

**TROUBLE AT THE TOP: ARE VACANCIES AT
THE DEPARTMENT OF HOMELAND SECURITY
UNDERMINING THE MISSION?**

HEARING
BEFORE THE
COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES
ONE HUNDRED SIXTEENTH CONGRESS
FIRST SESSION

MAY 1, 2019

Serial No. 116-15

Printed for the use of the Committee on Homeland Security



Available via the World Wide Web: <http://www.govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

37-472 PDF

WASHINGTON : 2019

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TROUBLE AT THE TOP: ARE VACANCIES AT THE DEPARTMENT OF HOMELAND SECURITY UNDERMINING THE MISSION?

Wednesday, May 1, 2019

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC.

The committee met, pursuant to notice, at 10:06 a.m., in room 310, Cannon House Office Building, Hon. Bennie G. Thompson (Chairman of the committee) presiding.

Present: Representatives Thompson, Jackson Lee, Payne, Rose, Underwood, Slotkin, Cleaver, Clarke, Watson Coleman, Barragán, Rogers, King, Katko, Walker, Higgins, Green of Tennessee, Taylor, Joyce, and Crenshaw.

Chairman THOMPSON. The Committee on Homeland Security will come to order. The committee is meeting today to receive testimony on “Trouble at the Top: Are Vacancies at the Department of Homeland Security Undermining the Mission?”

Today, the Committee on Homeland Security is meeting to examine how the unprecedented number of vacancies and continual turnover at the Department of Homeland Security is undermining its critical mission to secure the homeland. Put simply, since taking office, President Trump has decimated the leadership ranks of his own Department of Homeland Security. In recent weeks alone, President Trump has dismissed Secretary Kirstjen Nielsen; circumvented the law by forcing Acting Deputy Secretary and Under Secretary for Management Claire Grady to resign so he could install Customs and Border Protection Commissioner Kevin McAleenan as Acting Secretary; also Transportation Security Administration Administrator David Pekoske to serve as Deputy Secretary while also running TSA; and pulled the nomination of Immigration and Customs Enforcement director, prompting his resignation.

In addition to the Secretary and deputy secretary vacancies, at least 12 other critical positions across the Department’s key components and offices are operating without permanent leadership. The President has failed to nominate anyone to fill most of these vacancies, even though many have been held by acting officials for the entirety of the Trump administration.

Moreover, there are another 50 senior leadership positions vacant throughout the Department, including those tasked with overseeing the daily operations of DHS. This chaos appears to be by design, orchestrated by a President who wants to be able to remove

the Department's leadership on a whim. He has said himself, I like acting because I move so quickly, it gives me more flexibility.

In other words, the President wants people who have not gone through the confirmation process because they are more beholden to him and more likely to carry out his controversial policies without question. Unfortunately, it is the Department, its mission, and perhaps ultimately the American people that suffer.

Since being created by the merger of 22 different agencies in 2003, DHS has struggled to mature and become a single, cohesive department. These vacancies only exacerbate the Department's fundamental challenges with acquisition management, budgeting, strategic planning, and personnel management. The Department is left without consistent leadership in place to set a vision or agenda for the agency that extends well beyond just border security.

DHS's mission is broad and diverse and covers everything from counterterrorism to cybersecurity to protection of dignitaries to coordinating the Federal Government's response to natural disasters. The Department needs a Secretary with a breadth of knowledge to provide leadership across DHS and help further unify its components and offices to protect the homeland.

The reliance on acting leadership further depresses morale at the Department, which already consistently ranks at the bottom of Federal employee surveys. Today, we are fortunate to have two expert witnesses before us who can speak to the challenges DHS is facing under this administration.

The Government Accountability Office has audited the Department's management since DHS was established, giving the comptroller general unique perspective on the current situation. The Department of Homeland Security Office of Inspector General is charged with providing independent oversight and promoting excellence, integrity, and accountability within DHS.

Despite having left the position in late 2017, Mr. Roth is the last confirmed DHS inspector general, as his permanent replacement has still not been confirmed. I know his testimony will inform our oversight of the leadership voids at DHS.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

MAY 1, 2019

Today, the Committee on Homeland Security is meeting to examine how the unprecedented number of vacancies and continual turnover at the Department of Homeland Security is undermining its critical mission to secure the homeland. Put simply, since taking office President Trump has decimated the leadership ranks of his own Department of Homeland Security.

