

**DEPARTMENT OF HOMELAND SECURITY  
HOMELAND SECURITY ADVISORY COUNCIL  
MEETING  
THURSDAY, JANUARY 10, 2008**

The Council convened at 10:55 a.m. in the William P. Wood Conference Center of the U.S. Secret Service Building, 950 H Street, N.W., Washington, D.C., Judge William H. Webster, Chair, presiding.

**HOMELAND SECURITY ADVISORY COUNCIL MEMBERS PRESENT:**

JUDGE WILLIAM H. WEBSTER, Chair  
DR. RICHARD A. ANDREWS  
KATHLEEN M. BADER  
ELLIOTT BROIDY  
FRANK J. CILLUFFO  
DR. JARED L. COHON  
DR. RUTH A. DAVID  
JUDGE LOUIS FREEH  
GLENDA E. HOOD  
DON KNABE – VIA PHONE  
JOHN MAGAW  
RICHARD D. STEPHENS  
JOHN F. WILLIAMS  
ROBERT L. WOODSON SR.

**ACADEME, POLICY & RESEARCH SENIOR ADVISORY COMMITTEE MEMBERS  
PRESENT: ???**

**EMERGENCY RESPONSE SENIOR ADVISORY COMMITTEE MEMBERS PRESENT:**

JOSEPH WHITE

**PRIVATE SECTOR SENIOR ADVISORY COMMITTEE MEMBERS PRESENT:**

NELSON BALIDO  
GEORGE VRADENBURG

**STATE AND LOCAL OFFICIALS SENIOR ADVISORY COMMITTEE MEMBERS  
PRESENT:**

KAREN ANDERSON  
MICHAEL BALBONI  
DOUGLAS PALMER  
THOMAS WYSS

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**CHAIRMAN WEBSTER:** Good morning. I'd like to call the Homeland Security Advisory Council meeting to order. My name is William Webster and I'm the Chairman of the Homeland Security Advisory Council or as we call it, the HSAC. I'd like to welcome our members.

For members of the public who are unfamiliar with the HSAC, this Council serves to provide independent advice to Secretary Michael Chertoff across the spectrum of homeland security efforts.

On today's agenda, we will consider recommendations of the Administration Transition Task Force and four of the HSAC's standing subcommittees. We will also hear reports on the activities of one other standing subcommittee and a task force.

Several DHS leaders will join us including, Acting Deputy Secretary Paul Schneider and Assistant Secretary Stewart Baker. I'm also glad that we will have with us Clay Johnson who is Deputy Director of the Office of Management and Budget at the White House.

It's very important to us that the work of this Advisory Council be useful and has impact to the Secretary and the Department. We have learned over the last several years since our creation, following the September 11<sup>th</sup>, 2001 attack that the individual secretaries respond in different ways to different kinds of advice and studies. We're in a very pragmatic mode these days in trying to be useful and I hope that today's report will reflect that effort to be both relevant and useful, to the Secretary and the Department.

I will begin today's discussion with presentations from the standing Senior Advisory Committee leadership. And after the presentation we will make an effort to measure whether we've gained consensus among our membership on each group's recommendation. The membership has had a chance, already, to review the draft recommendations leading up to this meeting.

We'll turn to Dr. Jared Cohon, the Chair of The Academe and Policy Research Committee and the Secure Borders and Open Doors Committee.

**DR. COHON:** Thank you, Mr. Chairman. I'm pleased to make this report on behalf of the APRSAC and on behalf of the Vice Chair, Dr. Ruth David. Our committee met in September, at the U.S. Coast Guard Academy in Connecticut. The Coast Guard did a good job in organizing the meeting for us. For purposes of the Department's, the Department of Homeland Security's overall training and enrolling programs, the Council should know and does know, that the Department has a Chief Learning Officer who's name is George Tanner. And his charge was to create a unified and collaborating community within all of DHS. Much has been achieved under his watch. DHS puts together various training programs. And there are many other training programs that were put out around the country. But that's just part of the challenge to have one. There's some excellent

individual programs like the Coast Guard itself, that's the Academy and that's training for Coast Guard personnel and others. Customs and Border Protection also has a very effective training program and we're impressed throughout. But much more needs to be done in realizing this vision of a unified and collaborative community and to improve some of the individual community programs.

We recommended nine things. Basically, they have been divided up for -- categorized in to two buckets. One's to clarify the role of the Chief Learning Officer and make sure his office is adequately funded. We want DHS to be more proactive in reaching out more both within DHS and beyond DHS. And there are recommendations with regards to these programs.

So the first one is probably the most important - and that's to clarify the role of the Chief Learning Officer to make sure the Department clearly knows about it and understands the role that the CLO plays. Funding is obviously crucial to everything that's done. The office has not been adequately funded, and that is an issue that has to be looked at.

On the next slide, you'll see that we also recommend it's important that there is an ongoing and comprehensive review of the curriculum of the so called university system. On this slide, we're going to pick a point which seems obvious. And that's to make sure that all the ten programs are relevant in the operations of the Department's -- but easily said, but not always easily captured. They were very effectively getting feedback from the students, the participants in these programs and then they went back and changed the programs based on what they heard. In particular, questioning how operationally relevant the ten programs were.

The next slide goes to this point of the engagement both within DHS and outside. In order to gain synergy and better coordination within the Department, it also would bring into the Department some other ideas and voices with regard to training. The next slide, we feel there are two particular specific things that we recommend the Department focus on. This -- it comes up here and it comes in many guises. This recommendation of, with regards to incorporating in much more extensively and more formally, what the social sciences have to teach us about the DHS mission. Social sciences really become, have become very hard in developing methods, insights into DHS homeland security relevant matters. But we don't think that's what's happened to really enough, in any way, in this context in our training.

