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Homeland Security Secretary Asks— Here Are Answers!

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On day one, new Secretary for Homeland Security Janet Napolitano issued a directive requiring her staff to report to her by the end of the month on five top issues. The directive covered:

- *State and local intelligence sharing* (law enforcement's ability to "connect the dots" in looking for terrorist threats);
- *State, local, and tribal integration* (ensuring governance at all levels works together);
- *Transportation security* (assessing what is being done to safeguard air, surface, and maritime transportation);
- *Risk analysis* (determining the most efficacious means to reduce threats and vulnerabilities); and
- *Critical infrastructure protection* (reducing the danger terrorists might destroy or degrade important assets from bridges to computer networks).

The secretary wants answers by January 28.

Napolitano is right to ask tough questions. While the department has done much to make America safe, more can be done to improve the efficacy of programs. In many cases, the department has been saddled with unworkable congressional mandates. In other instances, Congress failed to give the department the necessary authority or direction. If the staff does its job correctly, there are issues in each area that ought to be highlighted to the secretary, issues that, consequently, she should work with Congress to resolve.

Solving State and Local Intelligence Sharing Snafus. Congress required establishing the Infor-

mation Sharing Environment (ISE) in the Intelligence Reform and Terrorism Prevention Act of 2004, but subsequent efforts to increase governmental information sharing have been inadequate. The ISE program manager has detailed the many shortcomings: overlapping roles and responsibilities; cultural, policy, and technological differences among organizations; policy, process, and procedural differences; and the absence of universal standards. The result of these shortcomings is the stubborn persistence of multiple uncoordinated information products across the federal government, impeding a concerted and effective information sharing effort. Meanwhile, the lack of a rapid, uniform government process to obtain clearances for non-federal partners is undermining all efforts to improve sharing. Working with the Director of National Intelligence and the Congress to make ISE a success should be a priority.

Encouraging State, Local, and Tribal Cooperation. The Homeland Security Act of 2002 required the department to set a regional homeland security framework. It never did. And Congress never followed up—that is a problem.

A regional network is an essential next step in building the kind of homeland security enterprise

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that the nation needs. This network will require state-based regional programs that focus on ensuring that states are prepared to sustain themselves and that facilitate cooperation among federal, state, and local efforts. Regional offices should be required to strengthen state and local capabilities; facilitate regional cooperation among governments, the private sector, and nongovernmental organizations; and prepare and exercise with federal entities that support regional plans. Such offices would enable regions to access and integrate their capabilities quickly and to improve integration.

Resolving a Real Transportation Nightmare. In the area of transportation security, Congress's greatest blunder was establishing a mandate for 100 percent scanning of all cargo containers inbound to the United States. Certainly, no semi-intelligent terrorist would put a bomb in a shipping container. Containers are routinely lost, pilfered, crushed or waylaid. What's more, 100 percent scanning is wholly impractical. Before Congress mandated scanning, it mandated a test called the "Secure Freight Initiative." This mandate demonstrated that 100 percent scanning of containers bound for the United States from low-volume, "high risk" ports such as Qasim in Pakistan was feasible, but it also raised serious questions about the costs and delays that would be caused by implementing the measure at larger ports. The Government Accountability Office concluded the much the same, raising nine major problems. Obtaining a repeal of this unworkable mandate should be a priority.

Reducing Risks to Risk Analysis. Risk "analysis" has become a congressional codeword to throw money at pet projects or force new regulatory requirements on the private sector. If the secretary wants to start looking at the problem of "risk reduction gone wild," her staff should start with the 2007 provision requiring federal authorities to reroute rail cars carrying hazardous material. Federally mandated rerouting will be extremely costly and cause significant delivery delays. Furthermore, the security benefits to be gained are vague, since

rerouting simply transfers risk elsewhere. There are far less burdensome alternatives, including enhancing private sector, law enforcement, and emergency responder coordination and training. The secretary must convince Congress that rerouting by Washington is not the answer.

Thinking Critically About a Critical Threat. One area of critical infrastructure protection has received scant attention—the threat of Electro-Magnetic Pulse (EMP) from a ballistic missile detonated high above an American city. An EMP is a high-intensity burst of electromagnetic energy from a nuclear explosion that could wreak havoc on the nation's electronic systems—shutting down power grids, snapping supply chains, and silencing phone networks. Congress chartered the Commission to Assess the Threat of EMP Attack to the United States but ignored its recommendations. This failure is tragic.

Developing an EMP response would also make national systems more robust and resilient against other natural and manmade disasters. For starters, Napolitano's staff should propose incorporating EMP attacks into National Planning Scenarios. These are 15 all-hazards planning scenarios used by federal, state, and local officials in disaster response exercises. The exercises determine capabilities and needs while addressing problems before a disaster strikes.

Report and Act. While the secretary needs to get these answers from her staff, she will have to work with Congress to make substantive changes a reality. Focusing the department on the "achievable" and "necessary," as opposed to congressional whims, should be job one.

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