In recent weeks alone, President Trump has: Dismissed Secretary Kirstjen Nielsen; circumvented the law by forcing Acting Deputy Secretary and Under Secretary for Management Claire Grady to resign so he could install Customs and Border Protection Commissioner Kevin McAleenan as Acting Secretary; asked Transportation Security Administration (TSA) Administrator David Pekoske to serve as deputy secretary while also running TSA; and pulled the nomination of Ronald Vitiello for Immigration and Customs Enforcement director, prompting his resignation. In addition to the Secretary and deputy secretary vacancies, at least 12 other critical positions across the Department's key components and offices are operating without permanent leadership. The President has failed to nominate anyone to fill most of these vacancies, even though many have been held by acting officials for the entirety of the Trump administration. Moreover, there are another 50 senior

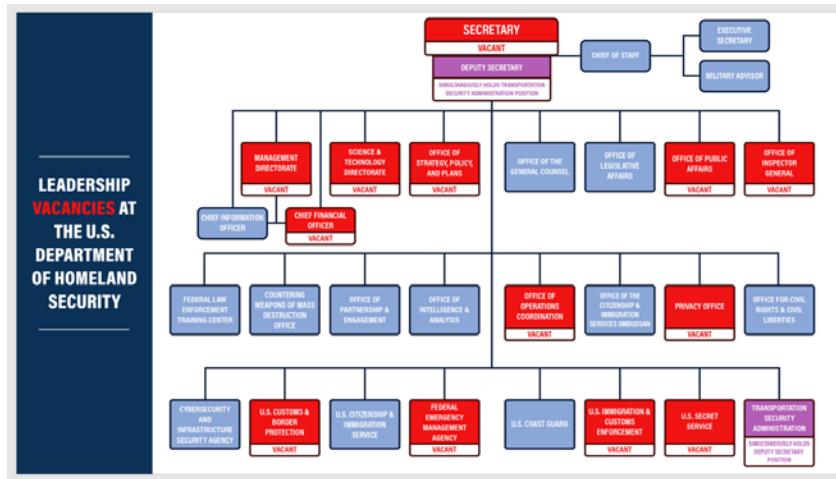
leadership positions vacant throughout the Department, including those tasked with overseeing the daily operations of DHS.

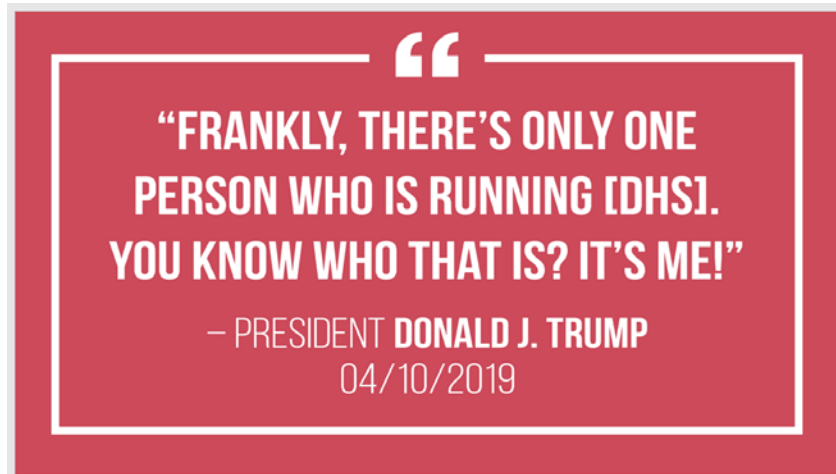
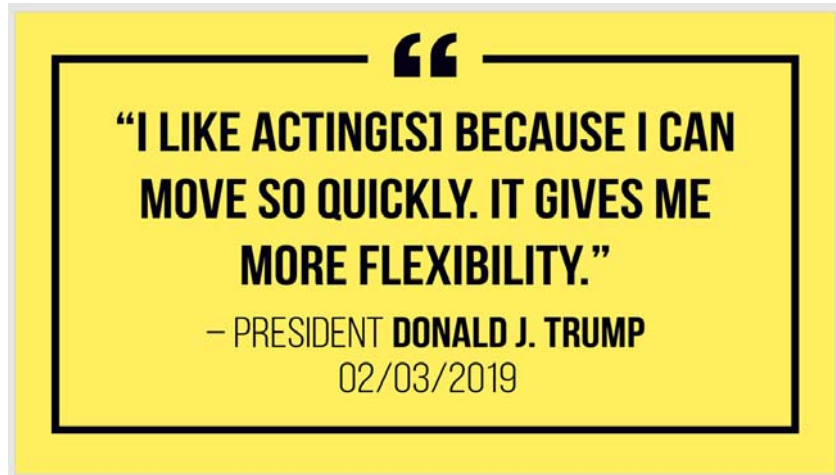
This chaos appears to be by design, orchestrated by a President who wants to be able to remove the Department's leadership on a whim. He has said himself: "I like Acting[s] because I can move so quickly. It gives me more flexibility." In other words, the President wants people who have not gone through the confirmation process because they are more beholden to him and more likely to carry out his controversial policies without question.

