

ISSUE BRIEF

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Top 10 Issues the New DHS Nominee Must Face

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Last week, the White House announced that it would nominate Jeh Johnson to fill the long-vacant Secretary of the Department of Homeland Security (DHS). Johnson previously served as the general counsel for the Department of Defense from 2009 to 2012.

As Johnson prepares to be vetted by the Senate Homeland Security Committee, here are 10 issues that he and the committee should focus on.

1. Congressional Oversight. Since its inception, DHS has been plagued with a massive number of oversight committees and subcommittees, a legacy from the department being cobbled together from 22 preexisting agencies.

This nomination and confirmation process is an opportunity for both DHS and Congress to highlight how DHS's oversight and operations could be streamlined. Experience has shown that little good can come of the present oversight arrangement.

2. Border Security. The U.S. does not need additional laws to secure the border. The border can and should be secured through correct use of the regular appropriations process and the faithful enforcement and application of existing law. This is one of the main reasons DHS was formed.

The Senate hearing should focus on what concrete steps DHS will undertake to better meet its mandate. These measures should include more robust and effective Border Enhancement Security Teams, more effective cooperation with state and local government, and more efficacious use of technology.

3. Aviation Security. The U.S. should reform aviation security to be more integrated with counterterrorism operations so that the nation's security measures and capacity to act against threats are synchronized in the most effective manner. In some areas, the Transportation Security Administration (TSA) has made some effort to implement better risk-based aviation screening, but progress has been inadequate. Programs that leverage the strength of the private sector, such as the Security Partnership Program, offer increased efficiencies that the TSA should pursue.

The TSA should also work to further expand and use Secure Flight, TSA PreCheck, and the Federal Flight Deck Officer Program in order to enhance and prioritize passenger screening and provide low-cost, high-utility aviation security measures.

4. Immigration Enforcement. Effectively enforcing current law is one of the most important deterrents to future illegal migration and a vital component of a sound, coherent immigration policy. Regrettably, the Obama Administration has chosen to selectively enforce immigration laws. Indeed, from workplace enforcement measures to working with local law enforcement through the 287(g) program, there is a great deal that the Administration could do to fix the U.S.'s broken immigration system if it only had the resolve and resources to enforce the law.

This paper, in its entirety, can be found at <http://report.heritage.org/ib4072>

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The next DHS Secretary should make this a priority by working through the budgeting process to increase funding for Immigration and Customs Enforcement (ICE) and other immigration organizations so that they can fulfill their objectives—instead of decreasing their funding, as the Obama Administration has regularly recommended.

5. Cyber Security. Cyber security has emerged as an issue of vital national security. Governments, businesses, and individuals are under attack from other governments, cyber criminals, and “hacktivists.” These attacks steal hundreds of billions of dollars in personal and business data and compromise sensitive government operations.

As the organization responsible for defending civilian government networks as well as the nation’s critical infrastructure, it is critical that DHS effectively fulfill its responsibilities in cyberspace. The top priority should be recruiting, training, and maintaining a qualified, motivated, dependable, and empowered workforce. Additionally, DHS should be a leader in facilitating public-private cooperation rather than slow, static regulation.

6. Coast Guard Revitalization. The Coast Guard provides crucial security in American waters. In recent years, the number of Coast Guard missions has grown steadily due to the varied nature of maritime security threats and the need to protect U.S. interests in hostile environments, such as in the Arctic and hurricanes.

However, this increased responsibility has not coincided with adequate modernization. Many of the vessels that support Coast Guard missions are too old and breaking down. While the DHS budget has grown in recent years, the Coast Guard’s funding has actually decreased.

The Senate should question Johnson on how he intends to revitalize the Coast Guard’s fleet and other assets so that it can continue executing its security missions.

7. Ending Pork-Barrel Security-Related Grants. Homeland security grants have become the newest form of pork-barrel spending and suffer

from a severe lack of accountability and oversight. Often valuable homeland security grant dollars are being spent on low-value or truly worthless projects, such as underwater robots in Columbus, Ohio (which has only creeks and small lakes nearby), or a zombie apocalypse simulation at a California island resort.

