



America at Risk

Memo

Protect America Month: Providing for the Common Defense in the 21st Century

The Heritage Foundation's Protect America Month is a month-long campaign focusing on the need for increased defense spending in the 21st century. America still faces serious threats in the world and now is not the time to weaken our military through defense budget cuts.

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Ten Years After 9/11: Thinking Smarter About Homeland Security

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The 9/11 attacks acted as a catalyst for major changes in U.S. security efforts. The attacks altered not only how the nation would identify and prepare for threats but also how it would work to prevent them. The approaching 10th anniversary of the attacks gives policymakers an opportunity to undertake a realistic and retrospective assessment of homeland security policies since 9/11.

Time to Evaluate

The creation of the Department of Homeland Security was one of the biggest changes. It was intended to be the leader of a broader homeland security effort, integrating the activities of federal, state, and local governments; the private sector; and private citizens into one cohesive “homeland security enterprise.”

Nearly a decade later, this enterprise has undergone significant evolution, admittedly both good and bad. Threats against the homeland continue. Not a year has passed since 9/11 when terrorists have not sought to strike U.S. soil. Americans see the value of security and understand the real threat of terrorism. But they have also grown weary of the endless series of bureaucratic security hoops that make travel less convenient by the day.

Determining which reforms have made us more agile and better prepared for disaster—and which have been a colossal waste of taxpayer dollars—will ensure that future investments are smart investments.

To perform such an assessment, one need not resort to hypothetical questions. The 39 terrorist plots foiled since 9/11 are real and compelling stories of what works. The research demonstrates that investments made since 9/11 in tools like the PATRIOT Act—which empowers law enforcement to track down leads in local communities—and in strengthening information-sharing capabilities are the right investments for security. In essence, if intelligence does not flow seamlessly between law enforcement, the U.S. will not be able to stop terrorist plots before the public is in danger.

Centralizing Disaster Preparedness

Yet, for every dollar spent on the right investments, five more have been spent on silly efforts to childproof the supply chain. Examples of efforts to scan every cargo container or passenger, screen every box, or regulate the way to security are bountiful. These labors have proved to be a black hole: Millions (if not billions) of taxpayer dollars go in with little security to show for the investment.

It is also clear that too often, the preference has been to drive homeland security from Washington. Federal bureaucrats have made policy decisions without input from—or better yet, cooperation with—local communities, despite the fact that the communities are the first responders when disaster strikes. The Federal Emergency Management Agency (FEMA) has acquired more power to drive efforts that belong at the state and local levels.

One of the most important lessons from 9/11 and subsequently Hurricane Katrina was that state and local governments are the first on the scene when disaster strikes. Washington should not and cannot be the center of the universe for homeland security. Yet each President over the past 50 years has surpassed his predecessor in the number of federal disaster declarations issued—pushing dependency on Washington and shortchanging state and local efforts.

Take Steps to Use Resources Wisely

Certainly, there are countless positive examples of how post-9/11 reforms continue to make Americans safer against terrorism. The time has come, however, to recalibrate policies that do not make America safer, empower communities to take a greater role in their preparedness efforts, and return to the very principles of federalism that make the nation free, safe, and prosperous. Specifically, Congress and the Administration should:

- **Stop doing stupid security.** Congress and the Administration should undertake an honest assessment of which policies are making the nation safer and which are not. For instance, the 100 percent scanning mandate for maritime cargo has been found wholly unworkable in terms of cost and logistics and would cause tremendous backlogs in the supply chain, yet it remains law. Meanwhile, the sunset provisions of the PATRIOT Act—a vital investigative tool—must be reauthorized by May 27.
- **Reform congressional oversight of homeland security.** Getting homeland security right in the future relies heavily on Congress’s ability to exercise oversight in an effective manner. The current structure is too chaotic, with too many committees exercising jurisdiction over American security. Congressional leadership should fix this problem by consolidating oversight into the two standing homeland security committees (separating Senate Governmental Affairs from Homeland Security), the appropriations committees, and the intelligence committees.

- **Modify the Stafford Act to curb the federalization of natural disasters.** The Stafford Act simply does not contain strict limits on what can qualify for a federal “disaster” declaration. Congress should establish clear requirements that limit the types of situations in which declarations can be issued, eliminating some types of disasters entirely from FEMA’s portfolio. Furthermore, Congress should limit the federal cost-sharing provision for all FEMA declarations to no more than 25 percent of the costs. This would allow FEMA to concentrate on catastrophic disaster planning and preparedness—situations that would truly overwhelm the capacity of local resources.
- **Transform the grant process.** Congress should reform the homeland security grant structure. This should include permanently limiting the number of cities eligible for the Urban Areas Security Initiative to the 35 highest-risk areas and moving toward the use of cooperative agreements instead of grants. In a cooperative agreement, the federal government and the states and localities can sit down as true and equal partners and negotiate capability outcomes at the beginning. They can assess programmatic and financial oversight requirements and then direct funds without the need for yearly applications.

21st-Century Security

America is at risk. It is essential that policymakers make smart choices today that will keep the homeland secure and counter emerging 21st-century threats.

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This paper, in its entirety, can be found at:
<http://report.heritage.org/ar1104>



PROTECT AMERICA

The 21st century will be a dangerous place if America fails to protect itself and its allies.

This product is part of the Protect America Initiative, one of 10 transformational initiatives in our Leadership for America campaign.