

WITNESS LIST

**Testimony of
Congressman Mac Thornberry
Senate Committee on Governmental Affairs
October 12, 2001**

Mr. Chairman, Senator Thompson, and Members of the Committee,

Thank you for inviting me to join you here today and especially for having this hearing. With your permission, I would like to submit as my formal written statement the testimony I gave about my bill to the House Government Reform Committee in April of this year.

I realize that circumstances have changed a great deal since that time. But the facts have not changed, and the fact remains that the federal government is poorly organized to prevent and respond to homeland threats. That said, I would like to add two things to the testimony I delivered this past spring.

First, I do not believe that my bill, H.R. 1158, is inconsistent with the Executive Order with which the President established the Office of Homeland Security within the White House. Essentially, I believe that a President ought to organize his White House staff in whatever way is helpful to him. There is certainly a need for coordination at the highest level of the executive branch in this war on terrorism. Governor Ridge and his staff will do that.

But I also believe that there is a need to consolidate some of the agencies and offices which will implement the coordinated policy coming from the White House. That is what my bill seeks to do. It focuses not on the 100 or so people in the White House but on the tens of thousands of people who guard our borders, patrol our shores, and man the agencies and offices with responsibility for homeland security.

Second, I hope that September 11 has given us all a greater sense of urgency to tackle these difficult issues. Reorganization of government is always difficult. It means taking away money and power from somebody and giving it to someone else. It means stepping on toes in the bureaucracy and in Congress. But if ever there was a time to put parochialism aside, now is that time.

We are in a new era. There were some smart, far-sighted people serving on several Commissions who saw it coming. But that doesn't really matter right now. All that matters is what we do now to improve the security of the country.

Thank you.

**Testimony of
Congressman Mac Thornberry
Joint Hearing
Government Reform Subcommittee on
National Security, Veterans Affairs, and International Relations**

**Transportation and Infrastructure Subcommittee on Economic
Development,
Public Buildings, and Emergency Management
April 24, 2001**

Messrs. Chairmen,

I appreciate the invitation to testify today, but I am even more grateful for your decision to have this hearing in the first place. If you believe, as I do, that defending the country and its citizens is one of the primary reasons we have a federal government, then the issues surrounding homeland security must get more of our attention.

Partly because we have begun a new century and a new millennium, partly because there is a new Administration, and partly because more of us are realizing that the pace of change in the world around us is accelerating at an almost frightening pace, there have been a number of studies and reports in the last couple of years on the world security environment.

One overwhelming, common conclusion in them is that America and Americans are increasingly vulnerable to a broadening array of threats from a variety of actors around the world. The development of technology and the rapid spread of technology makes us more vulnerable here at home. We may also find it more difficult to pin down exactly who is responsible for some kind of attack.

The world learned in Desert Storm that it is foolhardy to hit us where we are strong. So there is intensive search to find and to exploit our weak spots. We will have a tough time knowing exactly who will try something, as well as when and how. So we must prepare for uncertainty.

This past January, the bipartisan Commission on National Security/21st Century issued a report in which it found that:

“The combination of unconventional weapons proliferation with the persistence of international terrorism will end the relative invulnerability of the U.S. homeland to catastrophic attack. A direct attack on American citizens on American soil is likely over the next quarter century. The risk is not only death and destruction but also demoralization that could undermine U.S. global leadership.”

We have often heard about the dangers associated with nuclear, chemical, or biological weapons being smuggled into this country. But we could also be devastated by computer attacks against our critical infrastructure or by livestock and plant diseases being introduced into our food supply.

Let me give you one fact that caught my attention. Every day \$8.8 billion of goods, 1.3 million people, 58,000 shipments, and 340,000 vehicles enter our country. But the Customs Service is only able to inspect 1 to 2% of them. The volume of U.S. trade has doubled since 1995, and some expect it to double again in the next five years.

And yet, by every account, we are not doing enough to protect our citizens. The Commission on National Security/21st Century found, “[i]n the face of this threat, our nation has no coherent or integrated governmental structures.” A July 1999 report by the Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass

Destruction concluded that “a cardinal truth of government is that policy without proper organization is effectively no policy at all. If the Federal Government’s policy is to combat the threat posed by the spread of weapons of mass destruction, then the government must be organized to do so.”

A June 2000 study by the National Commission on Terrorism echoed this conclusion when it found that “[t]his country’s seeming inability to develop and implement a clear, comprehensive, and truly integrated national domestic preparedness strategy means that we may still remain fundamentally incapable of responding effectively to a serious terrorist attack.” The Commission also found that “the complex nature of current Federal organizations and programs makes it very difficult for state and local authorities to obtain Federal information, assistance, funding, and support.”

The General Accounting Office recently questioned whether having terrorism response teams associated with the National Guard and with the FBI and with FEMA makes sense. Not only may there be duplication, but there may be confusion about who is responsible for dealing with an incident.

Homeland security is a big, complex problem. No one bill and no one branch of government can address the need. We need a strategy to reduce our vulnerabilities; we need appropriate funding of the efforts we make; and we need effective organizational structures.

President Eisenhower put it pretty well. He said, “the right system does not guarantee success, but the wrong system guarantees failure. A defective system will suck the leadership into its cracks and fissures, wasting their time as they seek to manage dysfunction rather than making critical decisions.”

My bill, H.R. 1158, tries to deal with part of the organizational deficiencies created by having literally dozens of agencies with some responsibility for homeland defense. The bill does not try to fix all of the problems. It does not deal with the military’s role in homeland security, for example. It does not try to legislate a particular strategy. But it does try to force more integration, coordination, and planning so that we can “prepare for uncertainty.”

My bill would implement one of the recommendations of the Commission on National Security/21st Century. I think that it is important to say a word about that Commission. We are all used to commission after commission producing report after report, which simply set on a shelf somewhere. If we allow the reports of this Commission to simply set on a shelf, history will not be kind to us.

This Commission was unique in the exceptional background, experience – and I would say gravitas – of its members. Their political philosophies ranged from the left to the right. But they unanimously agreed on the nature of the threats we face and on our lack of adequate preparation, and most amazingly, they agreed on what we should do.

Following their recommendations, H.R. 1158 would essentially do 3 things:

1. It would transform FEMA into a National Homeland Security Agency, utilizing its existing regional structure. The Agency would provide one central focal point and contact point for other federal agencies and for state and local entities. Its Director would answer directly to the President and would give priority to operational planning and coordination.

2. H.R. 1158 would bring the Coast Guard, the Customs Service, and the Border Patrol under the umbrella of this Homeland Security Agency as distinct entities. Each of these agencies are in Departments where their mission is very different from the mission of the Department. Each of them play an integral part in protecting our borders, yet there is not the coordination we need.

3. As part of this new agency, my bill would also consolidate a variety of programs to protect critical information infrastructure that are now scattered in a variety of places.

I would like to add one final point. As we try to do a better job in preventing and preparing for the homeland attacks which are sure to come, the lines between foreign and domestic terrorism, between law enforcement and military functions, will become fuzzier and fuzzier. The constitutional and civil libertarian concerns about where all this will lead are real. Some of you may remember the outcry when a military serviceman shot an unarmed civilian along the Texas border a few years ago.

My bill tries to be sensitive to those concerns by utilizing civilian agencies while also making sure we are more effective in fulfilling that first function of the federal government -- to provide for the common defense.

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