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THE HOMELAND SECURITY DEPARTMENT'S BUDGET SUBMISSION FOR FISCAL YEAR 2011

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS UNITED STATES SENATE

ONE HUNDRED ELEVENTH CONGRESS

SECOND SESSION

FEBRUARY 24, 2010

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WEDNESDAY, FEBRUARY 24, 2010

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THE HOMELAND SECURITY DEPARTMENT'S BUDGET SUBMISSION FOR FISCAL YEAR 2011

WEDNESDAY, FEBRUARY 24, 2010

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 10:41 a.m., in room SD–342, Dirksen Senate Office Building, Hon. Joseph I. Lieberman, Chairman of the Committee, presiding.

Present: Senators Lieberman, Akaka, Carper, Pryor, McCaskill, Tester, Collins, and McCain.

OPENING STATEMENT OF CHAIRMAN LIEBERMAN

Chairman LIEBERMAN. The hearing will come to order. I thank you, Secretary Napolitano, for being here and for your patience as we completed a round of votes on the Senate floor. And I thank all of you in the room for your patience.

I thank you for joining us today for our annual hearing on the Department of Homeland Security's (DHS) budget—in this case for the fiscal year that begins on October 1 of this year, which is known as fiscal year 2011.

In less than a month, the Department of Homeland Security will begin its seventh year of operations. I think that any fair assessment of its record in those 7 years would be positive, including a great number of notable successes, such as the recent important role the Department played in stopping the terrorist plot of Najibullah Zazi. But, to say the obvious, the journey toward a better Department of Homeland Security has no single destination. It goes on and on to meet the evolving threats and the experiences that we have.

The budget is a set of numbers, but it is also a set of priorities and a vision for the future of the Department. Bottom line, it is and should be a statement about this Department, about the extent to which the Administration, working with us, will press forward to strengthen the Department's ability to detect, deter, prepare for, and respond to terrorist threats and natural disasters.

That, in general terms, is what I believe President Obama's budget for the Department of Homeland Security for the 2011 fiscal year does. It proposes in a tough time economically a 2.7-percent increase in discretionary spending for the Department, and in a change that I think is noteworthy, in this budget the Administra-

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tion has reversed its projections in last year's budget for a steady decline in departmental funding over the next 5 years. This budget now projects an increase in Department of Homeland Security funding for the next 5 years.

I want to add that the extent of the increase is probably dependent on a recommendation in the budget which is for increasing aviation security fees. Without those fee increases, the budget of the Department of Homeland Security in future years, I am afraid, will not keep pace with both inflation and the threats that we face. For that reason, I want to say to you, Madam Secretary, I will support a request to increase aviation security fees to benefit the budget of the Department of Homeland Security.

As any budget, this one has pluses and minuses in each of our minds. There are parts of it that make me very pleased and happy and other parts that are disappointing. I want to start with the good news first, which is to say that I appreciate the Administration's proposal to add $900 million to key aviation security programs, including those that would support more whole-body imaging machines and the personnel needed to operate them. The failed Christmas Day terrorist attack is the most recent evidence justifying this increase, which comes along with a recommendation for a boost in the number of Federal Air Marshals, behavioral detection experts, and K–9 units. We know from painful experience that blowing up airplanes continues to be a goal of the terrorists with whom we are at war, so this increased recommendation of $900 million certainly increases our defenses against attempts to attack us on airplanes.

I also commend the Administration's efforts in this budget to, in various ways, improve the management of the Department of Homeland Security. One Department is the goal. A lot of different agencies, but one Department really is what we have been striving for and are moving closer and closer to.

In that regard, one example of the commitment of the Secretary and the Department to better management is the work that is being done now to evaluate the proper balance between the Federal workforce and contractor support. The Department has what it is calling the Balanced Workforce Initiative, and it is a very important initiative. Our Committee has long been concerned about the Department of Homeland Security's heavy reliance on contractors because that raises a question about whether it is the most efficient use of taxpayer money, but also the question of who is actually making critical decisions at the Department. Is it private contractors? Or is it full-time Federal employees?

Thanks to work that the Department has now begun to do after many years in which our Committee has asked for some estimate of the number of employees that are working on a contract basis in the Department of Homeland Security, Madam Secretary, you have now presented us with those numbers, and I will tell you they are astounding and unsettling because they say that the Department of Homeland Security now has just about as many contract employees as it has Federal employees—about 200,000—so the Department effectively, as I understand it, has about twice as many employees as the budget employee positions show. To me this is a shocking and unacceptable number because Federal full-time em-

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ployees generally actually cost less than contract employees, and the law says that inherently Federal work should be carried out by full-time Federal employees. So I am grateful that the new budget begins to reflect a conversion of key positions from contractors to DHS full-time Federal employees. Obviously, this is just the beginning of a turnaround that is necessary here, and Madam Secretary, I am going to have some questions that I would like to ask you about that issue this morning at the appropriate time.

Going on with what I take to be good news in the budget, there is also support for significant biosecurity initiatives, which have been a priority of this Committee. For instance, the President is proposing to double the budget for the Biowatch system of biological pathogen detection sensors, which are already operating in 30 cities. The new funds will expand coverage to more areas and allow deployment of 476 next-generation detectors.

I also support the President's request for $53 million for the Domestic Nuclear Detection Office to acquire handheld or portable radiation detection equipment for Department of Homeland Security agencies next year. I am going to include my full statement in the record to back up the items that I have mentioned.[1]

Now, what are the disappointments? After years of growing budget support for cybersecurity initiatives, this budget cuts the spending on cybersecurity by 5 percent, and I want to ask you about that because we all know that key information systems in the private and public sectors are penetrated every day, and our defenses against computer attacks and data theft definitely need strengthening and improvement. In fact, as you know, Madam Secretary, Senator Collins and I are working on comprehensive legislation to strengthen DHS's ability to protect the Nation's computer networks.

I am also concerned that the budget for the Federal Emergency Management Agency (FEMA) unfortunately remains static, and that the Coast Guard, as responsible as it is for so much, is stretched thin in this budget. For instance, a cut occurs in the Coast Guard workforce by over 1,100 people when the Coast Guard, in my view, actually needs reinforcement, not retrenchment.

The budget also eliminates the grant program that Congress created, including Members of this Committee, in the 9/11 Act to promote communications interoperability among first responders across the country and also eliminates a program to prepare communities to handle mass casualties in a disaster. Those are the bad news parts of this budget, and I hope you can discuss those decisions with us.

There is also a proposed 22-percent reduction in money for fire grants. I think that is a mistake given the 31-percent reduction the program suffered in fiscal year 2010.

So, overall, while I understand that any budget requires difficult decisions, particularly one being submitted this year, with the economy as stressed as it has been and with our Federal budget in the exploding deficit status it is in now, I believe the budget of the Department recommended by the President will keep DHS

[1] The prepared statement of Senator Lieberman appears in the Appendix on page 33.

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moving forward, and hopefully we can figure out a way together to do even more than that. I look forward to the question-and-answer period and your testimony.

Chairman LIEBERMAN. Senator Collins.

OPENING STATEMENT OF SENATOR COLLINS

Senator COLLINS. Thank you, Mr. Chairman.

As the Chairman has indicated, last year the Administration proposed a budget for the Department of Homeland Security that actually projected reductions over the next 5 years that would have resulted in a total reduction of 4.5 percent.

But perhaps in response to the attempted Christmas Day attack, as well as the numerous homegrown terrorist plots last year, the Administration thankfully has reversed course. The President's budget request would increase the Department's funding for next year by 2.6 percent. While this is a welcome change, the overall increase does not tell the full story.

Almost 20 percent of the proposed increase—some $200 million—is dedicated to providing security in large metropolitan areas in the United States for the trials of suspected terrorists now held at Guantanamo Bay. These terrorists could be tried on military bases before military tribunals, without incurring this unnecessary expense and security risk. Given all the demands on the budget, why spend hundreds of millions of dollars to move the trials to vulnerable locations within the United States when there are safer alternatives?

There are far more urgent needs going unaddressed in the DHS budget. For example, as the Chairman has pointed out, the President proposes to slash the Coast Guard's funding by $75 million below last year's level and to reduce the number of uniformed personnel by more than 1,100 positions. Keep in mind, these are the Coast Guard members who are performing vital homeland security duties. Instead of wasting millions of taxpayer dollars on civilian trials in large American cities for the Guantanamo detainees, that $200 million would be better spent on the Coast Guard.

The Coast Guard took on an expanded homeland security mission after the September 11, 2001, attacks. While remaining responsible for its traditional missions, including life-saving search and rescue operations, the Coast Guard now is also responsible for protecting our ports from a wide variety of threats, including the potential smuggling of weapons of mass destruction. As we look forward, it is clear that the Coast Guard's role in homeland security will only become more important.

The extraordinary performance of Coast Guard members in response to the earthquake in Haiti, where they were first on the scene, stands as the most recent reminder of how much we need this vital service. As the Coast Guard Commandant, Admiral Allen, noted in his final State of the Coast Guard speech, Coast Guard personnel are the "Federal first responders for the Nation." We cannot compromise the swiftness and flexibility of the Coast Guard, and we cannot afford to cut the Coast Guard's funding when we need them now more than ever.

The homeland security budget also must reflect evolving threats, particularly in cyberspace. The Director of National Intelligence re-

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cently testified that "malicious cyber activity is occurring on an unprecedented scale with extraordinary sophistication." Our Federal Government, and the Department in particular, must greatly expand its capacity to take on this threat. Yet, as the Chairman has indicated, the budget for the National Cyber Security Division would actually be reduced by $19 million next year, a reduction that makes no sense whatsoever in the face of the growing cyber threat.

There are additional troubling cuts in the President's budget. Were his budget to be enacted, the Border Patrol would be reduced by 181 agents, despite the soaring smuggling of drugs, cash, and weapons across our borders. Last year, Senator Lieberman, Senator McCain, and I included additional funding in the budget resolution for Federal agents and other resources to fight smuggling by Mexican drug cartels along the Southwest Border. We must build on that investment.

But there is also a growing problem of smuggling across our Northern Border. In December, I met with Maine's Federal judges who voiced alarm about the influx of methamphetamine into the United States from Canada. I am, therefore, very concerned that the number of Border Patrol agents would decrease next year for the first time if the Administration's budget is adopted.

The President's budget could also undermine our State and local partners who usually are the first to respond, whether it is a natural disaster or a terrorist threat. The proposals to deny Northern Border States Operation Stonegarden funding and to insufficiently fund the FIRE Act and port security grant programs could deprive first responders and local communities of the resources needed to secure our Nation.

On the other side of the ledger, the proposed increases for aviation security are welcome, and I agree with the Chairman's comments. America was starkly reminded on Christmas Day of the vulnerabilities in our aviation security system.

Our Nation's top intelligence officials recently testified that it is "certain"—that is their word—that al Qaeda is planning to attempt another attack against the United States within the next 6 months. In the face of this testimony, we must ensure that the Department's budget priorities are aligned to counter the threat that we face from a determined enemy.

Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thanks very much, Senator Collins.

Secretary Napolitano, thank you for being here. It has been a pleasure to work with you in the time you have been at the head of this Department, and we welcome your testimony now.

TESTIMONY OF HON. JANET A. NAPOLITANO,[1] SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY

Secretary NAPOLITANO. Well, thank you, Chairman Lieberman, Senator Collins, and Members of the Committee, for the opportunity to discuss President Obama's fiscal year 2011 budget for the Department of Homeland Security. I want to thank the Committee for the strong support you have provided to me and to the Depart-

[1] The prepared statement of Secretary Napolitano appears in the Appendix on page 39.

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ment this past year. I enjoy working with you, and I look forward to this hearing because I think the dialogue we can have on some of the concerns you have raised, and other Members of the Committee might have, will be very helpful in clarifying what the strategy is in terms of the smart and effective use of the taxpayer dollars that we are asking for.

President Obama's budget for the Department focuses our resources where they can be put to the most efficient and effective use in securing the American people. As you have noted, the budget request for 2011 provides for an increase in discretionary spending over last year's funding. I think it is important to focus on our No. 1 priority, the protection of the American people, but at the same time, it is our duty to ensure that we are exercising strong fiscal discipline and putting our resources where they best can be used.

While this budget will not go into effect until next October, I think the events of the past months underscore the importance of our investments in our mission and our ongoing activities. The attempted attack on Flight 253 on Christmas was a powerful illustration that terrorists, specifically al Qaeda, will go to great lengths to try to defeat the security measures that have been put in place since September 11, 2001.

This Administration is determined to thwart those plans and to disrupt, dismantle, and defeat terrorist networks by employing multiple layers of defense in concert with one another to secure our country. This is an effort that involves not just the Department of Homeland Security, but many other Federal agencies with responsibilities related to homeland security, and State and local agencies as well.

As President Obama has also made clear, the Administration is determined to find and fix the vulnerabilities in our system that allowed the attempted attack on Christmas to occur, and the President's budget indeed prioritizes some of those security enhancements.

This Department is also working hand in hand with our Federal partners in responding to the devastation and loss of life in Haiti following the January 12 earthquake. We were able, with the panoply of departments that were assumed within DHS, to leverage unprecedented resources and personnel to assist with those humanitarian efforts, again demonstrating what this Department can accomplish.

The President's budget strengthens the ongoing work across DHS in each of the five mission areas that fall under our broad range of responsibilities and our priorities as set forth in our Quadrennial Homeland Security Review (QHSR): Preventing terrorism and enhancing security, securing and managing our borders, smart and effective enforcement of our Nation's immigration laws, safeguarding and securing cyberspace, and ensuring resilience to any type of disaster. My written statement includes more detail on some of these efforts, but let me, if I might, give a few.

First, to prevent terrorism and enhance security, the budget enhances multiple layers of aviation security. This is an important and critical investment given what we have seen this year and what we have been seeing in past years. Part of that, of course, is

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the accelerated deployment of the Advanced Imaging Technology (AIT) machines in our Nation's airports. We also increase aviation law enforcement in key areas by boosting funding for the Federal Air Marshals service, increasing coverage on international flights, and providing for more explosive detection teams, trained canine teams, and Behavior Detection Officers at our domestic airports.

To secure and manage our borders, the budget request strengthens initiatives that have resulted in concrete border security successes over the past year. It expands, for example, the Border Enforcement Security Task Force models, the BEST teams. They have helped us increase our seizures of contraband in every major category last year. Utilizing an intelligence-based approach to the drug cartels was a critical part of our successes, and this budget contains monies to hire or to train more intelligence analysts, the intelligence then fueling the operational aspects of the BEST teams.

We also have monies in there to protect Customs and Border Protection staffing levels at our Northern and Southern Borders. Let me pause there because each of you mentioned a reduction in Border Patrol personnel of 187 under the President's proposed budget, and let me just share with you that in our effort to make effective and smart managerial use of the dollars that we have, we are not reducing Border Patrol at the Southern Border. We are meeting our congressionally mandated goals at the Northern Border. We have a staffing plan using some attrition rates and some redeployment of agents who were performing other duties that enable us to maintain those goals. So we would be happy to provide more detail on that for you, but while I acknowledge that the summary review of the budget would say that is correct, it is, in fact, an incorrect assumption. We will be meeting those staffing goals.

Senator McCain has left, but I want to make a special mention about our efforts with Mexico and suggest that in our never-ending fight against terrorism and the security of our country, the issues with Mexico are quite serious. They demand our utmost attention. We have a unique partnership, I believe, with the Federal Government of Mexico. I was in Mexico City again just last week. We must continue a concerted and sustained effort against these cartels.

Ciudad Juarez, a city of 1.5 million people, is right over a bridge from our border, and the rule of law has effectively been lost there. The cartels in essence have fingertips into communities across the United States, and so you will see in different places in the budget, we are very concerned about the situation in Mexico, but we are very energized by the efforts we are seeing across our Federal Government and across the Mexican Federal Government in that regard.

The Coast Guard budget has been raised as a concern, Senator Collins. We can address that further in the questions and answers. Let me just say that with the decisions made in this tight budget year, the No. 1 priority was to recapitalize the Coast Guard. I have been from Kuwait to Charleston on vessels of every type. Our men and women of the Coast Guard are serving in vessels that are rusty. The metal is falling apart. There are holes in some of the vessels. They have been welded and welded. At a certain point, you

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have to build new vessels; you have to use new technology. We are in this budget proposing the decommissioning of a certain number of vessels, but we are also proposing at the same time asset capitalization, including the High Endurance Cutter (HEC) No. 5.

By the way, in terms of personnel, it is actually a net decrease of about 783. Part of that, of course, is attributable to the crews that will be on the decommissioned older vessels. But even as we add on the newer equipment, it is not a one-for-one trade-off. In other words, the newer vessels are able to operate with a smaller crew than the older vessels because of the greater use of technology, and we can provide information and detail on that. I know it is a keen interest of yours.

With regard to smart and effective enforcement and administration of our Nation's immigration laws, I want to mention several things. One is the President has requested $103 million to strengthen the E-Verify Program. This is a critical tool for employer enforcement of our Nation's immigration laws, and we ask also for $147 million to continue the expansion of the program known as Secure Communities. This is where basically we put into local jails and State prisons immigration databases and training so that immigration status can be checked at booking and prior to release as opposed to what happened before, which was, of course, individuals would be released and then Immigration and Customs Enforcement (ICE) would somehow have to find them and pick them up.

Let me proceed quickly because I see my time is about up.

Cyberspace is a key concern. The reduction that you noted is, in essence, attributable to several things. One is there were some one-time expenses that we had last year that we do not need to duplicate in 2011. For example, the data center migration and integration that was paid for last year is underway, and we do not need to duplicate. We have also eliminated some earmarks that were added last year.

As I said in my earlier remarks, of the five major mission areas denoted in the QHSR, we specifically denoted the securing of cyberspace, which was the first time, I think, that any Quadrennial Review has actually mentioned cyber in such a specific way.

Under resilience to disasters, the President's budget request includes an increase in support for the Disaster Relief Fund (DRF). It also includes $100 million in pre-disaster mitigation grants, and I will be happy to discuss FEMA and the fire grants as well.

Chairman LIEBERMAN. Do not be pushed if there are some parts in the remainder of your statement you want to say on the record. We are following every word.

Secretary NAPOLITANO. I will try to do a dramatic reading of the budget.

Chairman LIEBERMAN. Good. [Laughter.]

Secretary NAPOLITANO. But I think we could have a conversation about the grants and what is contained in those numbers.

Last, we are, in essence, building the plane while we are flying it where DHS is concerned. It is a massive administrative undertaking which is far along but has a ways to go. And the mechanism to do that, the administrative infrastructure that will enable us over the long term to make even smarter, more effective use of our

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monies, requires some investment now. It requires the investment that Congress approved last year and accelerated last year for St. Elizabeths. It requires the ability to consolidate leases from 40 to 10 so that we can move people from being spread literally in four dozen buildings across this District into 10. Moving people does cost money, but over the long term we will save those lease costs. But you will see some of those expenditures reflected in this budget.

All I will say there, Senators, is that we are penciling every dollar in that area to see what we can do to make sure that this Department has a strong administrative infrastructure, which, as I suggested, over the long term will serve the Nation very well indeed.

So those, in essence, are a few of the highlights, and I tried to again respond to some of the issues that you raised in your opening statements in my comments. But I would be happy to answer questions and to have a dialogue with you on these and other matters.

Thank you very much again for having me today.

Chairman LIEBERMAN. Thank you very much, Madam Secretary. We will do 7-minute rounds of questioning in this first round.

I want to go to the $200 million in the Urban Area Security Initiative grant program that Senator Collins referred to, which is in the budget to provide security in communities hosting terror-related trials. One of the parts of my opening statement I omitted was to state what I think you know, Madam Secretary, which is that I have been strongly opposed to trying suspected terrorists in Article III civilian Federal courts. So with that background, let me begin with a familiar question you were asked in another regard. Were you consulted about homeland security risks or costs of providing security for the 9/11 trials in New York City before the Attorney General made that decision?

Secretary NAPOLITANO. Mr. Chairman, we were not consulted before, but we have been part of a process to do cost estimates of what the security costs would be after the decision was made.

Chairman LIEBERMAN. And, therefore, am I correct in concluding that the $200 million figure is a figure that you participated in? In other words, how did you arrive at the $200 million for the coming fiscal year to provide security for terror-related trials?

Secretary NAPOLITANO. There were personnel from the Department who participated in a cross-government effort to estimate what the security costs would be, and the $200 million figure was derived in part from those estimates. But they are estimates, as all budgets are.

Chairman LIEBERMAN. I believe I am correct that Mayor Michael Bloomberg and Commissioner of Police Raymond Kelly in New York both said that New York itself would require $200 million in the coming year if the trials went forward there. So is the $200 million that is in this budget just for the terror-related trials of Khalid Sheikh Mohammed (KSM) and the other 9/11 accused, or is it more than that?

Secretary NAPOLITANO. Mr. Chairman, I believe the $200 million figure was done as a result of the estimate on the KSM trial.

Chairman LIEBERMAN. For New York. In recent weeks or at least the last couple of weeks, there have been some statements and cer-

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tainly some rumors that the Administration is reconsidering the question of trying Khalid Sheikh Mohammed and the other 9/11 conspirators in New York City. Have you been brought into those discussions in terms of the homeland security implications of that decision?

Secretary NAPOLITANO. I have not personally participated in any discussions in that regard.

Chairman LIEBERMAN. And there have even been intimations that there has been a decision not to go forward with the trials in New York City, but I take it from what you have said, if that is the case, you have not been informed of that yet.

Secretary NAPOLITANO. I do not know that such a decision has been reached, but, no, I have not personally been involved in those discussions.

Chairman LIEBERMAN. And I presume that if the decision was made to take the Khalid Sheikh Mohammed trials out of New York City and, for instance, bring him before a military commission and do it at the facility at Guantanamo, to put it in the most conservative way, it would not cost $200 million?

Secretary NAPOLITANO. I would think wherever the trial is held, Mr. Chairman, that we would want to continue to assess what the true costs are.

Chairman LIEBERMAN. Yes. But probably, if it was held on a military base, for instance, it would cost a lot less.

Secretary NAPOLITANO. Again, I think you would do a reassessment.

Chairman LIEBERMAN. Obviously, my point is that if the trial of Khalid Sheikh Mohammed is moved from New York City, insofar as our Committee and the Appropriations Committee are concerned, that hopefully would mean that there would be $200 million that could go back into the Urban Area Security Initiative grant program for a lot of cities and towns across America. But go ahead if you want to respond to that. That is my conclusion.

Secretary NAPOLITANO. Well, let me, if I might, explain what we did with the grants overall because I mentioned earlier that what we have been trying to do is really look at how we make smart and effective use of the dollars we have. And one of the things that we heard from governors and mayors is they wanted us to streamline, to eliminate redundant grant reports and grant applications. They wanted more flexibility in how grant monies could be used. And so that is exactly what we did. We consolidated a number of grant programs so that States and localities could, I think, eliminate, quite frankly, some of their grantmaking overhead, certainly some of their reporting overhead.

We also expanded the flexibility of how those monies could be utilized. For example, in the past, Federal grant monies could not be used to maintain equipment, so every year monies would be put in the budget to buy new equipment; whereas, in fact, it would be a better decision to maintain the equipment that already had been purchased in earlier years. So we expanded, to the maximum extent we could under the law, the flexibility in the grant programs.

So when I am asked if that grant program disappeared or that program disappeared, well, no. They were consolidated, and they were consolidated for a reason.

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Chairman LIEBERMAN. Understood. Let me begin another line of questioning, and perhaps others will pick it up or I will in a second round, and that is about this report, which I thank you for because for the first time we have some hard numbers about the number of contract employees of the Department of Homeland Security, and the shocking thing to me was that it is almost as many and maybe by some counts more than the full-time Federal employees. My guess is we would find this in other departments. I do not know whether the balance would be the same, but anyway, I applaud you for this Balanced Workforce Initiative that you have started.

Can I assume that you had the same reaction Senator Collins and I did, which was the fact that there were 200,000 people working under contracts for the Department of Homeland Security in addition to the almost 200,000 full-time Federal employees really was a shocking number.

Secretary NAPOLITANO. It is a high number.

Chairman LIEBERMAN. Yes. Would you say that it is too high from what you know at this point?

Secretary NAPOLITANO. I think the number illustrates a problem or an issue that we have to work through. The Department was stood up quickly, and in order to accomplish the many missions that it has, getting contractors was a mechanism to be used. We are, as you know, working on an initiative to reduce that ratio. Indeed, our chief human resources officer is meeting with John Berry, the Director of the Office of Personnel Management (OPM), today about how we speed that up. And in the cyber area, we have already received direct-hire authority for up to 1,000 cybersecurity individuals over the next 3 years.

Chairman LIEBERMAN. Good.

Secretary NAPOLITANO. One of the real problems we have across the government is the length of time it takes to hire a Federal employee, the on-boarding time. It is way too long, and I think it is because a number of things have been added to that process over time. It is overlong, it is too costly, and it means that not only at DHS but at other departments, you receive these kinds of numbers.

I know that OPM is working on an initiative, the White House is working on an initiative to see what we need to do to really dramatically reduce the time it takes, not just to identify somebody that you want to hire but to actually get him on board and working.

Chairman LIEBERMAN. Yes, I could not agree more, and if there is anything we can do legislatively to support that effort, we would be happy to do so. But the numbers here are astounding, and obviously, if you have a short-term need for an employee, then it makes sense to do it by contract. But to do it by contract for what is really a full-time, long-term Federal employee because the current process for hiring permanent Federal employees is cumbersome is just not acceptable, and we have to work together to stop that and cut that down. And I think in the end, you will be more effectively in control of the Department and will be saving the taxpayers' money.

Senator Collins.

Secretary NAPOLITANO. I agree.

Senator COLLINS. Thank you, Mr. Chairman.

Madam Secretary, it is a safe assumption that Congress is not going to appropriate $200 million to try Khalid Sheikh Mohammed in New York City. It is not going to happen. So accepting that assumption, if you would, I want to talk to you about your priorities for reallocating that funding.

You mentioned—and you are absolutely right—that the Coast Guard needs recapitalization, but the Coast Guard also needs people, and decommissioning five of the Coast Guard's 13 elite Maritime Security and Safety Teams (MSST) that protect waterfront cities makes absolutely no sense given the threats to our ports. It does not make sense—even if the net reduction is 773, that is still enormous—to proceed to reduce the uniformed personnel who are the ones who do port security, who conduct search and rescue missions, by more than 1,100 people.

So, accepting my assumption that there is no way that Congress is going to appropriate $200 million to try Khalid Sheikh Mohammed in civilian court in New York City, and you are, therefore, going to have some significant funds to redeploy, would restoring funding for the Coast Guard rank high on your priority list?

Secretary NAPOLITANO. Senator, that is a difficult question. We obviously believe and the President believes that in fiscal year 2011, we are going to have terrorist trials in the United States, and there will be security costs that accompany those trials. Those security costs need to be estimated in some place in the Federal budget. They have been estimated and placed in the DHS budget.

As I acknowledged to Chairman Lieberman, if the trials are moved from New York City, nonetheless, there will be costs associated with those trials.

So I must set aside the presumption. I will say, however, Senator, that we have worked with the Coast Guard, with the Commandant, very carefully on looking at how we in this restrained budget era make sure that we are focused on the recapitalization issue in the appropriate way. And as I said in my opening statement, the majority of the reductions are associated with some of the decommissioning.

May I speak to the regional MSST teams?

Senator COLLINS. Could I just clarify a point first? That is, it was my understanding in response to the Chairman that you said that the $200 million was just for the trials in New York City. Is that not correct?

Secretary NAPOLITANO. I said that was an estimate based on the assumption of the trials there. But wherever the trials are held, one can assume there will be attendant costs.

Senator COLLINS. There will be costs, but there will not be $200 million worth of costs, which is the estimate for New York City alone. So I think it is evident that you are going to have at least half that amount of money and perhaps much more available. And I would urge you to take a look at the Coast Guard. The Coast Guard has been the premier agency time and time again, whether it is responding to Hurricane Katrina or Haiti, and we will seriously undermine the ability of the Coast Guard to perform both its traditional missions as well as its homeland security missions if these cuts go forth.

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I cannot believe you really want these cuts for the Coast Guard. I know how highly you think of the Coast Guard.

Secretary NAPOLITANO. Senator, I think the Coast Guard is one of the most underappreciated assets of this country. They were first to Haiti. We know what they did in Hurricane Katrina. But they perform duties not only around the coasts of the United States but, indeed, around the world. So you will have no argument from me there.

But if we are in a restrained budget environment, do we keep going where we are going or do we cut some personnel in order to pay for, for example, HEC No. 5, and that was the decision made in conjunction with the Commandant.

Senator COLLINS. This Committee worked very closely with the Department's Inspector General (IG) in the wake of Hurricane Katrina, and working with the Inspector General, we were able to identify nearly $1 billion in wasteful and fraudulent spending, which is clearly unacceptable. The Inspector General has told us that the budget that you are presenting would "significantly inhibit" his ability to carry out the operations of his office and to lead the fight on waste, fraud, and abuse.

Under a new law that this Committee authored, the comments of the IG are supposed to be submitted as part of the budget. In this case, apparently there was a timing issue with the Office of Management and Budget (OMB), and the comments were not submitted. But the Inspector General has expressed concern to us.

Judging from the reaction on your face, it looks like you may not be familiar with this.

Secretary NAPOLITANO. Well, I am very familiar with the IG's budget request in 2011, and I can address that. I have not seen his comments. But let me, if I might, Senator, simply say that the request for fiscal year 2011 is basically a flat-line budget from fiscal year 2010. We did not reduce the budget. We did make one adjustment, however. There were some monies somehow that were put or used in the IG budget that came, I believe, from the DRF.

Senator COLLINS. The DRF, correct.

Secretary NAPOLITANO. And in my view, in terms of honest budgeting, that needed to stop. And so we did not move monies from the DRF to the IG budget, but their actual budget should keep them basically the same level as 2010. And as you know, in 2010—and I believe in 2009 before I was here—they received significant increases.

Senator COLLINS. Because they have a significant mandate with a big department——

Secretary NAPOLITANO. Indeed.

Senator COLLINS [continuing]. And a lot of programs that have been vulnerable.

Thank you, Mr. Chairman. I have many more questions, but I will wait for the second round.

Chairman LIEBERMAN. Thank you very much, Senator Collins.

The other Senators on the list, some of whom have left and may return, but I will indicate for their information in order of arrival: Senators Akaka, McCain, Tester, Carper, Pryor. Senator Akaka.

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OPENING STATEMENT OF SENATOR AKAKA

Senator AKAKA. Thank you very much, Mr. Chairman, and I also want to add my welcome to Secretary Napolitano.

DHS's proposed fiscal year 2011 budget highlights the Department's efforts to improve its operations, strengthen its management, and put resources where they are needed most. In particular, I am pleased that DHS is making it clear that investing in its workers is critical to protecting the Nation. I have long advocated increasing and improving supervisor and leadership training, and I am glad that DHS is making this investment.

I am also pleased that DHS is reducing its dependence on contractors, which has been mentioned this morning. By ensuring that contractors are not performing inherently governmental work, the Department will build its internal capacity, improve accountability, and speed its integration.

Madam Secretary, the Department's budget requests $24 million to strengthen the capacity and capabilities of the Department's acquisition workforce, which includes the recruitment and the hiring of 100 additional interns.

What is your strategy to ensure that there will be veterans and a diverse pool of applicants for these positions? And what is your long-term plan to ensure that DHS retains these new hires?

Secretary NAPOLITANO. Thank you, Senator Akaka. We have a very aggressive plan for diversity and veterans hiring, and it is something that I personally feel very strongly about. The Department does need more diversity, particularly at the upper levels, and so our chief human resources officer is tasked with making sure that plan is carried out. And, indeed, our supervisors are being evaluated in part on how successful they are in reaching out to diversify our workforce and to bring veterans on. That is the bringing-on part. And, again, with regard to the on-boarding issue, I must say one of the surprises I have encountered moving from State to Federal executive office is the length of time it takes to bring on an employee on the Federal side, and it is slowing down some of those very important efforts. But we are working our way through it, and we look forward to working with the Congress on how we can improve the overall situation.

In terms of retention, part of retention, of course, is having a career path once you are in the Department, and we are working, particularly in some of our operational components, to improve and clarify and in some places create a real career path within the Department. And part of it also involves making sure that people are recognized for the work that they do. We hold them to high standards. We are quick to criticize. We also need to be quick to praise.

Senator AKAKA. Madam Secretary, in 2009, Senator Voinovich and I held a hearing on the Federal veterinarian workforce and the gaps that could hamper the government's ability to respond to dangerous foreign animal disease outbreaks. At our request, the Office of Personnel Management, along with DHS and other agencies, has been working on fixing these gaps. I was troubled to learn that DHS no longer has a Chief Veterinary Officer to help address these issues and perform high-level coordination with OPM and other agencies.

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How does the DHS plan to coordinate with partners across the homeland security enterprise on these issues?