Unfortunately, it is the Department, its mission, and perhaps ultimately the American people that suffer. Since being created by the merger of 22 different agencies in 2003, DHS has struggled to mature and become a single, cohesive Department. These vacancies only exacerbate the Department's fundamental challenges with acquisition management, budgeting, strategic planning, and personnel management. The Department is left without consistent leadership in place to set a vision or agenda for the agency that extends well beyond just border security.

DHS's mission is broad and diverse and covers everything from counterterrorism to cybersecurity to protection of dignitaries to coordinating the Federal Government's response to natural disasters. The Department needs a Secretary with a breadth of knowledge to provide leadership across DHS and help further unify its components and offices to protect the homeland. The reliance on acting leadership further depresses morale at the Department, which already consistently ranks at the bottom of Federal employee surveys. Today, we are fortunate to have two expert witnesses before us who can speak to the challenges DHS is facing under this administration. The Government Accountability Office has audited the Department's management since DHS was established, giving the Comptroller General unique perspective on the current situation. The Department of Homeland Security Office of Inspector General is charged with providing independent oversight and promoting excellence, integrity, and accountability within DHS.

Despite having left the position in late 2017, Mr. Roth is the last confirmed DHS Inspector General as his permanent replacement has still not been confirmed. I know his testimony will inform our oversight of the leadership void at DHS.





Chairman THOMPSON. I thank the witnesses for being here today, and I look forward to this important discussion. I now recognize the Ranking Member of the full committee, the gentleman from Alabama, Mr. Rogers, for an opening statement.

Mr. ROGERS. Thank you, Mr. Chairman.

Before I start my statement, I wanted to take a moment to recognize the lives lost in the recent terrorist attack on Easter Sunday in Sri Lanka and on Passover in San Diego. Places of worship should be sanctuaries where people regardless of faith can worship without fear.

I look forward to working with my colleagues on this committee on ways to stop these kind of despicable acts.

Mr. Chairman, I am truly glad that you called this hearing today. Management vacancies, mismanagement, and poor employee morale have plagued the Department of Homeland Security since it was created. Today, 17 DHS leaderships lack positions of a per-

manent leader. Just like in 2013, during the Obama administration, when 18 leadership positions lacked permanent leaders, then-Chairman McCaul convened a similar hearing to examine the issue.

At that hearing, then-Ranking Member Thompson accurately blamed the obstructive Senate minority for holding up key appointments, questioned how the morale of 240,000 employees could be adversely affected by the leadership positions being filled by acting personnel, and strenuously argued the best way to fix the morale problem at DHS was for Congress to act to reform organizational structure of the Department.

Nearly 6 years since that hearing, Chairman Thompson's statement still holds true. I agree wholeheartedly with what he had to say and ask unanimous consent to include a copy of his statement into the record.

Chairman THOMPSON. Without objection.
[The information referred to follows:]

SUBMITTED FOR THE RECORD BY RANKING MEMBER MIKE ROGERS

STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

DECEMBER 12, 2013

The Department of Homeland Security employs almost 240,000 employees. Located in every State of the union and over 75 foreign countries, DHS employees are on the front lines each day. They secure our land, air, and maritime borders; enforce our immigration laws; safeguard critical infrastructure and cyber space; and respond to natural disasters.

I understand that today's hearing is to consider whether vacancies in senior-level positions at the Department affect the morale and effectiveness of the Department's mission. Before I continue, allow me to provide some context for the hearing. The Majority says that 40 percent of the leadership positions at DHS are vacant.

According to statute, there are 28 positions within the Department that require Presidential appointment and Senate confirmation. Of those 28 positions about 15 are filled with an official who is serving in an acting capacity. Only 1 position is listed as vacant. So, as it turns out, that 40 percent represents very small number of people.

