

GAO

Testimony

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HOMELAND SECURITY

Progress Made; More Direction and Partnership Sought

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Mr. Chairman and Members of the Subcommittee:

I appreciate the opportunity to discuss with you today our country's progress in combating terrorism to enhance homeland security. Protecting the United States and its citizens from terrorism is a national effort involving both the government and nongovernment sectors. Such broad-based efforts are inherently difficult to lead and manage. More than 40 federal entities alone are involved in combating terrorism. Enhancing homeland security becomes even more complex because it involves all 50 states, the District of Columbia, and the territories; thousands of municipalities; and countless private entities, many of which own the infrastructure that can be attacked. These organizations have multiple, specialized missions, distinct organizational cultures, and millions of employees. Some have both international and domestic components and operations. Trying to effectively involve them in a single, coordinated effort makes a monumental undertaking.

Since September 11, our nation has taken many actions to combat terrorism and enhance homeland security. Today, it is well known that our servicemembers are conducting operations in Afghanistan in Operation Enduring Freedom. This operation covers offensive actions in the Afghanistan theater and the North Arabian Sea, and includes ground, air, and naval forces, and follow-on operations for certain support activities. Less well-known perhaps is the Department of Defense's other primary ongoing operation, Noble Eagle, which concerns the direct defense of the U.S. homeland. This operation protects civilian population centers, critical infrastructure, and special events such as the recently completed Winter Olympics held in Salt Lake City. To help provide operational forces, the department has alerted for activation just over 97,000 reserve component servicemembers and completed the call-up of more than 78,000 Reserve and National Guard augmentees.

As requested, my testimony will cover three areas. First, I will discuss progress in enhancing homeland security through legislative and executive action prior to and after September 11. Second, I will present the preliminary results of the work we are doing for you and some of your House colleagues on integrating the efforts of all levels of government and the private sector into overall homeland security efforts. Finally, I will discuss an approach that could be helpful in integrating governmental and private sector organizations into the Office of Homeland Security's planned national strategy.

My testimony is generally based on the large body of relevant work that we have completed or have ongoing.¹

Summary

A variety of legislative and executive branch actions to enhance homeland security have been taken or were underway prior to and since September 11. After the attacks, the president issued executive order 13228 to establish the Office of Homeland Security. The office plans to issue a national strategy in July 2002. In the interim, federal agencies are implementing many homeland security initiatives, including planning to produce new vaccines against anthrax and expanding the existing smallpox vaccine stockpile; providing additional planning and training for state and local disaster response; and enhancing aviation, seaport, and border security. Legislative actions include appropriation of about \$19.5 billion for fiscal year 2002 and about \$9.8 billion contained in a \$40 billion emergency supplemental budget shortly after the September 11 terrorist attack. For fiscal year 2003, the president has requested about \$37.7 billion for homeland security.

Our ongoing work indicates that government and nongovernment activities are looking to the Office of Homeland Security for further direction on how to better integrate their missions and more effectively contribute to the overarching homeland security effort. For example, at key federal agencies we did not find a broadly accepted definition of homeland security. Having a common definition can help avoid duplication of effort and gaps in coverage by identifying agency roles and responsibilities. Although the agencies are looking for guidance, they also want to ensure that their organizations' unique missions are sufficiently factored in as that guidance is developed. At the same time, without a national strategy, some agencies were not sure what else they should be doing beyond their traditional missions. Officials in state and local governments want funding relief and better access to threat information from the federal government. Finally, private sector entities expressed a willingness to contribute to homeland security, but they are concerned about the potential for excessive federal regulation. If it is comprehensive, the national strategy should address many of these issues.

Once the national strategy is issued, the federal, state, and local government agencies and private sector organizations will need to work

¹ See the appendix for a list of selected reports and testimonies.

together to effectively implement the goals and objectives. Public-private partnerships were used to address Y2K concerns and can similarly be used to promote implementation of the national strategy by public and private sector organizations.

