



One Hundred Twelfth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

November 15, 2012

The Honorable Mike Rogers
Chairman
Subcommittee on Transportation Security
324 Cannon House Office Building
U.S. House of Representatives
Washington, DC 20515

The Honorable Michael T. McCaul
Chairman
Subcommittee on Oversight, Investigations,
and Management
131 Cannon House Office Building
Washington, DC 20515

The Honorable Candice S. Miller
Chairman
Subcommittee on Border and Maritime
Security
1034 Longworth House Office Building
Washington, DC 20515

Dear Subcommittee Chairman Rogers, Subcommittee Chairman McCaul and Subcommittee Chairman Miller:

I write to you today to encourage whoever amongst you is granted the privilege of serving as Chairman of the Committee on Homeland Security in the 113th Congress to continue the longstanding, bipartisan effort to expand and protect the Committee's jurisdiction. I stand ready and willing to work with you to ensure that the National Commission on Terrorist Attacks Upon the United States recommendation that this Committee serve as the principal point of oversight and review for homeland security be realized.¹

With the adoption of the Republican rules package in the 109th Congress, the Committee's ability to produce a comprehensive authorization bill for the Department of Homeland Security (DHS) has been hindered. This fact is exemplified by a review of the legislative history for H.R. 3116, the *Department of Homeland Security Authorization Act for Fiscal Year 2012*. Despite having been ordered to be reported to the House by the full Committee over thirteen months ago, the Committee Report for the bill has yet to be processed and the bill has still not been placed on the Union Calendar due to jurisdictional hurdles.

¹ National Commission on Terrorist Attacks Upon the United States, *The 9/11 Report: Final Report of the National Commission on Terrorist Attacks Upon the United States*, Ch. 13.4 Unity of Effort In The Congress pp. 419-423.

Beyond the policy concerns raised by the Committee's inability to produce a comprehensive authorization bill for DHS, the House of Representatives' current system of splintered jurisdiction over the Department of Homeland Security is inefficient. On January 14, 2012, President Obama pointed to the failure to consolidate jurisdiction over DHS as an example of government inefficiency by stating the following:

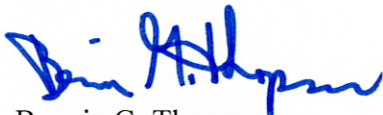
“[DHS] was created to consolidate intelligence and security agencies, but Congress didn't consolidate on its side. So now [DHS] reports to over 100 different congressional panels. That's a lot of paperwork. That's a lot of reports to prepare. That's not adding value, it's not making us safer to file a whole bunch of reports all the time.”²

While this failure to consolidate jurisdiction is troubling, it is not the only cause for concern. Clearly, regardless of the Committee's statement of legislative jurisdiction as set forth in the Rules of the House, it is incumbent upon each Chair to forcefully assert and defend the Committee's legislative prerogatives. Unfortunately, the Committee's forceful assertion of jurisdiction has not been a constant feature during this Congress. As a result of less than strident jurisdictional enforcement, the total number of measures referred to the Committee has declined by roughly sixteen percent during this Congress when compared to the previous session of Congress. The number of primary referrals received by the Committee has decreased dramatically, declining by over forty-five percent in the last two years. The number of sole referrals has declined by roughly ten percent during the same period. And most troubling, the number of measures this Committee took to the House floor this Congress is down forty percent. That troubling fact is compounded by the reality that for the first time in its history, the Committee failed to have a piece of major legislation considered by the House during an entire Congress. **To be clear--not a single bill produced by this Committee was considered by the House under a rule.** This trend must not be allowed to continue in the 113th Congress.

Again, I stand ready to work with you to see that the Committee's jurisdiction is expanded rather than further diminished.

Thank you for your attention to this matter. Should you want to discuss this matter with me or have any further questions on this matter, please contact me or Mr. I. Lanier Avant, Democratic Staff Director, Committee on Homeland Security, at 202-226-2616.

Sincerely,



Bennie G. Thompson
Ranking Member

² <http://www.whitehouse.gov/the-press-office/2012/01/13/remarks-president-government-reform>