

**The Honorable Janet Napolitano**  
**Secretary**  
**United States Department of Homeland Security**

**Before the**  
**United States House of Representatives**  
**Committee on Homeland Security**

**February 25, 2009**  
**10:00 a.m.**  
**311 Cannon House Office Building**

Chairman Thompson, Ranking Member King, and members of the Committee: I am pleased to appear before the Committee for the first time as Secretary of the Department of Homeland Security, and I thank you for this opportunity to discuss how DHS will work in the future to keep Americans safe.

At its core, I believe DHS has a straightforward mission: to protect the American people from threats both foreign and domestic, both natural and manmade – to do all that we can to prevent threats from materializing, respond to them if they do, and recover with resiliency. Government does nothing more fundamental than protecting its citizens. But the execution of this mission can be very complex.

In a little more than a month as Secretary, I have found a Department facing a number of challenges, many of which have been documented by the Committee. But I have also found a Department filled with committed public servants. DHS faces the challenges of a young Department, but this youth is also an advantage in undertaking the changes needed to best achieve the DHS mission. My message to you today is that I am confident that DHS – with the support and participation of Congress – can make those changes, meet those challenges, and move down “the path forward” to build a more secure Nation.

### **Action Directives**

Improving a Department as large and new as DHS requires a broad look at the current state of its programs. As you know, the DHS portfolio is extremely diverse. During my short term as Secretary, DHS has helped respond to ice storms in the Midwest, rescued ice fishermen on Lake Erie, helped secure the Super Bowl, and even assisted in capturing pirates off the coast of Somalia – all since January 21.

In undertaking the leadership of the Department, I am setting priorities that will be important to me as Secretary. We need to hold people accountable, uphold professionalism across DHS, and act wisely with taxpayer money. We have to dedicate ourselves to doing what works, and frequently reassess the Department to make sure that we are responding to threats as best as possible and making the kind of progress that Americans expect and deserve. I promise to lead the Department in a way that focuses intently on achieving results that make Americans safer. To me, the process of producing results begins with a prompt assessment of the state of DHS’s programs.

We are performing that kind of review right now. In the several weeks after I took office as Secretary, I issued a series of action directives to assess the current functions of the Department and help target areas for improvement. As part of this process, the different components of DHS are reporting on their current operations and detailing ways that we could improve programs in the future.

The Committee and I have similar views of the Nation’s homeland security needs. I have reviewed the Committee’s eight platform points<sup>1</sup>, and the action directives I issued address all of

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<sup>1</sup> The Committee’s platform items: 1) Improving the governance, functionality, and accountability of the Department of Homeland Security; 2) enhancing security for all modes of transportation; 3) strengthening our

those areas. I agree with the need to prioritize each of the areas the Committee listed, and I see the action directives as the start of a process by which the work of DHS and the Committee will improve them.

The action directives required DHS components to report back to me in a short timeframe, and I want to update the Committee on the status of the directives:

- *Efficiency Review* – Last week, I issued an action directive calling for an Efficiency Review across DHS. In a young Department that combines many processes previously scattered across the federal government, this review will be critical to improving the governance, functionality and accountability of DHS. Components will provide information on actions they are taking to reduce costs, increase transparency, streamline processes, eliminate duplication, and improve customer service.
- *State and Local Intelligence Sharing and Integration* – I issued two action directives concerned with the Department’s partnerships and intelligence-sharing activities with state, local, tribal, and territorial partners. As a result of the directives, the Department is considering a possible future assessment of all intelligence-sharing efforts within DHS with an eye toward reducing duplication. DHS is also considering ways to improve intelligence sharing by involving state and local partners during the formulation of intelligence-sharing policies and programs. The Department is looking to improve the coordination of activities involving state and local partners across DHS. I issued a separate action directive on FEMA integration with state and local governments; FEMA presented feedback based on 75 recommendations emerging from the candid assessments of state and local homeland security and emergency management officials.
- *Hurricanes Katrina and Rita* – I issued an action directive regarding the Department’s continued efforts in recovery from Hurricane Katrina and Hurricane Rita. As a result, FEMA will establish and field a senior-level team to identify issues related to – and review, assess, and identify – efficiencies that will improve Hurricane Katrina and Rita recovery efforts. FEMA will work to clarify and enhance the government’s role as a more active and engaged facilitator of long-term community recovery working across agencies, and will move quickly to provide arbitration as an additional dispute resolution mechanism, as per the direction of Congress.
- *Border Security, Immigration, Employment Verification, and Enforcement* – I issued a number of directives related to border security and immigration. Among the directives, I requested an assessment of past border security assistance by National Guard and Department of Defense assets. I issued a directive to measure employer compliance and participation with the Department’s E-Verify program and ways that DHS has worked both to reduce false negatives in order to protect the rights of Americans and to strengthen the system against identity fraud. I issued directives to assess the status of the