And finally, as part of the Department's efforts to coordinate and integrate better across the Department, one of the many needs is to make up the Department, we think that more senior level, highest levels within the Department would be a great focus for more training and training as a mechanism to gain that kind of organization. That completes my report on the APRSAC and its recommendations and we look forward to the Council's reaction.

**CHAIRMAN WEBSTER:** Are there any comments or questions on the recommendations of the Academe and Policy Research Committee? (No reply.) Well there seems to be a consensus, and we'll move these recommendations forward to the Department for their consideration.

**DR. COHON:** Judge, if I could just say a word about the Secure Borders and Open Doors Advisory Committee. Because you mentioned that we will not spend a lot of time on it today. The

SBODAC, as it's called, one of the worse acronyms in the Department -(Laughter) -- has a meeting on the 16<sup>th</sup>. And this Council will be participating in the public part of that meeting where we have a chance to react to the recommendations.

I want the Council to know in advance that we -- this Council and as a Co-chair of that committee, I believe that what we have done is really quite significant. We have 44 recommendations. Add that to your long list of -- and these are really quite significant.

This committee was born out of a joint effort of Secretaries Chertoff and Rice, both Department of State and Department of Homeland Security are dealing with a very important post 9/11 issue. Which is how do we keep this type of security, at the same time, some would say restore the openness that this country, this country stands for and maintain that openness. It's a difficult challenge and a very important one. We'll look forward to the Council's reactions to the Committee's recommendations. Thank you, Mr. Chairman.

**CHAIRMAN WEBSTER:** Thank you very much. And we appreciate your considerable service and leadership on these two important committees. And those who are participating next week are aware of the time and the schedule for that.

I'll turn now to the Emergency Response Committee. Dr. Andrews is presenting that report.

**DR. ANDREWS:** I want to thank you, Mr. Chairman. The Emergency Response Senior Advisory Team held a conference call meeting about 30 days ago and that's been followed by a number of qualifying conversations by various members of the committee leading up to the presentation of our report and recommendations today.

There are nine recommendations that we're making, in total. They're in three subject areas. I will talk about the two of the subject areas, and then I'll turn to my colleague, Dr. Williams, to talk about the third one.

I might mention that two of these subject areas are ones that the Committee has been involved with, and refined them earlier. And we continued to be monitoring it and have great interest in their implementation. These two areas are the Homeland Security Presidential Directive Number 8. That effort became supplemented by the post-Katrina Emergency Response Reform Act, that was enacted following Hurricane Katrina and then more recently, the 9/11 Bill.

All three of those efforts have set as a national goal, the development of metrics to measure preparedness or readiness. This is to be done on a risk based formula. And it has resulted in a, in a flurry of activity occurring over the last four years. Starting with the proposal to implement the Homeland Security Presidential Directive Number 8 – again a lot of progress has been made in this. There has been a lot of work that has been undertaken, not only at the federal level, but perhaps more importantly, at the state and local level, by the various public safety agencies who are impacted by these Directives.

The Department's policy shop has been working on a way to refine what are called the TCLs, the Target Capabilities List. These are, the committee felt, initially rather poorly named. But what they

really are intended are capabilities that we might expect local governments, state governments, regional associations, as well as, federal agencies to have, if we are in fact to be ready to respond to a variety of different natural or manmade disasters.

Initially, this was an enormously convoluted set of capabilities. And they were not only in, just the summary of them, but then they were divided in to 15 different scenarios. Resulting in (literally) thousands of capabilities. It was extraordinarily difficult even to make your way through it. The policy shop has done a marvelous job with really trying to simplify and categorize basic capabilities that would be applicable to large jurisdictions, smaller jurisdictions, medium sized jurisdictions, and mutual, and areas that have mutual aid agreements. The committee is very supportive of the efforts that the policy shop has been involved in.

Our one concern is, to a considerable extent, the people at the end of the food chain who actually have to do these assessments, namely the state and local governments, have in a sense, been assessed to death over the last four or five years. And there's a real push back from state and local governments about doing yet another assessment based upon another set of criteria. So the committee's recommendation is essentially that, on a pilot basis, DHS should go forward and work with selected local jurisdictions to make sure that these new Target Capabilities List not only meet the needs of the state and local levels, but are also doable before they roll these out across the nation.

We do feel, after a lot of conversation with state and local officials, there will be a lot of push back if DHS simply attempts to go out nationally with this, with this new set of target capabilities.

So again, our recommendation is that the Secretary endorse a pilot effort in several different jurisdictions, and get feedback from that effort, and then, like to roll this out with the long term objective being, to tie these target capabilities and the performance of them and achieving of them by local and state, and federal jurisdictions to funding for various Homeland Security Grant Programs.

The second area and a new area that the committee is interested in, in seeing some work done, relates to the general issue of evacuations. A number of members of the committee were struck by the efforts that were undertaken by state and local governments in California during the wildfire fires that occurred in September. Over a half a million people were evacuated. And really, what was in some cases very, very rapid evacuations as a result of the, of the changing fronts of the fires. The effort by, particularly in San Diego and Orange Counties, they were largely very successful. The sheltering of people were largely, was largely very very successful. A lot of lessons have been learned from Hurricane Katrina.

So the recommendation of the, of the committee is that the Department undertake a comprehensive review of lessons learned from the California evacuations. But more importantly, get a comprehensive review of evacuations, in general. Because one of the things that the California experience points out is that, the issue of evacuations is an emergency tactic not only for pre-hurricane evacuations, but also adapted for a number of different settings.

And so again, our recommendation is that a comprehensive review of evacuations be undertaken, lessons are learned not only from California but others, and let those be shared with state and local and local officials.

With that I'll turn over to Dr. Williams to talk about the third area which relates to the Hospital Sector and the Emergency Medical Services Sector.