Secretary NAPOLITANO. Well, Senator, I think there are two areas. You are right to designate this, and particularly I can imagine for Hawaii, for example, this could be very catastrophic in the animal population. Both through our Office of Health Affairs and in our Office of Science and Technology, we have across those two agencies really tasked the job of biological, agricultural, food supply chain integrity, and that is where the veterinarian population will fit in. We need to, obviously, keep working in this area to make sure we have qualified personnel on board.

Senator AKAKA. Madam Secretary, the 2011 budget submission shows no increase in funding for the Federal Protection Service (FPS), and the Department proposes to remove the FPS staffing minimums that Congress put into place to address the severe staffing shortage. This concerns me. The Government Accountibility Office (GAO) repeatedly has found troubling workforce and security problems at FPS.

In light of these longstanding challenges, please discuss how the Department plans to make sure that Federal employees and facilities will be sufficiently protected under the Department's budget submission.

Secretary NAPOLITANO. Senator Akaka, this year we did an internal review of FPS. One of the things we have done, of course, is to move it into the National Protection and Programs Directorate (NPPD). I think it is better placed there than where it was before. That movement is occurring, and it has given us the opportunity to really look at how FPS works, how officers are trained, what standards they are held to, do we have the right numbers in the right places. And the 2011 budget request reflects where our FPS plan stands and what we think we need for FPS.

Senator AKAKA. Thank you very much for your responses. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Akaka. Senator McCain is not here. Senator Tester.

OPENING STATEMENT OF SENATOR TESTER

Senator TESTER. Thank you, Mr. Chairman, and I want to thank Secretary Napolitano for being here today to explain the budget. I particularly appreciate the words you used in your opening statement where you are "penciling every dollar" and trying to make sure we are getting the biggest bang for the buck. Along those lines, also in your opening statement you had said that the Southern Border will not receive any reduction in personnel, but the Northern Border—and I paraphrase—congressionally mandated goals with the Northern Border, which tells me that the 180 or so patrol members are going to come off the Northern Border. Would that be accurate?

Secretary NAPOLITANO. No, that would not be accurate. The congressionally mandated number for the Northern Border is above 2,000—2,133 or something. I do not have it, but it is a little bit above 2,000. We are on target. We will keep those numbers. We will maintain those numbers. We are making that 187 reduction, as it were, by looking at some other areas of the Border Patrol

where we can account by way of attrition, by way of moving people around. But, Senator, both the Southern Border and the Northern Border efforts will be sustained, and the congressionally mandated numbers will be met.

Senator TESTER. So what you are saying is that the request is for $250 million less, and in this time of budget deficits, I am appreciative of that, personally, as long as it is the right thing to do. If there is not going to be a reduction of Border Patrol agents on the Northern and Southern Borders, where are we going to pull them out of?

Secretary NAPOLITANO. We can show you a staffing plan, but part of it is some administrative attrition that we are not going to replace. Some of it is reduction in training personnel, things of that sort.

Senator TESTER. Which does bring me to actually the real point of this. The agency was asked to give a report not later than January 15, 2010, as to what your initiatives, staffing, funding, assessment of investment initiatives, and those kinds of things. When can we anticipate that report? Because that report from your perspective and from mine is very critical as to knowing which way the agency is going to go and how it is going to meet the needs of the Northern and Southern Border ports, etc.

Secretary NAPOLITANO. Senator, let me confess, I do not know. Did this Committee request the report?

Senator TESTER. Actually, it was an Appropriations Committee request. We can follow up with you on it.

Secretary NAPOLITANO. We can follow up with you on that. I believe that report is available and has been made available, so let me double check.

Senator TESTER. That would be great. I want to talk about the National Bio and Agro-Defense Facility (NBAF) a little bit, one of my concerns, actually. Right now, the President's budget does not have any requested funds for NBAF. I have been told by my staff that a DHS budget briefing document says that about $40 million in unobligated funds will be used for NBAF.

I guess the first question I would ask is if there is $40 million in unobligated funds that can be used for NBAF, are there any more unobligated funds? If so, how much is in this budget?

Secretary NAPOLITANO. In the DHS budget, I will have to get the number for you, but that $40 million will be paired with $40 million from the State of Kansas and will allow the process to proceed with construction in 2011, pending, of course, receiving in August a satisfactory review by the National Academy, as required, I think, by an amendment you offered last year.

Senator TESTER. That is correct. And you anticipate that risk assessment will be done when?

Secretary NAPOLITANO. My understanding is by August 2010.

Senator TESTER. All right. And so as we move forward—it is curious. Can you tell me why there were no funds obligated for this? We have been talking about this NBAF since I got here 3 years ago. Why was it done this way? Why was it zeroed out and then you are using unobligated funds for it?

Secretary NAPOLITANO. You probably need a budgeteer at the table, but there are unspent funds and then there were funds—

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originally the idea was to use the sale of Plum Island to fund the construction of the NBAF. Plum Island has not yet been sold, but Kansas has now made a substantial investment. We moved unobligated funds in order to match that investment so the project can move along.

Senator TESTER. If that risk assessment comes back and it does point out that NBAF poses a problem, a significant danger, are you willing to reconsider the siting in Kansas?

Secretary NAPOLITANO. Senator, I do not think that is what it is going to come back with because that work was done prior to the decision made to move the NBAF and where to locate it. But I think new and substantial information, of course, would have to be considered.

Senator TESTER. I will continue to express my concern, and not because I do not like Kansas. I think Kansas is a great State. It is just that building a facility of this nature in the middle of Tornado Alley does not compute in my head as a production agriculture guy. I just want to make that clear.

Secretary NAPOLITANO. Understood.

Senator TESTER. Another issue, and then I will turn the microphone over. The Montana Department of Commerce has been getting information, as well as the University of Montana, on Canadian-U.S. border crossings, the number of cars that are coming across. They use this data on a semiannual basis to develop tourism plans, to develop private sector business plans for businesses that depend on tourism in the State of Montana.

Recently, at least during the last year, late last year, they could not get it locally. They could not get it regionally. They had to go get that information from some folks in Washington, DC. And, in fact, I am not sure that they ever could get it.

What we were told was—and let me see if I can find the exact statement. We were told that the senior staff at the customs office of field operations has been tasked with drafting new rules regarding the release of very simple information. On the Northern Border, if I have any complaints—and there are a few, and you are doing a great job, but there are a few—it is with communication. It is communication with local law officials. It is communication with highway patrol. It is communication with everybody. Because I think the more eyes you have on the border, the better off you are. I think we get a big bang for the buck for it. I understand there are security concerns.

But this particular issue is once again communications, and it looks like the Department is pulling back on information that, quite honestly, does not make a hill of beans as far as the security of this country. They are pulling back because they should. Are there not better things for some of these folks to do than that?

Secretary NAPOLITANO. Senator, that question is making my hair go on fire. Yes, we should be sharing that information.

Senator TESTER. Thank you.

Secretary NAPOLITANO. We will get it out—we will work with you on that, and I will check into that.

I would note, however, the President's nominee to actually head Customs and Border Protection (CBP) is still awaiting a Committee

hearing, and any assistance the Committee can give to help us fill that important position would be much appreciated.

Senator TESTER. I agree the unnecessary holds on many people are getting on the verge of ridiculous from my perspective, so I appreciate your concern over that. And I want to thank the Chairman for the opportunity, and I want to thank you for your service, Secretary Napolitano. We very much appreciate it.

Secretary NAPOLITANO. Thank you, Senator.

Chairman LIEBERMAN. Thanks, Senator Tester. You know, I was about to run for the fire extinguisher there.

Secretary NAPOLITANO. Yes, well, it is——

Chairman LIEBERMAN. I am glad it was a metaphor you were using. But I understand your displeasure, and it was appropriately stated.

Senator Carper.

OPENING STATEMENT OF SENATOR CARPER

Senator CARPER. Thanks very much. What happened to your foot?

Secretary NAPOLITANO. I broke my ankle playing tennis.

Senator CARPER. Did you really? Did you win?

Secretary NAPOLITANO. I do not think the shot even went in, to add insult to injury. [Laughter.]

Senator CARPER. Thanks for coming off the disabled list to be here with all of us today, and thank you also for your service.

Do you know whose birthday we are celebrating today? A guy who was born—I will not say how many years ago, but he was born on February 24, 1942. He actually sits on this panel. Do you know who that might be?

Chairman LIEBERMAN. It is not George Harrison, who also has a birthday today.

Senator CARPER. It is our Chairman.

Secretary NAPOLITANO. Happy birthday, Mr. Chairman.

Chairman LIEBERMAN. Thank you very much.

Senator CARPER. My wife said to me the other day, Secretary Napolitano, that she had seen Senator Lieberman. She said, "He looks better than I have ever seen him look." And I said, "Senator Lieberman?" [Laughter.]

He used to look really good. Actually, he still does. So happy birthday, pal.

Chairman LIEBERMAN. I am just going to sit here and blush. Thank you.

Senator CARPER. Very nice of you to join us on this birthday.

On a more serious note, there was some earlier discussion on trying terrorists in this country, and it is my understanding that we have done a few of those, and I do not recall how many. Do you have any idea how many terrorists we have actually tried in this country, we have imprisoned in this country?

Secretary NAPOLITANO. Senator, I do not have the numbers off the top of my head, but——

Senator CARPER. I understand it is quite a few.

Secretary NAPOLITANO [continuing]. We have a clear track record on doing it. A clear track record of successfully trying them here and getting substantial sentences here, and the most recent exam-

ple—not a trial, but the most recent example, of course, was Najibullah Zazi, who pled this week. And I understand that the plea will have a life sentence.

Senator CARPER. We like to learn from our mistakes. What have we learned from the trials of terrorists that we have actually held here and the folks we have imprisoned here?

Secretary NAPOLITANO. Senator, I think that is probably a question better addressed to the Attorney General. It is his responsibility to make sure that these individuals are brought to justice. I will just simply say as a former prosecutor myself, both in Federal and State courts, that I am very confident in the American system of justice.

Senator CARPER. All right. I have a question I am going to submit for the record regarding the Administration's proposal on grant programs to aid local firefighters and first responders. Others have expressed a concern with that proposal. I have, too. So you can look forward to that question, and I would appreciate your prompt response.[1]

Turning to another subject now, I have always felt that it would be hard to make much progress on comprehensive immigration reform until the Congress and, frankly, our constituents felt that we had done all we could to secure our borders. But I have been disappointed that we have not been able to effectively control the illegal activity that occurs along our borders. I think, in part, that we are doing a better job due to your great efforts as a former governor. And I know you have been very involved in this. But I think the continued failure to do even better can be attributed to what I am told is the poor performance on an information technology project called the Secure Border Initiative network (SBInet). And I understand that the Department that you lead began the overall Secure Border Initiative in 2005, and to date, we have spent about $3.7 billion. Some of that money has been spent on things like fences and barricades. In fact, I was actually down a couple of months ago and looked at some of those fences and barricades and talked to the folks who work down there.

But I understand that a significant portion of the spending, that $3.7 billion, has gone toward technology, and I am told that this investment has not worked out nearly as well as we had hoped.

To the best of your knowledge, why is this investment experiencing so much difficulty, so many setbacks? When do you expect that the technology will be effectively deployed across our southwestern border and maybe along some other stretches of our international border?

Secretary NAPOLITANO. Indeed, and you are right, Senator, that border security involves boots on the ground; it involves technology; it involves actions also in the interior of the United States to reduce demand for illegal labor and illegal narcotics.

With respect to technology, if I might, in the budget request, you will see money for what is called SBInet. This was a project begun years ago to basically build towers along the Southwest Border that would facilitate the ability to detect moving individuals, not ani-

[1] The response from Secretary Napolitano appears in the Appendix on page 102.

mals that go back and forth across that border but individuals, so that the Border Patrol then could go out and pick them up.

The project had, I think, several major failures, and we will in this budget complete the first tranche of it, which is in Arizona. First of all, operations was not fully integrated in the project design, so it was not really matched with how the Border Patrol really works and what actually happens. Second, it is a very rough area of the country, and there are lots of logistical issues with the kind of project they had in mind and the vendor had in mind. Third, there have been in some instances environmental and other concerns with building large towers all along the border, which have been problematic to the individuals who live at the border.

Every major deadline has not been satisfied, and I am not satisfied with SBInet. So what I have done this year is to say we will finish Section 1, but before we go across that border with these big towers, SBInet, we are going to re-evaluate how those technology dollars are used and whether there are other technologies perhaps that have been developed since SBInet was contracted that would be more mobile, better, easier to maintain, and easier to operate.

So we will complete the first tranche. We will continue to invest in things like mobile radar at both the Northern and now Southern Borders. We are adding not only BEST teams but also more canines and other types of protection at the actual ports of entry. But between the ports, I think we need to really look this year at what our technology dollars are buying and are we better off continuing what was contracted for a number of years ago or recalibrating.

Senator CARPER. All right. I think we are all in favor of using technology to complement, to supplement the work that is being done by boots on the ground. I just want to make sure that when we spend that kind of money, it actually works.

Secretary NAPOLITANO. Right.

Senator CARPER. The second subject—as you know well, our government information systems are constantly under attack by hackers, criminals, and even other sovereign nations. I believe that the Department of Homeland Security plays a role in helping to protect other civilian agencies by providing an extra layer of defense on their networks through a program known as Einstein. However, I understand that most civilian agencies are not being monitored by this program despite our previous investments and that this year's budget is being deferred to fund what have been characterized as higher cybersecurity efforts.

Can you elaborate more on why additional funding for Einstein is being deferred despite agencies still not being protected? I recall being told a couple of years ago that this program was absolutely essential. And, last, could you take a minute or so to explain what the Department's higher cybersecurity priorities are?

Secretary NAPOLITANO. Senator, let me be careful in my answer here because I do not want to stray into some classified issues. I will share with you, as I shared earlier, that what looks like a reduction in cybersecurity really is not. It is the elimination of some one-time expenditures that we had last year and some earmarks. We continue to view cybersecurity as one of our top five mission priorities in the homeland security enterprise. We have restructured and streamlined how cybersecurity is done within the De-

partment. And we have the dot.gov and the dot.org and dot.com intersections to work on.

We are moving forward with different types of detection and protection technology, and beyond that I think I should not stray in an open setting.

Senator CARPER. I am going to follow up in writing on the same question——

Secretary NAPOLITANO. Please.

Senator CARPER [continuing]. And ask you to respond, please. And I will certainly follow up with respect to the funding for the firefighters and the first responders. Thanks for being here. Thanks for your good work.

Secretary NAPOLITANO. Thank you.

Chairman LIEBERMAN. Thank you, Senator Carper, both for your astute questioning and your kind words about my birthday.

I want to come back briefly to the question of the large number of employees of the Department that are contract employees and just ask you to give us a bit more detail on how this Balanced Workforce Initiative is going to go forward within the Department. Are you going to look across the Department, or are you going to focus on some sections where you think there is the most obvious need to convert positions from contract to full-time Federal equivalents?

Secretary NAPOLITANO. There are some areas where it is more clear and easier to convert, and there will be some prioritization there, Mr. Chairman. But we are asking all of our components and directorates to participate in the initiative and to identify areas that ought to be part of a conversion plan, if not this year, in the out-years.

Chairman LIEBERMAN. Do you have a sense now of what areas of the Department are using contract employees most?

Secretary NAPOLITANO. I think we can set aside Coast Guard and Secret Service.

Chairman LIEBERMAN. Right.

Secretary NAPOLITANO. I believe we are using contractors in the Transportation Security Administration (TSA), in CBP, and, to some degree, in ICE, particularly in the detention area, would be one area I would point out.

Beyond that, Mr. Chairman, I will provide you more specific information.

Chairman LIEBERMAN. I appreciate that. That is important, and we look forward to working with you on it.

I want to focus in on the Secret Service. I have had some concern for a while based on a National Security Agency (NSA) Blue Team evaluation of the information technology (IT) infrastructure at the Secret Service, which said—and it is more than a year ago; I do not remember exactly how long ago—that the NSA found that the Secret Service systems, IT systems, were fully functional only 60 percent of the time when they did the Blue Team's analysis compared to industry and government standards that are around 98 percent generally, and they recommended 30 critical reforms.

According to the supplemental budget document submitted to Congress last year and the agency's 5-year plan, the Secret Service was expected to receive $187 million in fiscal year 2011 toward the

problems identified with their IT. Unfortunately, the budget as submitted by the President cuts that down to $69 million, or roughly one-third. I do not know whether you have the details on this, but obviously we have here a premier law enforcement organization in our country, which is responsible for the security of the President, the Vice President, and other officials of our government, and they have to have better IT than they have.

Are you familiar with the problem generally? And why did the amount of money get cut back from what we thought it would be last year?

Secretary NAPOLITANO. Again, this is an area where we can provide you more detail in a non-public setting, Mr. Chairman. But part of it is a reassessment of how much IT would actually cost and also what can be purchased and what is needed on a priority basis.

Chairman LIEBERMAN. Well, we will keep following that one with you because that is a real concern.

I want to take the occasion of your appearance here to go back to something I think you and I have talked about. I guess in an earlier day this would have been called a pet peeve of mine, but it is the reluctance that I see within the Administration generally to use terms like "Islamist extremism" or "Muslim terrorists." In other words, we are at war, and part of the reason why the Department was created, obviously, was to defend the security of the American people in this war. And the Department has done a great job, and you have done a great job in the year you have been there. But it seems to me that we have to know our enemy, and my concern about it was aroused again in my membership on the Armed Services Committee after the Defense Department's internal review of the Fort Hood murders where the terms "radicalization" and "extremism" were used, but the term "Islamist extremism" was never used, even though all the record on Major Hasan is clear, which is that is what motivated him. And in this case, the Department of Homeland Security's Quadrennial Review is a very good document, but, again, there are a lot of references to terrorism and violent extremism, but there is not a reference to Islamist extremism or Muslim terrorism.

Personally, as you know, I have said this before, I do not think we do a favor to Muslim Americans or people who are followers of Islam anywhere in the world by not saying that this is an extreme expression, a violent expression of one of the world's great religions. It is not Islam as most Muslims practice it and as most of us who are not a Muslim know it.

So I know that there are other forms of terrorism that the Department has to be concerned about: White supremacist extremism or terrorism, animal rights extremism or terrorism, and even eco-terrorism. But that is not what we are in the war with now and what you spend most of your time defending against. So you happen to be here, so I am asking you: Has the Administration made a decision to avoid any public reference to violent Islamist extremism or Muslim terrorists—which is really why they are terrorists. That is what motivates them.

Secretary NAPOLITANO. No, there has been no such decision. The words that you refer to, "violent Islamist terrorism," is something

that we fight and deal with every day at the Department of Homeland Security.

Chairman LIEBERMAN. Right.

Secretary NAPOLITANO. There is no doubt about that. It was the motivation on December 25, 2009. It was part and parcel of the Fort Hood killings and other incidents that we have seen this year within the United States.

Chairman LIEBERMAN. Right.

Secretary NAPOLITANO. It is part and parcel of why we are working internationally to increase aviation security.

The QHSR is a different type of document, as you know—it is an overall vision statement—and we did not specify one type of terrorism or another because this Department, as you say, has to deal with many forms. But you are correct, there is violent Islamist terrorism, be it al-Qaeda in Pakistan, Afghanistan, Yemen, or anywhere else that is indeed a major focus of this Department and its efforts.

Chairman LIEBERMAN. Yes, and I guess I appreciate you saying that. My point is we should just not hesitate to say that. I mean, obviously, as the President and President Bush before him have said, we are not at war with Islam. We are at war with a particular extremist, violent terrorist expression, which is, in my opinion, a corruption, a perversion of Islam. And we ought to be willing to say so.

Secretary NAPOLITANO. Indeed.

Chairman LIEBERMAN. Thank you. Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

I want to return to the issue of the budget for cybersecurity because I am really concerned about this. Earlier this month, we saw Google turn to the National Security Agency to determine the nature of the sophisticated attacks that it had experienced, which apparently originated in China. But DHS is actually supposed to be the focal point for cooperation with the private sector.

We have our Nation's top intelligence official telling us that there has been an explosion of cyber attacks both on government computers and in the private sector. So when I hear that the cyber budget is cut by $19 million, it really concerns me, and I want to emphasize that I am still concerned even though you have described it as an area where the Department has been able to implement certain efficiencies. And to that I would say good for you, but that money needs to be reinvested to expand our capabilities because this threat is not static. When Dennis Blair testified before the Intelligence Committee, he listed cybersecurity as a top threat to our country.

So even if savings permit a more efficient operation within DHS, should we not be reinvesting these savings to expand our capacity?

Secretary NAPOLITANO. Senator, first of all, the data migration occurred. That was included in the fiscal year 2010 budget. The National Cybersecurity and Communications Integration Center has been opened. Some of the money that was in the cyber budget last year was moved to the Federal Law Enforcement Training Center because it is being used to train more individuals on how to do cyber forensics, which is an important part of the process. I

think there are a number of initiatives that are underway in the cyber area.

It is difficult where the intersection with the private sector is concerned. This is a challenge for us because we do not control them, we cannot tell them what to do, etc. But it is an area where I think over this next year we are going to see a lot of activity because when a company like Google basically says, "Help," then you know that it is starting to pierce the public's perception that this is an issue.

Another area that we are working on is improving individual, for lack of a better phrase, computer hygiene. Anybody that gets on the system is on the system, and we need to do a massive public education job in the next year or so about every individual's responsibility once they are on the system.

I think that it would be helpful perhaps to provide for you a classified briefing on all the cyber activities that are underway at the Department and how we are moving forward, if you think that would be of assistance.

Senator COLLINS. I do, and I would look forward to that. It has been some time since we have had that briefing. Your point is well taken. When Google is asking for help, you know that this is an extraordinarily sophisticated attack. And I worry that we are waiting for a cyber 9/11 before taking this as seriously as we must. So I look forward to that briefing.

I want to turn to the Administration's proposal that would make only the Southwest Border States eligible for Operation Stonegarden funds. This has been an extraordinarily successful, collaborative effort in my State of Maine. On the Northern Border, obviously, we have far fewer CBP officers than we do on the Southwest Border, despite the fact that the Northern Border is far longer than the Southwest Border. So you have a relatively lean Federal presence on the Northern Border. Operation Stonegarden has allowed the cooperation of county, State, and local law enforcement to help compensate for that lack of presence. And if, in fact, you are going to proceed with a reduction or redeployment of Border Patrol agents, it makes no sense at all to prohibit that collaboration funded by Operation Stonegarden on the Northern Border.

Let me just cite one example that both Customs and Border Protection officials and local officials told me about in Maine. There has been a fair amount of smuggling across the border of drugs and cash, and it was a Fort Kent, Maine, police officer participating in an Operation Stonegarden operation who was able to apprehend a suspect far from the confines of the town of Fort Kent because that officer was patrolling the area and the individual had $137,000 in cash that he was smuggling across the border. But for Operation Stonegarden, that Fort Kent police officer would not have been in that area near the border to apprehend this individual.

So I would ask you to take another look at the policy decision here, particularly if you are proceeding with the plan to reduce the overall number of Border Patrol agents. I do not agree with that decision, but to do both seems to me to be really undermining the border efforts.

When the Federal judges in Maine asked to meet with me to talk about border smuggling of methamphetamine, that was a real

alarm call. It was a real wake-up call as far as our need to redouble our efforts on the Northern Border. So I would ask that you take another look at what the combination of the policies in this budget would produce.

Secretary NAPOLITANO. Senator, I am happy to take a look at Stonegarden and how it can be deployed at the Northern Border. You are right about the methamphetamine issue. We see a lot of methamphetamien coming over the border from Canada.

I must disagree, however, and say once again that we are not reducing agents at the Northern or Southern Borders. We are doing some restaffing within the interior of the Border Patrol that, on a superficial reading of the budget, looks like we are reducing 187 agents at the border. We are not.

Senator COLLINS. Mr. Chairman, if I could just clarify that. I want to submit for the record the Department's own budget justification and read to you from it. I am not trying to be argumentative, but these figures——

Secretary NAPOLITANO. I know what you are reading, and I am glad you are because I want to correct it right now.

Senator COLLINS. Good because it is titled, "Reduction to Border Patrol Premium Pay and Agent Staffing—CBP requests a reduction of $31.7 million in premium pay and agent staffing." And it says, "It includes a staffing reduction, which translates into a decrease of 181 Border Patrol agents in fiscal year 2011."

That is your language, not ours.

Secretary NAPOLITANO. Senator, do not assume that 187 positions in CBP or Border Patrol, writ large, means at the Northern and Southern Borders. There are positions all over this country. There are positions that are not operational in nature. And there are attrition monies that we have that we can deploy.

I can tell you again, we are not reducing the numbers that Congress has asked to have at the Northern Border, nor are we at the Southern Border.

Senator COLLINS. But are you reducing the overall number of Border Patrol agents by 181?

Secretary NAPOLITANO. Are we making more effective and smart use of the monies you give to the Border Patrol by reducing and reallocating agents so they are actually at the border? Yes.

Senator COLLINS. I think it is great that you are getting people out of headquarters, but I need an answer. Are you reducing the overall level by 181 Border Patrol agents?

Secretary NAPOLITANO. Positions, but not agents at the border.

Senator COLLINS. Thank you.

Chairman LIEBERMAN. Thanks, Senator Collins. Senator McCaskill.

OPENING STATEMENT OF SENATOR MCCASKILL

Senator MCCASKILL. Thank you. I apologize. If it is any consolation, I was in an Armed Services hearing where we were having real fun with Blackwater contractors, so that is why I am late.

We have a problem, and I get it, but it is really a problem. And I do not know how we deal with this problem. In a county in Missouri, St. Francois County, we have over 11-percent unemployment. The local sheriff went out on a job site for a new hotel in St. Fran-

cois County and picked up 13 or 14 illegal immigrants that were working on the job site, evidently making $13 an hour. The sheriff called ICE and said, "What should I do?" And ICE, of course, told him to let them go.

Well, you can imagine what kind of furor this is causing in this community. One man was quoted in the local paper as saying, "I have lost my job, and I would love to have one of these jobs, and it just does not seem fair that nothing happens."

I understand that what we always try to do with all of the government agencies is say we want to give you less, but we expect you to do more. And I get that part. But this perception problem out there is a real issue that we need to figure out. And I know you have spent more time working on this issue than probably anybody in this building or any building within 10 miles of here because of where you come from and the problems with illegal immigration in Arizona.

But what really worried me about it is that nobody followed up with the employer. I guarantee you that those guys went back to the site and picked up their tools. Well, they did not pick up their tools because they thought they were going home. They picked up their tools because they were confident they could go somewhere else to another employer and get hired on, and that is what worries me, that we are not even making an investigative attempt to go after the employer when we have a situation like this with a local sheriff.

Secretary NAPOLITANO. May I clarify the record?

Senator MCCASKILL. Yes, you may.

Secretary NAPOLITANO. All right. First of all, there were two incidents in Southern Missouri that I am aware of—one was in St. Francois County; I think the other one was in Ozark County—where sheriffs went out and picked up illegal workers and then say that they called ICE and ICE was not there. I have talked to the Assistant Secretary of ICE about this situation. There is, as you might imagine, a very serious dispute by the ICE agents about what they told the sheriffs. And so we have a certain "he said, she said" aspect to this.

There is nothing that I think would be more aggravating to an American worker who has lost his or her job than to see somebody in this country working illegally at a job they could have. That is not an acceptable situation, and that is not what we are doing with illegal immigration enforcement and at ICE.

We have had over the last year a massive amount of workplace audits. They are called I–9 audits. We have increased the number of employers who have been sanctioned. We have deported more criminal aliens this year than ever before. We have removed more aliens from this country than ever before. Our numbers at ICE are unbelievable.

This situation in Southern Missouri, however, reflects, I believe, a communications issue with the sheriffs, with ICE, and, quite frankly, with the Missouri State Highway Patrol. The Missouri State Highway Patrol have a 287(g) agreement. They have the authority, absent an underlying State or local violation, to go pick up these people, as does ICE. So somehow we have to get those sher-

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iffs used to either asking the police or ICE to go out to get these individuals.

This does not preclude an I–9 audit of the employers who are involved. And I have spoken with the Assistant Secretary of ICE. He is in touch with the resident agent in charge in St. Louis, and they are not only willing to brief you, but to really get into Southern Missouri and see what is going on.

Senator MCCASKILL. I think Senator Engler, who is the State Senator from that area, deserves to be in on this conversation. I think that clearly there needs to be a better line of communication between the Missouri State Highway Patrol, the ICE office that was called, and the local sheriffs in Missouri. And it seems to me that is something we could get fixed. If the Missouri State Highway Patrol had the authority to come out there and get them——

Secretary NAPOLITANO. They do.

Senator MCCASKILL [continuing]. And I guess if they were not criminals, then what would they do with them? Hold them for a while, then let them go?

Secretary NAPOLITANO. Well, no. They have the authority to hold them so that we can remove them from the country.

Senator MCCASKILL. And I guess the other thing is that when those things happen, I would love to work with your folks in St. Louis because what I think would be important for the community to see is that something is going to happen immediately in terms of investigation of the employer—that kind of accountability, even if it is just saying we are sending somebody out to look at their employment records. But there seems to be a disconnect in terms of information being received on the ground and what you want the policies to be.

Secretary NAPOLITANO. Well, that occasionally happens, and when it does happen, I think it is fair to have it brought to our attention so we can fix it, and we will.

Senator MCCASKILL. Good. One of my favorite curmudgeons on television is Jack Cafferty. He is usually cranky——

Secretary NAPOLITANO. Yes, I have noticed that.

Senator MCCASKILL. And almost always funny.

Secretary NAPOLITANO. I have not noticed that.

Senator MCCASKILL. Well, I think he is funny. [Laughter.]

Senator MCCASKILL. You probably do not think he is funny after yesterday, but when the television is on in the background, my ears perk up when Cafferty comes on because he usually always makes me laugh or smile when he is making fun of the incompetence of our government in many different ways. And yesterday he did a piece that caught my ear because I knew this hearing was coming up.

You have asked for a lot of money for more scanners in this budget.

Secretary NAPOLITANO. Are you talking about the AIT machines? Which ones are you talking about?

Senator MCCASKILL. The Whole Body Imaging machines.

Secretary NAPOLITANO. Yes, well, that is the same thing.

Senator MCCASKILL. AIT, yes, 500 more. You have requested an additional $214 million on top of the request for 300 machines that

you had before. Obviously, we had a bunch of them in the stimulus act.

Secretary NAPOLITANO. Indeed.

Senator MCCASKILL. And, obviously, they are not out there yet.

Secretary NAPOLITANO. There is where the facts would be helpful for you to have.

Senator MCCASKILL. Once again, I am ready to be informed. And I will call Jack Cafferty.

Secretary NAPOLITANO. Well, here is what—how do I say this? Congress correctly put money in the stimulus act for AIT machines. They are the next wave of aviation security at our domestic airports. We want to deploy them even more quickly this year than we previously had planned. We have adjusted our plans in light of what we have learned. Also, the technology keeps improving.

We had to go from 0 to 60 in a very short time, design the Request for Proposal and competitively bid, which is, I think, a better way to do government than sole-source contracting. We went from 0 to 60 in months, and those machines are now built. We also had to work at the same time with airports to design how they would be reconfigured to take the machines because they do not occupy the same amount of space as a magnetometer. You need the space for the machine, and you need the space for where the reviewers are going to be. So there is construction work that is associated with putting an AIT machine into airports.

Those machines are moving out now. We can give you the delivery schedule. You will have gone with that Recovery Act money from almost nothing to hundreds of machines that are out and are going out as we speak.

The contracts are written such that as the technology improves, as the algorithms for detecting anomalies improve—and they will now because there is a worldwide market for these things—the contract requires that the vendor give us all of those improvements and that these machines be designed to be able to have those new improvements put in so that we do not have to continually come back and ask for new hardware to go with the software that we have.

I think from a government perspective, making sure it was competitively bid, good standards, working with where it has to go in, and all the rest, this is actually, I would say, one of the fastest projects I have ever seen at such a massive scale. So I would disagree with any characterization that there was an inefficiency here.

Senator MCCASKILL. And with that background, it does seem more reasonable, although to the average American, a year and a half——

Secretary NAPOLITANO. It was not a year and a half.

Senator MCCASKILL. Well, if they do not get out until June, I was under——

Secretary NAPOLITANO. No, they are starting now. But they are not all going out simultaneously. I mean, there is a schedule. And part of that is the airports have to be ready to receive them.

Senator MCCASKILL. Well, do we have the kind of airports ready to receive 300 that you have announced procurement of and another 200-some that you are asking for—500 more? So we are talking about 800 more in the pipeline.

Secretary NAPOLITANO. Right.

Senator MCCASKILL. Are they going to be able to get out more quickly?

Secretary NAPOLITANO. Yes.