It is difficult to understand how the morale of almost 240,000 people would be adversely affected by whether 15 people at headquarters have the word "acting" listed in their titles. Those officials who are listed as acting are still empowered and expected to do their jobs, implement orders, and carry out the normal functions of the position. As we consider the morale and mission effectiveness of these nearly 240,000 employees, we should consider the factors that have a real and direct effect on their day-to-day lives and, therefore, may affect morale and mission.

Further, as we consider the morale of the Department's employees, we need to acknowledge that in every survey on workplace satisfaction, conducted by every organization, inside or outside of the Government, the Department has always ranked at or near the bottom.

The Department has been at or near last place since the day it was established. It was at or near last place in employee morale under Secretaries Ridge, Chertoff, and Napolitano. Consistent dysfunction is an indication of a structural issue—not an indication of a momentary problem.

Fortunately, this committee has a long history of oversight of the management and administration of the Department. Our oversight has shown that the DHS suffers from a disjointed organizational structure and that employee morale is adversely affected by the uncertainty that comes from that disjointed structure. The Department's organizational structure leaves the officials at headquarters with little authority and leaves the employees in the field with little hope. Headquarters officials may issue management directives, but they do not have a mechanism to enforce those directives; meanwhile, the employees have few places to turn.

Mr. Chairman, if we want to positively affect the morale and mission effectiveness of the employees at the Department, we should pay less attention to the acting status of particular officials and more attention to the power of officials to act. The or-

ganizational structure of this Department—which only we can change—prevents headquarters officials from requiring uniformity, transparency, and accountability in procurement, personnel practices, and disciplinary processes used in the components.

If we want to assure that moral and mission effectiveness improve, we should use our legislative authority to act by assuring uniformity in the rules, standards, and practices used by the Department. These rules, standards, and practices directly affect the everyday lives of nearly 240,000 people. To that end, I would suggest that the Chair press his leadership to assure floor action on the Homeland Security Authorization Act that this committee ordered reported in October. This measure has yet to be considered by the House. It contains a Democratic-sponsored provision that would strengthen the authority of those officials in headquarters to require uniformity, transparency, and accountability in employment practices.

This would be the kind of change that would help the morale of these employees. I have a great respect for the employees of the Department. Day after day, they go to work, fulfill their mission, and protect this Nation. They knowingly walk into a workplace where few people are happy. Yet, the Office of Personnel Management found that over 87 percent of these employees believe that the work they do is important.

These employees should be able to look to Congress for solutions and support. Finally, Mr. Chairman, I wrote to you requesting that we have a representative from the Department to discuss their efforts to improve workplace morale. Your response indicated that a witness from DHS would not be necessary because “there is little connection to DHS as the source of the leadership vacancy problem.”

I agree that the source of the vacancy problem at DHS is not within the Department. All indications are that the source of the vacancy problem at DHS and other Federal departments is the Republican Minority in the Senate who have used the Constitutional duty to advise and consent as an excuse to obstruct and deny.

Clearly, with the removal of the filibuster weapon for certain appointments, we are finally seeing movement on the President’s nominations. I hope you join me in looking forward to the approval of Mr. Johnson to head the Department of Homeland Security. When Mr. Johnson becomes Secretary Johnson, I hope this committee will work with him to resolve the employee morale and vacancy issue at the Department. In the mean time, this House should use its power to give the Department the necessary resources and legislative authority to achieve the goal of improving employee morale at DHS.

Mr. ROGERS. As the Chairman said 6 years ago, to truly address the on-going problems with poor employee retention and morale, Congress must fix the Department’s organizational structure. I hope we can come together to enact a meaningful authorization bill that unifies the Department and provides its employees with funding, authorities, training, and equipment they need.

In the interim, I would employ Members of Congress to stop vilifying DHS employees for doing their jobs and calling for the elimination of their agencies. I am very concerned about the impact of these statements on employee morale. Every day, DHS employees do an exceptional job carrying out their critical missions. No one should blame the men and women of DHS for problems Congress has allowed to fester.

I look forward to working with the Chairman on this DHS authorization bill, and I thank him again for convening this hearing.

I yield back.

[The statement of Ranking Member Rogers follows:]

STATEMENT OF RANKING MEMBER MIKE ROGERS

Before we start, I wanted to take a moment to recognize the lives lost in the recent terrorist attacks on Easter Sunday in Sri Lanka and on Passover in San Diego. Places of worship should be sanctuaries where people, regardless of faith, can worship without fear. I look forward to working with my colleagues on ways to stop these despicable acts.