While DHS has made attempts to reform these programs, entrenched interests have hindered common-sense reforms. Johnson should be prepared to answer if and how he intends to return to a risk-based allocation of limited grant funds and consolidate duplicative and wasteful grant programs.

8. Combating Violent Extremism. Countering violent extremism is an important complementary effort to an effective counterterrorism strategy. In August 2011, the U.S. government released a strategic plan called “Empowering Local Partners to Prevent Violent Extremism in the United States.”¹ While the plan focuses on outlining how federal agencies can assist local officials, groups, and private organizations in preventing violent extremism, sadly this plan is not a true strategy. It fails to assign responsibilities and does not direct action or resource investments.

More direction and leadership should be applied to transform a laundry list of good ideas into an effective program to support communities in protecting and strengthening civil society.

9. Lack of Research and Development. It is time for a serious strategic debate on the direction of DHS’s homeland security research. Similar to its grant programs, the research portions of DHS are often more focused on pork than real security.

For example, in fiscal year 2014, the President requested over \$700 million for an agro-defense facility in Kansas, even as the Government Accountability Office has criticized the selection of such a facility.² When more critical challenges exist within DHS, wasteful and uncoordinated research programs indicate a troubling lack of vision for DHS research and development.

The next DHS Secretary should be committed to focusing and coordinating DHS R&D funds on its

1. The White House, “Empowering Local Partners to Prevent Violent Extremism in the United States,” August 2011, http://www.whitehouse.gov/sites/default/files/empowering_local_partners.pdf (accessed October 23, 2013).

2. U.S. Government Accountability Office, *Biological Research Observations on DHS’s Analyses Concerning Whether FMD Research Can Be Done as Safely on the Mainland as on Plum Island*, GAO-09-747, July 2009, <http://www.gao.gov/new.items/d09747.pdf> (accessed October 23, 2013); and Jessica Zuckerman and David Inserra, “Homeland Security Appropriations Need Different Priorities,” *Heritage Foundation Issue Brief* No. 3954, June 3, 2013, <http://www.heritage.org/research/reports/2013/06/homeland-security-budget-appropriations-need-different-priorities>.

most critical missions and reforming the way it oversees the programs that receive such funding.

10. Departmental Image. DHS and its various agencies—including the TSA, the Science and Technology Directorate, and ICE—have some of the worst public images in government and some of the least satisfied workforces in federal service. Indeed, just last year, the House Homeland Security Committee held a hearing titled, “Building One DHS: Why Is Employee Morale Low?”³ The answer from both Democrats and Republicans was a lack of leadership.

As Secretary of Homeland Security, Johnson would fully bear this responsibility. The Senate must decide if he is capable and ready to make each part of DHS work more efficiently on its own and to form DHS into a more coordinated and cohesive department as a whole.

Real Leadership Needed. DHS’s missions are often compromised by pork-barrel spending, a lack of good priorities, politically driven decisions, an emphasis on the status quo and government-centric answers, and a lack of leadership and vision. These problems demand real reforms—from the program level all the way to the leadership of the department.

The next DHS Secretary must be prepared to undertake these changes; otherwise, DHS’s failures will continue to waste tax dollars and leave the U.S. at risk.

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3. Hearing, *Building One DHS: Why Is Employee Morale Low?*, Subcommittee on Oversight, Investigations, and Management, Committee on Homeland Security, U.S. House of Representatives, 112th Congress, 2nd Session, March 22, 2012, <http://homeland.house.gov/hearing/subcommittee-hearing-building-one-dhs-why-employee-morale-low> (accessed October 23, 2013); and James Jay Carafano et al., “The Second Quadrennial Homeland Security Review: Setting Priorities for the Next Four Years,” Heritage Foundation *Backgrounder* No. 2766, February 12, 2013, <http://www.heritage.org/research/reports/2013/02/the-second-quadrennial-homeland-security-review-setting-priorities-for-the-next-four-years>.