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Nation: response, resilience, and recovery; 4) shielding the Nation’s critical infrastructure from attacks; 5) securing the homeland and preserving privacy, civil rights, and civil liberties; 6) connecting the dots: intelligence, information sharing, and interoperability; 7) implementing common-sense border and port security; and 8) inspiring minds and developing technology – the future of homeland security.

Department's worksite enforcement programs, fugitive alien operations, immigration detention facilities, removal programs, and the 287(g) program. I asked for an assessment of the situation of widows and widowers of U.S. citizens who had petitioned for the alien spouse's immigration, but whose petitions were not adjudicated before the citizen spouse's death. I issued a directive to assess Department programs to combat border violence and drug smuggling, and as a result, DHS is considering ways to better engage partners and increase the effectiveness of these programs. I also issued a directive that assessed our northern border strategy. Through that directive, DHS is considering cases where, because of climate and geography, some specialized technology may need to be developed or modified in order to protect the northern border while mitigating unnecessary impacts on our extensive trade with Canada.

- *Transportation Security* – In an effort to assess security across all forms of transportation, I directed the review of transportation security in the surface, maritime and aviation sectors. The review identified a number of areas where risks to transportation security could be reduced. Resources such as explosives detection systems and transit, rail, and port security personnel contained in the recently passed American Recovery and Reinvestment Act of 2009 will enable the Department to accelerate the mitigation of risk in these areas.
- *Critical Infrastructure Protection* – I issued an action directive to assess the status of the Department's efforts to shield the Nation's critical infrastructure from attacks. The response contained several steps DHS would take to inspect the security of chemical plants and efforts DHS would participate in to limit the availability of dangerous materials. I issued a separate directive for an assessment of DHS's critical role in cybersecurity.
- *Healthcare Surge Capacity* – I issued an action directive that evaluated DHS's role in building capacity for a "healthcare surge" – the increase in people who might need medical attention after an incident – including DHS's supporting role in coordinating response to such an incident, and how the Department's preparedness and public communications efforts could better facilitate existing healthcare surge capacities. This directive will help us move forward on a critical element of our Nation's response capability.
- *Planning and Risk Management* – I issued an action directive asking for a report on DHS's lead role in the interagency effort to develop Federal operational plans for prevention, protection, response, and recovery activities for the National Planning Scenarios. The report will also discuss how DHS will work with law enforcement partners inside and outside the federal government in an integrated planning effort. I issued a separate directive to assess DHS's uses of risk analysis. As a result, several steps were identified that will assure DHS provides risk-analysis information to a full range of decision-makers, and assure that the Department's strategies are risk-based.

In addition to the action directives, I have also begun the process of reaching out to new Cabinet officers. I have already met with several of my fellow Cabinet officials about areas

where our Departments will cooperate and coordinate. We in the Cabinet work in one administration, and we address problems together. In particular, I am conducting this kind of outreach vis-à-vis the Department's important role in the intelligence community. We are one of several agencies that work together to identify security threats, and the ability to cooperate and coordinate across departmental lines is paramount.

## **Priorities**

The action directives process will help determine many of DHS's particular priorities as we look to move forward. But there are a few broad areas I can easily identify where DHS should focus in order to better protect Americans.

### *State and Local Partnerships*

First among these areas is the Department's relationship with state and local governments. State and local law enforcement agencies are the forces on the ground that represent, inhabit, and patrol America's communities – the communities that DHS protects. We need strong relationships with our state and local partners, and I am committed to building them.

Partnerships with state, local, tribal, and territorial agencies affect DHS's ability to identify threats and bolster preparedness before an incident; they also affect our ability to work with first responders and assist a community's recovery after an incident. The information we gather, the funding we grant, and the training and assistance we provide are all more valuable in securing our Nation if DHS's relationships with the involved state and local agencies are strong.