Improvements to Homeland Security Are in Process

Legislative and executive branch action has led to a variety of governmentwide and agency-specific initiatives, started and ongoing, to enhance homeland security. Establishment of an Office of Homeland Security and the office's planned national security strategy represent important governmentwide initiatives to address homeland security concerns. The planned production of new vaccines or expansion of existing vaccines, additional intergovernmental-planning and consequence-management efforts, and enhancements to aviation, seaport, and border security suggest progress in enhancing homeland security. Moreover, Congress appropriated about \$19.5 billion in fiscal year 2002 and about another \$9.8 billion contained in a \$40 billion emergency supplemental budget after September 11 to help address homeland security concerns. The president has requested about \$37.7 billion for fiscal year 2003 for homeland security.

Governmentwide Initiatives

In October 2001, the president established a single focal point to coordinate efforts to secure the United States from terrorist attacks—the Office of Homeland Security. This is consistent with a recommendation that we had previously made. The office is charged with broad responsibilities including, but not limited to (1) working with federal agencies, state and local governments, and private entities to develop a national strategy and to coordinate implementation of the strategy; (2) overseeing prevention, crisis-management, and consequence-management activities; (3) coordinating threat and intelligence information; (4) reviewing governmentwide budgets for homeland security as well as providing advice to agencies and the Office of Management and Budget on appropriate levels of funding; and (5) coordinating critical infrastructure protection. The office plans to issue its national strategy in July 2002. The strategy is to be “national” in scope not only by including states, localities, and private-sector entities, as well as federal agencies; but also by setting clear objectives for homeland security with performance measures to gauge progress. Also, the plan is to be supported by a crosscutting federal budget plan.

In previous work on combating terrorism,² we had also recommended that the Federal Bureau of Investigation work with appropriate agencies to develop a national-level threat assessment on terrorist use of weapons of mass destruction. The bureau concurred in July 1999 but never issued the assessment and has now suspended the effort. We continue to believe that the threat assessment is needed.

Production of New Vaccines

Progress has been made and efforts are continuing to enhance U.S. capability to respond to biological terrorism. Research is underway to enable the rapid identification of biological agents in a variety of settings; develop new or improved vaccines, antibiotics, and antivirals to improve treatment and vaccination for infectious diseases caused by biological agents; and develop and test emergency response equipment such as respiratory and other personal protective equipment. Another initiative includes the production of 155 million doses of smallpox vaccine to bring the total number of doses in the nation's stockpile to 286 million by the end of 2002, which is enough to protect every U.S. citizen. In addition, the National Institutes of Health plans to award a contract to accelerate development of new vaccines against anthrax.

The number of "push packages" in the National Pharmaceutical Stockpile³ will increase from 8 to 12. Each push package has quantities of several different antidotes and antibiotics that can treat and protect persons exposed to different biological and chemical agents. The push packages are planned to have enough pharmaceuticals to treat 12 million persons for inhalation anthrax as compared to the 2 million that could be treated before the project started. Finally, Mr. Chairman, the concerns you raised prior to September 11, 2001, about accountability over medical supplies, including items from the National Pharmaceutical Stockpile, put responsible agencies on alert, and they have subsequently improved their

² *Combating Terrorism: Need for Comprehensive Threat and Risk Assessments of Chemical and Biological Attacks* (GAO/NSIAD-99-163, Sept. 14, 1999).

³ The Centers for Disease Control's National Pharmaceutical Stockpile Program is to ensure the availability and rapid deployment of pharmaceuticals, antidotes, other medical supplies, and equipment to counter the effects of biological pathogens and chemical agents.

internal controls for these items so they are current, accounted for, and ready to use.⁴

Intergovernmental Planning and Consequence Management

As you know Mr. Chairman, federal, state, and local governments share a responsibility to prepare for a terrorist incident. The first responders to a terrorist incident usually belong to local governments and local emergency response organizations, which include local police and fire departments, emergency medical personnel, and public health agencies. Historically, the federal government has primarily provided leadership, training, and funding assistance.

