the first comprehensive DHS authorization bill introduced in the Senate in the five-year history of this agency created in response to the attacks of 9-11.

This bipartisan bill is cosponsored by my friend and colleague, ranking member Sen. Susan Collins, who has long been one of the Senate’s great leaders in our efforts to make our nation more secure.

I understand there is not time in this session for full consideration and passage of this legislation but we offer it as a blue print for the next administration and the 111<sup>th</sup> Congress outlining key areas of improvement we think can make DHS more efficient and effective in its mission to safeguard our homeland.

Before I offer more detail on this bill, I would like to briefly review the history of the department that has brought us to where we are today.

The attacks of 9-11 made it clear that oceans are no longer a defense against those who mean to harm our nation. After a series of hearings, the Homeland Security and Governmental Affairs Committee proposed legislation pulling more than 22 different agencies responsible for different areas of homeland defense into one Department whose overarching mission was the protection of the American people.

Success was not guaranteed. The Administration and many in Congress at first opposed the creation of a department of homeland security. But we persevered in our mission and President Bush signed legislation creating the department in January 2003.

We all knew at the time that creating a new department with a single identity out of 22 different agencies would be difficult. Each agency came into the Department with its own culture – not to mention its own procurement, personnel and computer systems. In some cases, they came after having been neglected in other Departments where homeland security had been an afterthought. There was, and remains, much work to be done.

But over the past five years, the men and women who work at the Department, under the leadership first of Secretary Tom Ridge and now of Michael Chertoff, have worked hard, often under difficult circumstances, to systematically improve the nation's security.

Our committee has also written and helped pass several pieces of important legislation to strengthen and guide DHS as it evolved into a more mature agency. I would like to briefly mention some of them because I'm proud of the Homeland Security and Governmental Affairs Committee's work under former Chairman Susan Collins and during my own tenure as chairman, because we truly worked as partners across party lines.

In the 108<sup>th</sup> Congress, our committee led the effort to enact the recommendations of the National Commission on Terrorist Attacks upon the United States, – otherwise known as the 9/11 Commission -- a Commission which, had been created through the Committee's work in the previous Congress. The resulting Intelligence Reform and Terrorism Prevention Act of 2004 implemented most of the 41 recommendations of the 9-11 Commission, including a number directed at the work of the new Department.

In the 109<sup>th</sup> Congress, in the wake of the catastrophe of Hurricane Katrina, our committee conducted a far-reaching investigation into the actions at all levels of government that contributed to the disastrous response to the hurricane.

The Homeland Security and Governmental Affairs Committee held 22 hearings, interviewed hundreds of witnesses, reviewed hundreds of thousands of pages of documents, and issued a comprehensive, 700-page report on what went wrong.

The committee's findings on shortcomings at FEMA and DHS led us to draft the Post-Katrina Emergency Management Reform Act, which strengthened and elevated FEMA within the Department, brought together into a single agency those charged with preparing for disasters with those responsible for responding to them; required planning for catastrophic events; and helped ensure that the resources of the whole Department would be available in a catastrophe.

The Post-Katrina Emergency Management Reform Act was signed into law in October 2006, and the results of that Act can be seen in the much improved – though admittedly still imperfect -- federal response to the series of recent tornadoes in the Midwest and devastating hurricanes that have hit the Gulf Coast.

In the 109<sup>th</sup> Congress, our Committee helped draft and pass the SAFE Ports Act, to strengthen the Department's port security efforts, and we passed legislation to provide DHS authority to better secure dangerous chemical facilities.

And in this Congress, after many hearings and much hard work, legislation implementing the final recommendations of the 9-11 Commission was signed into law. This legislation addressed a diverse array of issues at DHS, from homeland security grants to information sharing to interoperable communications to transportation security.

So while we offer this authorization bill as DHS readies for its sixth year as a department – and its first Presidential transition – this committee has been working hard all along to give DHS both the support it needed and the oversight – sometimes harsh – to steadily improve its capacity to carry out its critical mission.

With this authorization act we continue that important work and I would like to touch on key portions of the bill.

This bill can be summarized under three major themes: integration, accountability, and effectiveness.

As I have already noted, we knew when we passed the Homeland Security Act that the process of creating a new, unified Department out of many diverse component agencies would be both challenging and time consuming – and the process is not yet complete. Therefore, a number of provisions of this bill would improve the integration of the Department. These provisions are collectively intended to help the Department to perform its missions at a level that is greater than the sum of its parts.

First, the bill would create an Under Secretary for Policy, to ensure that there is policy coordination across the Department.

The bill would also require the Secretary to develop and maintain the capability to coordinate operations and strategically plan across all of the component organizations of the Department. To this end, it permits the establishment of an Office of Operations Coordination and Planning within the Department, making it easier for the staffs of agencies such as the Coast Guard, Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE) and FEMA to work together on key operational activities, such as planning for the upcoming DHS transition.