Senator MCCASKILL. And are airports——

Secretary NAPOLITANO. Part of it is, again, Senator, you are going from 0 to 60, but once you have done that work—in fact, I met with the Airport Executives Association just this past week. That preparatory work either has happened or is underway. They know it is coming. But this thing all had to be knit together in an accelerated period of time. It is an important security project. It was an important job project.

Senator MCCASKILL. Well, I appreciate the explanation, and my hope is that when we check back in on this—if we get all of these machines in this budget and the ones we got last year—they are moving out as quickly as they are purchased.

Secretary NAPOLITANO. Senator, we would be happy, again, to provide you with a schedule or to brief you or your staff at your desire on what the plan is.

Senator MCCASKILL. Thank you very much. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thanks, Senator McCaskill.

You will be happy to hear, as the former Governor of Arizona, that I have been asked not to adjourn the meeting because the senior Senator from Arizona is returning.

Secretary NAPOLITANO. That is great. [Laughter.]

I am honestly not very mobile, so I am kind of here.

Senator COLLINS. I do not think that was a credible answer.

Chairman LIEBERMAN. We will wait just a minute because I have been told Senator McCain is outside in the hallway.

Maybe I can fill the time briefly by asking you about the cuts in the cybersecurity budget. I am particularly interested in and there was some mention of the Einstein program, the system of network sensors to protect the dot.gov domain. It looks like there is some decrease in funding for Einstein. Is that correct? If you know now. If not, obviously you can tell us.

Secretary NAPOLITANO. Mr. Chairman, we are moving ahead with Einstein and its successive iterations. Let me, if I may, again suggest that it might be an ideal time to do a classified briefing for the Committee on all of the cyber efforts.

Chairman LIEBERMAN. Good. That is very important.

Secretary NAPOLITANO. That might put it in context.

Chairman LIEBERMAN. Particularly as we work on cybersecurity legislation, so we will definitely do that.

Incidentally, for the record, I am going to give you a question which will bring both you and Senator McCain back home. I actually met a man recently who has a business in Nogales, Arizona, and he complained—and I bet you this will sound familiar—about the time it takes people to come across the border and the way in which it is affecting his business. So I am worried about the cuts

in CBP that may affect that. I will submit that question to you for an answer for the record.[1]

With that, I yield to Senator McCain.

OPENING STATEMENT OF SENATOR MCCAIN

Senator MCCAIN. I thank you, Mr. Chairman and Senator Collins. Thank you for your indulgence. Thank you, Secretary Napolitano. It is great to see you again. I know that you have been here a long time already. I apologize for the delays.

For the benefit of the Committee and for the record, describe to us, as briefly as possible, the incredible crisis that exists in Mexico and on the border, the struggle we are in with the drug cartels, and the threat that a takeover of Mexico, or at least of certain areas in Mexico, by the drug cartels poses to the government of Mexico as well as to the national security of the United States of America. And, by the way, I know you are very familiar with this issue.

Secretary NAPOLITANO. Very, and I was just in Mexico City again last week, and I had a very good meeting with the president there, as well as the Minister of Interior and the National Security Adviser in Mexico.

In my view, this is an urgent security matter. There have been some significant successes over the past years. There is significant work to be done. I think it is a fair assessment to say that the rule of law is missing right now in Ciudad Juarez and the state of Chihuahua. The Mexican Federales are inputting 2,700 more Federal police there. That may not be enough.

We are using every tool we have at our disposal to work with the Mexican government across the border, but particularly in that area, and then in the Sonora, Arizona, area, which continues to be the lead corridor for trafficking.

These cartels are big; they are organized. They have fingers that reach into hundreds of American communities. And there needs to be a sense of urgency about this, if for no other reason than because the presidency of Mexico will expire in another year and a half, and also because, quite frankly, people are dying.

But when you have that situation and you have these cartels, it requires a joint effort. By the way, Senator, I might say that it is not just the Department of Homeland Security in the Federal Government that is engaged now. There are other departments engaged.

Senator MCCAIN. So if the drug cartels succeed, then it would be just a matter of time before the violence spilled over onto our side of the border, not to mention the free, basically free, access they would have to bring drugs, as well as humans, into our country.

Secretary NAPOLITANO. We have not seen spillover violence in that sense yet. It is a risk. The ability to traffic in drugs causes its own damage to lives in the United States. Our ability to curtail that would be affected.

On the human-trafficking side, it is not solely illegal immigrants coming to work, but the ability of people from countries of special interest to immigrate into Central America and then be ferried up

[1] The response from Secretary Napolitano appears in the Appendix on page 84.

to the border and over into the United States that is also a concern.

Senator MCCAIN. People could come up through our Southern Border from countries of special interest?

Secretary NAPOLITANO. Potentially, yes.

Senator MCCAIN. Well, I thank you, and now I would like to ask you about the border fence issue. I know you have already been asked about this, and I am not blaming you, Madam Secretary, because I know this problem has been with us for some years. But this border fence issue has been a waste of billions of dollars. One huge effort failed several years ago, and now apparently this one has as well.

I asked the Chairman of this Committee if we could have a hearing about the border fence and the waste of billions of dollars in what appears to be an abject failure.

I quote from a news article from the Associated Press: "An ambitious $6.7 billion government project to secure nearly the entire Mexican border with a 'virtual fence' of cameras, ground sensors, and radar is in jeopardy after a string of technical glitches and delays."

I know you have been asked about that, but maybe you could talk to us a little more about it.

Secretary NAPOLITANO. I think we are talking specifically about SBInet, and what I have shared with the Committee is that the concept—we can debate the concept as originally designed, but the plain fact of the matter is that the major milestones embodied in that concept have not been met. Dates have not been satisfied. We will finish the first part of it because it is too far along to stop, and we should finish it.

But what I have done, Senator, is say, look before we say we are going to do this along the entire border plus the Northern Border, we need to re-evaluate and see if there is other, better, smaller, more mobile, easier-to-maintain, easier-to-operate technologies that will pair with our actual boots on the ground in a more effective way to secure that border between the ports of entry.

Senator MCCAIN. Is this not the second failure of a virtual fence over the past 10 years, I think?

Secretary NAPOLITANO. I do not know what you are thinking of as the first virtual fence.

Senator MCCAIN. A few years ago we had a contract, and they just were not able to succeed. We will go into that more, I think, in hearings.

Secretary NAPOLITANO. OK.

Senator MCCAIN. Now, I read that illegal immigration into Arizona and across the border has been reduced, right?

Secretary NAPOLITANO. The numbers of apprehensions are down, yes.

Senator MCCAIN. And you attribute that to, one, the economy; and two, better enforcement. And what do you see might happen when the economy recovers?

Secretary NAPOLITANO. I think we have to be thinking ahead when our economy recovers that we could see another major wave of illegal immigration, and we still want to drive those numbers down. So we are working in preparation. That is why not just stick-

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ing with the old technology but looking at other, better things to do needs to be done now. That is why improving the ports of entry and how we actually manage the ports of entry needs to be done now. That is why increasing work-site enforcement using I–9 audits, among other techniques, to cut down on that demand issue needs to be done now, and that is what we are doing.

Senator MCCAIN. Thank you. I would point out that only 53 miles of the fence is complete, and the contract was for up to 2,000 miles of fencing.

Secretary NAPOLITANO. Yes.

Senator MCCAIN. Mr. Chairman, again, 53 miles complete. The contract was for 2,000 miles, and we have spent I do not know how many billions. I guess we will find out.

Secretary NAPOLITANO. Mr. Chairman, you have two Arizonans who are joined in their frustration.

Chairman LIEBERMAN. Well, this is a welcome moment of bipartisanship here. [Laughter.]

Senator MCCAIN. I thank you, Madam Secretary, and it is good to have you before the Committee again. Thank you.

Secretary NAPOLITANO. Thank you.

Chairman LIEBERMAN. Thanks, Senator McCain. We got the request from you yesterday about the hearing, and the staff is evaluating it, but I think it is a good idea. We have done a couple in the past, but we have not done one for a while. So our staffs will work together on that.

Secretary Napolitano, thanks very much. It has been a good exchange. The bottom line, as I said at the beginning, I think this budget continues the Department moving forward. Obviously, we have some areas we are concerned about. We will continue to work on that with you.

As we have done in the past, we will probably end up making some recommendations on behalf of the Committee to the Appropriations Committee on the budget and hope that will be helpful to your leadership of the Department.

The record of this hearing will stay open for 15 days for any additional statements or questions. Do you have anything to say in conclusion in your defense?

Secretary NAPOLITANO. Happy birthday, Mr. Chairman. [Laughter.]

Senator COLLINS. Very smart.

Senator MCCAIN. A wise comment.

Chairman LIEBERMAN. Thank you very much. The hearing is adjourned.

[Whereupon, at 12:36 p.m., the Committee was adjourned.]

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APPENDIX

The Homeland Security Department's Budget Submission for Fiscal Year 2011
Chairman Joseph Lieberman
February 24, 2010

Good morning, Madame Secretary, and thank you for joining us today for our annual hearing on the Department of Homeland Security's budget – in this case for Fiscal Year 2011.

In less than a month, the Department will begin its seventh year of operations. Any legitimate assessment of its record would have to include a number of successes, including its important role in helping to stop the terrorist plot of Najibullah Zazi. But problems persist. And the threat from terrorists – both foreign and homegrown – remains as potent as ever.

Last year, although a dozen or so attempted terrorist plots against the American people were detected and disrupted, three succeeded – the murder of an Army recruiter in Little Rock, Arkansas; the slaying of 13 patriots at Fort Hood, Texas; and the near catastrophe on a Northwest airlines flight over Detroit on Christmas Day. Obviously, DHS shares responsibility with many others to prevent terrorist attacks - and a 100 percent success rate is an exacting standard to meet – but these incidents, along with the H1N1 pandemic, the increasing vulnerability of our cyber networks, and the tragic earthquake in Haiti underscore why the Department must continue pressing forward to strengthen its ability to detect, deter, prepare for, and respond to terrorist threats and natural disasters.

The President's 2011 budget for DHS starts with a 2.67 percent proposed increase in discretionary spending. At a time of historically high deficits, the proposed increase for DHS is testament to this Administration's commitment to the Department's critical mission of keeping our homeland secure.

Further evidence of the Administration's commitment to homeland security is the reversal of its FY 2010 projections for a steady decline in Department funding over the next five years. The FY 2011 budget now projects a small increase in DHS funding for the next five years, but the extent of this increase may depend on increasing aviation security fees. Without those fee increases, DHS's budget in future years will decline. For that reason, I will support a request to increase the fees.

I welcome the Administration's proposal to add $900 million to key aviation security programs, including money for more whole body imaging machines and the personnel needed to operate them. The failed Christmas Day terrorist attack is the most recent evidence justifying this increase, along with a boost in the number of Federal Air Marshalls, behavioral detection experts, and canine units. We know from hard experience that blowing up airliners continues to be a terrorist goal. Other forms of transportation must also be better protected, but aviation remains a priority target for terrorists.

I commend the Administration's efforts to improve the management of DHS as reflected by the review the Department is undertaking to evaluate the proper balance between the

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federal workforce and contractor support. Our Committee has long been concerned about DHS's heavy reliance on contractors because it raises the question of who is in control of the Department's mission. Astoundingly, DHS now has about as many contractors as it has federal employees - 200,000 - and that is an untenable balance. So, I'm grateful the new budget begins to reflect a conversion of key positions from contractors to DHS employees.

I also note with satisfaction the Administration's proposal to add money to the 2011 budget for the consolidation of DHS headquarters, which will keep the renovations of St. Elizabeths on track and allow the Department to find a facility for those components that will not be located at St. Es.

I am pleased the Administration is bumping up support for certain bio security initiatives. As you know, this too is a continuing concern for the Committee. Last year, we reported out the Weapons of Mass Destruction Prevention and Preparedness Act to strengthen security for the most dangerous bio pathogens and shore up our ability to respond to bioterrorist acts. The President is proposing to double the budget for the Biowatch system of biological pathogen detection sensors already operating in 30 cities. The new funds will expand coverage to more areas and allow deployment of 476 next generation detectors. Unfortunately, this increase comes at the expense of a 4.8 percent decrease for the Department's remaining public health and biodefense missions.

I support the President's request for $53 million for the Domestic Nuclear Detection Office to acquire hand-held or portable radiation detection equipment for DHS agencies next year. But I am concerned that Custom and Border Patrol's nationwide system of radiation portal monitors is not fully deployed. I'm also troubled that DHS has not developed a strategic plan of investments to systematically improve our domestic defenses against nuclear terrorism, especially in areas that lay outside of established ports of entry where an airplane, small maritime craft or motor vehicle could be used to evade fixed screening equipment.

After years of growing budgets for cyber security, these programs would be subject to a 5 percent reduction under the President's FY 2011 proposal. The Department has made a lot of progress due to past funding, but it still struggles to find skilled personnel to fulfill its mission in this area. Key information systems in the private and public sectors are penetrated every day, and our defenses against computer attacks and data theft undeniably need improvement. Senator Collins and I are working on comprehensive legislation to, among other things, strengthen DHS's ability to protect the nation's computer networks. We look forward to working with you on this and to making sure the FY 2011 budget cuts don't put us further behind the cyber security eight ball.

Also on the less than positive side, cyber security programs would be subject to a 5 percent reduction under the President's budget. Key information systems in the private and public sectors are penetrated every day, and our defenses against computer attacks and data theft undeniably need improvement. Senator Collins and I are working on comprehensive legislation to strengthen our ability to protect the nation's computer networks. We look forward to working with you on this and to making sure the FY 2011 budget cuts don't put us further behind the cyber security eight ball.

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I am also concerned about the budget for the Federal Emergency Management Agency, whose management and operations budget unfortunately remains static. FEMA still needs significant support to complete its transformation into an agency capable of responding to a catastrophe on a par with Hurricane Katrina. Even taking into consideration our overall fiscal problems, flat funding for FEMA is disappointing.

The Coast Guard is also stretched thin - responsible for carrying out a range of missions, from port security to disaster response, drug smuggling interdiction, and the protection of our maritime resources. I am pleased that the budget request funds additional, necessary Deepwater assets, but regret that it would cut the Coast Guard workforce by over 1,100 people, when the Coast Guard in my view needs reinforcement not retrenchment.

It is also disappointing to see funding cuts for homeland security grants of over $300 million or nearly 8 percent. Some of these cuts are masked by the inclusion of $200 million within the Urban Area Security Initiative grant program specifically for security surrounding terror trials. I oppose trying terrorists – who are enemy combatants – in civilian federal court. We are at war against al-Qaeda, its allies, and imitators, thus terrorist trials belong in a military setting. So, I am particularly troubled that so much grant money would be dedicated to this purpose.

Elimination of the grant program that Congress created in the 9/11 Act to promote communications interoperability among first responders and a program to prepare communities to handle mass casualties in a disaster are bad news in the President's budget. There is also less money available this year than in the past for port security and transit security grants, and these systems are still inviting terrorist targets.

A proposed 22 percent reduction in money for fire grants is also a mistake given the 31 percent reduction the program suffered in FY 2010. These grants provide critical equipment and training to communities throughout the country so that firefighters are prepared to respond to any disaster – from a local house fire to a large-scale natural disaster or a terrorist attack. These grants are cost effective and put the money exactly where it belongs – on the front lines of disaster.

Madame Secretary, I appreciate the difficult decisions that must be made in every budget cycle, especially this one. Overall, I believe the Department's budget will keep DHS moving forward, although we need to do much more than that. Be assured that this Committee will work with you on our shared vision of molding the many components of the Department of Homeland Security into a single, integrated unit focused every day on its chief mission to protect the American people.

Senator Collins?

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Statement of
Senator Susan M. Collins

The Department of Homeland Security's Budget Submission for Fiscal Year 2011

Committee on Homeland Security and Governmental Affairs
February 24, 2010

★ ★ ★

Budgets reflect our national priorities, and homeland security must rank high on our priority list. Last year I expressed concern about the budget cuts for the Department of Homeland Security forecast in the Administration's first five-year budget. Beginning in Fiscal Year 2011, the Administration had projected a declining budget that would have resulted in a total reduction of 4.5 percent.

But perhaps in response to the attempted Christmas Day attack and the numerous homegrown terrorist plots last year, the Administration has thankfully reversed course. The President's budget request would increase the Department's funding for next year by 2.6 percent. While this is a welcome change, the overall increase does not tell the full story.

Almost 20 percent of this proposed increase - $200 million - is dedicated to providing security in large metropolitan areas in the United States for the trials of suspected terrorists now held at Guantanamo Bay. These terrorists could be tried on military bases before military tribunals, without incurring this unnecessary expense and security risk. Given all the demands on the budget, why spend hundreds of millions of dollars to move the trials to vulnerable locations within the United States when there are safer alternatives?

There are far more urgent needs going unaddressed in the DHS budget. For example, the President proposes to slash the Coast Guard's funding by $75 million below last year's budget and reduce the number of uniformed personnel by more than 1,100 positions. Instead of wasting millions of taxpayer dollars on civilian trials in large American cities for the Guantanamo detainees, that $200 million would be better spent on the Coast Guard.

The Coast Guard took on an expanded homeland security mission after the September 11, 2001 terrorist attacks. While remaining responsible for its traditional missions, including life-saving search and rescue operations, the

Coast Guard now is also responsible for protecting our ports from a wide variety of threats, including the potential smuggling of weapons of mass destruction.

An attack on a major port would have devastating consequences, causing widespread loss of life. Because the ports are vital economic centers, an attack would also send ripple effects throughout our economy. As we look forward, it is clear that the Coast Guard's role in homeland security missions will only expand.

The extraordinary performance of Coast Guard men and women in response to the earthquake in Haiti stands as the most recent reminder of how much we need this vital service. As Commandant Allen noted in his final State of the Coast Guard Address, Coast Guard personnel are the "federal first responders for the nation." We cannot compromise the swiftness and flexibility of the Coast Guard, and we cannot afford to cut the Coast Guard's funding when we need them more than ever.

The homeland security budget also must reflect evolving threats, particularly in cyber space. As the Director of National Intelligence recently testified, "malicious cyber activity is occurring on an unprecedented scale with extraordinary sophistication." Our federal government, and the Department in particular, must greatly expand its capacity to take on this threat. Yet, the budget for the National Cyber Security Division would be reduced by $19 million next year, a reduction that flies in the face of the growing cyber threat.

There are additional troubling cuts in the President's budget proposal. Were his budget to be enacted, the Border Patrol would be reduced by 181 agents, despite the soaring smuggling of drugs, cash, and weapons across our borders. Last year, Senator Lieberman, Senator McCain, and I included additional funding in the budget resolution for federal agents and other resources to fight smuggling by the Mexican drug cartels along the Southwest Border. We must build on that investment.

But there also is a growing problem of smuggling across our Northern Border. In December, I met with Maine's federal judges who voiced alarm about the influx of methamphetamine into the United States from Canada. I am, therefore, concerned that the number of Border Patrol agents would decrease next year for the first time if the Administration prevails.

The President's budget could also undermine our state and local partners who are often the first to respond to natural disasters and terrorist threats. The proposals to deny northern border states Operation Stonegarden funding, and to insufficiently fund the Fire Act and port

security grant programs, could deprive first responders and local communities of the resources needed to secure our nation.

On the other side of the ledger, the proposed increases for aviation security are welcome. America was starkly reminded on Christmas Day of the vulnerabilities in our aviation security system. To address aviation security threats, the budget includes significant funding to increase the number of imaging machines, canines, behavior detection officers, and Federal Air Marshals protecting airline passengers.

Our nation's top intelligence officials recently testified that it is "certain" that al Qaeda is planning another attack against the United States within the next six months. In the face of this testimony, we must ensure that the Department's budget priorities are aligned to counter the threats we face from a determined enemy.

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Statement for the Record

The Honorable Janet Napolitano

Secretary
United States Department of Homeland Security

Before the
United States Senate
Committee on Homeland Security and Governmental Affairs

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Mr. Chairman, Senator Collins, and Members of the Committee:

Let me begin by saying thank you for the strong support you have provided me and the Department this past year. I look forward to another year working with you to make certain that we have the right resources to protect the homeland and the American people and that we make the most effective and efficient use of those resources.

I am pleased to appear before the Committee today to present President Obama's Fiscal Year (FY) 2011 Budget Request for the Department of Homeland Security (DHS).

As you know, the attempted attack on Northwest Flight 253 on December 25 was a powerful illustration that terrorists will go to great lengths to try to defeat the security measures that have been put in place since September 11, 2001. This Administration is determined to thwart those plans and disrupt, dismantle and defeat terrorist networks by employing multiple layers of defense that work in concert with one another to secure our country. This effort involves not just DHS, but also many other federal agencies as well as state, local, tribal, territorial, private sector and international partners. As President Obama has made clear, this Administration is determined to find and fix the vulnerabilities in our systems that allowed this breach to occur – and the FY 2011 Budget Request prioritizes these security enhancements.

The Department is also working hand-in-hand with our federal partners to respond to the devastation and loss of life in Haiti following the January 12 earthquake. Collaboration within DHS among our many components has allowed us to leverage unprecedented resources and personnel to assist with the humanitarian efforts in Haiti, once again demonstrating what these offices can accomplish together. The FY2011 Budget Request strengthens the ongoing work in each of our Department's offices to fulfill our unified mission.

I will now summarize the FY 2011 budget request along with some of our key accomplishments from last year.

FY 2011 BUDGET REQUEST

The FY 2011 DHS budget will strengthen efforts that are critical to the Nation's security, bolster the Department's ability to combat terrorism and respond to emergencies and potential threats, and allow DHS to tackle its responsibilities to protect the Nation and keep Americans safe.

DHS executes a wide array of responsibilities in its unified security mission. To bolster these efforts, DHS collaborates and coordinates with many partners—state, local and tribal governments and law enforcement agencies, international allies, the private sector and other federal departments. These partnerships are essential to DHS' ability to fulfill its security mission.

The FY 2011 budget continues efforts to use our resources as efficiently and effectively as possible. We must exercise strong fiscal discipline, making sure that we are investing our resources in what works, cutting down on redundancy, eliminating ineffective programs and making improvements across the board.

To institutionalize a culture of efficiency across the Department, DHS launched the Department-wide Efficiency Review Initiative in March 2009. One major element of the Efficiency Review is

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the Balanced Workforce Strategy, a three-pronged approach to ensuring that the right workforce balance is achieved. First, we are taking steps to ensure that no inherently governmental functions are performed by contractors. Second, we put in place rigorous review procedures to ensure that future activities do not increase our reliance on contractors. Third, we are coordinating workforce assessments across the Department to seek economies and service improvements and reduce our reliance on contractors. In FY 2011, the Department will continue executing the Balanced Workforce Strategy by converting contractor positions to federal jobs.

DHS secures the United States against all threats through five main missions, each of which is strengthened by this budget:

- *Preventing Terrorism and Enhancing Security*: Guarding against terrorism was the founding mission of DHS and remains our top priority today. A key element of preventing terrorism is recognizing the evolving threats posed by violent extremists and taking action to ensure our defenses continue to evolve to deter and defeat them.

- *Securing and Managing Our Borders*: DHS monitors our air, land and sea borders to prevent illegal trafficking that threatens our country, while facilitating lawful travel and trade. We will continue to strengthen security efforts on the southwest border to combat and disrupt cartel violence and provide critical security upgrades—through infrastructure and technology—along the northern border.

- *Enforcing and Administering our Immigration Laws*: DHS is responsible for enforcing the Nation's immigration laws while streamlining and facilitating the legal immigration process. In FY 2011, we will continue to strengthen enforcement activities while targeting criminal aliens who pose a threat to public safety and employers who knowingly violate the law.

- *Safeguarding and Securing Cyberspace*: The Department defends against and responds to attacks on the cyber networks through which Americans communicate with each other, conduct business and manage infrastructure. DHS analyzes and reduces cyber threats and vulnerabilities, distributes threat warnings, coordinates the response to cyber incidents and works with the private sector and our state, local, international and private sector partners to ensure that our computers, networks and cyber systems remain safe.

- *Ensuring Resilience to Disasters*: The Department provides the coordinated, comprehensive federal response in the event of a terrorist attack, natural disaster or other large-scale emergencies while working with federal, state, local and private sector partners to ensure a swift and effective recovery effort. DHS will continue its increased efforts to build a ready and resilient nation by bolstering information sharing, providing grants and training to our homeland security and law enforcement partners and further streamlining rebuilding and recovery along the Gulf Coast.

Ensuring shared awareness of risks and threats, increasing resilience in communities and enhancing the use of science and technology underpin these national efforts to prevent terrorism, secure and manage our borders, enforce and administer our immigration laws, safeguard and secure cyberspace and ensure resilience to disasters.

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The total FY 2011 budget request for DHS is $56.3 billion in total funding; a 2 percent increase over the FY 2010 enacted level. The Department's FY 2011 gross discretionary budget request[1] is $47.1 billion, an increase of 2 percent over the FY 2010 enacted level. The Department's FY 2011 net discretionary budget request is $43.6 billion,[2] an increase of 3 percent over the FY 2010 enacted level. For purposes of comparison the Overseas Contingency Operation funding and transfer from the National Science Foundation are not included in the FY 2010 enacted level.

The following are highlights of the FY 2011 Budget Request:

PREVENTING TERRORISM AND ENHANCING SECURITY

- *Advanced Imaging Technology (AIT)*: An increase of $214.7M is requested to procure and install 500 advanced imaging technology machines at airport checkpoints to detect dangerous materials, including non-metallic materials. This request, combined with units the Transportation Security Administration (TSA) plans to install in 2010, will mean that 1,000 AIT scanners, will total AIT coverage at 75 percent of Category X airports and 60 percent of the total lanes at Category X through II airports.

- *Transportation Security Officers (TSOs) to Staff AITs*: An increase of $218.9M is requested for additional Transportation Security Officers (TSOs), managers and associated support costs to operate additional AITs at airport checkpoints. Passenger screening is critical to detecting and preventing individuals carrying dangerous or deadly objects and materials from boarding planes.

- *Federal Air Marshals (FAMs)*: An increase of $85M is requested for additional FAMs to increase international flight coverage. FAMs help detect, deter and defeat terrorist and other criminal hostile acts targeting U.S. air carriers, airports, passengers and crew.

- *Portable Explosive Trace Detection (ETD)*: An increase of $60M is requested to purchase approximately 800 portable ETD machines ($39M) and associated checkpoint consumables ($21M).

- *Canine Teams*: An increase of $71M and 523 positions (262 Full-Time Equivalents, or FTE) is requested to fund an additional 275 proprietary explosives detection canine teams, 112 teams at 28 Category X airports and 163 teams at 56 Category I airports.

- *Behavior Detection Officers (BDOs)*: An increase of $20M and 350 BDOs (210 FTE) is requested to further enhance TSA's Screening Passengers by Observation Techniques program. The FY 2011 request includes a total of 3,350 officers to enhance coverage at

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[1] Gross Discretionary funding does not include funding such as Coast Guard's retirement pay account and fees paid for immigration benefits

[2] This does not include fee collections such as funding for the Federal Protective Service (NPPD), aviation security passenger and carrier fees (TSA), credentialing fees (such as TWIC – TSA), and administrative costs of the National Flood Insurance Fund (FEMA).

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lanes and shifts at high risk Category X and I airports and expand coverage to smaller airports.

- *Domestic Nuclear Detection Office Systems Engineering and Architecture*: An increase of $13.4M is requested to fund systems engineering efforts to address vulnerabilities in the Global Nuclear Detection Architecture, the multi-layered system of detection technologies, programs and guidelines designed to enhance the Nation's ability to detect and prevent a radiological or nuclear attack.

- *Radiological/Nuclear Detection Systems*: An increase of $41M is requested for the procurement and deployment of radiological and nuclear detection systems and equipment to support efforts across the Department.

- *Law Enforcement Detachment Teams*: An increase of $3.6M is requested to bring deployable U.S. Coast Guard Law Enforcement Detachment (LEDET) teams to full capacity. LEDETs help prevent terrorism, secure U.S. borders, disrupt criminal organizations and support counter drug missions overseas. In FY 2009, for example, LEDETs aboard U.S. naval and partner nation assets accounted for more than 50 percent of total maritime cocaine removals.

- *2012 Presidential Campaign*: Total funding of $14M is requested for startup costs associated with the 2012 Presidential Campaign including training for candidate/nominee protective detail personnel. The Secret Service will also begin to procure and pre-position equipment, services and supplies to support candidate/nominee protective operations throughout the country.

- *Secret Service Information Technology*: Total funding of $36M is requested for the Information Integration and Transformation program. This funding will allow the Secret Service to successfully continue its comprehensive Information Technology (IT) transformation and provide a multi-year, mission-integrated program to engineer a modernized, agile and strengthened IT infrastructure to support all aspects of the Secret Service's mission.

SECURING AND MANAGING OUR BORDERS

- *Journeyman Pay Increase*: In the spring of 2010, DHS will implement the journeyman pay increase, raising the journeyman grade level for frontline Customs and Border Protection (CBP) Officers (including Border Patrol agents and Agricultural Specialists) from GS-11 level to the GS-12 level. An adjustment to the base of $310.4M will fund the full-year impact of the salary and benefit requirements associated with this implementation

- *CBP Officers*: An increase of $44.8M is requested to fund 318 CBP Officer FTEs within the Office of Field Operations and 71 support FTEs for CBP. The decline in the number of passengers and conveyances entering the United States in FY 2009 resulted in an almost 8 percent decrease in revenues from inspection user fees. CBP, therefore, has fewer resources to maintain critical staffing levels for CBP officers. The proposed funding will

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allow CBP to maintain staffing for critical positions to protect the United States at its ports of entry.

- *Border Enforcement Security Task Forces (BESTs)*: An additional $10M is requested to establish BESTs in three additional locations: Massena, NY; San Francisco, CA and Honolulu, HI. These multi-agency teams work to identify, disrupt and dismantle criminal organizations posing significant threats to border security, including terrorist groups, gang members, and criminal aliens.

- *Intellectual Property Rights (IPR) Enforcement*: An increase of $30M is requested to support CBP and ICE IPR enforcement efforts. This includes information technology systems that support IPR activities and implementation of the 5-year IPR Plan. An increase of $5M is also requested for the Immigration and Customs Enforcement (ICE)-led National Intellectual Property Rights Coordination Center (IPR Center). The IPR Center brings key U.S. government agencies together to combat IPR violations that threaten our economic stability, restrict the competitiveness of U.S. industry and endanger the public's health and safety. ICE will also use these funds to focus on disrupting criminal organizations through the internet and support for anti-counterfeiting efforts.

- *Intelligence Analysts*: An increase of $10M is requested to fund 103 Intelligence Analysts for CBP. This staffing increase will support 24/7 operations of CBP Intelligence Watch, Operations Coordination and the Commissioner's Situation Room.

- *Coast Guard Asset Recapitalization*: A total of $1.4B is requested to continue recapitalization of aging Coast Guard surface and air assets. Included in this request is $538M for production of the Coast Guard's fifth National Security Cutter to continue replacement of the 378-foot High Endurance Cutters fleet. Also included is $240M for production of four Fast Response Cutters to continue replacement of the 110-foot Class Patrol Boat fleet. The Fast Response Cutters have enhanced capability, high readiness, speed, and endurance, which will allow them to quickly and effectively respond to emerging threats. Additionally, $40M is requested to purchase one Maritime Patrol Aircraft (MPA) HC-144A. The HC-144A will address the Coast Guard's MPA flight hour gap by providing 1,200 hours every year per aircraft. Finally, $13.9M is requested for improvement and acquisition of housing to support military families.

ENFORCING AND ADMINISTERING OUR IMMIGRATION LAWS

- *E-Verify*: A total of $103.4M and 338 FTEs is requested for the E-Verify Program. In FY 2011, U.S. Citizenship and Immigration Services (USCIS) will develop and implement an E-Verify portal that will provide a single-user interface for the program's products and services. In addition, USCIS will enhance E-Verify's monitoring and compliance activities through analytical capabilities that will support more robust fraud detection and improved analytic processes and will continue developing system enhancements in response to customer feedback, surveys, mission requirements and capacity needs.

- *Secure Communities*: Total funding of $146.9M is requested to continue FY 2010 progress toward nationwide implementation of ICE's Secure Communities program—which involves

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the identification, apprehension and removal of all Level 1 criminal aliens in state prisons and local jails through criminal alien biometric identification capabilities. Secure Communities, in cooperation with federal, state and local law enforcement agencies, will provide a safeguard to American communities by removing those criminal aliens from the United States who represent the greatest threats to public safety and by deterring their re-entry through aggressive prosecution.

- *Immigrant Integration*: A total of $18M is requested to fund USCIS Office of Citizenship initiatives, including expansion of the competitive Citizenship Grant Program to support national and community-based organizations preparing immigrants for citizenship, promoting and raising awareness of citizenship rights and responsibilities, and enhancing English language education and other tools for legal permanent residents. The Office of Citizenship will support the implementation of the Immigration Integration program and lead initiatives to educate aspiring citizens about the naturalization process, monitor and evaluate the administration and content of the new naturalization test, and develop educational materials and resources for immigrants and the organizations that serve them.