The president's First Responder Initiative was announced in his State of the Union address of January 29, 2002. The initiative will be led by the Federal Emergency Management Agency, and its proposed fiscal year 2003 budget includes \$3.5 billion to provide the first responder community with funds to conduct important planning and exercises, purchase equipment, and train their personnel. At the request of the Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations, House Committee on Government Reform, we have begun to examine the preparedness issues confronting state and local governments and will report back to the subcommittee later this year.

Aviation and Seaport Security

Progress has been made in addressing aviation security concerns, but significant challenges will need to be confronted later this year to meet established goals and time frames. The Congress passed the Aviation and Transportation Security Act in November 2001, which created the Transportation Security Administration with broad new responsibilities for aviation security. The administration faces the daunting challenge of creating this new organizational structure, which must implement more than two dozen specific actions by the end of 2002. All actions due to date have been completed, but formidable tasks remain. For example, the administration is required to have sufficient explosive detection systems in place to screen all checked baggage at more than 400 airports nationwide by December 31, 2002. As of January 2002, fewer than 170 of these machines had been installed. The administration estimates that about

⁴ *Combating Terrorism: Accountability Over Medical Supplies Needs Further Improvement* (GAO-01-463, Mar. 30, 2001) and *Combating Terrorism: Chemical and Biological Medical Supplies Are Poorly Managed* (GAO/HEHS/AIMD-00-36, Oct. 29, 1999).

2,000 additional machines will need to be produced and installed by the end of the year. Concerns have been raised that the vendors will not be able to produce sufficient number of machines to meet the deadline. The administration continues to work to identify ways to fill the gap between the requirement and the production capability, including considering the use of noncertified equipment as an interim measure. Also, the administration needs to hire about 40,000 employees, including more than 30,000 screeners, federal air marshals, and other officials. Achieving this goal presents a big challenge because a significant number of the current screening workforce may not qualify for screening positions. Airport screeners must now be U.S. citizens and be able to speak and read English. For example, currently up to 80 percent of the personnel in these positions at Dulles International Airport in Washington, D.C., do not qualify for employment.

While not currently as high-profile as airport security, the vulnerability of major commercial seaports to criminal and terrorist activity has caused concern for many years, and the terrorist attacks on September 11, 2001, elevated those concerns again. Even prior to the attacks, this subcommittee expressed concerns about seaport security and the potential consequences of a terrorist attack on the successful deployment of our military forces. Because of these concerns, you asked us to examine the effectiveness of Department of Defense force protection measures at critical seaports located within the United States and at overseas locations, and we will issue our report to you later this year. As part of our work, some of which I can highlight today, we have observed efforts by the Coast Guard to improve seaport security since the attacks.

In order to establish a clear indication of how Coast Guard units and personnel should respond to various threat levels at seaports, the Coast Guard is developing three new maritime security levels. The first level, “new normal,” will encompass a greater level of security effort in the ports, including increased emphasis on security patrols, improved awareness of all activity in and around seaports, and better information about inbound vessels and their cargo. The other two security levels will contain increasingly heightened security measures to be taken if threat conditions escalate. The Coast Guard has also initiated the “sea marshal” program, whereby armed Coast Guard teams are placed aboard select commercial vessels navigating the waters of some of our major ports. A third Coast Guard initiative underway is the development of a vulnerability assessment methodology that the Coast Guard plans to use at more than 50 major U.S. seaports to identify vulnerabilities of critical infrastructure at each port.

Congress is considering legislation to enhance seaport security. The port and maritime security legislation, which passed the Senate in December, contains a number of provisions aimed at further improving the state of seaport security. Among these provisions are establishing local port security committees, comprised of a broad range of federal, state, and local governments as well as commercial representatives; requiring vulnerability assessments at major U.S. seaports; developing comprehensive security plans for all waterfront facilities; improving collection and coordination of intelligence; improving training for maritime security professionals; making federal grants for security infrastructure improvements; and preparing a national maritime transportation security plan. Moreover, for fiscal year 2002, Congress appropriated \$93.3 million to the Transportation Security Administration for port security assessment and improvements.