**DR. WILLIAMS:** Thank you, Mr. Chairman. Thank you, Dr. Andrews. The ERSAC continues to have significant concerns about health and medical preparedness in the country. We do know that there has been some strong efforts with the Department of Homeland Security, HHS, the White House, and the Department of Defense to work together to deal with some of these issues. But despite that, we still believe that there are serious areas that have to be addressed.

The recommendations that we have put forth are, we are looking at, how do we bring these sectors closer together in order to work together? We have over 3,000 hospitals in the United States. We have several thousands EMS and EMT responders. And yet, none of them can talk adequately with each other. Then you throw on top of that, the hospital and health community. And we believe that we have a potential disaster waiting on our hands. Who's going to take care of these first responders that get in to trouble? Who is going to provide the surge capacity in our hospitals and other facilities, if we were to have a true disaster?

These recommendations we believe, Mr. Chairman, address a number of these issues. And the ERSAC stands ready to assist in any way possible. Thank you.

**CHAIRMAN WEBSTER:** Thank you, Dr. Williams and Dr. Andrews. At this time I'd like to more than welcome the presence of, the Secretary of Homeland Security. Michael Chertoff, and his Deputy, Acting Deputy Secretary Paul Schneider. And we also welcome Clay Johnson, he's Deputy Director of OMB at the White House. Clay, glad to have you here this morning.

Are there any questions from the members with respect to the summary of the ERSAC report of this? A very fine report - are there any other recommendations? (No audible reply.) If not, then we'll consider that we have a consensus, and this will move forward to the Secretary and those appropriately interested in the subject matter.

Now we'll go to Rick Stephens for a report on the Private Sector Committee. Rick, thank you very much.

**MR. STEPHENS:** Herb Kelleher could not be with us here today. So it's my pleasure to present on behalf of Herb as the Vice Chairman, and to represent the committee members who were at our August meeting at the Maryland Coordination and Analysis Center to continue to work with the opportunities, appreciably for information sharing with the private sector as well as support of the Department's mission.

It was a really insightful opportunity to really understand what's going on in the Fusion Centers; we've heard testimony from the Fusion Center leaders from Arizona, Illinois and Washington. Out of that, we came up with five observations and eight recommendations and what I'd like to do is

summarize those observations and the recommendations that we're here for today. What's on the screen today are the summary of the observations.

First and foremost, there's fallout from the report that's been on the Information Sharing Task Force a few years ago. The Department has made significant progress in the seven recommendations that were made. And we think with some additional activities to work in the private sectors stands very good. Continue to work with the Department. And then Doug, the reports that you put together in the Summer will help us a lot, you know, continue to provide the private sector help and the Department in those areas where additional opportunity exist.

We also believe that the fusion centers offer great promise in continued dialogue and information sharing with the private sector.

A couple observations associated with that. One is that, while they hold great promise, one area of considered recommendations is that, essentially there could be as many as 50 different operating models with the Fusion Centers. And the challenge, of course, the private sector faces is, how should they interface in different ways? Particularly, for the large companies that may find themselves in multiple states, want to have those interactions, what will be the protocols as this goes forth? And so that's where you'll find most of the recommendations that we gave, in that slide. Specifically, in the area of the Fusion Centers, we think is a great opportunity for the Department to help pull together in the state activities. The Fusion Centers are state led. They have state funding. The Department can certainly pull together a lot of ways in which common operating models can actually work at the state and get much further down the line.

We think there is a good opportunity in the U.S. Chamber and other state organizations to advertise to the private sector that Fusion Centers exist. The possibility of interaction. And really try to use the Chamber as a mechanism for presentation

We also think there are opportunities to help recognize that in the Fusion Centers there are large companies to smaller companies. So there really needs to be a tiered approach so that we can really reach out and touch all of the private sector. And, as we don't know, there are so many in the private sector and how they get information. That would be helpful as well.

And then there's been great work in the Department, on the part of the Department, particularly with the sector coordinating structure. As well as other, at least, how should the Fusion Centers take those in to account as another means of the benefits?

The last set of recommendations on this slide really gets into some specific elements. We recommend that we do some pilot projects. Try some of the new concepts to make sure they work before they get across all of the, all of the ultimately 50 Fusion Centers.

And the last couple of areas talk about this whole notion of funding. It's not clear there is a consistent way of funding on the part of the states. That will certainly impact how the states implement that.



Last but not least, we need some great legislation put in place that will help the private sector protect their information and their potential legal impact. And so we think, things like the protected critical infrastructure and information legislation could be applied to help the private sector come forward with the critical information that they could have, to help in the security of the nation.

Mr. Chairman, the observations and recommendations that we have from our meeting, and we'll happy to respond to any additional feedback.

**CHAIRMAN WEBSTER:** Thank you very much Rick. There are many important practical suggestions in there with the particular emphasis on the utility of the state and local organization. Please pass along our thanks also to Herb Kelleher and tell him we appreciated your report - I think this may be the first meeting that he has missed.

Are there any other comments or suggestions on the recommendations of the, of the Task Force? (No audible reply.) If not, we'll consider that we have a consensus which could be passed forward to the officials and the Secretary of the Department.

The next group is the State and Local Officials Senior Advisory Committee. Supervisor Don Knabe from Los Angeles County is on the phone.

**SUPERVISOR KNABE:** Thank you, Mr. Chairman. First of all, I apologize for not being able to attend today. I had some issues here to deal with here in Los Angeles County.

I'd like to acknowledge my fellow state and local members that are there today. I understand and appreciate all that they do for the nation as well as their respective localities. I want to say thanks to New York, Deputy Secretary of the Public Safety, Michael Balboni, state Senator from Indiana Tom Wyss, and former mayor from Minnetonka, Minnesota, Karen Anderson, the President of the U.S. Conference of Mayors and the Mayor Trenton, New Jersey, Doug Palmer.