SAFEGUARDING AND SECURING CYBERSPACE

- *National Cyber Security Division (NCSD)*: Total funding of $379M is requested for the NCSD to support the development of capabilities to prevent, prepare for and respond to incidents that could degrade or overwhelm the Nation's critical information technology infrastructure and key cyber networks. These funds will identify and reduce vulnerabilities, mitigate threats and ensure that cyber intrusions and disruptions cause minimal damage to public and private sector networks.

- *National Cyber Security Center (NCSC)*: A total of $10M is requested for the NCSC to enhance cyber security coordination capabilities across the Federal Government including mission integration, collaboration and coordination, situational awareness and cyber incident response, analysis and reporting, knowledge management, and technology development and management.

ENSURING RESILIENCE TO DISASTERS

- *Disaster Relief Fund (DRF)*: The budget seeks funding of $1.95B, an increase of $350M for the DRF. The DRF provides a significant portion of the total federal response to victims in declared major disasters and emergencies.

- *Federal Emergency Management Agency (FEMA) Facilities*: An additional $23.3M is requested to address critical FEMA real estate needs. By FY 2011, the capacity of FEMA facilities will be unable to accommodate key mission responsibilities and staff. FEMA also faces a critical need to maintain and repair aging and deteriorating national facilities. To address these needs, FEMA has developed a 5-year capital plan to begin critical regional facility acquisitions and repairs.

- *Pre-Disaster Mitigation Grants*: Total funding of $100M is requested to provide program support and technical assistance to state, local and tribal governments to reduce the risks

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associated with disasters, support the national grant competition and provide the required $500,000 per state allocation. Resources will support the development and enhancement of hazard mitigation plans, as well as the implementation of pre-disaster mitigation projects.

- *Flood Map Modernization*: A total of $194M is requested to analyze and produce flood hazard data and map products and communicate flood hazard risk. The funding will support the review and update of flood hazard data and maps to accurately reflect flood hazards and monitor the validity of published flood hazard information.

- *Rescue 21*: A total of $36M is requested for the Rescue 21 system, enabling the U.S. Coast Guard to enhance preparedness, ensure efficient emergency response and rapidly recover from disasters. The Rescue 21 system replaces the U.S. Coast Guard's legacy National Distress and Response System and improves communications and command and control capabilities in the coastal zone. The system is the foundation for coastal Search and Rescue and enhances maritime situational awareness through increased communications ability with mariners and other responders.

MATURING AND STRENGTHENING THE HOMELAND SECURITY ENTERPRISE

- *St. Elizabeths Headquarters Consolidation*: To streamline the Departments core operations, $287.8M is requested to consolidate executive leadership, operations coordination and policy and program management functions in a secure setting at St. Elizabeths. The Department's facilities are currently dispersed over more than 40 locations throughout the National Capital Region (NCR). This consolidation at St. Elizabeths will reduce the fragmentation of components and will improve communications, coordination and cooperation across all DHS headquarters organizations.

- *Lease Consolidation – Mission Support*: A total of $75M is requested to align the Department's real estate portfolio in the NCR to enhance mission performance and increase management efficiency in conjunction with St. Elizabeths Headquarters Consolidation.

- *Data Center Migration*: A total of $192.2M is requested for the continuation of system and application migration of legacy data centers to two enterprise-wide DHS Data Centers to meet current and anticipated data service requirements. Funding will also be utilized for upgrading infrastructure requirements.

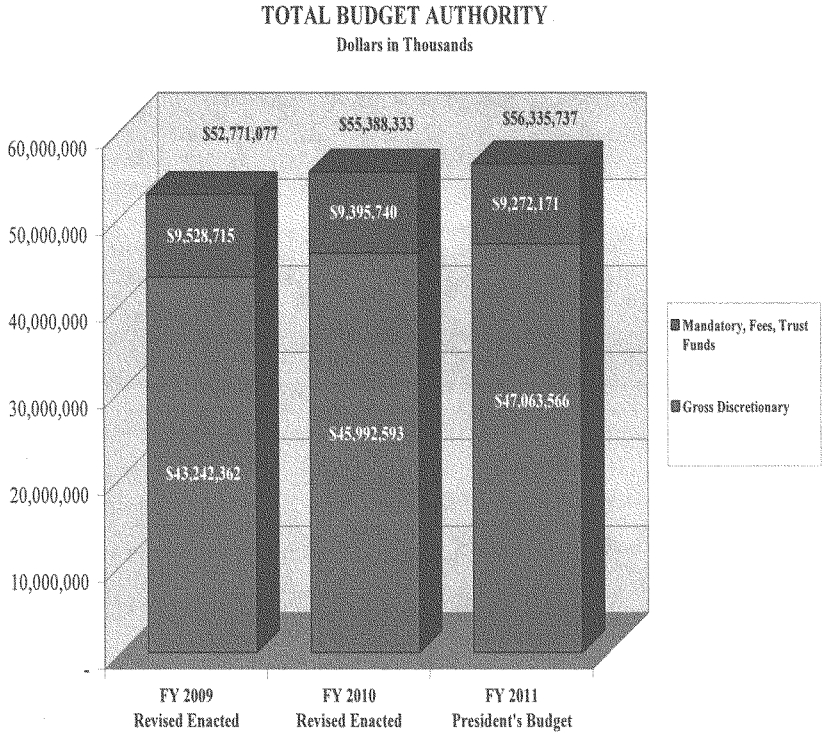
- *Acquisition Workforce*: The FY 2011 request includes an increase of $24.2M to strengthen the Department's acquisition workforce capacity and capabilities. The increase is requested to mitigate the risks associated with skill gaps of the acquisition workforce, ensure that the Department achieves the best terms possible in major acquisitions and improve the effectiveness of the workforce.

- *Science and Technology (S&T) Safe Container (SAFECON)/Time Recorded Ubiquitous Sensor Technology (TRUST) R&D*: A total of $8M is requested for the S&T SAFECON and TRUST programs. These initiatives develop high reliability, high-throughput detection technologies to scan cargo containers entering the country for weapons of mass destruction, explosives, contraband and human cargo.

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- *Grants*: A total of $4B is requested for grant programs to support our nation's first responders. This funding assists state and local governments in the prevention of, protection against, response to and recovery from incidents of terrorism and other events.

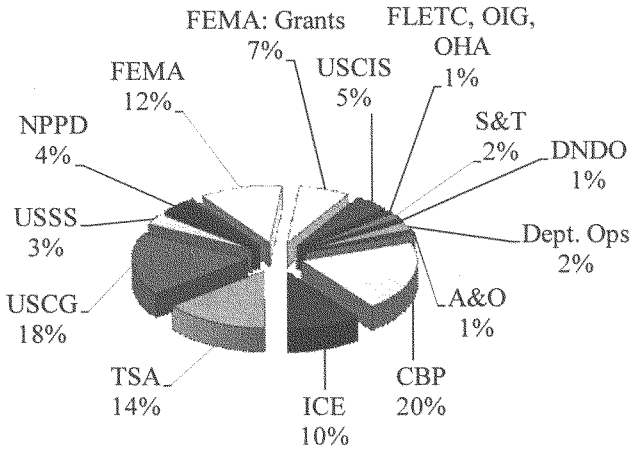


- FY 2011 Gross Discretionary funding increases by $1.1 billion, or 2 percent, over FY 2010.
- There is an decrease of $123 million, or 1 percent, in estimated budget authority for Mandatory, Fees, and Trust Funds over FY 2010.
- Excludes supplemental funding and rescissions of prior-year carryover funds.

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FY 2011
Percent of Total Budget Authority by Organization
$56,335,737,000



Notes: Departmental Operations is composed of the Office of the Secretary & Executive Management, the Office of the Federal Coordinator for Gulf Coast Rebuilding, the Office of the Undersecretary for Management, the Office of the Chief Financial Officer, the Office of the Chief Information Officer and the National Special Security Event Fund.

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TOTAL BUDGET AUTHORITY BY ORGANIZATION
Gross Discretionary & Mandatory, Fees, Trust Funds

	FY 2009 Revised Enacted [1]	FY 2010 Revised Enacted [2]	FY 2011 President's Budget	FY 2011 +/- FY 2010 Enacted	FY 2011 +/- FY 2010 Enacted
	$000	$000	$000	$000	%
Departmental Operations [3]	$ 659,109	$ 802,931	$ 1,270,821	$ 467,890	58%
Analysis and Operations	327,373	335,030	347,930	12,900	4%
Office of the Inspector General	114,513	113,874	129,806	15,932	14%
U.S. Customs & Border Protection	11,250,652	11,449,283	11,180,018	(269,265)	-2%
U.S. Immigration & Customs Enforcement	5,968,015	5,741,752	5,835,187	93,435	2%
Transportation Security Administration	6,992,778	7,656,066	8,164,780	508,714	7%
U.S. Coast Guard	9,624,179	10,122,963	10,078,317	(44,646)	0%
U.S. Secret Service	1,640,444	1,702,644	1,811,617	108,973	6%
National Protection and Programs Directorate	1,188,263	2,432,755	2,361,715	(71,040)	-3%
Office of Health Affairs	157,621	139,250	212,734	73,484	53%
Federal Emergency Management Agency	5,971,159	6,194,268	6,527,406	333,138	5%
FEMA: Grant Programs	4,220,858	4,165,200	4,000,590	(164,610)	-4%
U.S. Citizenship & Immigration Services	2,876,348	2,859,997	2,812,357	(47,640)	-2%
Federal Law Enforcement Training Center	332,986	282,812	278,375	(4,437)	-2%
S&T Directorate	932,587	1,006,471	1,018,264	11,793	1%
Domestic Nuclear Detection Office	514,191	383,037	305,820	(77,217)	-20%
TOTAL:	$ 52,771,076	$ 55,388,333	$ 56,335,737	$ 947,404	1.71%
Less Rescission of Prior Year Carryover Funds: [4]	(61,373)	(40,474)	-	40,474	-100%
ADJUSTED TOTAL BUDGET AUTHORITY:	$ 52,709,703	$ 55,347,859	$ 56,335,737	$ 987,878	2%
SUPPLEMENTAL: [5]	$ 3,354,503	$ 295,503	$ -	$ (295,503)	$ -
Less Rescission of Prior Year Carryover Funds: [5]	$ (100,000)	$ -	$ -	$ -	

1/ FY 2009 revised enacted reflects:
- Net reprogramming/transfer adjustments for OSEM ($17.4 million); OIG ($16.0 million); CBP ($-24.1 million); ICE ($16.4 million); TSA (14.4 million); USCG ($.400 million); USSS ($ 2.5 million); NPPD ($30 million); OHA ($.430 million); FEMA ($-39.5 million).
- Technical adjustments to revise fee/trust fund estimates for ICE - Immigration Inspection User Fee ($7.0 million); ICE - Detention and Removal Examination Fee ($1.4 million); ICE - Breached Bond/Detention Fund ($15.0 million); TSA - Transportation Threat and Credentialing - Registered Traveler (-$10.0 million); TSA - Transportation Threat and Credentialing - Transportation Worker Identification Credentials ($22.7 million); TSA - Transportation Threat and Credentialing - HAZMAT (-$3.0 million); TSA - Transportation Threat and Credentialing - Alien Flight School ($1.0 million); CIS ($185.4 million); USCG ($7.9 million).
- Realignment of USCG Operating Expenses funding and Pursuant to P.L. 110-53 reflects TSA realignment of funds for 9/11 Commission Act implementation ($3.675 million - Aviation Security; 13.825 million - Surface; $2.5 million - Support).
- Scorekeeping adjustment for a rescission of prior year unobligated balances from USCG - AC&I (-$20.0 million).

2/ FY 2010 revised enacted reflects:
- Technical adjustments for TSA Aviation Security Fees of ($128.9 million); USCG Health Care Fund ($5.0 million).
- Scorekeeping adjustment for a rescission of prior year unobligated balances from USCG - AC&I (-$.800 million).
- For comparability purposes, excludes USCG Overseas Contingency Operations ($241.5 million) and National Science Foundation transfer to USCG of $54.0 million.

3/ Departmental Operations is comprised of the Office of the Secretary & Executive Management, the Office of the Federal Coordinator for Gulf Coast Rebuilding, the Office of the Undersecretary for Management, the Office of the Chief Financial Officer, the Office of the Chief Information Officer, and the National Special Security Events Fund (NSSE).

4/ Pursuant to P.L. 110-329, reflects FY 2009 rescissions of prior year unobligated balances: Analysis and Operations (-$21.373 million), TSA (-$31.0 million); FEMA - Cerro Grande (-$9.0 million).
Pursuant to P.L. 111-83, reflects FY 2010 rescissions of prior year unobligated balances: Analysis and Operations (-$2.4 million); TSA (-$4.0 million), Counter-Terrorism Fund (-$5.6 million), FEMA ($-5.6 million), S&T ($-6.9 million), DNDO (-$8.0 million).

5/ In order to obtain comparable figures, Net Discretionary, Gross Discretionary, and Total Budget Authority excludes:
- FY 2009 supplemental funding pursuant to P.L. 110-252: USCG ($112 million);
- FY 2009 supplemental funding pursuant to P.L. 111-5 (ARRA): USM ($200 million), OIG ($5 million); CBP ($680 million); ICE ($20 million); TSA ($1.0 Billion); USCG ($240 million); FEMA ($610 million);
- FY 2009 supplemental funding pursuant to P.L. 111-9: USSS ($100 million).
- FY 2009 supplemental funding pursuant to P.L. 111-32: CBP ($51.2 million); ICE ($66.8 million); USCG ($139.5 million); FEMA ($130.0 million);
- Pursuant to P.L. 111-32 reflects FY 2009 rescissions of prior year unobligated balances: FEMA (-$100.0 million).
- FY 2010 Overseas Contingency Operations funding provided in P.L. 111-83: USCG ($241.5 million).
- FY 2010 Supplemental funding pursuant to P.L. 111-117: USCG ($54.0 million);

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NET DISCRETIONARY AUTHORITY BY ORGANIZATION
Excludes Discretionary Offsetting Fees & Mandatory, Non-Offsetting Fees, & Trust Funds

	FY 2009 Revised Enacted [1]	FY 2010 Revised Enacted [2]	FY 2011 President's Budget	FY 2011 +/- FY 2010 Enacted	FY 2011 +/- FY 2010 Enacted
	$000	$000	$000	$000	%
Departmental Operations [3]	$ 659,109	$ 802,931	$ 1,270,821	$ 467,890	58%
Analysis and Operations	327,373	335,030	347,930	12,900	4%
Office of the Inspector General	114,513	113,874	129,806	15,932	14%
U.S. Customs & Border Protection	9,803,667	10,134,554	9,817,117	(317,437)	-3%
U.S. Immigration & Customs Enforcement	5,005,615	5,436,952	5,523,800	86,848	2%
Transportation Security Administration	4,369,358	5,129,505	5,724,000	594,495	12%
U.S. Coast Guard	8,104,707	8,541,749	8,466,537	(75,212)	-1%
U.S. Secret Service	1,415,444	1,482,644	1,571,617	88,973	6%
National Protection and Programs Directorate	1,188,263	1,317,755	1,246,715	(71,040)	-5%
Office of Health Affairs	157,621	139,250	212,734	73,484	53%
Federal Emergency Management Agency	2,777,560	2,963,268	3,292,860	329,592	11%
FEMA: Grant Programs	4,220,858	4,165,200	4,000,590	(164,610)	-4%
U.S. Citizenship & Immigration Services	152,490	224,000	385,800	161,800	72%
Federal Law Enforcement Training Center	332,986	282,812	278,375	(4,437)	-2%
S&T Directorate	932,587	1,006,471	1,018,264	11,793	1%
Domestic Nuclear Detection Office	514,191	383,037	305,820	(77,217)	-20%
TOTAL:	$ 40,076,342	$ 42,459,032	$ 43,592,786	$ 1,133,754	2.67%
Less Rescission of Prior Year Carryover Funds: [4]	(61,373)	(40,474)	-	40,474	-100%
Mandatory, Fees, and Trusts	12,694,734	12,929,301	12,742,951		
ADJUSTED TOTAL BUDGET AUTHORITY:	$ 52,709,703	$ 55,347,859	$ 56,335,737	$ 987,878	2%
SUPPLEMENTAL: [5]	$ 3,354,503	$ 295,503	$ -	$ (295,503)	$ -
Less Rescission of Prior Year Carryover Funds: [5]	$ (100,000)	$ -	$ -	$ -	

1/ FY 2009 revised enacted reflects:

- Net reprogramming/transfer adjustments for OSEM ($17.4 million); OIG ($16.0 million); CBP ($-24.1 million); ICE ($16.4 million); TSA (14.4 million); USCG ($ 400 million); USSS ($ 2.5 million); NPPD ($30 million), OHA ($.430 million); FEMA ($-39.5 million).

- Technical adjustments to revise fee/trust fund estimates for ICE - Immigration Inspection User Fee ($7.0 million); ICE - Detention and Removal Examination Fee ($1.4 million); ICE - Breached Bond/Detention Fund ($15.0 million); TSA - Transportation Threat and Credentialing - Registered Traveler (-$10.0 million), TSA - Transportation Threat and Credentialing - Transportation Worker Identification Credentials ($22.7 million); TSA - Transportation Threat and Credentialing - HAZMAT (-$3.0 million); TSA - Transportation Threat and Credentialing - Alien Flight School ($1.0 million); CIS ($185.4 million); USCG ($7.9 million)

- Realignment of USCG Operating Expenses funding and Pursuant to P.L. 110-53 reflects TSA realignment of funds for 9/11 Commission Act implementation ($3.675 million - Aviation Security; 13.825 million - Surface, $2.5 million - Support).

- Scorekeeping adjustment for a rescission of prior year unobligated balances from USCG - AC&I (-$20.0 million).

2/ FY 2010 revised enacted reflects:

- Technical adjustments for TSA Aviation Security Fees of ($128.9 million); USCG Health Care Fund ($5.0 million).

- Scorekeeping adjustment for a rescission of prior year unobligated balances from USCG - AC&I (-$.800 million).

- For comparability purposes, excludes USCG Overseas Contingency Operations ($241.5 million) and National Science Foundation transfer to USCG of $54.0 million

3/ Departmental Operations is comprised of the Office of the Secretary & Executive Management, the Office of the Federal Coordinator for Gulf Coast Rebuilding, the Office of the Undersecretary for Management, the Office of the Chief Financial Officer, the Office of the Chief Information Officer, and the National Special Security Events Fund (NSSE).

4/ Pursuant to P.L. 110-329, reflects FY 2009 rescissions of prior year unobligated balances. Analysis and Operations (-$21.373 million), TSA (-$31.0 million); FEMA - Cerro Grande (-$9.0 million).

Pursuant to P.L. 111-83, reflects FY 2010 rescissions of prior year unobligated balances: Analysis and Operations (-$2.4 million); TSA (-$4.0 million); Counter-Terrorism Fund (-$5.6 million); FEMA ($-5.6 million); S&T ($-6.9 million); DNDO (-$8.0 million).

5/ In order to obtain comparable figures, Net Discretionary, Gross Discretionary, and Total Budget Authority excludes:

- FY 2009 supplemental funding pursuant to P.L. 110-252: USCG ($112 million).

- FY 2009 supplemental funding pursuant to P.L. 111-5 (ARRA): USM ($200 million), OIG ($5 million), CBP ($680 million); ICE ($20 million), TSA ($1.0 Billion), USCG ($240 million), FEMA ($610 million);

- FY 2009 supplemental funding pursuant to P.L. 111-8: USSS ($100 million)

- FY 2009 supplemental funding pursuant to P.L. 111-32: CBP ($81.2 million), ICE ($66.8 million); USCG ($139.5 million), FEMA ($130.0 million)

- Pursuant to P.L. 111-32 reflects FY 2009 rescissions of prior year unobligated balances: FEMA (-$100.0 million).

- FY 2010 Overseas Contingency Operations funding provided in P.L. 111-83: USCG ($241.5 million),

- FY 2010 Supplemental funding pursuant to P.L. 111-117: USCG ($54.0 million);

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KEY FY 2009 ACCOMPLISHMENTS & REFORMS

In 2009, our 230,000 employees strengthened existing efforts and launched new initiatives to meet our five key responsibilities: guarding against terrorism; securing our borders; engaging in smart, effective enforcement of immigration laws; preparing for, responding to and recovering from disasters of all kinds; and building a mature and unified Department.

DHS has emphasized three cross-cutting approaches to achieve these aims—increasing cooperation with federal, state, tribal, local, private sector, and international partners; deploying the latest science and technology to support our mission; and maximizing efficiency and streamlining operations across the Department.

As a result, we have made major advances in addressing new and emerging threats to keep our homeland safe, fostering lawful trade and travel and continuing to build a ready and resilient nation able to meet the challenges of the 21st century. The following are some key initiatives accomplished this past year.

Guarding Against Terrorism and Threats to Cyber Networks and Critical Infrastructure

Protecting the American people from terrorist threats is the founding purpose of the Department and a top priority. Over the past year, DHS has continued to guard against terrorism by enhancing explosives detection and other protective measures in public spaces and transportation networks, working with the private sector to protect critical infrastructure and cyber networks from attack, improving detection of chemical, biological, radiological, and nuclear materials, and building information-sharing partnerships with state and local law enforcement that enable law enforcement to better mitigate threats.

- Fulfilling a key 9/11 Commission recommendation, TSA began implementing Secure Flight, which prescreens passenger name, date of birth and gender against government watch lists for domestic and international flights.

- TSA achieved the 9/11 Act requirement of screening 50 percent of air cargo transported on domestic passenger aircrafts by February 3, 2009. Currently, 100 percent of cargo is screened on more than 95 percent of flights originating in the United States and 100 percent of all baggage is screened for explosives

- The Domestic Nuclear Detection Office directly trained more than 3,600 federal, state and local officers and first responders in radiological and nuclear detection and began demonstrating the first-of-its-kind Cargo Advanced Automated Radiography System, which aims to detect special nuclear materials and shielding material in cargo at ports of entry.

- DHS opened the new National Cyber Security and Communications Integration Center—a 24-hour, DHS-led coordinated watch and warning center that will improve national efforts to address threats and incidents affecting the Nation's critical IT and cyber infrastructure.

- DHS worked with the Office of Personnel Management to attain new authority to recruit and hire up to 1,000 cyber security professionals across the Department over the next 3 years to

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help fulfill DHS' broad mission to protect the Nation's cyber infrastructure, systems and networks.

- S&T partnered with the U.S. Secret Service, industry and academia to digitize more than 9,000 ink samples to expedite the investigation of criminal and terrorist activities by reducing matching times from days to minutes.

- DHS held the 5-day National Level Exercise 2009—the first national level exercise to focus on terrorism prevention—in conjunction with federal, state, local, tribal, private sector and international partners.

- In accordance with the Chemical Facilities Anti-Terrorism Standards Act (CFATS), which allows DHS to regulate the security measures at high-risk chemical facilities, DHS is working with 2,300 facilities on strengthening security measures. In 2009, DHS received Site Security Plans from over 900 regulated facilities.

- DHS signed agreements to prevent and combat crime with Italy, Greece, Portugal and Spain. These agreements allow for the exchange of biometric and biographic data to bolster counterterrorism and law enforcement efforts while emphasizing privacy protections.

- DHS and Spanish Interior Minister Perez Rubalcaba signed a Declaration of Principles formalizing the Immigration Advisory Program—which identifies high-risk travelers at foreign airports before they board aircraft bound for the United States.

- DHS forged partnerships with Germany and Spain to facilitate scientific research and collaboration to combat transnational threats.

- DHS and Canadian Public Safety Minister Peter Van Loan announced a series of cooperative initiatives between the United States and Canada to address terrorism and organized crime while expediting the lawful flow of travel and trade—including a biometric data sharing initiative also involving Australia, the United Kingdom and, eventually, New Zealand.

Securing our Borders while Facilitating Lawful Travel and Trade

In 2009, DHS continued to strengthen security on the Southwest border through additional manpower and new technology to disrupt the flow of illegal drug, cash and weapon smuggling that fuels cartel violence in Mexico. The Department also reinforced security on the northern border while facilitating lawful travel and trade.

- The Obama administration announced the Southwest Border Security Initiative, a joint effort of the Departments of Homeland Security, Justice and State to crack down on Mexican drug cartels by enhancing border security through additional personnel, increased intelligence capability and better coordination with state, local and Mexican law enforcement authorities. As of December 8, 2009, CBP has seized more than $38.3 million in southbound currency—an increase of more than $29.3 million compared to the same period in 2008. In total thus far in 2009, CBP and ICE have seized more than $101.7 million and nearly 1.59 million

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kilograms of drugs—an increase of more than $48.2 million and more than 423,167 kilograms of drugs compared to the same period in 2008.

- DHS implemented the Western Hemisphere Travel Initiative for land and sea travel to the United States, increasing border security while facilitating lawful travel and trade by requiring U.S. and Canadian citizens to present a passport or other approved secure document that denotes identity and citizenship when crossing the border.

- DHS and the Department of Justice joined with the Office of National Drug Control Policy to release the National Southwest Border Counternarcotics Strategy, the Obama administration's strategy to stem the flow of illegal drugs and their illicit proceeds across the southwest border and reduce associated crime and violence.

- The Department announced the expansion of Global Entry—a CBP pilot program that streamlines the screening process at airports for trusted travelers through biometric identification—as a permanent voluntary program at airports across the United States. Global Entry reduces average wait times by more than 70 percent and more than 75 percent of travelers using Global Entry are admitted in less than five minutes.

- DHS launched a joint Coast Guard-CBP effort to use Predator Unmanned Aerial Systems (UAS) to provide improved surveillance of the United States' maritime borders. DHS will conduct the first UAS operations along maritime borders in 2010.

- DHS, the Department of Justice and the Government of Mexico signed a Letter of Intent to develop a coordinated and intelligence-driven response to the threat of cross-border smuggling and trafficking of weapons and ammunition. This first-of-its-kind arrangement leverages the combined investigative capabilities of ICE, the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Attorney General of Mexico to combat violence and criminal activity along the U.S.-Mexico border.

- Through Global Entry, DHS launched a first-of-its-kind initiative with the Netherlands to open membership in U.S. and Dutch expedited air travel programs to citizens of both countries in an effort to streamline entry processes for pre-screened fliers.

Engaging in Smart, Effective Immigration Law Enforcement

Over the past year, DHS has strengthened its immigration enforcement activities, targeting criminal aliens and employers who violate the nation's immigration laws, while making improvements to the legal immigration system.

- DHS implemented a new, comprehensive strategy to reduce the demand for illegal employment and protect employment opportunities for the Nation's lawful workforce by targeting employers who knowingly hire illegal workers through investigations, prosecution and civil and criminal penalties. Since January 2009, DHS' new worksite enforcement policies have led to 1,897 cases and 2,069 Form I-9 inspections targeting employers, 58 companies and 62 individuals debarred, and 142 Notices of Intent to Fine totaling $15,865,181 issued.

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- DHS is reforming the immigration detention system, enhancing security and efficiency nationwide while prioritizing the health and safety of detainees. New initiatives include creating an Office of Detention Policy and Planning to ensure uniform conditions of confinement, medical care and design; implementing a medical classification system; centralizing all detention facility contracts under ICE headquarters' supervision; developing a plan for alternatives to detention; more than doubling the number of federal personnel providing onsite oversight at the facilities where the majority of detainees are housed; creating two advisory boards comprised of community and immigration advocacy groups; and establishing an independent Office of Detention Oversight reporting directly to the ICE Assistant Secretary.

- DHS expanded the Secure Communities initiative—which uses biometric information to target criminal aliens in U.S. correctional facilities—from 14 to 107 locations in 2009, reflecting an increased emphasis on identifying and removing criminal aliens who pose the greatest threat to public safety. To date, the program has identified more than 111,000 aliens in jails and prisons who have been charged with or convicted of criminal offenses.

- USCIS and the FBI cleared the backlog of a year or more for background checks on people seeking to work and live in the United States or become citizens—reflecting DHS' commitment to quick, thorough and fair adjudication of immigration applications. The vast majority of these checks are now answered within 30 days. At the end of fiscal year 2009, USCIS also reduced the backlog of pending immigration applications and petitions by more than 90 percent and reduced average processing times for naturalization applicants by nearly 5 months as compared to FY 2008.

- USCIS launched a redesigned website—available in English and Spanish—which provides a one-stop location for immigration services and information, including real-time alerts on the status of immigration applications via text message and e-mail.

- USCIS increased employer participation in E-Verify, the nation's preeminent employment eligibility verification system, from 88,000 companies at the end of FY 2008 to more than 177,000 employers today.

Preparing for, Responding to and Recovering from Disasters

In the event of a terrorist attack, natural disaster or other large-scale emergency, the Department provides a coordinated, comprehensive federal response and works with federal, state, local, and private sector partners to ensure a swift and effective recovery effort. This year, DHS increased efforts to build a ready and resilient nation by providing grants and training to our homeland security and law enforcement partners, coordinating the federal government's response to H1N1, and streamlining rebuilding and recovery along the Gulf Coast.

- DHS led the federal response to the H1N1 outbreak, creating regional coordination teams comprised of representatives from DHS and the Departments of Defense and Health and Human Services to oversee, coordinate and execute national incident management responsibilities. DHS also coordinated outreach efforts to congressional, state, local, tribal, private sector and international officials regarding the H1N1 outbreak.

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- Since January 20, 2009, Louisiana and Mississippi have received more than $2.1 billion in public assistance from DHS, including $125 million for debris removal and emergency protective measures, $935.5 million in public works and infrastructure projects, $258 million for mitigation activities to increase resilience and more than $542 million for K-12 education. In addition, more than 6,000 displaced households in Louisiana and Mississippi have been transitioned to permanent housing.

- To cut through red tape and streamline and expedite the decision-making process for public assistance for recovery efforts in the Gulf Coast, DHS established two joint public assistance teams and a new arbitration process to resolve longstanding issues over public assistance funding. Over the past 10 months, the Joint Expediting Team and the Unified Public Assistance Project Decision Team have resolved 156 projects, distributing more than $100 million dollars to support the repair and replacement of fire and police stations, schools like the Southern University of New Orleans and Holy Cross School, libraries and other infrastructure critical to the recovery of Gulf Coast communities.

- FEMA has responded to 47 declared disasters since January 21, 2009, including the Red River flooding in North Dakota and Minnesota, the September flooding in Georgia and the earthquake and tsunami that struck American Samoa.

Unifying and Maturing DHS

Six years since the Department's creation, DHS' goal remains the same: one enterprise dedicated to a shared vision for homeland security. Over the past year, DHS implemented a series of wide-ranging efficiency initiatives that leverage the economies of scale in DHS in order to recover millions of dollars and create a culture of responsibility and fiscal discipline. At the same time, the Department leveraged new technology to improve DHS operations, coordination and outreach.

- DHS broke ground on its new headquarters at the St. Elizabeths Campus. While DHS currently operates in more than 40 offices around the National Capitol Region, the consolidated headquarters will unify DHS' many components into one cohesive department and is expected to save taxpayers $163 million over the next 30 years.

- DHS launched the Efficiency Review Initiative to improve efficiency, streamline operations and promote greater accountability, transparency and customer satisfaction through a series of initiatives—including eliminating non-mission critical travel, renegotiating contracts, utilizing government facilities instead of private rentals, reducing printing and postal mail and maximizing the use of web-based communication, training and meetings, implementing energy efficiencies in DHS facilities and maximizing DHS' buying power to receive the lowest price possible when acquiring office supplies and software licenses. These initiatives collectively are expected to lead to hundreds of millions of dollars in cost avoidances. This past year, DHS identified more than $100 million in cost savings including $22 million by eliminating non-mission critical travel; $16 by utilizing software licensing agreements DHS-wide; $7 million through the mandatory review of contracts; $9 million by eliminating redundancy in processing mariner credentials; $8 million by consolidating the DHS sensitive-but-unclassified portal system; almost $4 million by posting documents online or using e-mail in lieu of printing and postal mail; $2 million by streamlining boat maintenance and support schedules; $2 million by utilizing government facilities instead of private

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rentals; almost $2 million by increasing energy efficiencies at facilities and many more examples across the Department.

- S&T launched the Virtual USA initiative, an innovative, information-sharing initiative that helps federal, state, local and tribal first responders communicate during emergencies by linking disparate tools and technologies in order to share the location and status of critical assets and information—such as power and water lines, flood detectors, helicopter-capable landing sites, emergency vehicle and ambulance locations, weather and traffic conditions, evacuation routes and school and government building floor plans—across federal, state, local and tribal governments.

Selected DHS High Priority Performance Goals

Preventing Terrorism and Enhancing Security

- **Improve security screening of passengers, baggage, and employees while expediting the movement of the traveling public (aviation and surface transportation security).**

  FY2011 Initiatives include deploying new technology, law enforcement and canine assets at domestic airports, enhancing checkpoint technology, implementing the Transportation Workers Identification Credential (TWIC) program—which requires transportations workers to obtain a biometric identification card to gain access to secure areas of transportation facilities, and strengthening our Visible Intermodal Prevention and Response (VIPR) teams— which use unpredictability to deter, detect, and disrupt potential terrorist activities, will help us to achieve these goals.