Border Security

The Immigration and Naturalization Service (INS) has a number of efforts underway designed to increase border security to prevent terrorists or other undesirable aliens from entering the United States. The service proposes to spend nearly \$3 billion on border enforcement in fiscal year 2003, about 75 percent of its total enforcement budget of \$4.1 billion. I will describe some of the service's efforts to increase security at the nation's ports of entry and between the ports, as well as to coordinate efforts with Canadian authorities to deter illegal entry into Canada or the United States.

Ports of Entry

Currently, the United States does not have a system for identifying who has overstayed their visa, nor a sufficient ability to identify and locate visitors who may pose a security threat. Consequently, INS is developing an entry and exit system to create records for aliens arriving in the United States and match them with those aliens' departure records. The Immigration and Naturalization Service Data Management Improvement Act of 2000 requires the attorney general to implement such a system at all airports and seaports by the end of 2003, at the 50 land border ports with the greatest numbers of arriving and departing aliens by the end of 2004, and at all ports by the end of 2005. The USA Patriot Act, passed in October 2001, instructs the attorney general and the secretary of state to focus on two new elements in designing an entry and exit system—the development of tamper-resistant documents readable at ports of entry, and the utilization of biometric technology. Legislation now before Congress would go further by making the use of biometrics a requirement in the proposed entry and exit system.

Implementing such a system within the mandated deadlines represents a major challenge for the INS. According to INS officials, important policy decisions significantly affecting development, cost, schedule, and operation of an entry and exit system have yet to be made. For example, it has not been decided whether arrival and departure data for Canadian citizens will be recorded in the new system. Currently, Canadian citizens are not required to present documents to enter the United States. The particular biometric identifier to be used, such as a fingerprint or facial recognition, has not been determined. Nor has a decision been made on whether a traveler's biometric would be checked only upon entry, or at departure, too.

The INS' proposed fiscal year 2003 budget states that INS seeks to spend \$380 million on the proposed system in fiscal year 2003. To increase the detection and apprehension of inadmissible aliens, including terrorists, at the nation's ports of entry, the service seeks to add nearly 1,200 inspectors in fiscal year 2003 to operate more inspection lanes at land ports and air ports of entry, and examine information on arriving passengers in order to identify high-risk travelers.

Between the Ports of Entry

To deter illegal entry between the ports of entry and make our borders more secure, the INS seeks to add an additional 570 Border Patrol agents in fiscal year 2003. In response to the September 11 attack, of the 570 Border Patrol positions, INS now seeks to add 285 agents to the northern border, thereby accelerating a staffing buildup at the northern border. The remaining half will be deployed to the southwest border. This represents a departure from previous decisions to deploy most new agent positions to the southwest border. Along the northern border, the service plans on maintaining an air surveillance program capable of responding 24 hours a day 7 days a week. Plus it plans to complete the installation of 67 automated surveillance systems and begin construction of 44 new systems. In addition, the INS has signed a memorandum of agreement with the Department of Defense allowing about 700 National Guard troops and equipment, such as helicopters, to assist in border enforcement duties for up to 6 months. The agreement allows the use of the troops for such activities as assisting in surveillance, transporting Border Patrol agents, as well as managing traffic at ports of entry.

Coordination with Canada

In December 2001, the United States and Canada signed a Smart Border Declaration calling for increased coordination to create a border that facilitates the free flow of people and commerce while maintaining homeland security. The declaration calls for such actions as (1) implementing collaborative systems to identify security risks while

expediting the flow of low-risk travelers, (2) identifying persons who pose a security threat before they arrive at North American airports or seaports through collaborative approaches such as reviewing crew and passenger manifests, and (3) establishing a secure system to allow low-risk frequent travelers between the two countries to cross the border more efficiently. The INS and other U.S. and Canadian agencies are in the initial stages of working on developing plans and initiatives to implement the declaration's objectives.