We had a meeting in Oklahoma City, Oklahoma on September 26<sup>th</sup> at the Murrah Federal Building. We heard from former Oklahoma Governor Frank Keating and former Oklahoma Assistant Fire Chief, John Hansen, regarding that horrible act of homegrown terrorism that took place there on April 19<sup>th</sup>, 1995. We also heard from our own Members along with the former Oklahoma State Senator Jim Dunlap.

I know that it was a very moving experience for all of us. Some of us, it was our first experience going back there and just seeing and remembering and the museum. It was a quite an experience for us all.

I'd like to go over quickly some of our Committee's recommendations. I believe the REAL ID recommendations before you are self explanatory. The Committee was very fortunate to have Senator Wyss and Deputy Secretary Balboni on the team as they are real experts on REAL ID. The bottom line is, obviously, that the Committee feels very strongly that we need to implement the 9/11 recommendation of REAL ID and that most importantly we get the final REAL ID rule out to state and locals. We also agree that Congress needs to appropriate additional funds in order to ensure its

appropriate implementation and that we want to continue to work together with federal, state and local folks to make this REAL ID a reality. We think it's very important.

Another area is the information sharing Fusion Centers. We have several information sharing fusion center recommendations. I want to focus on what we believe to be a very good five state fusion center pilot project (New York, Massachusetts, Florida, Illinois, and California). The Committee believes the Department needs to expeditiously replicate this program in ALL the fusion centers as quickly as possible. We believe the paradigm shift from DHS initiative reporting to one of requirements – allowing us the (state and locals) to “ask questions” – is an empowering advancement in that it will benefit the entire nation.

We also understand that, as of February 2008, DHS will have placed 24 representatives in State fusion centers. We recommend that an additional 30 plus DHS analysts are funded and placed in state fusion centers as quickly as possible because of their operational benefits to the troops in the field.

I can speak from personal experience and if there are any members that have not had the opportunity to visit one of these Fusion Centers, the one we have here in the Los Angeles area has just been an incredible resource not only regionally but to the entire western United States.

Lastly, the SLSAC is committed to advocating and providing the HSAC and the Secretary the realities from outside the Beltway. We remain committed to work together to make our nation safer, stronger and better prepared.

So it's before you, most is self explanatory, but again, my hat's off to my colleagues on the committee.

**CHAIRMAN WEBSTER:** Thank you very much. Are there any questions that you have of the Chairman or if any comments you'd like to make on the report and recommendations?

**DEPUTY SECRETARY BALBONI:** Mr. Chairman and Mr. Secretary, I just want to tell you that the program that Under Secretary of Information and Analysis Charlie Allen has established is terrific. There's been a tremendous shift in the time it takes to clear local officials. I've seen a tremendous shift with a much, much better attitude of sharing and real time connection based on our requirements.

**CHAIRMAN WEBSTER:** Thank you – are there any other comments or questions? (No audible reply.) Then I'll assume that we have a consensus here that we can authorize to go forward to the senior leaders in the Homeland Security Department.

The next group is still in the middle of their deliberation and will continue their work for a few more months. They are looking at a highly technical subject and the one I try to cling to with both hands and feet to understand. It's the Essential Technologies Task Force lead by George Vradenburg.

**MR. VRADENBURG:** Thank you, Judge. My update will be in the nature of a status report because as you said, we are in the middle of our work. And I give this report on behalf of my Vice Chair Joe White with the Red Cross who is here today.

The Department is challenged because of the rapidly changing threat, vulnerability, response, strategy and technology environment. All of those things are changing on a dramatic, dynamic and continuing basis. The Department obviously is in the position of acquiring major technology systems which have been purchased and are custom built, to create the possibility of Legacy systems which are difficult to enable in a manner that will permit them to respond in that dynamic environment.

So the Department is asking this Task Force for its views on, what changes might be made in their organization, their strategy, their tactics, their operations, and their procurement policies that might permit them to take a more dynamic and resilient technology approach.

That involves a variety of more specific questions. Will the private sector be willing to provide services on a service or lease basis rather than on a purchase basis? What types of technology might lend themselves to that? A technology acquisition strategy might lend themselves to a more important play in resilience and adjustable technology environment. What kinds of financial arrangements might be arranged that are different in character that might permit a more resilient technology strategy?

So the next slide basically reports on our three meetings to date since September, November, and December 2007 where we have received testimony from a wide variety of experts that are all outlined in the next slide. This January we've scheduled a fourth meeting and testimony. In February and March we have been designed to come up with our report to the HSAC for consideration to send to the Secretary and the Department.

This slide lists some of the subject matter experts that we've been able to attract from the private sector. There are over a dozen companies that have offered themselves up to give us some preview of the capital on the strategic and financial and legal issues that are presented to this Task Force.

We also had a good deal of briefings from DHS staff on procurement, and appropriations, from the Chief Information Officer and from the Transportation Security Administration, the Science and Technology Directorate and from the Privacy Office.

We've also had the benefit of having subject matter experts who are members of the staff of the Senate and the House and the GAO. OMB is offering subject matter experts as well, to talk about the budgetary constraints, and the scoring constraints, and the physical law constraints, and what flexibility, politically, might be available to the Department as we move forward.

So it is our plan to have a report and a recommendation to HSAC hopefully by the March time frame and certainly in time for our next, your next meeting Judge Webster, in June.

So that is a report on the status of where we are and our consideration on the important subject that the Department has asked our view on.

**CHAIRMAN WEBSTER:** Thank you very much George. I think it's obvious your committee is digging deep and going to the right places.

Our next report is from Mrs. Glenda Hood who has a very current issue that is important to all of us, to be on top of the transition. There will be a change of administration no matter which political party prevails. It's very important that the recommendations that we submit to the Department on how to make this a smooth and successful transition be available and be carefully thought out. Mrs. Glenda Hood is Chairman of that Task Force. And I'd like to have your input.