Securing and Managing Our Borders

- **Prevent terrorist movement at land ports of entry and maritime borders through enhanced screening while expediting the flow of legitimate travel.**

  FY2011 initiatives include implementing the Western Hemisphere Travel Initiative by deploying new technology, upgrading our processing capabilities at border checkpoints, and enhancing information sharing among law enforcement, as well as continuing recapitalization of aging Coast Guard surface and air assets to quickly and effectively respond to emerging threats.

Enforcing and Administering Our Immigration Laws

- **Improve the efficiency of the process to detain and remove illegal immigrants from the United States.**

- **Improve the delivery of immigration services.**

  FY2011 initiatives include increasing our targets for detaining and removing dangerous criminal aliens from the United States through our Secure Communities program—which uses biometrics to identify and remove criminal aliens incarcerated in state and local jails—by four percent per

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year. Additionally, we will improve the delivery of immigration services by modernizing our adjudication process for new immigrants and potential citizens.

Ensuring Resilience to Disasters

- **Strengthen disaster preparedness and response by improving FEMA's operational capabilities and enhancing State, local and private citizen preparedness**

  In FY2011, FEMA will continue to enhance its training programs to help state and local entities prepare for all types of disasters. FEMA is also developing a national strategy to house up to half a million households within sixty days of a disaster—increasing current capacity by 200 percent.

Maturing and Strengthening the Homeland Security Enterprise

- **Mature and unify the Homeland Security Enterprise through effective information sharing.**

- **Improve acquisition execution across the DHS acquisition portfolio, by ensuring key acquisition expertise resides in major program office and acquisition oversight staffs throughout the Department.**

  In FY2011, our efforts will focus on information sharing across all departmental components. Additionally, the department is undertaking an initiative to enhance the capability and capacity of its acquisition workforce to ensure that major acquisition projects do not exceed cost, schedule, and performance objectives.

We will focus on these goals over the next two years and continue to work closely with the Office of Management and Budget in the monitoring and reporting of milestones and performance measures associated with them. As we continue the Bottom-Up Review associated with the QHSR, we may update these goals and associated measures.

CONCLUSION

The FY 2011 budget proposal reflects this administration's continued commitment to protecting the homeland and the American people through the effective and efficient use of DHS resources. As outlined in my testimony today, the Department will build on past successes in several areas including information sharing with our partners, aviation and port security measures and immigration reform efforts.

Thank you for inviting me to appear before you today. I look forward to answering your questions and to working with you on the FY 2011 Budget Request and other issues.

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Post-Hearing Questions for the Record
Submitted to the Honorable Janet A. Napolitano

Question#:	1
Topic:	uscg
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's budget proposes cutting $75 million and more than 1100 uniformed positions from the Coast Guard's budget.

Was an evaluation of the Coast Guard's mission performance or capabilities completed prior to the development of this budget?

Has any analysis been done of the likely impact of these cuts on the Coast Guard's capabilities?

Response: The majority of these billets are associated with legacy assets that are being decommissioned as part of overall surface fleet recapitalization. Regardless of the funding profile, these billets are removed once the assets are removed from inventory. Consistent with the Deepwater plan, these billet decreases are offset by billet increases associated with the new assets coming online. In 2009 and 2010, Coast Guard added 559 full-time positions (FTPs) to staff Deepwater assets. The 2011 Request funds another 336 FTP, for a total of nearly 900 new personnel to support Deepwater assets alone.

The remaining billets are associated with several administrative and operational consolidation and realignment initiatives that more efficiently allocate resources to our highest priorities. Among these, USCG will regionalize its Maritime Safety and Security Teams (MSST) program to make it more efficient in targeting resources to high-risk locations. This approach continues to make deployable forces available to the same strategic locations on an as needed basis. Because fewer MSSTs are required, fewer personnel are needed to staff the units.

56843.026

Question#:	2
Topic:	AIT
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: The Transportation Security Administration's (TSA's) proposed budget for FY2011 includes funding increases to hire and train additional Transportation Security Officers, primarily to operate the more than 900 Advanced Imaging Technology (AIT) equipment the agency plans to purchase and deploy.

Does TSA's staffing model, and the proposed FTE increase, assume TSA will be able to use the automated anomaly detection software, which is currently being developed, with the AIT equipment?

Does DHS plan to deploy all 900 or more AIT machines by the end of calendar year 2011, or do you expect deployment to continue into 2012 or beyond?

Response: The fiscal year (FY) 2011 request assumes that the Automated Target Recognition (ATR) capability is deployed to the Advanced Imaging Technology (AIT) fleet. The Transportation Security Administration (TSA) will begin testing ATR in FY 2010 with subsequent deployment to the fleet in FY 2011.

All site preparation for airports receiving AIT machines should be completed by the end of 2010, enabling TSA to deploy all planned 990 AIT machines by the end of calendar year 2011.

Question#:	3
Topic:	isp
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: DHS's budget request includes $40 million for TSA's international security programs. What will this funding be used for?

Response: The President's budget proposal for fiscal year 2011 reflects an increase of $40 million for the Transportation Security Administration's (TSA) international programs to support the following:

- Outreach efforts
- Assessments of airports and inspections of air carriers
- Training missions
- Evaluating the data identified through the assessment process, develop systems and processes to better analyze international threats to aviation security, and to institute appropriate security measures to prevent and deter terrorist acts.

These resources will enable TSA to increase staffing levels by an additional 34 Transportation Security Specialists, 10 International Industry Representatives, 20 headquarters personnel, and 10 Capacity Development personnel.

Question#:	4
Topic:	GNDA
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: The Domestic Nuclear Detection Office (DNDO) was to created in 2005 to coordinate federal efforts to detect and protect against a nuclear terrorist attack. To this end, during the last five fiscal years, Congress has provided significant funding for DNDO to develop a Global Nuclear Detection Architecture. Concerned about DNDO's progress in developing this architecture, Senator Collins and I included a provision in the Implementing Recommendations of the 9/11 Commission Act of 2007 that required DHS and its federal partners to conduct a Joint Interagency Annual Review of the Global Nuclear Detection Architecture and provide Congress and the President with an annual report on the status of these efforts.

The President's FY 2011 budget seeks $38 million for DNDO's Systems Engineering and Architecture Directorate, an increase of $13 million over FY 2010, to fund new studies of the domestic nuclear detection architecture and produce a future strategic plan. I understand that DNDO's has abandoned its previous approach to developing this architecture as having been overly dependent on technology. Please explain why DNDO's new effort is expected to produce a better result than its previous effort.

DNDO's 2010 annual report to Congress is due in March, yet the agency's 2009 report has yet to be submitted. Why has the 2009 report been delay for nearly a year? Do you expect to complete the FY 2010 report and submit it to Congress on time?

Response: The Domestic Nuclear Detection Office (DNDO) has not abandoned its previous approach to developing the Global Nuclear Detection Architecture (GNDA). What is evolving is the strategy for prioritization of improvements to the architecture which continues to incorporate technical solutions paired with other non-technical and operational (and, hence, lower cost and more widely deployable) approaches which are informed by detailed analyses of the pathways terrorists could employ in bringing a radiological or nuclear weapon to a U.S. target. This is consistent with a strategy of continuous enhancement of the architecture and takes advantage of the evolution in understanding of threats, adversary capabilities, and the development and availability of improved technologies.

Historically, the process developed for improvements to the GNDA was to identify gaps or weaknesses, to prioritize those gaps, and then develop technical solutions for the highest priorities. Thereby a strategy of continuous improvement to the GNDA was developed based on optimizing risk reduction ensuring that each investment reduces risk to the U.S. from radiological and nuclear terrorism

56843.029

Question#:	4
Topic:	GNDA
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

While means of prioritizing gaps based on risk reduction were initially mostly qualitative, an effort was initiated to develop more systematic and quantitative risk assessment methods for prioritization of opportunities to improve the GNDA. As part of this risk assessment methodology development, improved and more nuanced threat and adversary models are being developed for integration into the risk assessment methodology. While improvements to the GNDA continue to be based on technology and technical solutions, the risk assessment methodology used to evaluate the effectiveness of solutions is changing to reflect a better understanding of adversary capabilities and vulnerabilities.

With these changes, DNDO has modified the way in which solutions for identified gaps in the architecture are prioritized in order to present a more robust GNDA structure to potential adversaries. Our previous analyses have pointed strongly toward designing an architecture that is agile and adaptive rather than fixed and predictable, and has placed greater value in solutions that are less predictable by potential adversaries. The implementation of these solutions are intended to present as much uncertainty to potential adversaries as possible in order that they might be dissuaded from attempting a terrorist attack in the first place.

In regards to the annual report, the 2009 version was delivered to Congress on March 8, 2010. This report provides a good and accurate snapshot of the GNDA on an annual basis.

Question#:	5
Topic:	net increase
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: I am pleased with the decision to consolidate nuclear and radiological research and development projects within the Science and Technology Directorate (S&T). I think this is very much in keeping with the original vision for the S&T Directorate, which was intended as a comprehensive center designed to spark the development of the next generations of homeland security technology. I am concerned, however, about whether S&T will have the necessary resources to accomplish its enhanced responsibilities. The proposed budget would move the $108 million Transformational Research and Development program from DNDO to S&T. Unfortunately, at the same time the proposed budget would reduce funding in other S&T divisions. Ultimately, S&T would be left with a net increase of just $3 million. How do you expect S&T to carry out its expanded mission without any significant expansion in its funding?

Response: There were many competing priorities facing the Department as the fiscal year 2011 budget was being built. Many hard decisions and trade-offs had to be made in order to provide funding for the highest priority needs across a vast and diverse mission space. The Department still feels that the development and use of new technology is the future of DHS and is supportive of the Science and Technology Directorate's mission but near-term operational needs weighed heavier.

Question#:	6
Topic:	t and e
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: S&T's Testing & Evaluation and Standards Division plays an important role in providing independent assessments of the technologies that are the subjects of the Department biggest acquisition programs. The Division is involved, for example, in supporting TSA's efforts to acquire an advanced baggage and passenger screening system, and will be providing the Department with an independent assessment of DNDO's Advanced Spectroscopic Portal monitor. The President's request would provide flat funding for the Division. Given the number of major technology investments DHS anticipates making in the next several years, do you believe additional resources should be being invested now in building S&T's capacity to provide the Department's program managers with the technical support they are going to need in the years to come?

Response: In the Science and Technology Directorate's (S&T) FY 2010 appropriation, the management and administration (M&A) account contained an additional $1 million to increase Test and Evaluations/Standards personnel to support DHS's acquisition process. Much of the costs of test and evaluation (T&E) oversight are for full time employees (FTEs) and there was no reduction to the FTEs supporting T&E oversight. S&T intends to maintain this increased level of support and remains dedicated to supporting the Department's acquisition programs by providing oversight to the test and evaluation of new technologies. S&T will continue to develop its program plans within existing budgets to advance T&E oversight of major DHS technology investments.

Question#:	7
Topic:	virtual usa
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: In your written statement, you noted that S&T has launched the Virtual USA initiative, an innovative program that allows federal, State and local first responders to share critical information using geospatial mapping technology.

Question: What are the goals and objectives for this initiative?

Response: The goal of Virtual USA (vUSA) is to develop a national "opt in" capability that will allow any authorized user in the homeland security community to share information and collaborate with any other authorized user when they need to and in the form they need to. To accomplish this, vUSA is developing a cost-effective nationwide capability that will significantly improve information sharing and decision making during emergencies. Based on current and emerging technologies, vUSA is designed to allow the integration of existing information sharing frameworks and technologies to enable collaboration at the local, tribal, state, and federal levels by providing critical context for information – thereby making it actionable. Most importantly, it begins by recognizing that agencies, especially at the local and state levels, cannot afford to throw out existing investments, nor are they able or willing to make wholesale changes to their internal business operations. The initiative must provide tangible value to the participating agencies at all levels of government while making the sharing of critical information possible across all levels of government. Looking ahead, vUSA is examining potential capabilities for state and local fusion centers and related entities to provide them with the access and ability to share critical information including geospatial information.

vUSA is developing tools, technologies, guidance, and other resources that reinforce the following core principles:

- vUSA is not a mandate, but a voluntary national "opt-in" effort.
- All data available through vUSA is controlled and maintained by those who own it at the local and state level; vUSA is not a central data warehouse.
- A bottom-up, practitioner-driven approach is infused in all efforts to ensure investments benefit to "boots-on-the-ground" practitioners.
- Any new developments should integrate with existing frameworks and technologies because budgets are too tight to force local and state governments to upgrade and/or change out their existing systems.

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- All solutions must be technologically agnostic; vUSA allows as many platforms and products as possible to work together in order to make the most efficient use of time, funding, and other resources across all levels of government.

vUSA goals and objectives fall into two major categories: impact on homeland security practitioners and collaboration between technology providers and the practitioner community. vUSA seeks to make it possible for the sharing and fusing of information across all levels of government. The result will be a capability that allows agencies to share information, but to retain the ability to decide what to share, how to share it, how long to share it, and with whom. Agencies have been very clear that their participation depends on allowing them to control their own information. With that understanding, appropriate handling instructions and classification of information such as law enforcement sensitive data - should be maintained to ensure good stewardship and the safeguarding of critical information. vUSA will also integrate strong authentication and identity management technologies and procedures into its future efforts.

Ultimately, continuous practitioner input during the development stage ensures that systems meet user requirements, rather than forcing users to work around capability gaps with costly, cumbersome, and often ad hoc solutions. vUSA looks to foster an environment where practitioners have the ability to work with technology providers to develop products; have access to the tools they need at a price-point they can afford; and are not forced to use proprietary, stove-piped systems.

Question: What are the projects and pilots that are a part of this initiative?

Response: The Science and Technology Directorate (S&T) places a very strong emphasis on pilots because they ensure that projects will work as intended when they are later introduced as nationwide capabilities. Pilots also allow best practices and lessons learned to be shared among subsequent participants across the nation in a timely fashion. Moreover, as different regions often have unique issues, a multiplicity of pilots will better enable us to refine requirements and roll out Virtual USA as a true nationwide capability. S&T is currently conducting two pilots under the vUSA initiative: the Southeast Regional Operations Platform Pilot (SE ROPP) and the Pacific Northwest (PNW) Pilot. Additionally, S&T is investigating a third potential pilot in the greater New England region.

The SE ROPP integrates existing platforms, visualization tools, and other data sets to allow participating states to interoperate and share information, regardless of the proprietary system. Participants include local and state entities from Alabama, Florida, Georgia, Louisiana, Mississippi, Tennessee, Texas, and Virginia. The U.S. Department

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of Homeland Security (DHS) supports the pilot through technical and policy assistance aimed at developing an operational framework to enable information sharing across state lines; documenting new best practices for interstate information sharing governance processes and procedures, workflows and visualization tools; and the demonstrating of real-time regional information sharing that utilizes new technical solutions.

Begun in February 2009, Phase I of the SE ROPP culminated in a proof-of-concept demonstration in November 2009 involving states responding to requests for information during an incident; then sharing that information across their own existing platforms. Phase II, which began in January 2010, will focus on developing an advanced information sharing prototype technology for the region, as well as institutionalizing and operationalizing information sharing tools and techniques developed during Phase I within each state.

The PNW Pilot will assist states in building tailored state information sharing capabilities, as well as regional capabilities, that advance development of the national vUSA effort. Since September 2009, S&T has worked with Alaska, Idaho, Montana, Oregon, and Washington, along with other relevant federal partners and private sector entities, to equip states with initial operational capabilities that will enable improved emergency management and response, particularly before the region experiences the severe weather and flood incidents commonly occurring during the fall and winter seasons.

Question: What has this initiative been able to accomplish to date?

Response: Since the initiative's launch in early 2009, Virtual USA has achieved:

- Completed Phase I of the Southeast Regional Operations Platform Pilot (SE ROPP) in nine months, culminating in the highly-successful proof-of-concept demonstration on November 4, 2009.
- Expanded state information sharing platforms in the southeast U.S. during the SE ROPP. When the effort began, only two states in the region had information-sharing systems. Through the pilot, the S&T's Command, Control and Interoperability (CCI) Division supported the development of state systems in seven states. Subsequently, these systems were used in a variety of situations including management of Hurricane Ida; coordination of efforts to locate a missing person; and responding to regional flooding.
- Kicked-off the Strategic Resource Group, consisting of local, state, and federal practitioners from across the Nation to provide S&T with requirements, insight, and feedback regarding the advancement of vUSA. Topic-area specific working

56843.035

Question#:	7
Topic:	virtual usa
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

groups (standards, analytics, geographic information system, investigative, security, and resource and operations coordination) will provide detailed feedback and requirements.

- Identified by the White House as a key component to the Open Government Initiative as well as integrated into the U.S. Department of Homeland Security's plan for complying with the President's Open Government Initiative in December 2009.
- Supported the Broadband Initiatives Program and Broadband Technology Opportunities Program to more effectively distribute American Recovery and Reinvestment Act funds, in coordination with the Federal Chief Technology Officer's office, the U.S. Department of Agriculture (USDA), and the National Telecommunications and Information Administration (NTIA).

vUSA's accomplishments to date were recognized by Dr. John Holdren, Assistant to the President for Science and Technology and Director of the Office of Science and Technology Policy, Executive Office of the President of the United States, at the keynote address he delivered at the 2010 Environmental Systems Research Institute (ESRI) User Conference in Washington, D.C. There, he said "Virtual USA is a quite remarkable initiative because it is relying very heavily on resources already in place in the possession of the many collaborators, and simply bringing them together in ways that enable an increased degree of communication and cooperation in responding to various kinds of national emergencies."

Question: What is the anticipated end state of Virtual USA?

Response: Through Virtual USA, DHS S&T is creating an environment where homeland security practitioners share information seamlessly in a completely transparent way. This information sharing will enable practitioners to receive and interpret actionable information in the manner of their choosing, on the platform that meets their needs, and on the device they are comfortable operating.

vUSA is a continuous evolution of capabilities and functionalities made available to the entire practitioner community. As science and technology advance, S&T is poised to integrate new information sharing, geospatial, visualization, and analytical tools, technologies, and systems to continually further the art of the possible.

vUSA is finalizing a long term implementation strategy that will detail the stages of the technical development of the program. At the end state, vUSA is establishing the technical capability to develop a national "opt-in" system that will enable authorized users to access and provide the information when they need it and in the form they need

56843.036

Question#:	7
Topic:	virtual usa
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

to see it. S&T is engaging their pilot participants, members of the Strategic Resource Group and others in the emergency preparedness and response community to determine the best means for administrative oversight and management of that capability.

Question: Will the current budget support the Virtual USA end state you have described?

Response: S&T will continue to develop its program plans within existing budgets to advance Virtual USA towards its end state for homeland security practitioners.

Question: What are some major milestones of Virtual USA within the current budget parameters for this initiative?

Response: The following represents major upcoming milestones for Virtual USA (vUSA).

Southeast Regional Operations Platform Pilot (SE ROPP)

- June 1, 2010: Deploy an advanced information sharing prototype for testing and evaluation. Results of this effort will support future developments in the region and others across the nation.

Pacific Northwest (PNW) Pilot

- September 30, 2010: S&T will work with participating states to complete requirements development and conduct a gap analysis to identify the roadmap for building state-specific and regional information sharing capabilities.
- October 30, 2010: S&T and states will begin testing and evaluating information sharing systems to ensure they meet practitioner needs.

December 30, 2010: S&T will work with other partners in the region to conduct a regional demonstration and evaluation effort focused on sharing information between state systems.

Question#:	8
Topic:	operational account
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: The Committee's report into the failed response to Hurricane Katrina found that FEMA lacked the resources needed to accomplish its mission and that resource shortages contributed to FEMA's failures in responding to Hurricane Katrina. The Post-Katrina Act, which I authored along with Senator Collins, required FEMA to be built into an entity that could, for the first time, be prepared for and able to respond to and recover from a catastrophe. For a few years after the Post-Katrina Act's passage, the previous administration asked for and Congress delivered incremental budget increases designed to help FEMA build itself into this more robust and capable entity. Although FEMA has made substantial progress and is far more robust than it was when Hurricane Katrina struck, this building process is far from complete and additional resource increases are still needed.

Although we are in a very tough budget climate, I am disappointed that the proposed FY2011 budget for FEMA's main operational account is basically flat this year. To compound matters, last year's request also sought virtually no increase in funding for FEMA's operations. Notably absent, among other things, are budget requests for staff increases in areas such as acquisitions, grants management, operational planning, logistics, and management.

Given the continuing need to enhance FEMA's capabilities, was consideration given, even in this difficult budget climate, to requesting increased funding for FEMA's main operational account? Why was a request for greater funding not made?

FEMA is in the process of a human capital planning effort – something that it has long needed to do and something which was required by the Post-Katrina Act, but still has not been completed. What is the status of that effort and how will the results be used in formulating future budget requests? Is FEMA doing other work to assess where it is in developing the capabilities envisioned by the Post-Katrina Act and to determine the resources necessary to address areas where it still falls short?

Response: With the help of the Congress, FEMA has recently made great strides in addressing deficiencies across all of FEMA programs, along with significant increases in staffing. FEMA's FY 2011 request does address a critical need for additional resources - adequate and properly maintained space for regional staff. FEMA regional staff currently works in crowded offices and facilities that require improvements to meet safety requirements and support core mission functions. FEMA has requested an additional

56843.038

Question#:	8
Topic:	operational account
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

$23.3 million in 2011 to address the lack of adequate and safe facilities that impair FEMA's ability to attract and retain the talented staff required for its mission.
The human capital study is a critical next step in right-sizing FEMA. FEMA recognizes that it must build, sustain, and improve the quality of people that we have on our team. To that end, it is critical that FEMA's strategic approach includes the development of existing talent into future leaders. In Q4 FY'09, FEMA launched the agency-wide Integrated Strategic Workforce Planning Initiative to ensure its ability to meet its responsibilities to support State and local partners. The Integrated Strategic Workforce Planning Initiative's objective is to conduct a capabilities- and events-driven workforce planning effort that baselines the current FEMA workforce and creates the FEMA workforce of 2012 and beyond. Through four phases extending from FY'09 – FY'12, the initiative will:

- Develop an understanding of FEMA's current Federal workforce, its core operational capabilities, its operational environment, and workforce trends;
- Design the future operational capabilities needed to support any FEMA mission from 2012 and beyond through exploration of forecasted events and associated workload;
- Conduct gap analysis between FEMA's current and future operational capabilities and workforce;
- Outline a roadmap with short- and long-term strategies to close gaps in FEMA's operational capabilities and workforce; and
- Institute event- and capability-driven methodologies to the Agency's workforce planning processes.

Per the Conference Report accompanying the DHS Appropriations Act, 2010, FEMA partnered with the Homeland Security Studies and Analysis Institute (HSSAI) for the initiative's first phase (FY'09 Q4 – FY'10 Q3) to conduct the baseline workforce assessment by quantifying the current workforce in terms of numbers, locations, work performed, and limited capabilities assessment. FY'09 funds were expended. The results of this assessment are to be provided by June 30, 2010 and will be within the framework of the activities and outcomes tied to the Bottom Up Review (BUR) that is informed by the DHS Quadrennial Homeland Security Review (QHSR). Phases II-IV, scheduled for FY'10 Q4 – FY'12, will focus on determining the required mission capabilities, identification of manpower requirements to achieve these capabilities, and development

56843.039

Question#:	8
Topic:	operational account
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

and execution of workforce strategies to realize the manpower requirements and capabilities articulated.

FEMA will utilize information obtained from all four phases of the workforce planning initiative to formulate budget requests in at least each of the next five subsequent budget years.

FEMA has engaged in several efforts to improve our capabilities and address resource requirements, one of which is working better with our partners. FEMA recognizes that we are a part of the team with the general public playing a larger role in emergency management than has typically been recognized. Well before professional responders arrive, it is family, friends, and co-workers who conduct critical response functions such as search and rescue, provide preliminary medical assistance, as well as help with evacuations. Consequently, working with other members of the team, we have developed excellent programs to marshal volunteers, encourage individual and family preparedness, and engage specific groups in emergency management activities.

Additionally, the National Academy of Public Administration (NAPA) concluded a study of FEMA requested by Congress and released its report, "FEMA's Integration of Preparedness and Development of Robust Regional Offices: An Independent Assessment." This report confirms that FEMA has made significant progress in better integrating preparedness across our functional fabric, as well as in creating more robust regional offices. Specifically, the report found that FEMA has taken significant steps to create more robust regional offices, including developing and promulgating guidance to identify the respective preparedness responsibilities of headquarters and regional offices, and creating a regional advisory council in each region to represent stakeholders. Development of robust regions is more than delegating responsibility; it will also require optimizing our human resources. The Deputy Administrator is personally leading a high-priority, senior-level initiative to examine how our positions are organized between headquarters and the regions, and reviewing how best to reposition resources to the regions to complement and to fully support the implementation of the programs in the regions. Administrator Fugate and I both recognize that strong regions require strong leaders, and both are committed to seeking and selecting Regional Administrators who are both qualified and prepared to handle these additional responsibilities. The Administration is actively pursuing, selecting and assigning Regional Administrators who have "a demonstrated ability in and knowledge of emergency management and homeland security." We firmly and fundamentally agree that these key leadership positions are no

Question#:	8
Topic:	operational account
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

place for emergency management novices, and will continue to ensure that only experienced and qualified emergency managers fill these critical positions.
Finally, FEMA is also engaged in efficiency review planning and studies to assess and improve current processes, policies, and staffing structures, in collaboration with key stakeholders to improve the organization's performance as well as lay the groundwork for ongoing improvement. The Department of Homeland Security (DHS) plan encompasses simple, common-sense reforms, as well as longer-term, systemic changes. Initiatives will be broken down into 30-, 60-, 90- and 120-day groupings indicating when implementation will begin. Within the first 30 days, FEMA has already eliminated the printing of all documents that can be sent electronically or posted online.
These are just a few of the initiatives that FEMA is developing and working with Directorates and Offices to assess our capabilities and identify or improve FEMA's resources management and requirements throughout the organization.

56843.041

Question#:	9
Topic:	afg
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: The Administration has proposed substantial cuts to both of the two major fire grant programs in FY 2011. The Assistance to Firefighters grant program (AFG) would be reduced 22% from last year—and, if the proposed cuts are implemented, a total of 46% from FY09. Funding for the Staffing for Adequate Fire & Emergency Response (SAFER) grant program would decline by 27%. However, the need for these programs has not declined. In fact, in FY09 AFG received more than $3 billion in applications for the $565 million then available.

Please explain the justification for the proposed cut to AFG.

Response: This request does not indicate a departure from the Administration's commitment to support first responders, as the President's 2011 Budget proposes historically high requested levels for those programs traditionally geared toward law enforcement, firefighters, and emergency managers (i.e. UASI, SHSGP, and EMPG). In fact, the request for the AFG suite of programs is $20M higher than the previous President's budget submission. We look forward to working with the Fire Service to implement these important programs.

Question: Please explain the justification for the proposed cut to SAFER.

Response: This request does not indicate a departure from the Administration's commitment to support first responders, as the President's 2011 Budget proposes historically high requested levels for those programs traditionally geared toward law enforcement, firefighters, and emergency managers (i.e. UASI, SHSGP, and EMPG). In fact, the request for the AFG suite of programs is $20M higher than the previous President's budget submission. We look forward to working with the Fire Service to implement these important programs.

Question#:	10
Topic:	grants
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's budget would reduce funding for homeland security grants to states and localities by nearly 8% and proposes eliminating several grant programs, including grants for interoperable communications, medical preparedness, citizen and community preparedness and driver's license security. In their public statements, Department officials have explained that DHS will continue to allow states and cities to use their Urban Area Security Initiative (UASI) and State Homeland Security Grant Program (SHSGP) awards to pay for these expenses. But, as I am sure you are aware, UASI and SHSGP would not receive enough funding to cover these additional programs. Please explain the rationale for eliminating these dedicated grant programs and how already hard-pressed states and localities are expected to absorb these funding cuts.

Response: The President's FY 2011 Budget Request for DHS State and Local Programs is higher than any past funding request for this account. Of the $28 billion awarded since 2002, over $9 billion remains unexpended by State and local recipients. Thus, it could be argued that the DHS grant pipeline is saturated at this time. In combination with the fact that the Federal government is facing severe budgetary pressures, the requested level seems quite reasonable.

As Department officials have indicated, DHS will continue to allow States and cities to use future grant dollars to fund some of those initiatives formerly addressed by a dedicated grant program. Currently DHS' State and local grant programs are fragmented into 19 different program silos. These diffused grant programs do not support a comprehensive approach to addressing homeland security risks at the Federal, state and local levels. The 2011 Budget grant consolidation request begins to address this dysfunctional approach by providing the Secretary, working with state and local grant recipients, the ability to establish homeland security priorities across a few, broad grant programs. Consolidating grant programs into broader funding "buckets" will provide Federal, state, and local governments with greater flexibility to meet emerging homeland security threats.

Question#:	11
Topic:	mmrs
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: The Administration has proposed eliminating funding for the Metropolitan Medical Response System (MMRS) and instead relying on states and cities to use their SHSGP and UASI awards for medical preparedness and response. As the scope of the recent tragedy in Haiti as well as the findings of the WMD Commission concerning the likelihood of a biological attack make clear, mass casualty preparedness programs should play a vital role in our preparedness efforts. Indeed, the MMRS system played an important role in many communities' response to the H1N1 pandemic.

Given the critical need to prepare to handle significant numbers of casualties in large-scale disasters, why has the elimination of MMRS been proposed?

The 124 MMRS regions in many cases do not correspond to either UASI cities or to state boundaries. If MMRS grants are eliminated, what will DHS do to ensure that UASI or State grant recipients continue to support existing MMRS planning and coordination efforts?

Response: The Department agrees that planning for mass casualties events is important. This activity can be performed in a number of our existing grant programs, including the State Homeland Security Grant Program (SHSPG) and the Urban Areas Security Initiative (UASI). In fact, grant reporting shows that States and localities are spending over $160M in monies outside of MMRS toward key activities such as medical preparedness and mass fatality management. As such, I have no doubt that States and UASIs will continue to fund these activities. The consolidation of programs reflected in the FY11 grant budget reflects our desire to continue to give the State and local grantees the maximum flexibility to decide how they want to prioritize their preparedness investments.

Question#:	12
Topic:	iecgp
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: In 2007, Senator Collins and I worked to create a dedicated grant program, the Interoperable Emergency Communications Grant Program (IECGP), to help states overcome interoperability problems that too often frustrate the effectiveness of first responders during a crisis. The President's FY 2011 budget would eliminates funding for IECGP, which has been an important tool in helping states implement their statewide interoperability plans and advance governance structures that are essential for cooperation among federal, state and local entities. The Administration has suggested that SHSGP and UASI funds can instead be used for interoperability needs. However, one of the main reasons Congress created IECGP was that interoperability needs have taken up a disproportionate amount of other DHS grant programs, thus diverting funds from other needs. Additionally, I'm concerned that whereas the funds under IECGP are disbursed on an all-hazards basis, SHSGP funds are distributed under a formula based on the risk of terrorism. As a result, if the IECGP program is not funded, not only the amount, but also the relative distribution, of interoperability funding will change. In light of these concerns, please explain the Department's reasoning for eliminating the IECGP program and how the Department will ensure that the needs of the states will be met in such as way as to fulfill the 9/11 Commission's recommendation of full interoperability for our first responders.

Response: Activities typically funded under smaller grant programs, such as Interoperable Emergency Communications Grants are considered vital to national preparedness. The proposal to consolidate this program into SHSGP and UASI reflects an attempt to achieve administrative efficiencies, as opposed to deemphasizing their importance. There are several factors that lead DHS to propose consolidating IECGP with the grant programs. The factors are:

- Reducing administrative burden on grantees (and DHS)

There are significant administrative burdens associated with each grant program. For the grant applicant, there is the cost of developing an annual grant application for each program, the cost of periodic grant reporting, the cost of managing sub-awards, and the cost of planning a comprehensive Homeland Security investment strategy across multiple grant funding streams. For DHS, there is the cost of developing annual grant guidance packages and application kits for multiple programs, administering a robust application review process, making awards, and monitoring multiple open awards.

56843.045

Question#:	12
Topic:	iecgp
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

By consolidating small programs like IECGP into larger programs, DHS believes that it will reduce the administrative burden on grantees and free up resources that can be directed to programmatic goals and to better monitoring of grant funds.

- Providing maximum flexibility for grantees

As noted in your question, grantees have used a significant portion of all grant funds on interoperable communications over the years. IECGP, however, has only been funded at $50 million annually since it was authorized in FY 2008. This funding level, by itself, is not enough to meet the communications needs of our Nation's emergency responders. Therefore, grantees will continue to fund their interoperable communications projects across multiple grant programs.