Funding for Homeland Security

Congress has also acted and provided significant homeland security funds. According to documents supporting the president's fiscal year 2003 budget request, about \$19.5 billion in federal funding for homeland security was enacted in fiscal year 2002. Congress added about \$9.8 billion more in an emergency supplemental appropriation of \$40 billion following the September 11 attacks. The funds were to be used for a variety of homeland security needs including supporting first responders, defending against biological terrorism, securing U.S. borders, enhancing aviation security, and supporting Department of Defense support to homeland security, among other things. The president has now requested about \$37.7 billion for homeland security in his fiscal year 2003 budget request.

Public and Private Sectors Seek Both Direction From and Partnership With the Office of Homeland Security

Our ongoing work indicates that federal agencies, state and local governments, and the private sector are looking for guidance from the Office of Homeland Security on how to better integrate their missions and more effectively contribute to the overarching homeland security effort. In interviews with officials at more than a dozen federal agencies, we found that a broadly accepted definition of homeland security did not exist. Some of these officials believed that it was essential that the concept and related terms be defined, particularly because homeland security initiatives are crosscutting, and a clear definition promotes a common understanding of operational plans and requirements, and can help avoid duplication of effort and gaps in coverage. Common definitions promote more effective agency and intergovernmental operations and permit more accurate monitoring of homeland security expenditures at all levels of government. The Office of Homeland Security may establish such a definition. The Office of Management and Budget believes a single definition of homeland security can be used to enforce budget discipline. Although some agencies are looking to the Office of Homeland Security for guidance on how their agencies should be integrated into the overall security effort and to explain what else they should be doing beyond their traditional missions, they also want their viewpoints incorporated as this

guidance evolves. For example, an official at the Centers for Disease Control and Prevention saw the Office of Homeland Security as both providing leadership and getting “everyone to the table” to facilitate a common understanding of roles and responsibilities.

State officials told us that they also seek additional clarity on how they can best participate in the planned national strategy for homeland security. The planned national strategy should identify additional roles for state and local governments, but the National Governor’s Association made clear to us that governments oppose mandated participation and prefer broad guidelines or benchmarks.

State officials were also concerned about the cost of assuming additional responsibilities, and they plan to rely on the federal government for funding assistance. The National Governors Association estimates fiscal year 2002 state budget shortfalls of between \$40 billion and \$50 billion, making it increasingly difficult for the states to take on expensive, new homeland security initiatives without federal assistance. As we address the state fiscal issues through grants and other tools, we must (1) consider targeting the funds to states and localities with the greatest need, (2) discourage the replacement of state and local funds with federal funds, and (3) strike a balance between accountability and flexibility.

State and local governments believe that to function as partners in homeland security they need better access to threat information. Officials at the National Emergency Management Association, which represents state and local emergency management personnel, stated that such personnel experienced problems receiving critical intelligence information and that this hampered their ability to help pre-empt terrorists before they strike. According to these officials, certain state or local emergency management personnel, emergency management directors, and certain fire and police chiefs hold security clearances granted by the Federal Emergency Management Agency; however, other federal agencies, such as the Federal Bureau of Investigation, do not recognize these clearances. Moreover, the National Governor’s Association said that intelligence sharing is a problem between the federal government and the states. The association explained that most governors do not have a security clearance and, therefore, do not receive classified threat information, potentially impacting their ability to effectively use the National Guard and hampering their emergency preparedness capability. On the other hand, we were told that local Federal Bureau of Investigation offices in most states have a good relationship with the emergency management

community and at times shared sensitive information under certain circumstances.

The private sector is also concerned about costs, but in the context of new regulations to promote security. In our discussions with officials from associations representing the banking, electrical energy, and transportation sectors, they expressed the conviction that their member companies desire to fully participate as partners in homeland security programs. These associations represent major companies that own infrastructure critical to the functioning of our nation's economy. For example, the North American Electric Reliability Council is the primary point of contact with the federal government on issues relating to the security of the nation's electrical infrastructure. It has partnered with the Federal Bureau of Investigation and the Department of Energy to establish threat levels that they in turn share with utility companies within their organization. Such partnerships are essential, but the private sector may be reluctant to embrace them because of concern over new and excessive regulation, although their assets might be better protected. According to National Industrial Transportation League officials, for example, transport companies express a willingness to adopt prudent security measures such as increased security checks in loading areas and security checks for carrier drivers. However, the league is concerned that the cost of additional layers of security could cripple their ability to conduct business and felt that a line has to be drawn between security and the openness needed to conduct business.