**MRS. HOOD:** Thank you very much, Judge Webster, HSAC members, Secretary Chertoff, Acting Deputy Secretary Paul Schneider, and Deputy Director Clay Johnson, we thank you for this challenge that you gave us (Laughter) because we look at it as an opportunity. An opportunity to make sure that this Department transitions smoothly to the future and future leadership is able to carry on, able to carry on operationally. We had outstanding staff support from Candace Stoltz, and Mike Miron. I'd also like to thank Doug Hoelscher, Mike Fullerton, all of the DHS personnel who also assisted us. We are also very grateful to Congressional staff members who testified and gave us good advice as well as all of our subject matter experts.

We were formed, the Administration Transition Task Force, I'll refer to it as ATTF, in September 2007. We were charged by the Secretary to provide recommendations and best practices for the Department of Homeland Security and all of its partners so that we can execute an efficient and effective administration transition.

I know that you've got the report in front of you, but I think it's important that we share some of this background. I had excellent Co-chairs with Don Knabe and John Magaw. We worked very hard to make sure that we put together the backgrounds for all the recommendations. As I go through the background and then just highlight some of the recommendations, I hope that you will take the time, if you haven't already, to read the full working document as well as all the appendices and footnotes, which I think you'll find very helpful.

We recognize the Department of Homeland Security is a new department. It was formed in January of 2003. We talked a lot of about the fact there were 22 agencies with very different cultures, very different missions, and very different operations that consolidated together and realigned into one primary organization. And with a primary mission of prevention, preparation for, and response to all catastrophes affecting our homeland, while at the same time making sure that we facilitated the general travel and trade.

Now, the main objective of the ATTF is to advocate strategies and policies that will strengthen the operational continuity of all the Homeland Security operations. And we do commend the Department of Homeland Security for initiating activities to ensure this continuity. We recognize that this is the first time that DHS has been through a presidential transition, and because of the critical nature of DHS's mission we feel very strongly that a seamless and agile transition to new leadership, and that new leadership's ability to assume operational control, is imperative.

The ATTF is very sensitive to potential vulnerabilities during transition periods. Recent history has certainly shown that in our own country on September 11<sup>th</sup> of 2001, Spain 2004, the United Kingdom in 2007, have taught us what can happen. As a result of these recent events and history, the ATTF believes that our country's most vulnerable time is really 30 days prior to and 6 months after an administration change. And we focused on that a great deal in our discussions.

We recommend that the present administration and Congress quickly implement these recommendations. We recommend the recommendations be immediately shared with all presidential nominees. Our recommendations are politically neutral, that incorporate expertise and experience from all levels of Government and private sector transitions that will continue to build collaborative efforts and respect from Congress, other federal agencies, state, local, tribal, and the private sectors.

We believe that both the incoming and outgoing administrations must work together during this transition. They must have a shared commitment, a positive attitude, a willingness to respect and listen to one another's ideas and concerns. We believe very strongly in the engagement of the American public in understanding the vulnerabilities during the transition period. And this will be done, should be done through public education and media involvement.

The Department of Homeland Security, we believe, must continue to work with the media as an ally in timely dissemination of accurate and actual information. The Department of Homeland Security must work with multiple and trusted messengers to effectively communicate all information. The ATTF again, commends the Department for its early work in this process. But we emphasize there is still much work to be done.

I was very encouraged, when I was talking to one of our Co-chairs John Magaw after the discussion this morning, to hear reinforcement of our recommendations through that discussion on our general homeland security. So I think I'm hearing those thread and those similar feelings through all of our discussions today.

Now our process was that, we met over a four month period. We gathered the knowledge and expertise not only from our Task Force members, but also from the subject matter experts and public and private sector. It was a very inclusionary time.

The recommendations are divided in to seven broad categories. There is no priority order. We feel that they are all national imperatives, and that they all must be expeditiously implemented. We noted who should be responsible for each of the implementation strategies. We've noted that there are two other organizations that are also in the process of assisting the Department of Homeland Security with recommendations about specific components of the transition. We've also noted that there are some recommendations from those organizations.

Again, since each of you were provided with the full draft document, I'm not going to go through every bullet. But I am going to highlight certain recommendations from each category.

I'm going to begin with the threat awareness section. The ATTF believes that the current DHS administration should work with media departments to educate and inform the public, as I said

earlier, during that period of the threat which is likely before, during, or shortly after the presidential election transition period. This should include the clarification and meaning of heightened threat so people clearly understand as well as providing credible threat reports to all presidential and vice-presidential nominees.

We also recommend that we enlist nonpartisan, bipartisan, and third parties as well as use public service announcements to assist in informing the public of any increased threat levels.

Under the leadership section, the current Department of Homeland Security leadership should provide presidential nominees with identified best practices, as well as lessons learned, both domestically and internationally, from an analysis of incidents during leadership transitions. We go in to more detail about some of that in the report as far as how that can occur.

We also recommend obtaining the commitment of current political appointees to remain until at least the end of the current administration. We recommend building and maintaining a comprehensive list of DHS alumni, both political and career personnel, for reference purposes. We detail information on how to compile this, as necessary, for the compilation.

We recommend implementing further recommendation of the HSAC's Culture Task Force report - specifically recommendation number 1 which is DHS Headquarters must further define and crystallize its role. Mr. Secretary I know that's very important to you and we have focused on that. And we agreed in its importance.

We recommend preparing an outreach strategy with Federal, state, local, tribal and private sector leaders to accelerate the use of the incoming leadership team's ability to implement these recommendations as soon as possible. In other words, make sure that we engage all of our partners as soon as possible.

We feel that the incoming DHS leadership should nominate and seek Congressional approval of the new Secretary of Homeland Security as it's done for the Secretary of State and Secretary of Defense on the first day of the new administration. We believe that this is equally as important and it's critical to have that happen. We feel that they should meet the federal, state, local, tribal and private sector, as well as media partners, to discuss transition details.