By consolidating funding in one large grant, grantees can better manage large investments rather than breaking the investments into separate phases or activities that can be funded through multiple funding streams. One larger pot of grant funds will allow decision making at the State and local levels that truly meets the needs and priorities of the individual jurisdictions.

Question#:	13
Topic:	Global api
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: Our ability to pre-screen international travelers against our watchlists and other databases is a crucial component of our national security. The President's budget submission would eliminate funding for the Global Advance Passenger Information program (Global API). Global API seeks to address a weakness in our prescreening system by reaching agreements with other countries to provide us with information about passengers on flights that do not have a nexus to the United States that is, flights that are not coming to the U.S. This is important because if someone purchases their ticket to the United States in two separate transactions, spending perhaps a day or two in another country in between their two flights, we currently have no way to know about their travel until they show up at the airport for their U.S.-bound flight. The Christmas day attack has shown us that this prescreening needs to begin as soon as possible and Global API is an important piece of the puzzle.

Why is DHS seeking to eliminate funding for the Global API program? How will DHS ensure that alternative funding is available should other countries seek to participate in the program during FY2011, given that the Department is also proposing a cut in the CBP travel budget?

Response: CBP is not eliminating its commitment to the program. CBP is continuing outreach to all countries with significant interest. Should an opportunity with an interested country present itself, CBP would identify internal funding to support a request.

Question: Would DHS support Congressional action to expand the current passenger prescreening programs for international flights to ensure that CBP and other agencies have access to the identifying biographical information required to check all of our government's intelligence and crime databases at least 24 hours before an airplane departs for the United States?

Response: Beginning 72 hours prior to a flight's departure, DHS as CBP currently receive available Passenger Name Record (PNR) information about travelers flying to and/or from the United States. Although PNR data contains valuable information, it does not typically contain the biographic information necessary to screen a traveler against government databases. DHS and CBP are working with international organizations supporting the aviation industry (the International Air Transport Association and the International Civil Aviation Organization) to develop a global standard for the messaging structure of PNR data to facilitate governments' use of this data.

Question#:	14
Topic:	border staffing
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: Although the issue has largely disappeared from the headlines, the violence in Mexico has increased over the past year from the already unprecedented levels we saw in 2008. One of the most important ways that we can support Mexico's efforts to combat this violence is to deny the cartels that are behind the violence the ability to freely smuggle guns and cash back to Mexico across our land border. For this reason, Senator Lieberman and Senator Collins fought to include funding in the FY2009 budget and supplemental for 125 Customs and Border Protection (CBP) officers to implement southbound inspections of vehicles heading to Mexico. In FY2011, DHS is proposing eliminating some of the positions that were added last year to conduct southbound inspections.

Please explain why the Department is proposing to eliminate 50 officers assigned to southbound inspections, and what impact will that have on the number of officers conducting southbound inspections.

Response: CBP plans to hire the 50 new CBP Officers which Congress funded in FY 2010 on the Southwest Border.

Question: Please provide the Committee with the number of CBP personnel working southbound inspections in FY 2010 and the number that would be assigned to southbound inspections under the proposed FY 2011 budget.

Response: By the end of FY 2010, CBP will deploy approximately 336 personnel trained along the Southwest border for outbound operations. However, CBP employs a "pulse and surge" strategy for outbound operations on the Southwest Border (SWB). "Pulse and surge" operations are short in duration and involve periodic outbound inspections followed by intervals without inspections. This allows CBP to manage staffing, maintain the element of surprise, prevent operations from becoming predictable, counter the use of "spotters," while also maintaining control of the outbound flow of traffic. By the end of FY 2011, CBP will have approximately 449 trained personnel deployed to conduct outbound "pulse and surge" operations along the SWB.

Question#:	15
Topic:	exit system
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: The Intelligence Reform and Terrorism Prevention Act of 2004 created the US-VISIT system by requiring the deployment of a biometric entry and exit system. The 9/11 Commission argued that a biometric entry and exit system was a crucial component of securing our nation's borders from another terrorist attack. Eight years after 9/11, the deployment of US-VISIT to all of our nation's ports of entry is one of the largest steps that the federal government has taken towards stopping terrorist travel. Despite this notable achievement, we still do not have a biometric exit system in place. In December 2009, Undersecretary Rand Beers testified before this Committee that a decision on the deployment of the exit system was "imminent." However, the FY 2011 budget includes no funding for the deployment of an exit system. Given the lack of funding for biometric exit in FY 2011, what is the current timeline for deploying a biometric exit system at airports? Where in the airport environment will this deployment take place?

Response: The United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program has run a number of pilots in the air and sea port of entry environments to identify the best technology, processes, and actors to implement a national biometric exit capability.

US-VISIT's first pilot was conducted between January 2004 and May 2007 at 12 air and two sea ports. After evaluating the results, the Department of Homeland Security (DHS) determined that the collection of biometric exit information should be integrated into the existing departure process in order to improve compliance.

The Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329), restricted funding for the implementation of a final air exit solution until US-VISIT conducted at least two air exit pilots. This act also required US-VISIT to prepare a report on the exit pilots for submission to the Committees on Appropriations of the Senate and the House of Representatives and for review by the Government Accountability Office.

US-VISIT coordinated the required pilots with U.S. Customs and Border Protection (CBP) and with the Transportation Security Administration (TSA). The pilot program ran from May 28 to July 3, 2009, at Hartsfield-Jackson Atlanta International Airport and Detroit Metropolitan Wayne County Airport. The pilot program in Atlanta checked the biometrics of aliens subject to the US-VISIT program at the main TSA security checkpoint. CBP collected biometrics at selected boarding gates at the Detroit Metropolitan Wayne County Airport in Detroit, Michigan.

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Question#:	15
Topic:	exit system
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Despite extensive US-VISIT discussions with the Air Transport Association and its member carriers, no airlines volunteered to participate in the biometric air exit pilot. US-VISIT evaluated the results of both exit pilot programs and forwarded the evaluation report to Congress on October 27, 2009.

The pilots demonstrated that, given appropriate resources, DHS can collect biometric exit records in the air/sea environment with manageable impact on the traveling public at either location and with either collection organization.

The Department has performed significant planning and testing over the past six years to examine possible solutions for integrating US-VISIT biometric exit requirements into the international air departure process. DHS is currently reviewing results from the air exit pilots last summer and is in the process of determining the best available procedures to be implemented in the airport environment. Once a determination is made on the direction of biometric exit at airports, then appropriate funding requests will need to be generated.

Question#:	16
Topic:	flap
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: Since its implementation in 1997, the Foreign Language Awards Program (FLAP) has been instrumental in identifying and utilizing CBP employees who are proficient in a foreign language, a skill especially important in their role of dealing directly with foreign travelers and trade. Under the program, which incorporates more than two dozen languages, CBP Officers and Agriculture Specialists who qualify after language proficiency testing can earn awards of between 1 and 5 percent of their pay if they use a language other than English for more than 10 percent of the time during their daily duties. Thousands of frontline CBP employees use their language skills in this way every day, to the benefit of the traveling public and the enhancement of CBP's security mission. Nonetheless, FY 2011 DHS budget proposes to eliminate this Congressionally-authorized program, and on February 4, 2010, CBP notified its employees that it was immediately suspending this program citing lack of FY 2010 funding.

Why was this program immediately suspended? What budget planning went into this decision to immediately suspend and eliminate FLAP at CBP?

Response: CBP Officers and Agriculture Specialists hired since June 2004 and initially assigned to the Southern Border, Puerto Rico and Miami have a minimum Spanish proficiency requirement as a condition of employment. FLAP was used as a tool to reward the utilization of enhanced and superior foreign language proficiency. Officers and Agriculture Specialists lacking sufficient proficiency in Spanish are provided five additional weeks of language training. Notwithstanding the suspension of the FLAP, Managers will continue to encourage all employees to utilize their enhanced foreign language proficiency to accomplish the Agency's mission. Managers also have the option to use other traditional awards (e.g., "on the spot" and "time-off") to recognize employees who utilize their language superior foreign proficiencies and significantly contribute to the accomplishment of the mission.

Question: FLAP has a dedicated funding source—customs user fees collected from the traveling public and the trade community. How will customs user fees that formerly funded FLAP now be distributed? For what programs will these user fees be used? And is this customs user fee diversion supported by statute?

Response: FLAP awards are funded through customs, immigration, and agriculture user fees. Due to a substantial reduction of airline travel and commercial conveyances entering the United States in recent years, there has been a substantial decline in fee revenues. The Customs user fee currently supports approximately $10.2 million of the FLAP program. By suspending the FLAP program, this funding would be redirected towards other requirements that are eligible under the fee legislation.

Question#:	17
Topic:	wait time
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: Since 9/11, we have implemented a number of programs at the border to increase security. Despite DHS's best efforts to keep the traffic moving, wait times at some of our border crossings like the one in Nogales, Arizona can sometimes be too long. This is naturally of concern to border communities, and may impact businesses that depend on cross-border traffic for their livelihood. I am concerned that the FY 2011 budget essentially has no funding for new CBP officers to facilitate border crossings. Instead, it will keep staffing for the ports of entry at FY2009 levels. Given the staffing constraints identified by the budget, what can DHS do to ensure that wait times at the border are not having an adverse impact on border communities?

Response: Our busy land border ports present unique challenges in ensuring both security and the flow of legitimate trade and travel. CBP is continually working to both reduce wait times and improve effectiveness by improving the efficiency of the inspection process.

Ports of entry may have specific constraints and operational realities related to constrained infrastructure, seasonal traffic and tactical operations which require adaptation of strategies to address the local situation and maintain flexibility in an ever-changing environment. Advance planning is the essential first step to ensure maximum staff availability during periods of known peak traffic.

Under the Western Hemisphere Travel Initiative (WHTI), Radio frequency identification (RFID) technology and next generation license plate readers were deployed to the top 39 high volume land ports of entry covering approximately 95% of land border traffic by June 1, 2009. These facilitative technologies are playing an integral role in improving efficiencies.

WHTI facilitates legitimate travel and increases the security of our borders by requiring travelers to present one of a small number of DHS-designated documents which support real time electronic verification to establish identity and citizenship.

RFID technology facilitates travel across the land border by allowing traveler information to be pre-positioned for the border officer and queried via law enforcement databases as a vehicle approaches primary inspection at land ports of entry. RFID queries are 60% faster than manual queries.

Question#:	17
Topic:	wait time
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

The promotion of new RFID document options, such as the Passport Card and Enhanced Driver's Licenses (EDLs) is a strategy to transition travelers from less efficient to more efficient processing methods.

New License Plate Readers are 10% more accurate than those they replaced, now reading at or above 90%, saving officers from needing to manually correct almost 10 million erroneous license plate queries per year.

RFID technology and License Plate readers interface with the Vehicle Primary Client (VPC), a new graphical user interface which integrates vehicle, traveler, and crossing history data, and provides law enforcement information on vehicles and people before the vehicle arrives at the inspection booth. The VPC is deployed to all land border ports, making processing more efficient while enhancing security.

A key piece of reducing wait times is through facilitative Trusted Travelers Programs, such as SENTRI, NEXUS, and FAST. The SENTRI program was first implemented at Otay Mesa, CA in 1995, and has grown to include 16 lanes at the ten largest southern border ports of entry along the U.S.-Mexico border.

There are currently over 247,000 SENTRI members, accounting for 13% of traffic on the southern border. CBP has plans to open new SENTRI lanes in Anzalduas and San Luis in FY 2010. Nationwide, Trusted Traveler Program enrollment has reached 773,000 and continues to grow.

Long term strategies for reducing wait times include adding additional capacity, promoting RFID documents, and utilizing improved technologies. For example, in order to improve traffic flow at the Nogales Mariposa Port of Entry, CBP is building a new facility with additional capacity, with a planned completion in 2013.

Short term strategies include reducing the pull-up time with in-lane stop signs (which can save over 10 seconds per vehicle); increasing time between officer rotations; deploying LED signage to enable the efficient designation of lanes; cross-utilizing commercial and/or Trusted Traveler Program lanes during peak times; and increasing pre-primary enforcement activities.

CBP will continue to work to improve the efficiency of the inspection process to better secure our borders and facilitate legitimate travel and trade.

Question#:	18
Topic:	Muskegon
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Carl Levin
Committee:	HOMELAND SECURITY (SENATE)

Question: I am pleased to see the Coast Guard is finally proposing to upgrade its helicopter capabilities on the Great Lakes with the replacement of HH-65 helicopters with HH-60 helicopters, which have much greater capabilities and range, including de-icing capabilities which is critical in our harsh winters. This is good news and is long overdue.

However, I take issue with the Coast Guard's proposal to close the seasonal air facility in Muskegon, Michigan. I oppose this proposal and I intend to fight it. I do not believe the Coast Guard can adequately cover the operations that are currently being covered by the Muskegon AIRFAC during the summer months when boating activity is at its peak from Traverse City or Detroit. Such a move would put at risk the large number of boaters and swimmers that recreate on Lake Michigan during the summer. When you are talking about search and rescue operations, time is of the essence. We need to maintain the presence of the Muskegon seasonal AIRFAC which has been there since 1997 and which is an important safety presence during the heavy boating season on Lake Michigan.

In proposing to close the Muskegon AIRFAC, the Coast Guard claims it can have a helicopter deployed on-scene within the 2-hour search and rescue response time standard. What is the response time for the Muskegon based helicopter to be on-scene? How much time does a distressed swimmer or boater have in the waters of Lake Michigan while waiting to be rescued during the summer? During the winter? Does it not make sense from a purely safety point of view that an on-site helicopter can deploy more quickly than one coming from much further away?

Response: The entirety of Lake Michigan falls within a 2-hour response range for HH-60 helicopters responding from Coast Guard Air Station Traverse City. The majority of the southern portion of the Lake falls within a 2-hour response from Coast Guard Air Station Detroit using HH-65 helicopters. The Coast Guard's response standard provides for a 30-minute readiness time (time necessary to launch) and 90-minute transit time.

Response times from the location of AIRFAC Muskegon utilizing a HH-65 helicopter in comparison to Air Station Traverse City utilizing a HH-60 helicopter:

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Question#:	18
Topic:	Muskegon
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Carl Levin
Committee:	HOMELAND SECURITY (SENATE)

Location	**Response Time (minutes)**	
	AIRFAC Muskegon	**Air Station Traverse City**
Big Sable Point, eastern shore of Lake Michigan (midway between Muskegon & Traverse City) approx. 57 NM	55	53
Rawley Point, western shore of Lake Michigan (equidistant from Muskegon & Traverse City) appox. 87 NM	67	66
Entrance to Muskegon Lake; approx. 8 nm from Airfac Muskegon & 97 NM from Traverse City	33	70
Gary, Indiana; southern end of Lake Michigan; approx. 105 nm from Muskegon & 205 nm from Traverse City	75	115

Survival of people in a maritime setting varies greatly depending on several of variables. These variables include the environmental conditions (water & air temperatures, winds, waves), the subject's personal attributes (age, body build, health, gender & injuries sustained), clothing and protective gear, and if they have a personal flotation device or other means to stay afloat. Many persons do not survive the initial accident and entry into the water. This is particularly an issue in harsh conditions (cold or rough conditions).

In the warmest summer conditions most people, if able to remain afloat, can survive in excess of 36 hours according to available guidance. In the winter, survival depends so much more on what a person is wearing. If properly equipped for winter activities on the water, a person could survive for multiple hours.

Question: Muskegon County built a new hangar to the exact specifications of the Coast Guard to house the Muskegon air facility and helicopter. The current lease with the Coast Guard does not expire until September 2011. Is it the intent of the Coast Guard to break its lease with the county?

Response: Subject to appropriation and other governing authorities, the Coast Guard intends to fulfill the obligations outlined in the existing lease. Moreover, the Coast Guard currently uses the facility for other year round purposes, notwithstanding enactment of the proposed closures; we intend to continue occupying the facility until 30 September 2011 to carry out those functions.

Question#:	19
Topic:	icebreakers
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Carl Levin
Committee:	HOMELAND SECURITY (SENATE)

Question: The Coast Guard has eight icebreakers on the Great Lakes, and Canada has two. As a result, the U.S. Coast Guard icebreakers are opening and maintaining Canadian ports. During the 2008-2009 winter, how often did Canadian icebreakers assist U.S.-Flag vessel and providing assistance in U.S. ports, how does that compare to the number of days U.S. Coast Guard ships spend in Canadian waters and how many U.S. Coast Guard vessel assists are for Canadian-Flag vessels, and how much money does it cost the U.S. Coast Guard to assist Canadian ships?

Response: The U.S. Coast Guard conducts joint icebreaking operations with the Canadian Coast Guard on the Great Lakes based on an Exchange of Notes (International Agreement) from 1980. Within this agreement, the agencies are authorized to coordinate icebreaking resources on the Great Lakes to best meet the demands of commerce. While sovereign waters of each nation take precedence for the use of icebreakers, tactical level decisions are made daily by both nations based on available icebreakers. The Coast Guard currently does not track hours spent supporting Canadian shipping or operating in Canadian waters. The Coast Guard is developing a tracking system to measure the level of icebreaking assistance provided to U.S. and Canadian ships in both the U.S. and Canadian waters. The Coast Guard anticipates the tracking system will be available for the 2010/2011 icebreaking season.

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Question#:	20
Topic:	conversions
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Daniel K. Akaka
Committee:	HOMELAND SECURITY (SENATE)

Question: As you may know, the Government Accountability Office (GAO) has warned that the Department of Homeland Security (DHS) relies too heavily on contractors. DHS plans to convert certain contract positions to Federal employee positions.

How many conversions have occurred since you became Secretary?

How many more conversions are planned for fiscal year (FY) 2011?

Response: At this time, we do not have the exact number of contractors that have been converted since February 2009, but anticipate that we will be able to produce this information once the Office of the Chief Human Capital Office Balanced Workforce Program office is fully operational. We expect to in-source the 3,500 positions identified last July during FY 2010, with possible carry-over into FY 2011.

Question#:	21
Topic:	savings
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Daniel K. Akaka
Committee:	HOMELAND SECURITY (SENATE)

Question: Over-reliance on contractors may cost the government money because of contractors' profit margins and because the private sector pays more in most fields.

What do you estimate the cost savings will be from converting contractors to Federal employees?

Response: In many cases, as work shifts from contract to in-house support, conversions may not produce cost savings, nor is that the chief goal of this effort. Many contractors, in the course of their work for the Department, have gained specialized experience and skills that may result in budget-neutral conversions. One of the objectives of the Balanced Workforce program office, however, will be to determine the methodology for measuring the impact of contractor conversions.

Question#:	22
Topic:	CVO
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Daniel K. Akaka
Committee:	HOMELAND SECURITY (SENATE)

Question: At the hearing, I mentioned my ongoing interest in addressing gaps in the Federal veterinarian workforce that could hamper the government in its ability to respond to dangerous foreign animal disease outbreaks. I am concerned about DHS's recent decision to no longer designate a Chief Veterinary Officer within the Office of Health Affairs.

Why and when did DHS decide to no longer designate a Chief Veterinary Officer?

Response: The DHS Assistant Secretary of Health Affairs and Chief Medical Officer have the responsibility for all medical and public health issues, which includes veterinary, food, and agriculture security activities within the Department. To reduce confusion and streamline efficiencies, the duties of a "Chief Veterinarian" will appropriately rest with the Director of the Food, Agriculture, and Veterinarian Defense Division (FAVD) within the Office of Health Affairs (OHA). FAVD has four veterinarians each with more than 25 years of operational and incident management experience either in the Federal government, military, or the private sector. These veterinarians coordinate with our federal, state, and local partners and provide expert veterinary advice to DHS leadership and FEMA.

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Question#:	23
Topic:	university programs
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Daniel K. Akaka
Committee:	HOMELAND SECURITY (SENATE)

Question: In the FY 2011 budget request, DHS S&T's university programs would receive over $9 million less than was enacted in FY 2010. According to budget documents, this proposed reduction would eliminate one or more DHS Center of Excellence and decrease about $600,000 from the scholarship and fellowship program.

Why has DHS decided to make such a significant reduction in its funding to these programs?

Response: There were many competing priorities facing the Department as the fiscal year 2011 budget was being built. Many hard decisions and trade-offs had to be made in order to provide funding for the highest priority needs across a vast and diverse mission space. The Department still feels that the long term development of basic research capabilities is the future of DHS and is supportive of the Science and Technology Directorate's University Programs. The Department maintained University Programs at the level possible, but delivery of near-term operational technologies was a higher priority.

The reduction to the University Programs budget, specifically Minority Serving Institutions and Educational Programs, will not impact any students who have already been awarded scholarships or fellowships. All scholarships and fellowships are fully funded for the length of the award when the candidate is selected. These reductions will limit the number of new recipients from 20 in FY 2010 to 10 in FY 2011.

Question#:	24
Topic:	FPS - 1
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Daniel K. Akaka
Committee:	HOMELAND SECURITY (SENATE)

Question: According to DHS's budget request, the Federal Protective Service (FPS) protects 9,474 Federal buildings, oversees 15,000 armed contract security guards, and completed 2,400 building security assessments in FY 2009, in addition to various other responsibilities. The Department's budget request would fund 1,225 FPS positions. The Department has proposed deleting appropriations language requiring FPS to maintain not fewer than 1,200 full-time equivalent (FTE) staff (see FPS-10 of detailed budget justification).

What is the purpose of deleting the staffing floor if your budget plan is to comply with it?

Response: The language regarding minimum staff levels was added to the Appropriations by Congress in the FY 2008 Omnibus Appropriations Act. This addition was not requested by the Department of Homeland Security (DHS) in the FY 2009, FY 2010, or FY 2011 President's Budget Requests to Congress. DHS believes that the Secretary should have the discretion to set staffing levels for the Federal Protective Service (FPS) and would propose that this language be eliminated in FY 2011, consistent with the President's Budget Request.

The Department's National Protection and Programs Directorate is currently analyzing the FPS workforce requirements and this review will inform future budget requests.

Question: At the end of FY 2004, FPS had approximately 1,400 FTE. During a July 2009 hearing of this Committee, FPS Director Gary Schenkel testified, "When we were at 1,400 [FTE], we only had 7,500 guards to oversee. We are now at 1,200 and we have 15,000 guards to oversee". The ratios are much greater now than they were in the past and our responsibilities have grown exponentially."

How is FPS able to meet its expanded responsibilities with fewer employees than it had when it was transferred into DHS?

Response: The FPS has been working steadily toward balancing the increased oversight responsibilities with maintaining its core protective mission status. To help accomplish this, FPS renewed its focus on the core mission of facility protection.

The FPS has reprioritized the allocation of personnel, financial, and mission support resources based on the identified risk of the facilities and stakeholders it serves. This enables FPS to maximize the effective use of its limited resources and allocate them

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Question#:	24
Topic:	FPS - 1
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Daniel K. Akaka
Committee:	HOMELAND SECURITY (SENATE)

where they will have the greatest impact on mitigating risk to Federal facilities and their occupants. In order to perform these tasks effectively, during FY 2009, funds were redirected to increase overtime by approximately 25 percent as a measure to address the immediate issues raised by the U.S. Government Accountability Office. Further, FPS is in the process of rolling out RAMP, a system that will significantly reduce the time inspectors spend on paperwork, and this tool will streamline current processes, allowing inspectors to spend their time ensuring Federal facilities are secure.

Question: How did the Department arrive at 1,225 as the appropriate staffing level for FPS?

Response: The current staffing level for FPS is approximately 1,225; however, the Department has not yet determined what the appropriate staffing level should be for FPS going forward. The Department is aware of the impact staffing levels will have on the future of FPS and has directed that this important issue be carefully reviewed and recommendations made for consideration.

Question#:	25
Topic:	FPS - 2
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Daniel K. Akaka
Committee:	HOMELAND SECURITY (SENATE)

Question: At the same hearing, FPS Director Schenkel testified that prior to the staffing floor FPS was "downsizing to a fairly paltry number of people to do this with. So we had to make some very drastic decisions as to what we would concentrate on, reprioritize our efforts. Subsequent to that, thanks to the 2008 omnibus bill, we were regenerated, if you will, and we were able to embark with our first hiring effort in at least six years."

How will you ensure that FPS does not become similarly understaffed without a minimum staffing requirement and the attendant requirement to adjust building fees as needed to meet it?

Response: The establishment of minimum staff levels, and the requirement for the Secretary of Homeland Security and the Director of the Office of Management and Budget (OMB) to certify the sufficiency of the Federal Protective Service (FPS) fees was added to the FPS Appropriation by Congress in the Consolidated Appropriation Act, 2008. The Department of Homeland Security took immediate action to meet that requirement and subsequent FPS Budget Requests in FY 2009, FY 2010, and FY 2011 were equal to or exceeded the 1,200 Full Time Equivalent staffing level directed by Congress, demonstrating that the staffing floor is no longer needed. If the cost estimates for maintaining the minimum staffing level increase, then DHS will work with OMB and FPS' customers to adjust the FPS fees accordingly.

Question: In your testimony, you stated, "we this year did an internal review of FPS" including whether FPS has "the right numbers in the right places." Please provide that review.

Response: We will submit the review once it is finalized.

Question#:	26
Topic:	HSNRA
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Daniel K. Akaka
Committee:	HOMELAND SECURITY (SENATE)

Question: The DHS Office of Risk Management and Analysis plans to complete the Homeland Security National Risk Assessment during FY 2011. This assessment, which was called for in the Quadrennial Homeland Security Review, will be used to inform strategy formulation and decision-making by the Nation's homeland security leaders. As you know, the FY 2011 budget for this Office calls for a budget decrease.

Given this reduction, how will the Office of Risk Management and Analysis be able to provide the Homeland Security National Risk Assessment and carry out its other duties?

Response: In support of the Quadrennial Homeland Security Review (QHSR), the Office of Risk Management and Analysis (RMA) led an interagency study group that compiled and reviewed risk assessment approaches and evaluated their potential application to development of a national risk assessment. The discussions focused on the assumptions and limitations underlying each methodology, as well as useful means for presenting risk assessment results to decisionmakers. No decision was made as part of the QHSR to move forward with a national assessment.

Given the Department of Homeland Security's (DHS's) longstanding commitment to increasing the use of risk information to inform strategic decisions, the Department is committed to maintaining the current trajectory toward achieving enhanced and integrated risk management throughout the Department.

Additionally, RMA will continue to pursue its goals--providing strategic risk analysis, enhancing risk management capabilities across the homeland security enterprise, and integrating risk management approaches.

Question#:	27
Topic:	training
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Daniel K. Akaka
Committee:	HOMELAND SECURITY (SENATE)

Question: I understand that DHS intends to invest more in supervisor and leadership training for its employees. Last year, I introduced the Federal Supervisor Training Act, which would require agencies to establish programs to better develop supervisors' communication and management skills.

How many supervisors does the Department intend to train this year as part of its leader development program?

When will this training begin?

Will supervisors receive refresher training after their initial training?

On what issues will supervisors receive training?

Response: Of the roughly 27,000 supervisors and managers within DHS, we estimate that fewer than 10% are new supervisors/managers who have joined the Department of Homeland Security within the last 18 months. We intend to train all new supervisors this year as part of our leadership development programs and have already begun this training. Following recent OPM guidance related to the Federal Supervisor Training Act of 2009, all supervisors will receive refresher training within three years of their initial supervisor training. The department is currently developing curriculum for standardized management and leadership training in coordination with component representatives.

Supervisors will receive training on a wide variety of topics to include: effective goal setting, resiliency, diversity, leading others, performance management, and motivating and engaging employees. In addition, supervisors will receive specific training addressing the supervisor's role in human resources: effective hiring, performance appraisals, dealing with low performers, and rewarding excellent performance.

Question#:	28
Topic:	plans
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: I'm pleased to see that the President's budget includes additional funding for a number of Transportation Security Administration initiatives to respond to the vulnerabilities highlighted by the attempted Christmas Day plane bombing. That said, it has always been a priority of mine to ensure that TSA is focusing appropriately on the vulnerabilities in our mass transit and inter-city passenger rail networks. As you know, a number of the more recent successful terrorist attacks around the world have occurred on trains and buses. What is your assessment a year into your tenure of the work that needs to be done in security transit and passenger rail systems, including Amtrak? What are the department's plans for the year in this area?

Response: The Transportation Security Administration (TSA) leads the Department's efforts in reducing the risk of terrorism and raising the level of security for the Nation's mass transit and passenger rail systems, including Amtrak. TSA is implementing a comprehensive program to address the vulnerabilities in our mass transit and inter-city passenger rail networks, and this program is described in detail in the Mass Transit Annex to the Transportation Systems Sector-Specific Plan. The TSA program is built on five strategic priorities that include: 1) Expanding partnerships with transit systems to enhance security; 2) Continuously advancing the security baseline; 3) Building security force multipliers; 4) Providing leadership in information sharing; and 5) Deploying tools to mitigate high consequence risks. Recent activities include:

- Strengthening international partnerships and incorporating lessons learned from overseas incidents into our national program;
- Expanding programs through TSA's Centers of Excellence by working with colleges and universities to develop new and innovative initiatives;
- Working with Amtrak to develop and implement a program to accommodate firearms in checked baggage as required by Sec. 159(a) of the Consolidated Appropriations Act of 2010 (Public Law 111-117); and
- Developing refined risk assessment tools, the results of which can be used for self assessment by the transit agencies and or used to determine which federal grant proposals may best reduce risk.
- In 2010, DHS added 15 Visible Intermodal Prevention and Response (VIPR) teams—comprised of Federal Air Marshals, surface transportation security inspectors and other officials deployed to deter and disrupt terrorist activities—dedicated specifically to surface transportation security—which work with local transit and law enforcement authorities to conduct security operations.
- To date, TSA has deployed more than 100 trained and certified explosives detection canine teams in 18 mass transit and passenger rail systems across the nation; and more than 200 surface transportation security inspectors who conduct BASE assessments.

56843.066

Question#:	29
Topic:	PO
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Daniel K. Akaka
Committee:	HOMELAND SECURITY (SENATE)

Question: I am an advocate for strong privacy protections at DHS. In the last Congress, we were able to provide for additional support to the Department's Privacy Office, which is recognized government-wide for its leadership. Although the Privacy Office has taken on increased responsibility for ensuring privacy throughout DHS, the Department's renewed focus on certain passenger screening techniques and other issues that might raise privacy concerns may further increase the Office's workload. Yet, the budget only calls for four new positions in the Office.

Please explain why the Department did not request further staffing increases for the Privacy Office.

How will the Department ensure that the Privacy Office is able to meet its growing responsibilities?

Response: With an increase of $1.147M for FY11, the Privacy Office's budget will total $9.118M—close to a 33% increase since FY09. The staff continues to grow, as well. The Privacy Office's status as a privacy leader in the Federal Government lies with the hard work of the office's professional staff. This reflects on the quality of the individuals working in the Privacy Office, rather than the numbers.

Having said that, the office is busy recruiting and hiring additional professionals. This year, FY10, the Privacy Office is in the process of bringing on four additional privacy and FOIA specialists, some of which are efficiency gaining contract conversions. The Privacy Office's FY11 budget requests includes four privacy professionals: two privacy analysts and two privacy training professionals. This will bring the total Privacy Office complement to 36 positions, in addition to some contractor support.

In addition, the Privacy Office continues to broaden its reach within the Department by leveraging relationships with Component Privacy Officers, newly appointed at my direction. For instance, as the Privacy Office evaluates and assesses new passenger screening techniques, it works closely with the TSA Component Privacy Officer and his professional staff. This relationship ensures that the Privacy Office is aware of new initiatives at the earliest stages of development, and places a privacy professional at the center of the component program planning activities. The Chief Privacy Officer and I are encouraged by the number of programs and offices that, like US-VISIT, see the value in addressing privacy early and designating individuals to serve as privacy officials of privacy points of contact.

Question#:	29
Topic:	PO
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Daniel K. Akaka
Committee:	HOMELAND SECURITY (SENATE)

Where appropriate, the Privacy Office also leverages its relationships with intra and inter-agency partners. For example, as part of the Fusion Center Initiative, the Privacy Office continues its partnership with the DHS Office for Civil for Civil Rights and Civil Liberties, the Department of Justice's Bureau of Justice Assistance, and the Program Manager for the Information Sharing Environment. Together, they are developing and providing training required under the 9/11 Commission Act for both DHS's Intelligence and Analysis analysts as well as for State and local fusion center representatives. I am confident that this budget and workforce level will permit the Privacy Office to fulfill its training, compliance, oversight, and policy responsibilities with the same high standards as we have come to expect.

Question#:	30
Topic:	asm
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Touching on aviation security again, I'd like to learn a little bit more about how much of some of the new spending will go towards the development of alternate screening methods. Our friends in countries like Israel successfully use alternate screening methods – such as interviews with passengers – in addition to the kind of physical screening we conduct in our airports. Is the department considering moving in that direction?