If it is to be comprehensive, a national strategy should address many of these issues.

Y2K Style Partnerships Can Be Useful in Promoting Public-Private Participation for Homeland Security

Once the homeland security strategy is developed, participating public and private sector organizations will need to understand and prepare for their defined roles under the strategy. In that connection, Y2K-style partnerships can be helpful. While the federal government can assign roles to federal agencies under the strategy, it will need to reach consensus with the other levels of government and with the private sector on their roles.

As you know Mr. Chairman, the world was concerned about the potential for computer failures at the start of the year 2000, known as Y2K. The recognition of the interconnectedness of critical information systems led to the conclusion that a coordinated effort was needed to address the problem. Consequently, Congress, the administration, federal agencies, state and local governments, and private sector organizations collaborated

to address Y2K issues and prevent the potential disruption that could have resulted from widespread computer failure. Similarly, the homeland security strategy is intended to include federal, state, and local government agencies and private sector entities working collaboratively, as they did in addressing Y2K issues.

The Y2K task force approach may offer a model for developing the public-private partnerships necessary under a comprehensive homeland security strategy. A massive mobilization with federal government leadership was undertaken in connection with Y2K, which included partnerships with state, local, and international governments and the private sector and effective communication to address critical issues. Government actions went beyond the boundaries of individual programs or agencies and involved governmentwide oversight, interagency cooperation, and cooperation among federal, state, and local governments as well as with private sector entities and even foreign countries. These broad efforts can be grouped into the following five categories:

- Congressional oversight of agencies to hold them accountable for demonstrating progress to heighten public awareness of the problem.
- Central leadership and coordination to ensure that federal systems were ready for the date change, to coordinate efforts primarily with the states, and to promote private-sector and foreign-government action.
- Partnerships within the intergovernmental system and with the private entities, divided into key economic sectors to address such issues as contingency planning.
- Communications to share information on the status of systems, products, and services, and to share recommended solutions.
- Human capital and budget initiatives to help ensure that the government could recruit and retain the technical expertise needed to convert systems and communicate with the other partners and to fund conversion operations.

As we reported in September 2000,⁵ the value of federal leadership, oversight, and partnerships was repeatedly cited as a key to success in addressing Y2K issues at a Lessons Learned summit that was broadly attended by representatives from public and private sector entities. Developing a homeland security plan may require a similar level of

⁵ *Year 2000 Computing Challenge: Lessons Can Be Applied to Other Management Challenges* (GAO/AIMD-00-290, Sept. 12, 2000).

leadership, oversight, and partnerships with state and local governments, and the private sector. In addition, as in the case of Y2K efforts, Congressional oversight will be very important in connection with the design and implementation of the homeland security strategy.

Mr. Chairman, this concludes my prepared statement. I would be happy to answer any questions you or members of the subcommittee may have. Please contact me at (202) 512-4300 for more information. Raymond J. Decker, Brian J. Lepore, Stephen L. Caldwell, Lorelei St. James, Patricia Sari-Spear, Kim Seay, William J. Rigazio, Matthew W. Ullengren, Deborah Colantonio, and Susan Woodward made key contributions to this statement.

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Homeland Security

Homeland Security: Challenges and Strategies in Addressing Short- and Long-Term National Needs ([GAO-02-160T](#), November 7, 2001).

Homeland Security: A Risk Management Approach Can Guide Preparedness Efforts ([GAO-02-208T](#), October 31, 2001).

Homeland Security: Need to Consider VA's Role in Strengthening Federal Preparedness ([GAO-02-145T](#), October 15, 2001).

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Combating Terrorism

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