The bill would enhance the statutory authorities of the Chief Information Officer, allowing for greater control over IT investments in the Department. It also gives the Assistant Secretary for International Affairs of DHS new authority to coordinate the international activities of the Department. And the bill would establish the Office of the Chief Learning Officer, who would coordinate training and workforce development activities on a Department-wide basis.

Finally, the bill would require the establishment of a consolidated headquarters for the Department of Homeland Security, which is long overdue. Currently, the Department is spread throughout 70 buildings and 40 sites across the National Capital Region making communication, coordination, and cooperation among DHS components a significant challenge. The deplorable condition of the present headquarters complex also makes it harder for DHS to recruit and retain talented professionals – directly affecting homeland security – and I will continue to push Congress and the Administration to get the funding necessary for the headquarters consolidation to proceed.

The second major theme of the bill is accountability. The bill contains a number of provisions intended to enhance oversight and ensure that the Department is held accountable for the decisions that it makes.

The bill requires that DHS have certified program managers for all major acquisition programs, and directs the Department to report to Congress on its use of various contracting authorities and on task orders within two of its major acquisition vehicles.

The bill creates a statutory requirement for a formal investment review process within the Department, and for investments where there are significant technological challenges, requires a formal testing and evaluation process prior to investment. These

provisions will help to ensure that the Department does not again move forward with costly acquisitions without first proving that the underlying technology will work.

The bill also requires reports to Congress on a number of other activities, including the Comprehensive National Cybersecurity Initiative and the Department's efforts to improve minority representation among its employees.

The third major theme of the bill is effectiveness. There are a number of homeland security mission areas where the federal government needs new or expanded authorities to effectively address threats that face us.

For example, the bill addresses growing concerns about the cybersecurity threat by establishing a robust National Cyber Security Center with the mission of coordinating and enhancing federal efforts to protect government networks, and by enhancing the statutory authorities of the National Cyber Security Division.

The bill would enhance our nation's border security by authorizing an increase in the number of CBP officers and ensuring that they receive sufficient and appropriate training. It also recognizes the essential work of the agriculture specialists at the border, who perform plant inspections and help protect against both devastating pests and potential bioterrorism events, authorizes an increase in the number of agriculture specialists and requires measures to improve their recruitment and retention.

The bill addresses the threat of improvised explosive devices (IEDs) by including provisions that would authorize the DHS Office of Bombing Prevention (OBP) as well as authorize an increase in its budget to \$25 million. OBP would lead bombing prevention activities within DHS, and would coordinate with other federal, state, and local agencies to ensure that existing gaps in federal bombing prevention efforts are filled.

Building upon changes already being implemented in the Post Katrina Act, the bill also seeks to continue improvement in the nation's preparedness. It would require that DHS work with other federal agencies to develop plans for responding to potential catastrophic scenarios, and would authorize a pilot program to assign National Guard planners to State emergency planning offices, to foster better state-federal planning coordination. In addition, it would authorize the Metropolitan Medical Rescue System to assist states and localities prepare for mass casualty events. And it would reauthorize the Pre-Disaster Hazard Mitigation Program, which provides grants to states for mitigation measures designed to reduce losses in disasters.

Collectively the measures in this bill will improve the ability of the Department to carry out its missions and become a more mature and effective entity.

I believe that the reforms and enhancements contained in this legislation, along with continued, vigorous oversight, will make DHS a stronger agency in the years to come. And reform, not thoughtless reorganization, is the course future Congresses should follow when it comes to DHS. Five years into its mission, and ignoring some noticeable improvements in its performance, there are still those who believe DHS should be chopped up and its parts shipped off to other agencies.

Mr. President, I believe that is exactly the wrong course to take. It makes no sense to disrupt the development of the Department, and weaken the hand of the next Secretary, at a time when the challenges she or he must face, from preventing nuclear terrorism, to securing our borders, to ensuring more effective responses to catastrophes of all kinds remain daunting. It took decades for the Department of Defense to become a coherent whole, and its work is still not complete. Just as DHS and its component parts are beginning to gel into

an effective organization ready to deal with disasters visited upon our nation by nature or terrorists, it makes no sense to plunge responsibility for our homeland back into the chaos that existed before 9-11.

This is a course I have fought and will fight in the years to come.

In their report to the nation, the 9/11 Commissioners wrote: “The men and women of the World War II generation rose to the challenges of the 1940s and the 1950s. They restructured the government so it could protect the country. That is now the job of the generation that experienced 9/11.”

The Department of Homeland Security was part of that response to the new dangers we face and must remain so.

Mr. President, I ask unanimous consent that the bill be printed in the record and I yield the floor.