Response: The Transportation Security Administration (TSA) employs a layered security approach that combines technology and process to address the wide variety of aviation security threats. Each layer of security is important on its own, but it is the cumulative effect of the multiple layers that maximizes the security force. TSA has developed the Screening of Passengers by Observation Techniques (SPOT) program to augment traditional physical screening measures. This program is designed to screen passengers' behavior in an effort to identify anomalous behaviors which deviate from an established environmental baseline. Behavior Detection Officers (BDOs), the primary human-based security layer employed by the TSA, utilizes Transportation Security Officers who are trained to observe and resolve anomalous behaviors. The President's fiscal year (FY) 2011 budget request includes $20 million for 350 additional Behavior Detection Officers (BDO).

The President's FY 2011 budget also includes $71 million for an additional 275 canine teams. Explosives detection canine teams are a proven and reliable resource in the detection of explosives and are a key component in a balanced counter-sabotage program.

56843.069

Question#:	31
Topic:	grants - 2
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: I was surprised to see that the President's budget request for the grant programs to local firefighters and related first responders represents a substantial reduction. The request for Assistance to Fire Grants, which funds equipment and training, is $305 million, or a 22% reduction from the current funding level. The request for Staffing for Adequate Fire and Emergency Response or SAFER program, which provides grants for hiring, recruiting, and retaining firefighters, is also $305 million, or a 27% reduction from the current finding level. I constantly hear about the importance of these two programs not only from firefighters in Delaware, but from people around the country through my role as co-chair of the Congressional Fire Caucus. What led to your decision to reduce these critical funds to our nation's firefighters and other first responders? With the growing financial problems of our cities, towns and counties, isn't the need for these grant programs for our firefighters even more critical?

Response: The budget does not indicate a departure from the Administration's commitment to support first responders, as the President's FY 2011 budget proposes historically high requested levels for those programs traditionally geared toward law enforcement, firefighters, and emergency managers (i.e. Urban Area Security Initiative, State Homeland Security Program, and Emergency Management Performance Grants). In fact, the request for the AFG suite of programs is $20M higher than the previous President's budget submission. In addition, from FY2006-2009 about $600 million in AFG and SAFER awards remains unexpended by recipients. This amount does not even include the more than $1.2 billion from FY 2009 and 2010 that has yet to be awarded. In these times of severe budgetary pressures, the President's FY 2011 request seems quite reasonable. As always, we look forward to working with the Fire Service to implement these important programs.

Question#:	32
Topic:	cartels
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Mark Pryor
Committee:	HOMELAND SECURITY (SENATE)

Question: My Subcommittee will hold a hearing on Mexican drug cartels' efforts to infiltrate border protection agencies in your department and others. This is part of the cartel's strategy for countering stepped-up US border defenses against the multi-billion drug smuggling industry.

This infiltration effort seems to have been most successful in penetrating the US Customs and Border Patrol. A recent New York Times article reported that the arrests of CBP officers are up 40% and there are over 400 open investigations of corruption.

What programs are in place or are being implemented that deal with this growing national security threat?

How does the FY2011 support these programs?

We understand that your department's goal has been to screen all CBP law enforcement and intelligence job applicants with a polygraph examination and background check but that only 10% of those hired in past years have received polygraph exams. What is the Department's doing to improve screening and testing and how is that reflected in the FY 2011 budget?

Response: CBP Officers and Border Patrol agents operate daily along a heavily active border environment and therefore are increasingly vulnerable to the threats of corruption. CBP deploys over 40,000 law enforcement officers each day into the highest threat environment there is, at a point in time when we know transnational criminal organizations are attempting to infiltrate our ranks.

We know that as we gain greater control of the border through the use of increased technology and manpower, criminal organizations will aggressively search for alternate ways of continuing their operations, including attempting to corrupt our personnel. We know there is a concerted effort on the part of transnational criminal organizations to infiltrate CBP through hiring initiatives and to compromise our existing agents and officers.

To counter this very real threat, CBP's proactive strategy includes: pre-employment application screening; background investigations and clearances; employee misconduct investigations; physical, informational, industrial, internal and operational security measures; and management inspections.

56843.071

Question#:	32
Topic:	cartels
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Mark Pryor
Committee:	HOMELAND SECURITY (SENATE)

CBP has implemented a comprehensive integrity strategy that integrates prevention, detection and investigation capabilities to deter and respond to corruption and misconduct in the CBP workforce.

CBP requires a vigorous screening process for new applicants. CBP's initial background investigation process requires all law enforcement positions (Customs and Border Protection Officers, Border Patrol Agents, and Air & Marine Agents) to undergo a Single Scope Background Investigation (SSBI). The SSBI covers up to 10 years and is conducted pre-appointment. This is the highest level of background investigation and it is the investigation used as a basis for granting a Top Secret clearance. There are no exceptions to this requirement. The coverage consists of:

- subject interview
- personal interviews of employers and references (both listed and unlisted)
- local law enforcement checks
- court records
- former spouse(s)
- credit checks
- neighborhood checks
- education checks
- military records checks (if applicable)
- citizenship
- spouse and/or cohabitant National Agency Check
- National Agency Checks (conducted by the Office of Personnel Management (OPM))
- FBI Name Check
- FBI National Criminal History Fingerprint Check
- Defense Clearance and Investigations Index
- Bureau of Vital Statistics (BVS) check
- OPM Security/Suitability Investigations Index
- Military Personnel Records Search
- Selective Service (if applicable)

We evaluate all available information obtained, from a variety of sources during the SSBI, to identify any character traits and conduct that would make an individual likely or

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Hearing:	FY 2011 Budget Request
Primary:	The Honorable Mark Pryor
Committee:	HOMELAND SECURITY (SENATE)

unlikely to carry out the duties of a Federal job with appropriate integrity, efficiency and effectiveness.

In February 2008, CBP established the Credibility Assessment Division (CAD) within the IA. As part of an enhanced background investigation process, the primary mission of CAD is to conduct applicant screening polygraph examinations to ensure the integrity of the CBP workforce. CAD is currently staffed with 30 federally certified polygraph examiners.

In FY08 and FY09, CAD administered applicant screening polygraph examinations to approximately 10% of the applicant pool for law enforcement positions. CBP is working to expand this capacity.

Currently, the FY 2011 CBP-IA budget will provide a similar level of funding as the FY 2010 CBP-IA budget. Further enhancements to CBP-IA's screening and testing processes are dependent upon future budget allocation levels and the ability to reprogram existing allocations while meeting all priorities.

Once a new hire is on board, CBP applies proactive training measures, rules geared to ensure workplace integrity, and oversight and management of frontline officers and agents by CBP leadership at every level to ensure the integrity of the CBP workplace and drive personal accountability to integrity. The Office of Internal Affairs oversees the *Trust Betrayed* campaign to raise awareness among CBP employees about the consequences of corruption. These efforts continue throughout the entire career of all CBP employees.

In an effort to ensure individuals remain suitable for continued employment with CBP, all CBP employees are required to undergo periodic reinvestigations every five years. The reinvestigation program is designed to help decrease CBP's vulnerability and potential to compromise integrity. The coverage consists of:

- Subject interview
- Local law enforcement checks
- Employment checks (last 5 years)
- Residence checks (last 5 years)
- Reference contacts
- Former spouse (any divorces since last investigation)
- Credit checks
- National Agency Checks (conducted by OPM)

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An inquiry may be initiated outside the normal timeframe should CBP-IA receive information that raises a question concerning the employee's continued suitability for employment or eligibility for a security clearance.

CBP IA also applies behavioral and analytical research tools to identify indicators of corruption, and employs an intelligence-driven investigative response to integrity events.

Through comprehensive research, analysis and education, the Integrity Programs Division (IPD) executes CBP IA's comprehensive integrity strategy. The cornerstone of IPD's mission is to proactively detect and deter instances of misconduct and corruption within the CBP workforce.

IPD's multi-layer, proactive approach to identifying instances of misconduct and corruption includes the capability to continuously vet the entire CBP workforce through a variety of law enforcement data. If this capability is deployed, it would provide IPD with the greatest opportunity to identify vulnerabilities at their onset. IPD is currently developing a continuous vetting capability with CBP's Office of Information Technology, leveraging existing technology utilized by the Intelligence and Operations Framework System (IOFS). By customizing the IOFS technology that is currently used within CBP, IPD can quickly and efficiently develop a continuous vetting capability known as eVetting. This tool is a "reusable" person-vetting system that aggregates personal information in order to build a living profile for a person of interest. The system seeks to visually consolidate disparate data sources into an efficient, easy to read, concise page that focuses on key, potentially derogatory evidence as well as delivers in-depth analysis of the tremendous amount of information. Empowered by this intelligence, analysts can focus more on targeting than on information gathering.

CAD's polygraph examinations proactively identify individuals with significant criminal activity related to illegal drugs and aliens; IPD is then able to conduct in-depth research and analysis to determine if these individuals are affiliated with any current CBP employees. Although this is just one of the approaches employed by IPD, the use of these significant cases from CAD may be the most compelling methodology to identify individuals sent to infiltrate CBP while wearing the uniform of a Border Patrol Agent or CBP Officer. The failed polygraph examinations with admissions of criminal activity provide a significant means to effectively identify infiltrators. IPD can utilize CAD's polygraph findings to ensure members of the current CBP workforce are not vulnerable to corruption and/or integrity issues. Within the early stages of research and analysis, IPD identified a significant nexus between current CBP employees and CBP applicants

56843.074

Question#:	32
Topic:	cartels
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Mark Pryor
Committee:	HOMELAND SECURITY (SENATE)

who admitted to alien and drug smuggling operations. These cases have been referred to the Joint Intake Center for further evaluation and/or investigation.

The Behavioral Research Branch (BRB) is a multi-disciplinary research unit within IPD comprised of research psychologists, special agents, research specialists, social scientists, and other operational personnel who study CBP employees and processes through five primary activities:

- Systematic, operationally-relevant research
- Program evaluation
- Development and maintenance of an operational database on corruption
- Consultation
- Training

Currently the BRB is engaged in Insider Threat Research, specifically the Mission Critical Corruption Case Study Project. The project is an empirical review of mission critical cases to identify behavior which is indicative of corruption with specific focus on motive, method, and connections to criminal enterprise. Results will yield: 1) a behavior-based threat assessment model which may be used as an investigative tool to intervene and prevent future cases, and 2) additional information for inclusion in existing integrity awareness training for employees and supervisors. Additionally, the BRB coordinates and collaborates with the Office of Intelligence and Operations Coordination (OIOC), for example: geospatial analysis of mission-critical corruption (drug and alien-specific), linking known corrupt employees to alien and drug smuggling organizations.

Finally, continuing integrity awareness and anti-corruption training is a key element to mitigating vulnerabilities and the potential insider threat. To ensure integrity within the CBP workforce, IPD provides a variety of integrity awareness briefings and training throughout a CBP employee's career. All new CBP employees receive an integrity awareness briefing during the Office of Training and Development's (OTD) New Employee Orientation Program (NEOP). This briefing provides new employees with a basic understanding of integrity awareness as it relates to both on-duty and off-duty conduct. All newly promoted CBP supervisors receive a training module entitled "Leadership for Preventing Corruption" during OTD's Supervisory Leadership Training (SLT) course. This comprehensive training session provides CBP supervisors with information and resources to ensure integrity among the employees they supervise. IPD facilitates CBP Annual Integrity Awareness Training Program through the Virtual Learning Center (VLC) which is mandatory training for all CBP employees. Each fiscal

56843.075

Question#:	32
Topic:	cartels
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Mark Pryor
Committee:	HOMELAND SECURITY (SENATE)

year every CBP employee must successfully complete the Integrity Awareness Training Program.

CBP takes corruption extremely seriously and we are heavily invested in addressing this issue. Since 2006, CBP has added additional resources, including investigators, in order to identify and prevent corruption. No incident of corruption is tolerated. CBP-IA conducts investigations of alleged serious non-criminal misconduct of CBP employees and assists the DHS Office of Inspector General, the U.S. Immigration and Customs Enforcement's Office of Professional Responsibility (ICE/OPR), the Federal Bureau of Investigation and numerous other federal, state and local law enforcement authorities in criminal misconduct investigations. This collaboration among federal agencies is critical to the mission of professional integrity.

As previously stated, the FY 2011 CBP-IA budget will provide a similar level of funding as the FY 2010 CBP-IA budget. Further enhancements to CBP-IA's screening and testing processes are dependent upon future budget allocation levels and the ability to reprogram existing allocations while meeting all priorities.

Question#:	33
Topic:	fusion centers - 1
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Mark Pryor
Committee:	HOMELAND SECURITY (SENATE)

Question: You have stated that "information and intelligence sharing is a top priority and fusion centers play an important role in helping to make that happen and that it is critical for federal, state, and local entities to know what the others are doing so each can operate effectively and efficiently."

How are you balancing the sustained funding need for fusion centers in larger states and cities with the needs of smaller states?

Response: The Department provides funding to each state and territory through the Homeland Security Grant Program. In the FY10 grant guidance, the Department outlined the eight national funding priorities (which include information sharing) and also called out fusion centers as a special area of emphasis. Ultimately, though, it is up to each State and territory to decide how to allocate their resources, including those slated for fusion centers.

Question: What additional resources are necessary to allow fusion centers to continue to be a key conduit for sharing information and intelligence down to the state and local level?

Response: The level of DHS I&A support to designated state and major urban area fusion centers is intended to be uniform across all of the 72 centers, once the center is prepared to receive these resources. Each designated center will ultimately receive a deployed I&A Intelligence Officer, HSDN and the required secure facility build-outs to house the system, security clearances as appropriate, analytical training as well as Privacy and Civil Rights and Civil Liberties training delivered by the DHS Office of Civil Rights and Civil Liberties, and technical assistance offerings through the DHS/DOJ *Fusion Process Technical Assistance Program.*

To aid in establishing a baseline capability across all fusion centers, the Baseline Capabilitie for State and Major Urban Area Fusion Centers, released in September 2008 by the US Department of Justice (DOJ), Department of Homeland Security (DHS), and the Global Justice Information Sharing Initiative, identifies twelve core capabilities and provides specific instructions on how to achieve each capability.

The Joint Fusion Center Program Management Office (JFC-PMO) is currently conducting a three-phase baseline capability assessment of the state and major urban area fusion centers to identify critical operating capabilities. Once complete, the assessments should be able to identify functional gaps and recommended corrective actions.

56843.077

Question#:	34
Topic:	DPETAP
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Mark Pryor
Committee:	HOMELAND SECURITY (SENATE)

Question: The Domestic Preparedness Equipment Technical Assistance Program (DPETAP) is a comprehensive national technical assistance program for emergency responders operated in partnership with the U.S. Army's Pine Bluff Arsenal (PBA). DPETAP provides detailed technical information and hands-on equipment operation and maintenance training to assist responders to better select, operate, and maintain their radiological, chemical and biological detection and response equipment. This program at its core trains first responders to respond to nuclear, biological, chemical attacks, and I want to reiterate the Arkansas Delegation's standing invitation to visit PBA for a DPETAP capabilities presentation.

Given the threat of a radiological, chemical or biological threat, do you think this and similar programs that train first responders are valuable to protecting our homeland?

Response: The Department believes that programs that train first responders to deal with radiological, chemical or biological threats are of paramount importance and that instruction in the selection, maintenance and use of specialized equipment is a critical component of preparedness. The Domestic Preparedness Equipment Technical Assistance Program (DPETAP) was created as part of a nascent federal effort to help prepare state and local responders for chemical, biological and radiological threats prior to the events of September, 2001. Since that time, enormous effort and resources have been deployed to meet these threats. States have institutionalized various training and equipment acquisitions programs and, though the Department plans to continue the DPETAP effort, we believe the technical expertise necessary to select and maintain equipment should ultimately reside at the state level.

Question#:	35
Topic:	contractors
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: Department of Homeland Security (DHS) has previously stated that there are approximately two-hundred thousand (200,000) contractors working in the department. This figure is based on an algorithmic calculation. Has DHS attempted to use a similar approach to quantify the amount we spend each year on contractors? If so, what is the amount? If not, will you please explain how DHS can determine a credible way of determining a drawdown estimate if we don't actually know how much we are spending on contracting? Will you please explain how the DHS FY2011 budget request represents your desire to reduce reliance on contractors?

Response: An algorithm is not used to calculate the total amount we spend each year on service contracting as that data is available directly from the Federal Procurement Data System. The total expenditure for 2009 service contract support was $10.5B.

The FY 2011 Budget requests $900,000 for the Office of the Chief Human Capital Officer to support efforts to reduce the Department's reliance on contractors. Specifically, the funds will support a program management office focused on balanced workforce matters. This office, which is in the process of being established with existing resources, will assess the long-term budgetary needs for the balanced workforce initiative.

Question#:	36
Topic:	transition
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: DHS has also identified approximately 3,500 contractors who are performing inherently governmental work. Your staff has indicated that DHS plans to transition all these positions to federal positions by the end of FY2010. Are you on track to meet this goal?

Response: Some conversions may carry over into FY 2011.

Question#:	37
Topic:	oig - 1
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: During the hearing, Senator Collins raised the issue that DHS/OIG indicated to the committee that the funding level in the FY 2011 President's Budget was not sufficient to maintain current service levels and that an additional $9.9M would be required to maintain current services. There is currently no mention of this shortfall in the FY 2011 President's budget and the DHS/OIG Congressional Justification (CJ) mentions the decrease of $9.9M to current services, but does not mention any insufficiency of funds. The committee was told that one reason it was not mentioned in the President's Budget and briefly mentioned in the CJ was due to a matter of timing. How much time was DHS and DHS/OIG given to respond to the President Budget requests? Please explain the process.

Response: The FY 2011 President's Budget for the Office of the Inspector General (OIG) included a reduction of $9.869 million to maintain the current services level of funding. This was the result of $8.2 in efficiencies associated with various purchases and contracts and $1.669 million associated with 12 fewer audit positions identified by the OIG. These funding reductions are referenced on Page 14 of the FY 2011 OIG President's Budget as a "reduction of $ 9.9 million from current services."

Although the OIG requested an appeal to fund $6.4 million for audits in response to recommendations made in the 9/11 Commission Act of 2007, the Department did not submit an appeal for additional OIG funding in the FY 2011 President's Budget. The Department will continue to fund these audits through transfers from the Federal Emergency Management Agency.

56843.081

Question#:	38
Topic:	oig - 2
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: The committee was also told that without these funds DHS/OIG will not be able to: (a) provide United States Citizenship and Immigration Services (USCIS) the attention they need (i.e. can only look at the criminal cases); (b) cannot be proactive (i.e. only reactive to investigation and audit requests by calls that come into the office); and (c) will not be able to keep up with the DHS OIG requirements as the department grows. How does the Department intend on addressing this OIG shortfall?

Response: The Department supports the level of funding for the Office of the Inspector General (OIG) in the FY 2011 President's Request. It will enable the OIG to conduct new audits annually, including in-house grant audits of state grantees and local government sub-grantees; adequately staff existing investigative field offices; address major information technology issues facing the Department in the various stages of development and implementation; and continue the prominent operations of the OIG's Emergency Management Oversight office.

Question#:	39
Topic:	agreement
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: It is my understanding that the agreement between TSA and Transportation Security Clearinghouse (TSC) for facilitating biometrically based background checks on aviation security workers expires in 2010. There are multiple entities that have the same certifications and capabilities of AAAE to do this type of work. Is TSA looking to use a more competitive process after the agreement with TSC expires? If not, why not? If so, will you please explain how TSA will compete this type of work? Is TSA exploring an option that will allow the airports to choose their desired company to perform this service?

Response: The Transportation Security Administration (TSA) intends to establish a competitive model giving airports a choice of credentialing vendors and is currently evaluating several options to achieve this goal. At this time, TSA is establishing data submission standards and data security requirements and expects several companies to be able to meet these standards and requirements. TSA will be engaging with airports and industry regarding these plans.

56843.083

Question#:	40
Topic:	EDMO
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: DHS plans to invest an additional $7.6M in FY11 into the Enterprise Data Management Office (EDMO) to help fund data standards for Information Sharing Environment such as Alerts and Warnings, Suspicious Activity, Terrorist Watch Lists, and Cargo/Trade Screening. This also supports the National Information Exchange Model (NIEM), which includes state and local participation. It is my understanding that this effort establishes a standard and process baseline to enable better communication across agencies it is currently a DHS and DOJ partnership. Does the budget reflect the expansion of this baseline across other departments and Intelligence Communities? What are the challenges and barriers of expanding this effort, if any, and why?

Response: The FY11 budget request includes expansion of the NIEM program and associated content to include DOD's involvement in the Maritime Domain Awareness activities between the IC, DHS Components and Dept of the Navy. It also includes support to add one additional domain for use by the Department of Health and Human Services for the meaningful use of electronic health records, as being driven by the HHS Office of the National Coordinator. The NIEM program, with the expansion of funding, will be well suited to bring on board two major federal departments per year.

The purpose of NIEM as a program is increased information sharing across government through a focus on data standards. Broad adoption exponentially increases the positive impacts associated with NIEM. OMB is currently in the process of performing an assessment across the 24 CFO level agencies to determine the suitability of NIEM's standard data model and process baseline. Early exploration of adoption of NIEM and Cyber information sharing is showing great promise to meet both a) tactical cyber emergencies as well as b) more strategically focus cyber security reporting to OMB. In addition, the extension of the Recovery.gov NIEM-based data architecture (including the NASCIO-endorsed NIEM exchanges for ARRA recipient reporting) is shaping the foundation for a federal financial reporting data domain. These are unfunded growth areas for FY11. Growth above Maritime and Health domain for FY11 for the NIEM program brings challenges and barriers related to 1) the support of the new Federal, State and local communities, and 2) the quality of the model.

First, support for additional communities of interest across all the federal agency including their state, local and tribal partners will necessitate modest increases in funding support for outreach mechanisms for federal, state and local adoption, at approximately 150k per new domain. More importantly, the tools currently in use that help apply the process will need to be strengthened to handle the addition of larger numbers of users. The NIEM program estimates the tools augmentation for additional users to cost approximately $1.92M to develop a scalable initial operating capability in FY11.

Secondly, the process for ensuring that the model growth is efficient and effective is a manually intensive process performed by highly skilled professionals. The costs to ingest a new domain with approximately 500 elements are estimated in the $250k-300k range. .

Question#:	41
Topic:	WBI
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

Question: A recent GAO report states that TSA has substituted existing screening procedures with screening by the Whole Body Imager (WBI) even though its detection performance has not been validated by testing or a cost-benefit analysis. Has TSA done anything to respond to these concerns? Have you performed additional testing or a cost benefit analysis of the WBI scanners? You also mentioned in the testimony that your staff could provide the roll-out schedule and plan for Advanced Imaging Technology (AIT) deployment. Please provide this information with your responses.

Response: Advanced Imaging Technology (AIT) has undergone numerous evaluations in both laboratory and field settings from 2007 to 2009 which have validated its detection performance in accordance with established Transportation Security Administration (TSA) requirements. Through covert testing, ongoing airport assessments, and operational testing, AIT has proven itself as an effective tool for the detection of metallic and nonmetallic threats in the laboratory and in the field. Below is a more detailed outline of operational testing:

- Initial product demonstrations and laboratory testing at the Transportation Security Laboratory from February to May 2007

- Operational utility evaluations and field trials (OT&E) at multiple airports from May 2007 to July 2008:
  a. Awarded contracts for a limited number of systems to millimeter wave (MMW) and backscatter manufacturers for preliminary deployments to support extended surveillance in September 2007.
  b. Conducted MMW OT&E from November to December 2007 at Phoenix Sky Harbor International (PHX); May to June 2007 at Los Angeles International (LAX) and John F. Kennedy International (JFK)
  c. Conducted backscatter field trials (OT&E) from February to April 2008 at PHX; June 2008 at LAX; July 2008 at JFK

- Summer 2009 – Conducted OT&E of next-generation (AIT-2) MMW at Houston Intercontinental (IAH), Cleveland Hopkins International (CLE), Burbank-Glendale-Pasadena (BUR) and AIT-2 backscatter systems at IAH, CLE and Rochester-Monroe County (ROC).

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Question#:	41
Topic:	WBI
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Claire McCaskill
Committee:	HOMELAND SECURITY (SENATE)

In March 2010, TSA began deployment of the 150 previously purchased systems. The first 11 airports to receive units from the 150 allotment are Chicago O'Hare International, Logan International Airport, Cincinnati/Northern Kentucky International Airport, San Jose International Airport, Los Angeles International Airport, Port Columbus International Airport, Kansas City International Airport, Ft. Lauderdale-Hollywood International Airport, Metropolitan Oakland International Airport, San Diego International Airport (Lindbergh Field), and Charlotte/Douglas International Airport. TSA intends to fully deploy these units and the next 300 systems by December 2010. The purchase of an additional 500 units is proposed in the President's FY 2011 Budget.

Question#:	42
Topic:	grants - 3
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Roland Burris
Committee:	HOMELAND SECURITY (SENATE)

Question: This budget request proposes cutting overall funding for FEMA's state and local programs and eliminating funding for a number of individual programs, claiming their activities will be eligible under the remaining programs such as SHSGP and UASI. This will force states to choose between reducing funding for current and future projects or limiting the number of projects funded. Our state and local communities already face serious budgetary challenges. If it is necessary to eliminate programs, why wasn't the total appropriation for homeland security grants increased or leveled out?

Will the grant guidance for FY2011 provide a road map for how grantees are to prioritize their grant allocations?

How can we make sure that the state and local agencies that do so much to protect our communities are considered for existing funds, even though the programs that would have funded their projects in the past are being eliminated?

Response: The Department carefully reviews funding levels when developing the President's Budget Request. We must be mindful of fiscal constraints, and placing resources where we believe it is appropriate. This year's budget request reflects those considerations, and funding for some programs has been increased, while others may be cut. As it has in the past, FEMA will continue its work with both internal and external stakeholders (including grantees) to develop the grant guidance packages that will be released in FY 2011. DHS and FEMA have usually chosen to provide the maximum amount of flexibility to grantees to choose how to expend their resources against both their State or Urban Area Strategy, as well as other priorities. In fact, this year's budget consolidation also provides that flexibility – instead of providing separate and distinct grant programs with limited flexibility, States, territories and Urban Areas may choose where to put their resources against any new and/or established programs

Question#:	43
Topic:	increase
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Roland Burris
Committee:	HOMELAND SECURITY (SENATE)

Question: TSA stands to receive close to a $1 billion increase in FY2011. Most of these funds are for untested advanced technologies. Have any decisions been made about where these technologies will be installed and whether they will be used for primary or secondary screening?

How does the FY2011 budget request address TSA's responsibilities beyond airport security? How will our ports and railways benefit from the budget increase?

Numerous TSA employees have told me and my staff that the agency's biggest need is a permanent Administrator. What steps are you taking, along with TSA officials and President Obama, to find a permanent Administrator to oversee this challenged agency and its newly increased budget?

Response: Advanced Imaging Technology (AIT) has been evaluated as an effective security measure receiving extensive testing at the Transportation Security Laboratory, the Transportation Security Administration Systems Integration facility, and through operational pilots at the airports in the primary and secondary position. AIT units will be deployed to the field in accordance with risk assessment, airport readiness, and operational suitability. While current and future procurements of AIT will be principally deployed to the primary position, the Transportation Security Administration (TSA) has not excluded the possibility of utilizing AIT in a secondary position at some airports. AIT screening is optional and individuals may request alternative screening procedures.

TSA's fiscal year 2011 request supports TSA's continued efforts to protect the surface transportation system and ensure the freedom of movement for people and commerce, which includes:

- Partnering with Federal, State, local and private stakeholders to optimize resources in a risk based approach to security;
- A $27 million (24.5 percent) increase in the Surface appropriation;
- Conducting inspections of freight railroads, mass transit and passenger rail facilities;
- Deploying Visible Intermodal Prevention and Response teams;
- Providing canines through the local law enforcement program;
- Performing maritime credentialing activities to provide assistance and oversight of local efforts; and

Question#:	43
Topic:	increase
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Roland Burris
Committee:	HOMELAND SECURITY (SENATE)

- Providing technical support for the administration of hundreds of millions of dollars in Federal Emergency Management Administration Metropolitan Statistical Area Preparedness Program grants (including Port Security Grants and Rail and Transit Program Grants).

TSA will also continue to identify security gaps and develop appropriate security guidelines and requirements to mitigate those gaps within the surface transportation system as directed by the Implementing Recommendations of the 9/11 Commission Act of 2007.

The President—along with DHS Senior Leadership—is currently evaluating candidates for the post of Assistant Secretary and Administrator of the TSA, and the President will announce his nominee when he has concluded his search.

Question#:	44
Topic:	FIRE act grants
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Susan M. Collins
Committee:	HOMELAND SECURITY (SENATE)

Question: Once again, the Administration has decided to shortchange a grant program important to America's firefighters. For the second straight year, President Obama has elected to cut funding to FIRE Act grants, this year by nearly 22 percent. This follows last year's proposed 70 percent cut.

FIRE Act grants are one of the Department's most successful grant programs because they provide funding directly to local fire departments, are peer reviewed, and have a long history of broad stakeholder support and engagement.

Why does the Administration believe it is good policy to cut the FIRE Act grant program?

Response: The budget does not indicate a departure from the Administration's commitment to support first responders, as the President's FY 2011 budget proposes historically high requested levels for those programs traditionally geared toward law enforcement, firefighters, and emergency managers (i.e. Urban Area Security Initiative, State Homeland Security Program, and Emergency Management Performance Grants). In fact, the request for the AFG suite of programs is $20M higher than the previous President's budget submission. In addition, from FY2006-2009 about $600 million in AFG and SAFER awards remains unexpended by recipients. This amount does not even include the more than $1.2 billion from FY 2009 and 2010 that has yet to be awarded. In these times of severe budgetary pressures, the President's FY 2011 request seems quite reasonable. As always, we look forward to working with the Fire Service to implement these important programs

Question#:	45
Topic:	VSU
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Susan M. Collins
Committee:	HOMELAND SECURITY (SENATE)

Question: After the attacks on September 11, 2001, the deficiencies of the visa issuing process that allowed the hijackers to obtain visas became apparent. Congress authorized the Secretary of Homeland Security to assign DHS personnel to visa-issuing diplomatic posts overseas to review visa applications and initiate investigations of visa security-related matters.

But since 2002, these Visa Security Units are only in 14 out of 220 State Department posts around the world. These small numbers are even more disturbing when you consider that DHS and the State Department have identified 57 posts as being high-risk.

Given the high number of high-risk posts without any Visa Security Units, it was disappointing to learn that the President's budget request for FY 2011 was unchanged from last year's budget in both funding and positions. Can you explain whether the Visa Security Program will be able to expand to more of the identified high-risk posts in Fiscal Year 2011 without a corresponding increase in its budget or personnel? If it does not, why has the Administration not included funding for expanding the number of Visa Security Units?

Response: Expanding coverage is a crucial part of the U.S. Immigration and Customs Enforcement (ICE) Visa Security Program (VSP) Since 2005, the VSP has opened an average of three new Visa Security Units (VSUs) per year. In FY 2010, ICE has been approved for deployment to four additional posts (Sana'a, Yemen; Tel Aviv, Israel; Jerusalem; and London, UK) and expansion of staff in Frankfurt, Germany. Pending Chief of Mission approval as required by the National Security Decision Directive 38 (NSDD-38) process, ICE is planning for additional staff positions in Amman, Jordan as well.

In the FY 2011 President's Budget request, ICE is maintaining the same level of funding and resources as FY 2010, $30.6 million and 67 FTEs. This level of funding will cover existing VSUs and planned expansion in FY 2010, in accordance with the 5-year (2009-2013) VSP Expansion Plan approved by DHS and agreed to by the Department of State and the Homeland Security Council. ICE is able to expand while maintaining the same level of funding by using funds designated by Congress as FY09-FY10 two-year money, and a portion of the funds designated by Congress as FY10-11 two-year money. ICE currently has funds to sustain operations at the new posts, but will require additional funds for future expansion.

Question#:	45
Topic:	VSU
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Susan M. Collins
Committee:	HOMELAND SECURITY (SENATE)

In the environment of competing programs, the FY 2011 budget request provides money to sustain VSP operations, including the four posts VSP will open in FY10, as well as reopen an office in Jeddah, Saudi Arabia that had been closed in due to security concerns. To date, we have worked well to expand at a relatively steady pace of three offices per year, with the reopening of the office in Saudi Arabia representing an important gain planned for FY 2011. The expansion process requires close coordination with the host country and the Department of State based on an October 2004 Memorandum of Understanding between the Department of State and the U.S. Immigration and Customs Enforcement, Visa Security Unit (ICE/VSU) on the Administrative Aspects of Assigning Personnel Overseas, and the NSDD-38 process given the reality of challenging security environments as well as limited resources, infrastructure and space in embassies. While continuing this modest expansion, ICE is coordinating with the Department of State to collectively advance visa security more broadly.