Information sharing between DHS and state and local governments is particularly critical to our security. Over time, this topic has proven easy to talk about and difficult to act upon – but we must move forward on it if we are to strengthen our state and local partnerships. The fusion of information between the federal, state and local levels is what makes the intelligence-gathering process critically valuable to preventing threats from materializing. Information sharing is also what makes response efforts effective. The creation of a seamless network we can use to share this information among these levels of government is a critical part of improving our partnerships.

Already in my time as Secretary, I have traveled to four different states and met with state, local and community leaders in each of them about how DHS will continue to work with them. The range of topics we met about – disaster response, community assistance, the development of new technological capabilities for DHS, and preparedness – speaks to the extent to which DHS must partner with state and local governments to work effectively on any front.

When considering the action directives and the Committee's eight-point platform, it is also clear that many critical priorities – from transit security to border security to infrastructure protection – can only be achieved with strong state and local partnerships. Building these partnerships will be an ongoing priority throughout my time as Secretary.

### *Science and Technology*

Second, DHS should build on its science and technology portfolio. Better science helps us understand emerging threats and how to identify, counter and mitigate them. Better technology can expand our capabilities and free our agents to spend their time where it is most valuable, while at the same time protecting the interests of private citizens by minimizing law enforcement's impact on lawful activities. Technology can also aid us in consequence management, so that we are better prepared to respond to any type of disaster.

It is difficult to think of an area of DHS operation where a greater use of cutting-edge technology would not improve capabilities. Our border security efforts, port screening, transportation security, customs processes, immigration programs, and preparedness and interoperability efforts could all benefit from a strong push to develop new technologies and implement them in the field.

A good example of better technology leading to greater capability is going live this week in San Diego. The port of entry at San Ysidro, the largest land port in the Nation, is now equipped with radio frequency identification (RFID) infrastructure – including software, hardware, and vicinity technology – that allows Customs and Border Protection Officers to identify travelers faster than ever. The technology expedites the travel of law-abiding border crossers and allows agents to focus on where they are most needed. The high-tech RFID system works in tandem with RFID-enabled documents such as passport cards, Customs and Border Protection's trusted traveler programs, and enhanced driver's licenses. An RFID tag embedded in these documents transmits a unique number to a secure CBP database as the traveler approaches the border, allowing agents to identify the crosser quickly. The high-tech system expands law enforcement capabilities while improving the process for Americans.

Of course, amid the implementation of new technology, we will continue to be diligent in honoring the rights of Americans and addressing concerns raised about privacy. To this end, last week I appointed an experienced new Chief Privacy Officer for the Department, who will bolster a Privacy Office already recognized as a leader in the federal government. Homeland security and privacy need not be exclusive, and the Department will look to include privacy in everything we do.

Technologies such as the RFID system at San Ysidro are examples of the potential of science and technology to make a great impact across DHS. Especially as DHS works to stay ahead of developing threats, the forward-thinking application of new technologies will be critical to enhancing the protection of our country. That is a broad-reaching priority I plan to pursue, and I look forward to working with the Committee on this effort.

### *Unifying DHS*

To achieve its mission more effectively, DHS must not just operate better as one Department – it must identify as one Department, where many different people contribute in diverse ways to one paramount goal: securing our Nation. I am committed to building a unified DHS that is better able to achieve its mission.

The unification of the Department is an issue deeply related to DHS's operational capacity. It is important that we develop an identity for DHS that is centered on the Department's mission and that we build a "one-DHS" culture among the different components of the Department. We also must uphold the morale of DHS workers, an effort that a unified Department identity would support. Employees across the many DHS components perform difficult work that, day in and day out, upholds the security of our Nation. DHS employees should be proud of the public service they perform, and we should help them in their work by building a strong Department to support them. Low morale can lessen the ability of an organization to achieve its goals – something that we cannot let happen in homeland security.

The Department headquarters building will support our unification efforts, and I am grateful for the funds for the St. Elizabeths headquarters included in the American Recovery and Reinvestment Act. But ultimately, our Department is not a building; it is the people in the Department who will determine its success.

Achieving the goal of a unified Department will take time, but I am dedicated to making progress on this goal, and I look forward to working with the Committee on furthering it.

### **Conclusion**

Chairman Thompson, Ranking Member King, and members of the Committee – thank you again for inviting me to testify. I am honored to serve in my new role as Secretary. I am eager to become even further immersed in the work of protecting our country. And I look forward to a long, productive relationship with the Committee as we work together to improve homeland security in our Nation. I am happy now to answer any questions you have.