We recommend that we ensure the current career Deputy Under Secretary for Management remains in her career position during the next administration. We commend the practice of quickly appointing a senior career individual to this position. I think all of us were provided with information about Elaine Duke and her 25 years of experience and that set an example and reinforced what we talked about within our Task Force discussions.

Under Congressional oversight and action, we recommend forming a select bipartisan group from existing Senate Oversight Committees to expedite confirmation for all incoming DHS political appointees along with national security positions with a deadline to approve no later than the August 2009 recess. We're not asking for another committee to be formed, but representatives from the existing committees.

We recommend continuing to update the Presidential Transition Act of 1963 to reflect the post 9/11 realities. We recommend implementing the 9/11 Commission recommendation which reduces the number of Congressional Oversight Committees and Subcommittees from its current very unyielding number of 86.

**CHAIRMAN WEBSTER:** Would you mind repeating that? (Laughter.)

**MRS. HOOD:** I would be happy to. We recommend implementing the 9/11 Commission recommendation to reduce the number of Congressional Oversight Committees and Subcommittees from its current very unyielding number of 86.

We recommend interacting with presidential nominees in a bipartisan manner. Because, as we know, anything to do with homeland security is a non-partisan undertaking. We recommend discouraging any reorganization in the Department prior to or during the transition period.

Under the policy section, we feel that the current DHS administration should continue to encourage all homeland security partners to support and be actively involved in the transition efforts. We recommend continuing to enhance and build consensus among all partners around policy issues that are a priority to the outgoing administration. And we recommend prioritizing critical policies with measurable benchmarks that need to be addressed prior to the change in administration. And then we detailed ways that can be accomplished.

We also recommend continuing to support the active involvement of the Council for Excellence in Government and the National Academy of Public Administration and for all levels of government and the private sector being involved as well in the transition efforts.

We now come to the operations section, and feel that the current DHS administration has successfully, and we heard that again this morning regarding the Fusion Centers, that we should continue to vigorously support the establishment of state Fusion Centers with both funding, personnel, listening to their needs, and their intelligence and information requirements so that they indeed are part of a collaborative process at all levels during any possible/heightened threat during transition.

We recommend developing a very clear and concise communication strategy for transition planning and increase coordination of planning through media representatives.

Under the succession section, the ATTF feels that the current Department of Homeland Security administration should continue to ensure that all key positions currently filled by appointees, have backup senior level career personnel for operational continuity in our transition process. We also recommend supporting and implementing a cadre of individuals who are fully focused on the transition with a leadership designation of Deputy Chief of Staff for Transition. And providing these individuals with a Task Force composed of representatives from each component and staff office.

We recommend generating a priority list of briefing materials. And ensuring that they are in a consistent format, that they're clear, they're concisely written, well organized and professionally presented. We detailed in the draft document specific ways to make this happen.

We also recommend compiling a list of all presidential and homeland security directives and strategies and show how they each align with each other. If they don't align, make sure that they do. And we've heard that in a previous report this morning as well. We also recommend, under succession, continuing to focus on succession planning, so that there is that mix of career and presidential appointee senior positions to maintain continuity and historical knowledge.

I do want to note that the National Academy of Public Administration is providing a few recommendations under this area of succession as well.

Under the training section, we feel that the current Department of Homeland Security Administration must organize exercises for the new administration officials as soon as possible and assure adequate funding, preparation and due diligence. I would note under this, that the Council for Excellence in Government is also providing key recommendations on training.

So that's some of the highlights of the recommendations in the draft document that you have been provided. I hope that you will take the time, if you haven't already, to review that. I'd like to again thank each of the Task Force members for their outstanding contributions. This is a very interesting exercise. It really evolved over time and everyone participated fully.

I think we've had some good recommendations to move forward. With that Mr. Chairman, I would recommend that HSAC adopt these recommendations. We ask that you ensure that they are embraced by all the appropriate entities and most importantly, that they are expeditiously implemented.

**CHAIRMAN WEBSTER:** Thank you very much. Are there any comments or questions with respect to this report? The Task Force has obviously taken this role very responsibly and very seriously and there are numerous healthy recommendations here. All of them are useful. Implementation is always a problem in seeing that the right type of people in DHS are encouraged to consider these recommendations. Which are healthy, as you point out, and nonpartisan as it very properly should be in this Department.

**MRS. HOOD:** I'd like to ask if my co chairs Don Knabe and John Magaw would like to add anything to my comments?

**SUPERVISOR KNABE:** Thank you, I just wanted to thank Glenda and a great team effort on this report. We did a lot in a very short period of time including the holidays. And we even got into word smithing line by line. And you know it was a real team effort. We took our responsibility very seriously and recent history I think shows us that. So there's a lot of effort with a lot of expertise in our Task Force.

**MR. MAGAW:** I would just say I'm very proud to have served on this Task Force. I think there are a lot of good ideas here. I have been through eight transitions -- probably more than that.



**MRS. ANDERSON:** Thank you, Judge. I was pleased to be a member of this Task Force. I want to thank the Department's leadership and the Task Force's leadership that addressed what, at first, seemed to be an impossible task. I was especially encouraged this morning when I heard the report on the quadrennial homeland security review. It's apparent that these two efforts, this administration transition report and the quadrennial review in some way, are linked hand in glove. If they can work together with these recommendations and the work we're doing, it can provide safety and security for our country in the transition. Thank you.

**CHAIR WEBSTER:** Mr. Secretary, I think you can tell from the comments that we just heard that we've had some very real experience and expertise. They went to work and took it very seriously and I hope, at the risk of too much repetition, that all of you put your heads together to find out how we can relieve the Secretary and his leadership team of oversight responsibility by 86 Congressional Committees who drain their time. It ought to be perfectly obvious. But the experience tells me this is a tough job. Even though the 9/11 Commission has made a similar recommendation, it's one we can't give up on. We certainly subscribe to oversight but we need to have oversight in a meaningful way that provides for a smooth transition for whatever changes that take place as a result of the election.