Question#:	46
Topic:	IT
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Susan M. Collins
Committee:	HOMELAND SECURITY (SENATE)

Question: In June, the Office of Management and Budget launched an IT Dashboard, which includes an evaluation of the federal government's major IT investments.

The IT Dashboard indicates that DHS currently has 79 major IT investments that total more than $4.9 billion per year. Of the 79, the Department has identified "significant concern" with 12 of these investments, totaling about $1.3 billion. Specifically, these projects, whose cost account for 27 percent of the total IT investments at the Department, are either behind schedule, over budget, or poorly performing.

The President's proposed budget for fiscal year 2011 includes $6.4 billion for information technology at DHS – the highest among civilian agencies. With this significant investment, what will you do to turn around the IT projects that are failing at DHS and to ensure that taxpayer dollars are not wasted on future projects? Are you prepared, if needed, to halt, reevaluate, or terminate IT projects that are failing?

Response: The DHS Office of the Chief Information Officer (OCIO) in partnership with DHS' Acquisition Program Management Division (APMD) is promoting an integrated governance framework to bring all IT investments under portfolio and program oversight to enhance mission delivery capabilities, improve departmental function, and increase accountability. For the 12 programs identified as having significant challenges, OCIO has implemented corrective actions ranging from modification and re-direction of programmatic approach (e.g. SBInet and ACE/ITDS), establishing executive steering committees chartered with decision authority to revise schedule, providing guidance into strategy and technical solution (e.g. TASC/RMTO), implementing significant change in the overall acquisition strategy (e.g. FEMA/TAV, ICE/TECS, and CIS Transformation). In this context, DHS is working to rationalize enterprise governance. The best path forward will be a scalable, multi-tier governance model that promotes effect and efficient decision making, improves capability delivery, and promotes more rapid risk and gap identification and reduction. By the end of fiscal year 2010, two major IT investments will be selected as the first to pilot this revised governance model. OCIO and APMD will implement Executive Steering Committees to oversee the governance of "at risk" investments.

The DHS CIO, in conjunction with departmental leadership, is prepared to halt or terminate IT projects that are failing. For example, Secretary Napolitano made the necessary recommendations to freeze spending on new functionality of SBInet until such time as a thorough evaluation of the baseline, technical approach and plan can be vetted, validated and approved. While significant re-direction has been given to some of IT programs, based on the additional 51 program assessments conducted to-date, no IT program has been found to be in a programmatic state necessitating halt or termination.

DHS Investment	Action	DHS CIO Impact	DHS CIO Issue	Benefit	Value
CBP - Secure Border Initiative (SBInet)	Program approach modified to include updated strategy and focus on consolidation	Increased Likelihood of Cost Savings	The TACCOM Project failed to leverage the DHS OneNet for backhaul circuits (OneNet Wireless) and their initial approach did not take into consideration the services that could be provided by the DHS OneNet capability nor the consolidation of NOC services that would be gained by leveraging DHS OneNet.	The evaluation by the DHS CIO resulted in the following. 1. Consolidation of infrastructure (elimination of multiple network controls and Network Operation Centers (NOC) to support the backhaul circuits). 2 DHS OneNet has deployed an efficient provisioning tool to order circuits to streamline the ordering process.	The resulting actions will reduce the NOC footprint for DHS across multiple Components and eliminate duplicative services and produce a more efficient ordering process to reduce provisioning time and increase implementation of circuits to support LMR deployment activities.
	Program re-directed through revised acquisition strategy	Higher Probability of Cost Avoidance	CBPs acquisition strategy for Tactical Communications leveraged a legacy sole source contract and did not offer the best potential value for the Government. The DHS CIO review directed the program to pursue a full and open acquisition strategy.	The evaluation by the DHS CIO resulted in the following An approved acquisition strategy that will result in CBP obtaining competitive tactical communication support services	The resulting action will increase the service offering provided via the contracting vehicles, quicker deployment of LMR capabilities, and engineering support services that are in alignment with DHS wireless strategy.
CBP - Automated Commercial Environment / International Trade Data System (ACE / ITDS)	Program re-directed through Alternative of Analysis (AoA) and Cost estimates	Higher Probability of Cost Avoidance	The development cost of the ACE program is directly tied to the legacy lines of code that will have to be reproduced Due to the system size and complexity of the program a full understanding of the estimated number of lines of custom coding was required for ACE and for legacy ACS. The identification of custom code provides a basis of future program estimated cost.	The evaluation by the DHS CIO resulted in the following. The program evaluating the number of lines of code and the dependence on software such as SAP to determine the licensing needs to support enterprise license agreements.	The resulting action will provide the DHS CIO with a traditional method of determining the software aspect of the system development, determine cost estimates, and the overall development cost for future program efforts. Having a traditional method of determining cost has provided the DHS CIO with alternative approach for cost projection
	Program reconciled with reduce scope	Reduce probability of introduction of new requirments	The program direction for delivering new capabilities lack priorities, which demonstrated a high rate of funding expenditure with limited improvement over previous implementation. The DHS CIO limited the development activities to ensure the Program could not develop ANY additional capabilities.	The evaluation by the DHS CIO resulted in the following. The programs funds for FY10 will be used to provide O&M support and any new development efforts would be halted until evaluations through the DHS IT Governance Processes are completed.	The resulting action reduced the program from developing new requirements and eliminating additional capabilities being developed in the ACE program without ensuring there is appropriate funding to support the O&M activities
DHS - Resource Management Transformation (RMT)	Program re-directed through Alternative of Analysis (AoA) and Cost estimates	Improved cost projections and program planning	The cost estimates used for the Analysis of Alternatives were incomplete and there was no O&M costs of legacy systems during transition which signified poor program transition planning. There were additional concerns due to a lack of standardized requirements and aggressive parallel implementation plans with limited PMO capability	The evaluation by the DHS CIO resulted in the following 1. Revision of the current strategy to include Component representatives participation, identification, and documentation of Component requirement to support the transition strategies of the programs that are providing duplicative services 2. Achieved collaboration – not just compliance – across the TASC Working Group, which allowed recognition of significant efforts and enabled confidence with the TASC RMTO program management	The resulting action improves the requirements gathering process and decreases the potential for scope adjustment through the implementation of the solutions. The DHS CIO interaction has led to development of comprehensive requirements, acquisition strategy, and target solution set. Discussion topics include requirements generation, the transition concept of operations, the work breakdown structure, the systems engineering life cycle, enterprise architecture and the integrated master schedule. The meetings identify TASC's existing approaches, compares them to industry best practices, and determines acceptable courses of actions to close the gaps.
ICE - Atlas	Program approach modified to include updated strategy and focus on consolidation	Increased Likelihood of Cost Savings	The ATLAS Project failed to leverage the DHS OneNet for backhaul circuits (OneNet Wireless). ICE initial approach did not take into consideration the services that could be provided by the DHS OneNet capability.	The evaluation by the DHS CIO resulted in the following. 1. Consolidation of infrastructure (elimination of multiple network controls and Network Operation Centers (NOC) to support the backhaul circuits). 2. DHS OneNet has deployed an efficient provisioning tool to order circuits to streamline the ordering process	The resulting actions will reduce the NOC footprint for DHS across multiple Components and eliminate duplicative services and produce a more efficient ordering process to reduce provisioning time and increase implementation of circuits to support LMR deployment activities

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CBP - Infrastructure	Program reconciled with new acquisition strategy	Increased Likelihood of Cost Savings	The CBP program was acquiring Oracle Licenses via a legacy BPA and was not taking advantage of the negotiated rates and services DHS had put into place for the Enterprise.	The evaluation by the DHS CIO resulted in the following: The program was halted until the acquisition strategy was adjusted to leverage the DHS Enterprise License Agreement.	The resulting action ensured the DHS Component adjusted their acquisition strategy to ensure DHS received the increased services for the best value. The DHS Oracle License Agreement provide services at an large discounted rate
ICE - TECS	Program reconciled with updated program strategy	Increased Probability of Success	The program had significant risks due to the lack of use of an industry standard requirement development tool, and the use of legacy code without prior documentation. These shortfalls can greatly impact the progress of the modernization efforts.	The evaluation by the DHS CIO resulted in the following: The modernization efforts of TECS needed to document business justification for existing and newly developed modules. Additional recommendations included a PMO staffing plan, and migration plans of how ICE TECS will enable the retirement of legacy TECS.	The resulting action decrease the legacy O&M cost for TECS, increase oversight and governance for the development of the new application, and ensure the business requirement align with the technical requirements throughout the planning activities.
TSA - Infrastructure	Program re-directed through Basis of Estimate (BOE) and Cost Benefit Analysis (CBA)	Increased Likelihood of Cost Savings	The IT Infrastructure Operations and Maintenance Management Contract for TSA did not identify the services nor the deliverable that TSA would receive over the option year	The evaluation by the DHS CIO resulted in the following: TSA shall provide a high-level Spend Plan detailing the $122 M spend over the ten months Period of Performance. This Spend Plan shall include a basis of estimate (BOE) for the $122 M detailing the labor rates, hours, and tasks that comprise the spending within 30 days.	The resulting action documented the critical aspects of the project cost estimate to mitigate project cost, risk, the project scope, pricing basis, allowances, assumptions, exclusions, cost risks, and opportunities, and deviations from estimating standard practices.
FEMA - Total Asset Visibility (Phase II)	Program approach modified to include updated schedule, Alternative of Analysis (AoA), and modified acquisition strategy	Reduce probability of introduction of new requirments	The TAV program was not using resources efficiently to mitigate hazards, focus on system-to-system interfaces, and the implementation schedule was too aggressive and did not sufficiently account for potential delays and setbacks.	The evaluation by the DHS CIO resulted in the following: 1. The Program Manager providing three potential schedules. High risk (1), medium risk (2) and low risk (3) with project cost incorporated in each schedule. 2. The program developing an analysis of alternatives specific to DC migration to include implications to current lease agreement for development and test environment. 3. The Program acquisition strategies will adhere to all findings and recommendations resulting from USM Acquisition Decision Memorandum.	The resulting actions reduced the potential for cost increases due to unaccounted risk, improved cost projections based on the risk matrix, and reduced cost for hosting, development, and test environments.
USCIS - Transformation	Program approach modified to reflect reuse and decommissioning strategy	Increased Probability of Success	The program did not adequately define Key Performance Parameters (KPPs), specific mission goals, and scope thereby raising the risk of cost, schedule, and performance issues	The evaluation by the DHS CIO resulted in the following: The program need to incorporate a strategy for decommissioning legacy systems, rollout of TPO capabilities and corresponding data stores, architectural diagrams, USCIS TPO solution architecture, and potential reuse elements of IBM's solution.	The resulting actions identified the program business processes that will be re-engineered, identified the risk for programs such as E-Verify, SAVE, REAL-ID and others that depend on the central index system, the identification of the risks associated with unique code required, and the amount of O&M needed to support such complexity over the lifecycle of the program.
USSS - Information Integration and Transformation (IIT)	Program reconcile with updated Bill of Material (BOM) and Rough Order of Magnitude (ROM)	Reduce likelyhood of increased engineering services	The program approach for Block 1 did not adequately identify equipment, software, or how the USSS will leverage existing DHS enterprise IT resources.	The evaluation by the DHS CIO resulted in the following: The USSS approach to block 1 will reflect a consistent architectural and engineering best practices for IT infrastructure Modernization.	The resulting actions required final bill of materials for equipment, software, and USSS strategy be evaluated for its database architecture, maintenance requirements, and cyber security. Block 1 provides the foundational capability for the remaining Blocks and will deliver parallel capabilities in other Blocks. The delivery of Block 1 effectively will reduce the modernization timeline, control cost throughout the life of the project, and increase the probability of delivery of future Blocks.
FEMA - Grants Management Systems	Program re-directed through Alternative of Analysis (AoA) and Independent Validation and Verification (IV&V) approach	Improved cost projections and program planning	The evaluation of the program identified schedule issues and had a shortage of federal employees to fill the required positions within the program management office	The evaluation by the DHS CIO resulted in the following: The FEMA Grant Management integrated Environment (GMIE) program making changes to its contract support for an Analysis of Alternatives and Independent Validation and Verification of software applications as well as making critical improvements in program structure and management to ensure the success of the Department of Homeland Security Grant Management function.	The resulting actions will ensure there is appropriate staffing in the Grants PMO with Government employees (i.e. Deputy PM, Technical Architecture lead, Business Requirements), ensure that the current Analysis of Alternatives be independently re-validated in order to provide further information for the budget estimates and update spending table to address program schedule.

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CBP - Global Enrollment Program	Program reconcile with a new Basis of Estimate (BOE) and updated transition strategy	Higher Probability of Cost Avoidance in Future System Development	The program approach did not provide clarity as to systems that were impacted by the Enterprise Service Bus (ESB), development activities, and deliverables associated with the activities	The evaluation by the DHS CIO resulted in the following: The program providing a basis of estimate, identifying transitioning of legacy solutions to Service Oriented Architecture (SOA), and identification of reusable services in order to determine the level of effort or the outcomes the contractor will deliver	The resulting actions will distinguish between the SOA and O&M efforts and the analysis will indicate any increases in O&M and SOA cost from previous years.
NPPD - National Cyber security & Protection System (NCPS)	Program re-directed through Basis of Estimate (BOE)	Reduction in incremental Cost increase	The program did not provide a good basis of estimate, identification of engineering services, and their acquisition methodology did not provide best value for DHS.	The evaluation by the DHS CIO resulted in the following: The program providing additional review for the DHS CIO to include an appropriate acquisition strategy for competitive RFP, timeline for the dissemination of the RFP to the public, and revision of the estimation of the O&M activities	The resulting actions required NPPD to finalize their acquisition for a competitive bidding of a sole source acquisition, which will stimulate competition and secure the best work and materials at the lowest practicable price.

Question#:	47
Topic:	TASC
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Susan M. Collins
Committee:	HOMELAND SECURITY (SENATE)

Question: For the past few years, I have been raising significant concerns regarding DHS's efforts to migrate and consolidate the financial systems of its components. DHS began this effort in 2004 with its eMerge2 initiative, which it quickly abandoned after sinking about $52 million in the project. In 2007, DHS began a second attempt with its Transformation and Systems Consolidation (TASC) initiative, which DHS estimates will cost as much as $450 million. The DHS Inspector General, however, estimates that the lifecycle cost of the project will likely total approximately $1 billion.

As recently as December 2009, GAO has continued to report that the current TASC acquisition strategy lacks key elements that would ensure the system will meet user needs. I understand DHS is moving forward to award a major contract in May for this initiative.

What specific actions are you taking to ensure TASC is properly planned so that it successfully consolidates DHS's financial management systems?

Given the DHS Inspector General's cost estimate of approximately $1 billion, do you plan to update DHS's original cost estimate of $450 million? Do you believe, given the substantial variance between the current cost estimate and the Inspector General's estimate, that the initiative is properly resourced, that budgets and staffing will be adequate to support the initiative's success, and that no contract modifications will be required?

Given the significant budget pressures likely to continue for several years, are you convinced that the solution proposed in the TASC initiative represents the best value for the taxpayer? Were other less costly alternatives considered and rejected? If so, why?

Response: The Department has taken a top-down approach in guiding the consolidation of financial, acquisition and asset management systems. DHS is in the process of establishing an Executive Steering Committee (ESC), which will provide strategic leadership and direct the Department's vision for TASC. It is anticipated that the ESC will be headed by the Under Secretary for Management and membership will be derived from the Department's CXOs and Components.

A departmental Integrated Management Team (IMT), consisting of the Offices of the Chief Financial Officer (OFCO), the Chief Procurement Officer (OCPO) and the Chief Information Officer (OCIO) are performing a thorough review of the TASC initiative.

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DHS continues to develop program management planning documents, processes, and plans in accordance with DHS Acquisition Directive 102-01 (AD 102-01) and insights gained from the IMT. DHS is also taking steps to ensure adequate staffing for the TASC program management office (PMO) that continues to build a robust team of full-time federal employees with expertise in project management, systems accounting, change management, acquisition management, business intelligence, accounting services and systems to successfully manage TASC. In addition, risk management is a focal point for TASC leadership has a risk management plan, which was presented to Congress in the Fiscal Year 2010 TASC Report to Congress.

Independent verification and validation (IV & V) contractors continue to support the Department's CFO, providing comprehensive and mature oversight throughout the program life cycle. Specifically, IV & V reviews documents and processes for completeness and correctness; quality assurance over project deliverables and cost; and compliance assessments against enterprise architecture, security, performance requirements, and organizational standards.

GAO best practices define the Independent Government Cost Estimate as an estimate of the projected resources a contractor will incur in the performance of a contract. GAO further describes Lifecycle Cost Estimate (LCCE) best practices as the cost to the government to acquire and own a system over its full life to include personnel costs, development, procurement, operations, support and disposal.

The $450 million cost estimate represents the Department's IGCE for the TASC contract award. The IGCE establishes the contract ceiling estimate to include contractor costs for implementation, component assessments, system configuration, integration, migration costs and operations and maintenance. The IGCE for the TASC contract is $450M over the 10-year contract life, assuming all option years are exercised.

The overall cost of the program is contained within the TASC LCCE. The TASC LCCE includes accounting of the cost of people, procurement, support and disposal over the 10-year contract life. This estimate is derived from source cost data received from DHS. Additionally, DHS has factored information from other outside agencies including NASA and HHS. The Acquisition Program Management Division is working to verify the LCCE. This work will be completed by the end of April and will be available for review at that time.

The Department recognizes that a strong, well-structured PMO is critical to achieving a successful transition and implementation to an integrated management system. As a result, DHS has taken steps to ensure adequate staffing to successfully manage TASC,

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including a team of full-time federal employees, support contractors and independent IV & V staff. The Department is also establishing PMO structures within Components to facilitate partnerships with the RMT office. TASC's Program Manager is a certified Level III Program Manager with more than 20 years of experience. Specifically, the Program Manager has experience managing system migrations at DHS. Current PMO staffing includes 16 Project Management Professionals, 15 Certified Contracting Officer Technical Representatives, six DHS Level II Program Managers, five DHS Level I Program Managers and three Certified Public Accountants. The PMO is developing a staffing plan to address future requirements.
Currently, the Department spends approximately $100 million per year (totaling $1 billion over 10 years) sustaining 13 disparate financial system baselines. Many of these systems are outdated, not cost effective, lack integration, and present significant obstacles to the Department's vision for the future of financial management, reporting and transparency.

TASC presents the Department with an opportunity to not only consolidate and integrate core business systems, but also address the key problem areas identified by the GAO for the same cost as maintaining the current legacy systems.

TASC was established to increase the transparency and reliability of DHS information by consolidating financial, asset and acquisition management systems to establish a single line of accounting and standardize business processes. TASC results in an integration solution that continues to move the Department toward becoming "One DHS." TASC provides increased fiscal accountability to American taxpayers and opportunities to improve the efficiency of the Department's mission-critical services.

The TASC solution brings the best value to the taxpayer by:

- Establishing a single line of accounting
- Standardizing business processes
- Eliminating redundant financial, asset and acquisition management systems
- Creating timely, accurate and comprehensive reporting capabilities
- Increasing financial transparency
- Strengthening internal controls
- Addressing Department-wide material weaknesses
- Aligning with goals of Financial Management Line of Business (FMLoB)
- Centralizing hosting, integration, upgrades and maintenance

An Alternatives Analysis has been completed by the Department. To summarize, four

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Primary:	The Honorable Susan M. Collins
Committee:	HOMELAND SECURITY (SENATE)

alternatives were considered for analysis: 1) maintain existing baselines, 2) optimize/enhance existing baselines, 3) obtain a centralized and integrated financial acquisition and asset management solution from a Government Shared Solution Provider, and 4) obtain a centralized and integrated financial acquisition and asset management solution from a Systems Integrator. An additional nine alternatives were considered non-viable. This included eliminating any alternative that did not support the Department's mission need or comply with the Court of Federal Claims' order.

A value assessment, risk assessment, quality (operational effectiveness) assessment and cost analysis assessment were conducted against the four alternatives. Cost analysis focused on the cost estimates, cost effectiveness and sensitivity analysis.

Question#:	48
Topic:	fusion centers - 2
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

Question: You have spoken on several occasions about the value of state and local fusion centers to protecting our citizens. Of the many vital tasks facing your department, you have made supporting state and local fusion centers one of your top priorities. Why?

Response: Promoting effective information sharing is one of the fundamental reasons why the Department of Homeland Security (DHS) was created. Moreover, strong information sharing is essential to our state, local, tribal, and territorial partners' ability to assess data and determine threats. DHS is continuing to move forward aggressively to ensure that, through fusion centers, state, local, tribal, and territorial law enforcement agencies and governments have the information they need to keep our communities safe.

Question: What is the primary purpose of state and local fusion centers?

Response: The goal of fusion centers, which are owned and operated by the states and major urban areas, is to meet their jurisdictions' specific criminal and homeland security information needs. These fusion centers provide stakeholders with a focal point for the aggregation, analysis, and dissemination of all-threat and all-crimes information.

Question: How would you define the relationship between DHS and the state and local fusion centers?

Response: DHS and the state and local fusion centers have a mutually beneficial information sharing relationship. Fusion centers represent the logical touch-points for the DHS Office of Intelligence and Analysis (I&A) to share information with state, local, tribal, and territorial entities. The DHS/I&A Intelligence Officers assigned to work at state and local fusion centers are the lynchpins in the execution of the critical DHS information-sharing mission—providing reliable connectivity to classified data systems, analytic training opportunities, and real-time threat warning. The Intelligence Officers are central conduits for the exchange of state and local fusion center requirements, reporting, analysis, and dissemination with DHS and the Intelligence Community (IC).

Question: What are the biggest accomplishments DHS has achieved in its state and local fusion center program? If possible, please provide several specific examples.

Response: DHS I&A has deployed 57 Intelligence Officers to state and local fusion centers and has installed the Homeland Security Data Network (HSDN) in 33 fusion

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centers. I&A support to fusion centers has facilitated and assisted in the following accomplishments:

Fusion Center Aids in Preventing 'Virginia Tech Style' Attack
On January 12, 2008, the Illinois Statewide Terrorism & Intelligence Center (STIC) received information from the University of Illinois Police Department, identifying a subject who was possibly armed and dangerous and who could be attempting "suicide by cop." The subject, a Virginia resident, had been cyber-stalking two University of Illinois students, sending threatening e-mails indicating he would repeat a Virginia Tech-like crime on their campus. The subject advised via email he was en route to the area on January 12, 2008.

The Virginia Fusion Center (VFC) provided information pertaining to the type of vehicle the subject was traveling in, and that he had no firearm transactions on record. On January 15, 2008, the VFC advised that the subject had been detained on a mental petition in Wise County. The FBI subsequently adopted the case and the subject plead guilty to five counts of communication threatening to injure another person. The subject was ultimately sentenced to 48 months in prison followed by 3 years supervised parole.

Fusion Center Support to the G-20
DHS worked with local, state, federal and private sector partners, including the five surrounding fusion centers, in support of the G-20 Summit held in Pittsburgh September 24-25, 2009. The Department also deployed six analysts from headquarters to provide intelligence support for the three G-20 Pittsburgh Summit Command Centers. DHS was able to leverage open source materials and information received from fusion centers to support federal, state, and local partners in making informed decisions. Participation by partners at all levels of government allowed leadership to maintain situational awareness of the event and receive timely, relevant information.

Fusion Center Support to Tribal Partners
The partnership between the Arizona Counter Terrorism Information Center (ACTIC) and the Tohono O'odham Nation marks the first formalized relationship between a Tribal government and a fusion center. DHS sponsored a personnel exchange that allowed a representative of the Tohono O'odham Nation to visit the ACTIC for a week in November 2009 to work side by side with fusion center colleagues, understand ACTIC lessons learned, and share best practices. DHS plans to deploy a Technical Assistance team of subject matter experts to support the Tohono O'odham Nation to develop a Concept of Operations related to tribal participation with fusion centers in coming months. Given the Tohono O'odham Nation's location along 65 miles of the Southwest

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border, this is a key information-sharing relationship for both the ACTIC and the Department.

Fusion Center Support to Crime Fighting in Dallas
The Dallas Police Department Fusion Center plays a critical role in crime-fighting in the Dallas area. The Chief of Police refers to the Fusion Center as the "brains" of a department that reported a 10 percent drop in crime in 2007 and nearly a 19 percent decline in the first quarter of 2008. The Fusion Center's quick analysis and dissemination of information to officers in the field has led to success in stopping a number of criminals including:

- In 2008, the Fusion Center helped coordinate the investigation into a string of more than two dozen vehicle arsons in southern Dallas. With the center's assistance, investigators identified suspects, tracked their movements and watched them set another fire before arresting them.
- Later in 2008, homicide detectives determined that a Dallas murder suspect might be headed for the Mexican border. The center quickly produced a bulletin with the suspect's mug shot and dispatched officers to post it at numerous city bus stations. A clerk at one station recognized the photo and told police that the suspect was headed to Laredo. He was arrested in the Austin area.
- Also in 2008, Dallas was combating a rash of ATM thefts where organized and sometimes violent groups were tearing out the machines from convenience stores throughout the region. The Fusion Center coordinated an operation that led to the identification and arrest of the suspects. The center also worked with store owners and ATM and insurance companies to put into place security measures that would make the machines harder to remove.

The Dallas Fusion Center was formed in January 2007 and is now a 24/7 operation with a staff of 35.

Fusion Centers Coordinate Security for 2008 Republican and Democratic National Conventions
Two fusion centers, the Minnesota Joint Analysis Center (MNJAC) and the Colorado Information Analysis Center (CIAC), supported information sharing with state and local entities for the 2008 political conventions. For the Republican National Convention, the MNJAC provided 24/7 support to facilitate information and intelligence sharing to the Principal Federal Official's support cell. For the Democratic National Convention (DNC), the CIAC coordinated state and local input to the Special Events Working Group joint

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DNC Threat Assessment. It also served as the primary conduit through which to share DNC information with state and local entities.

Fusion Center Support Prevents an International Kidnapping
In May 2008, the Central California Intelligence Center (CCIC) in Sacramento played a key role in disrupting the attempted kidnapping of a child. The DHS Intelligence Officer (IO) in Sacramento coordinated with the CCIC Director and a Sacramento County Sheriff's Office (SCSO) task force commander on an Amber Alert for a three year old child, noting the suspect was wanted for rape and murder, and had intentions to leave the country. Coordinating with DHS National Operations Center, local law enforcement, and Interpol, the DHS IO was able to track the suspect and the kidnapped child to a flight bound for the Netherlands. The DHS IO coordinated with authorities to ensure law enforcement authorities in Amsterdam detained the subject. As a result of this effort, the child was found unharmed.

The National Governors Association's State Homeland Security Directors Survey of 2008 demonstrated the Department's progress in working with state and local partners. More than 75 percent of respondents expressed satisfaction with their communication with DHS. This is a significant increase compared to the 42 percent satisfaction rate reported in 2007. According to respondents, the quality of communication from DHS is improving and states overwhelmingly use materials from the Federal Government's Ready Campaign for their own citizen preparedness programs.

Question: How is a fusion center different from a Joint Terrorism Task Force (JTTF) run by the FBI? What is the relationship, if any, between a fusion center and a JTTF?

Response: Joint Terrorism Task Forces (JTTFs) are FBI-sponsored, multi-jurisdictional task forces established specifically to conduct terrorism-related investigations. Analytic and information-sharing efforts carried out by the JTTFs are done solely to support those investigative efforts. Fusion centers, in contrast, are not investigative entities and do not focus solely on terrorism; they are state and locally owned and operated information analysis centers that focus on analyzing information and intelligence regarding a broad array of criminal activity.

Question#:	49
Topic:	grants - 4
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

Question: In October 2009, FEMA deputy administrator Timothy Manning testified before the House Homeland Security Committee and made the astounding claim that FEMA is unsure if the $29 billion in DHS grants that went to states since 2002 have actually improved state and local preparedness.
Given this alarming statement please tell me

Is DHS able to measure how homeland security grants have improved state and local preparedness and response capabilities? If no, when do you expect DHS to be able to measure how these grants have been spent?

If you can't measure improved preparedness, should Congress and DHS continue to fund these grants?

Response: The Deputy Administrator testified that preparedness efforts supported by federal grant programs had made demonstrable improvements in preparedness through enhanced training, equipment acquisition, interagency planning and exercising. Deputy Administrator Manning noted the existence of multiple federal assessment efforts that were, in some cases, inadequately coordinated, and did not accurately portray the state of preparedness, but also imposed an administrative burden on our stakeholders. The Deputy Administrator also noted that a specific effort, the "Cost to Capabilities" pilot program, which is designed to measure increased preparedness against grant expenditures, was still underway at the time of the testimony and that FEMA had instituted measures to reconcile multiple initiatives, such as the Gap Analysis Program (GAP) and Comprehensive Assessment System. FEMA is continuing its work on developing the next iteration of measurement of grant effectiveness. An earlier effort yielded important information about possible ways to measure grant effectiveness and that has provided useful information. In addition, FEMA also developed a retrospective analysis that identified how grantees are spending monies to build capability. Our staff also monitors grantees, from both a financial and programmatic perspectives. Monitoring methods include conducting telephone checkups; reviewing requests for approval; reviewing audits, financial status reports, progress reports, and other written documents; and conducting site visits. FEMA is establishing a Preparedness Task Force, to be comprised of state, tribal, local, private sector and federal experts that will be charged with, among other duties, making recommendations as to the best, single system that should be implemented to measure national preparedness. The Deputy Administrator's testimony affirmed that establishing a consolidated framework for the measurement of preparedness is a priority. We look forward to working with Congress and our stakeholders toward adopting a common assessment methodology that will best inform future decision making across all levels of government. The Department believes the President's FY2011 budget proposal provides the appropriate resources to consolidate our assessment methodologies, reduce the administrative burden on our stakeholders, and ensure we have a comprehensive portrait of national preparedness.

Question#:	50
Topic:	radiation
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

Question: The TSA backscatter full body imager uses x-ray to scan the body for potential threats. Have the machines been tested for health concerns such as exposure to radiation? Are you concerned that TSOs who work by these machines daily for hours at a time could be exposed to unhealthy levels of radiation?

Response: The TSA backscatter x-ray system is safe for all passengers as well as employees who operate and work in the vicinity of these systems. The backscatter x-ray systems meet national health and safety standards to include the American National Standards Institute/Health Physics Society N43.17 2009 standard: Radiation Safety for Personnel Security Screening Systems Using X-ray or Gamma Radiation. Backscatter technology was evaluated by the Food and Drug Administration's Center for Devices and Radiological Health and the National Institute for Science and Technology. In addition, the Johns Hopkins University Applied Physics Laboratory also performed an independent radiation safety engineering assessment of the currently deployed TSA backscatter system. All evaluations confirmed that radiation doses are well below those specified by the American National Standards Institute (ANSI).

Backscatter screening technology meets the safety requirements indicated by the ANSI/HPS N43.17- 2009 standard. Vendors are required to demonstrate compliance to these standards prior to entering laboratory testing. The TSA backscatter systems' effective dose from one passenger screening is less than 25 microrem. This is equivalent to the exposure each person receives in about two minutes of airplane flight at altitude or roughly the equivalent to one hour of exposure to naturally occurring background radiation. Transportation Security Officer (TSO) exposure to radiation is minimal. If a TSO were to spend every hour of every shift positioned beside the backscatter x-ray system experiencing maximum passenger throughput, the officer would receive 450 microrem during the course of a year, about the same amount of radiation that a person receives during an hour of flight.

Question#:	51
Topic:	termination
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

Question: The President's FY 2011 Budget Request includes two programs for termination: the Emergency Operations Center Grant Program and the Intercity Bus Security Grant Program. Do you support the termination of these two programs? Why or why not?

Response: I do support the termination of those programs. In the case of the Emergency Operations Center (EOC) grant, EOCs are already allowable under the Emergency Management Performance Grant (EMPG) so funds are available for those projects. In addition, the Department has put an emphasis on risk-based programs in the budget, and the EOC grant is not risk-based. In the case of the Intercity Bus program, the awards are not based on risk assessment, and the homeland security investments in inter-city bus security should be evaluated in the context of the risks faced and relative benefits to be gained by Federal investments across all transportation sectors.

Question#:	52
Topic:	report
Hearing:	FY 2011 Budget Request
Primary:	The Honorable Jon Tester
Committee:	HOMELAND SECURITY (SENATE)

Question: Madam Secretary, as part of the Conference Report accompanying the Fiscal Year 2010 DHS Appropriations Act (P.L. 111-83), the Department was directed to complete a study "on staffing, funding, and implementation of Northern Border enforcement initiatives" not later than January 15, 2010. However, as of February 24, this report has not yet been submitted. Can you tell me when this report will be submitted?

Response: CBP has worked hard to provide a comprehensive and timely report to Congress on our proposed approach to the Northern Border Strategy. Given the impact of this report on future operations, the review process has been extensive, thus delaying its delivery to Congress. We hope to transmit the report to Congress as soon as possible.