Mr. Chairman, I'm glad that you called this hearing today. Management vacancies, mismanagement, and poor employee morale have plagued the Department of Homeland Security since it was created.

Today, 17 DHS leadership positions lack a permanent leader. In 2013, during the Obama administration, when 18 leadership positions lacked permanent leaders, then-Chairman McCaul convened a hearing to examine the issue.

At that hearing, then-Ranking Member Thompson—

- blamed an obstructive Senate Minority for holding up key appointments;
- questioned how the morale of 240,000 employees could be adversely affected by leadership positions being filled by acting personnel; and
- strenuously argued that the best way to fix the morale problem at DHS was for Congress to act to reform the organizational structure of the Department.

Nearly 6 years since that hearing, Chairman Thompson's statement stills hold true. To truly address the on-going problems with poor employee retention and morale, Congress must act to fix the Department's organization and structure. I hope we can come together to enact a meaningful authorization bill that unifies the Department and provides its employees with the funding, authorities, training, and equipment they need.

In the interim, I would implore Members of Congress to stop vilifying DHS employees for doing their jobs and calling for the elimination of their agencies. I am very concerned about the impact these statements have on employee morale.

Every day, DHS employees do an exceptional job carrying out their critical missions. No one should blame the men and women of DHS for problems Congress has allowed to fester.

I look forward to working with the Chairman on a DHS authorization bill and I thank him again for convening this hearing.

Chairman THOMPSON. Thank you.

Other Members of the committee are reminded that under the committee rules, opening statements may be submitted for the record.

[The statement of Honorable Jackson Lee follows:]

STATEMENT OF HONORABLE SHEILA JACKSON LEE

MAY 1, 2019

Chairman Bennie G. Thompson, and Ranking Member Mike Rogers, for holding today's hearing entitled, "Trouble at the Top: Are Vacancies at the Department of Homeland Security Undermining the Mission?"

Today's hearing will give Members an opportunity to explore the impact of DHS's leadership void on the Department's ability to carry out its critical mission.

The witness for this hearing and the topic had been Secretary Neilson and the fiscal year 2020 budget until her forced resignation earlier this month.

The focus of this hearing is now on the troubling problem of vacancies in critical offices throughout DHS.

I welcome our witnesses who can offer valuable perspective on the vacancies that have plagued this administration.

My thanks to our witnesses:

- The Honorable Gene L. Dodaro, comptroller general of the United States, Government Accountability Office (GAO); and
- The Honorable John Roth, former inspector general, Department of Homeland Security (DHS).

President Trump recently expressed his preference for acting officials who are more likely to support his controversial decisions.

Acting officials currently hold the most senior leadership positions in the Department at the expense of America's security.

President Trump has decimated the leadership ranks at DHS.

The Department is currently operating without a permanent Secretary and deputy secretary as well 12 component and office heads.

In most cases, the President has not nominated anyone to fulfill these key vacancies.

Further, some of the positions have been filled by acting officials for the entirety of the Trump administration such as the position of Inspector General.

There are another 50 senior leadership roles vacant throughout the Department including those tasked with overseeing the daily operations of the Department.

Since being created by the merging of 22 different agencies in 2003, DHS has struggled to mature and become a single, cohesive Department.

The vacancies only exacerbate the Department's fundamental challenges with acquisition management, budgeting, strategic planning, and personnel management.

The Department has been left weakened and disorganized without consistent leadership soundly in place to set a vision or agenda for the agency that extends beyond border security.

Morale throughout the Department of Homeland Security has been a long and intractable problem that has only gotten worse with this administration.

The recent sudden departure of Secretary Kirstjen Nielsen and Acting Deputy Secretary/Under Secretary for Management Claire Grady renewed concerns that the most senior leadership roles throughout DHS are filled by acting officials.

In addition to the Secretary and deputy secretary, 12 components and offices within DHS operate without permanent appointees.

Those vacancies include the heads of U.S. Customs and Border Protection (CBP), Federal Emergency Management Agency (FEMA), U.S. Immigration and Customs Enforcement (ICE), and the Secret Service.

The current acting deputy secretary, David Pekoske also retains his role of Transportation Security Administration (TSA) administrator—a full-time job.

In most cases, the President has not nominated anyone to fulfill the key leadership vacancies and does not seem inclined to do so.

There are only 4 nominations—chief financial officer, under secretary for science and technology, under secretary for policy, and inspector general—pending with the Senate.

Some of the positions have been filled by acting officials for the entirety of the Trump administration, including the deputy secretary and director of ICE.

