

Task Force Executive Summary

Congressional leaders are best able to judge what committee should have jurisdiction over this department and its duties. But we believe that Congress does have the obligation to choose one in the House and one in the Senate, and that this committee should be a permanent standing committee with a nonpartisan staff.

—9/11 Commission Report

Nearly a decade after the 9/11 Commission issued its report on the greatest act of terrorism on U.S. soil, one of its most significant recommendations has not been acted upon. The call for consolidated Congressional oversight of the U.S. Department of Homeland Security (DHS) is, in the words of Commission co-chair Thomas H. Kean, “maybe the toughest recommendation” because Congress does not usually reform itself.

To underscore the importance of this reform, The Annenberg Foundation Trust at Sunnylands and the Aspen Institute’s Justice and Society Program convened a task force in April 2013, including 9/11 Commission co-chairs Kean and Lee H. Hamilton, former DHS officials under Presidents Barack Obama and George W. Bush, and members of Congress (Appendix). While the failure to reform DHS oversight may be invisible to the public, it is not without consequence or risk. **Fragmented jurisdiction impedes DHS’ ability to deal with three major vulnerabilities: the**

threats posed by small aircraft and boats; cyberattacks; and biological weapons.

“I think we’ve been distinctly less secure from a biological or chemical attack than we would have been had we had a more rational and targeted program of identifying the most serious threats,” said former Sen. Bob Graham (D., Fla.). As the 9/11 Commission Report noted: **“So long as oversight is governed by current Congressional rules and resolutions, we believe that the American people will not get the security they want and need.”**

Earlier work by policy groups such as the Heritage Foundation and Brookings Institution attests to the consensus that consolidated oversight of DHS is needed. Among the concerns: More than 100 Congressional committees and subcommittees claim jurisdiction over it. In 2009, the department spent the equivalent of 66 work-years responding to Congressional inquiries. Moreover, the messages regarding homeland security that come out of Congress sometimes appear to conflict or are drowned out

altogether. As former DHS Secretary Michael Chertoff noted, “When many voices speak, it’s like no voice speaks.”

The task force recommends that:

- DHS should have an oversight structure that resembles the one governing other critical departments, such as Defense and Justice.
- Committees claiming jurisdiction over DHS should have overlapping membership.

Since a new committee structure cannot be implemented until the 114th Congress is seated in 2015, the task force also recommends these interim steps toward more focused oversight:

- Time-limiting subcommittee referrals to expedite matters of national security.
- Passing, for the first time since formation of the department in 2002, an authorization bill for DHS, giving the department clear direction from Congress.