I think there's a consensus here. And this report will likewise be forwarded with our recommendation to the Secretary and his leadership.

Now it's my privilege to invite the Secretary to comment on any of the issues you've heard discussed. And at the conclusion of your remarks, we have five new members we would like to be sworn in. Although after having heard the report earlier of the Ethics Official they may have some qualms. (Laughter.) Mister Secretary.

**SECRETARY CHERTOFF:** Well, thank you, Mr. Chairman. Thank you everybody for your hard work and dedication and continued service. As usual, you've provided a great deal of meaningful advice and expertise. And as usual, I've enjoyed working with you and also getting the benefit of that advice, as I have over the past three years.

If I can ad lib for a moment and echo again on that issue of oversight – you know, we do want meaningful oversight, but it's not just a matter of the fact that 86 committees and subcommittees require a lot of reporting and testifying and briefing, but it's that you wind up with competing agendas, so that instead of having, as do most departments, a single set of committees in the House and the Senate that have coextensive jurisdiction and a comparable perspective on the mission, we wind up with a number of additional committees that have little slices of the department within their jurisdiction, and of course they are very interested in advancing their particular policies and they tend to be inconsistent with each other. And so we get a lot of conflicting congressional direction as opposed to consistent congressional direction.

As we look to next year when there will be a new administration – nobody knows at this point what party will occupy the White House – it's a good opportunity for everybody to think about whether a good gift for the incoming President, whoever he or she may be, would be a somewhat more refined and disciplined congressional oversight process.

Getting back to the script, Judge Webster, I'd like to thank you personally, of course, for your continued leadership of the Council, and your – of the consultation with me, both in the larger and in smaller settings, over the past year. And I look forward to continuing to work with you as I do with the other leaders of this Council and the various committees.

I also want to observe you've had the opportunity to meet with our leadership team, including some new members of that team. And I'm very proud of them of getting with our Acting Deputy Secretary Paul Schneider, who's very, very experienced; an example of someone who, though a presidential appointee and a political appointee, has a deep and rich career experience, frankly with presidents of both parties, which I think is emblematic of this department as a – very much of a non-partisan effort to protect Homeland Security.

Also, on the positive side in terms of Congress – because I want to praise Congress, not just criticize – I want to thank the Senate, and in particular Leader Reid and Leader McConnell, for working with us to confirm some of our senior leaders last year, including Under Secretary Robert Jameson and Assistant Secretary Julie Myers, who I was pleased to swear in earlier this week.

I'd like to thank Doug Hoelscher for his leadership over the last few years in helping us coordinate the activities of the Council. I'm grateful for his service and wish him well. And he'll be replaced by Jeff Stern, who will be helping us coordinate your activities and facilitate your activities over the coming year.

Before I get into some of the remarks about the individual reports and where we're headed this year, I'd like to take the opportunity to swear in members of the HSAC and Senior Advisory Committees who haven't been formerly sworn in at this point. These include, among others, two people with whom I've had longstanding personal relationships. One is, of course, Judge Louis Freeh. We first got to know each other when we were down the hall from each other at the U.S. Attorney's Office in Manhattan – longer ago than I care to mention. He's a terrific public servant. Also, Mayor Palmer, who I also have known for a long period of time, going back to the days in Trenton almost 20 years ago. So I'm delighted to welcome them all.

Judge Freeh, Mayor Palmer, Mr. Payne, Mr. Stanley, and Mr. White, if you'd join me. If you'd kindly raise your right hands and repeat after me:

I, (state your name), do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Well, as you've heard, this council and committees have been involved in a full range of activities. In particular, last summer I asked the members of the council to look in particular at two subjects through the Essential Technology Task Force and the Administration Transition Task Force.

Of course, the Essential Technology Task Force, although it sounds a little bit dry, actually really looks at an issue that's really very much at the core of our ability to operate as a department. As George Vradenburg pointed out, you know, we face an environment in which technology transforms itself very rapidly. And we don't want to be in the position of what we sometimes find ourselves facing at home, which is we buy ourselves a new computer system and then a year later it's not working anymore and we have to get a new one. That's not really great at home, and it's certainly not great for the department.

And so looking at alternative ways to keep up with changes in technology, including looking at the possibility of leasing services and end results, as opposed to equipment and hardware, I think its going to be very important to make sure this department can keep pace with cutting-edge, technological changes – and of course there are very impressive individuals contributing to this task force.

I also want to observe, before I get on to talking about the Transition Task Force, that we've already taken on board and implemented the work of the Future of Terrorism Task Force and the Culture Task Force, which provides some very valuable recommendations, which I think will carry forward into the next administration.

I want to make note of the fact that, as Don Knabe observed in his presentation – and I want to thank him for participating – it is very important we get a REAL ID regulation out there. And so the good news is we're doing it tomorrow. I'll be announcing the REAL ID roll-out of the revised regulation tomorrow. I'm not going to jump the news here, except to say that we have taken on board a lot of comment. We've worked very closely with the states, in terms of developing a plan that I think will be quite inexpensive, reasonable to implement, and produce the results that, as the committee pointed out, are a part of the core recommendation of the 9/11 commission, which is secure identification when driver's licenses are presented.

This is a win-win. As long as people use driver's licenses to identify themselves for whatever reason, there's no reason for those licenses to be easily counterfeited or tampered with, and there's every reason to have the confidence that the license is secure and reflects a person's true identity and their legal presence in the United States. And I think we're going to accomplish that by moving forward with REAL ID.

I'd also like to thank Deputy Secretary Balboni for his comments on fusion centers. I think that is a very important success. And we've had the opportunity, through the ITAC Group – the Threat Assessment Coordination Group – to bring state officials on board with us in terms of the whole issue of intelligent-sharing. So we can begin to make progress on that.

With respect to the other recommendations that have been talked about this morning, I want to thank everybody who worked on those. I'm going to have senior department officials assigned to actually implement a lot of these specific recommendations. But again, Glenda, Jared, Dick, Don, Rick and John, thank you for your very fine work on all of these issues.

As we turn to the issue of transition, first, I'd like to recognize Clay Johnson's presence. I know Clay worked very hard with the Transition Task Force, and I appreciate his good advice. I think it's going to be very important to make sure we get this right.

We understand this is the first transition this department has undertaken. And it's a matter of pride, I think, everybody in the senior leadership, that we make this a seamless transition and one about which we can all be proud. It is important not only because I think professionalism requires that we turn over the keys to a well-functioning machine, but because, as Glenda said, we know that the period of transition is a period of heightened vulnerability, not because we have any specific piece of intelligence as I sit here but because our observation over the last several years, including as recently as this summer when the new British administration came in and faced attacks within a matter of days, underscores for us the fact that it is in the transition period, when people are doing the handoff, that there is a natural degree of confusion which creates an invitation to people to carry out terrorist attacks, or other damaging enterprises.

And that's why we have to make sure that the handoff is as smooth as possible. This will require the cooperation not only of the outgoing administration but of the incoming administration. And we're going to look very closely at the recommendations that have been made here so we can begin that transition planning as we go forward.

Finally, although we do have a transition, it doesn't mean that we are done with our work in this administration. We have over a year left and we're going to make use of every single day of that year. The President often talks about a sprint to the finish, and that's very much – that's the way I try to run road races, and that's very much the way we're going to do our work this year.

We have in particular a number of initiatives that we do want to drive forward between now and the time that we leave office. One of those, obviously, is border security and immigration enforcement. We have made strides every quarter in reducing the flow of illegal immigration coming into this country. And we've made strides every quarter, as I'll describe in greater detail in our closed session, in enhancing border security: building fence, recruiting Border Patrol.

I'm delighted to say that as of the close of last calendar year, we had over 15,000 Border Patrol agents, which is a dramatic increase from where we were just a year and a half ago when we initiated our Secure Border Initiative. We've got almost 300 miles of fencing built – pedestrian and vehicle fencing. That is a tremendous increase from where we were a year ago. We've got technology rolled out. We've got unmanned aerial systems rolled out. So we are doing a lot. We are committed to meeting the milestones that we announced at the beginning and at the end of this calendar year. We're on track to do it and we're going to get that done.

A second element, which I've indicated by talking about REAL ID, is we want to continue to drive forward on secure identification. I know you understand this, but it bears repeating. As long as we require people to identify themselves when they get on airplanes or come into sensitive buildings or undertake other kinds of activities, as long as we require people to identify themselves, it makes no sense to allow people to falsify identity, or to masquerade as other people. There's nothing good that comes out of that.

False identification leads itself to national security threats. False identification facilitates illegal immigration, which I'm hearing again and again is a very big concern for the American people. False identification facilitates identity theft. In this world in which we live, the most valuable asset you have is your name. Your name is the key to authenticating a whole range of transactions and activities that are of value to you as an individual. And that means protecting your identity and protecting the tools of identification are the same thing as frankly locking up your bank vault. And so it's important that we have secure identification; and we're going to get that very, very close to completion this year.

Third issue, which will be a little bit new, maybe, to some of you, although you may have heard about it, is cyber security. I feel we've made enormous strides going forward this past year with respect to physical security. It's very much tougher to sneak through our ports of entry than it was several years ago. We've got our radiation portal monitors deployed so that virtually all of our maritime cargo goes through radiation detection.

But there is a tremendous asset that we have frankly not made enough progress in protecting, and that is the asset of our cyber environment— all of the data and all of the processes and transactions which occur in the realm of virtual reality and our cyber network. And protecting that is something that we're going to take a giant step forward with this year. We're working on a government-wide strategy for cyber security. We've gone to Congress last year for money, which Congress did give us in this mass appropriation we got. And we're going to make that a very big priority for this year.

Finally, the institutionalization of the department. That means doing things like succession planning – we've spent a lot of time on that; making sure that we have a career development pathway that encourages jointness and encourages a single-mission focus, as opposed to stove piping that was the hallmark, perhaps, of where we were five years ago. And I think that building that capability of having an institutionalized department, including a project we're working on to create what we call a J-3 or a J-5 – a truly unified planning and operations capability, like DOD has – that is going to be a very big part of what we're going to do this year.

So this will be a year where we're going to set some very high requirements and some high thresholds for performance, because I don't think we can afford to let this year be a kind of a languishing year, even as we look forward to the fact that we have to prepare for a transition.

So thank you very much for your service. And I think now, Mr. Chairman, I turn it over to you so you can move to the next part of the program.

**CHAIRMAN WEBSTER:** Thank you very much, Mr. Secretary. We appreciate the time you've given us and the attentiveness that you have always given to our reports and also your interest in suggesting areas where we can be helpful, which is hugely important for us to know. We have people here who really want to be useful to you.

Well we were going to have some more notes and there have been opportunities throughout the meeting for the members to discuss. So we will forgo that at the moment.

At this point we're going to bring the public session to a close. Members of the public who would like to provide comment to the Homeland Security Advisory Council may do so by writing to Homeland Security Advisory Council, U.S. Department of Homeland Security, Washington D.C., 20528. In addition, the HSAC information, that's the Homeland Security Advisory Council, information and meeting minutes may be found on the [www.dhs.gov/hsac](http://www.dhs.gov/hsac) website. Additionally our meeting notices are published in the Federal Register in compliance with the Federal Advisory Committee Act Requirements.

Thank you very much for coming.