Acting is something that the President became familiar with during his time as reality show host of the Apprentice.

Governance is an essential responsibility of the President of the United States and the neglect of this responsibility is an injury to the Nation.

This committee along with other oversight communities of the House and the Senate must assess the implication of vacancies and high turnovers in the offices at the top of agencies charged with the defense, security, and general welfare of this Nation.

I look forward to the testimony of today's witnesses.

Chairman THOMPSON. I welcome our panel of witnesses.

Our first witness is Mr. Gene Dodaro, the U.S. comptroller general since 2010. Mr. Dodaro has served in many roles during his more than 45 years at the Government Accountability Office. In his current role as comptroller general, he oversees the development and issuance of hundreds of reports and testimonies to Congress each year that examine how to make the Government work more efficiently and effectively.

Next, Mr. Roth, John Roth, who was inspector general for the Department of Homeland Security from 2014 through 2017. As an independent inspector general, Mr. Roth led the independent oversight work of his office to promote excellence, integrity, and accountability within DHS. Mr. Roth retired from the Federal Government after 32 years of service.

Without objection, the witnesses' full statement will be inserted in the record.

I now ask each witness to summarize his statement for 5 minutes, beginning with Mr. Dodaro.

STATEMENT OF EUGENE L. DODARO, COMPTROLLER GENERAL, U.S. GOVERNMENT ACCOUNTABILITY OFFICE

Mr. DODARO. Thank you very much, Mr. Chairman. Good morning to you, Ranking Member Rogers, Members of the committee. I am very pleased to be here today to talk about the management challenges at the Department of Homeland Security.

I think critical leadership is needed to be sustained to address a range of fundamental management challenges at the Department. There are three areas that are on GAO's high-risk list, which we keep as the highest risk across the Federal Government.

The first is strengthening the management functions of the Department, which includes acquisition, IT management, financial management, human capital management. Second is reforming the Flood Insurance Program. Third is limiting the Federal Government's fiscal exposure by better managing climate change risks. These areas are all very important.

Our latest update that I presented to the Congress last month on the high-risk area, as of March 2019, we found in the strengthening management function area at the Department that the Department had fully met 17 of the 30 critical outcomes that we are looking for and agreed to with the Department and these management functions. But there was still work to do in many other areas.

For example, in the acquisition area, we believe that they have to use the tools that they put in place to more effectively manage their acquisition process to get better outcomes and have a more efficient and effective process.

Second, they are a long way from having modern management financial management systems in place. They are in the process of instituting new system at the Coast Guard, but they need systems at FEMA and ICE, as well, so that area is in need of reform. They continue to have financial reporting and information security weaknesses as part of their annual financial audits, even though they get a clean opinion.

Third is in the area of human capital management. There are critical vacancies and skill gaps across the Department in the acquisition area, the cybersecurity work force area, the financial management area, so that area needs attention, as well.

We have been working with the Department in a very constructive fashion. We meet on a quarterly basis with them to review their progress in addressing these issues. In the cybersecurity realm, we have made a number of recommendations to improve their activities and overseeing the efforts across the Federal Government to identify cybersecurity concerns.

You know, I identified cybersecurity as a Government-wide issue in 1997. We had identified critical infrastructure protection in 2003. Still to the day, I don't believe the Federal Government is moving with the sense of urgency commensurate with the evolving threat in the cybersecurity area.

So we have made some recommendations to DHS to strengthen its efforts, but also to have it work more effectively with the critical sectors we have across the economy—the communications sector, the electricity sector, financial markets, and other sectors—to make sure that their efforts to voluntarily use the standards from the National Institute of Standards and Technologies to protect their computer assets are effective in this area, as well.

Now, while we are focused on these high-risk areas, we also look at functions at the Department across its spectrum of responsibilities. In April, on the 19th, I sent the Acting Secretary a letter outlining 26 high-priority GAO recommendations that had not yet been implemented that spanned emergency preparedness areas,

border security, transportation security, cybersecurity, chemical security programs, and other areas.

So we will be working with them on this. I would say we have had a very constructive working relationship with DHS leadership and been very engaged with them. We plan to continue to engage with the current leadership in whatever capacity they are functioning in, whether acting or confirmed. Hopefully over time more confirmed positions will be approved by the Senate to provide some greater stability in their management functions.

So I thank you very much for the opportunity to be here today. I would be happy to answer questions at the appropriate time.

[The prepared statement of Mr. Dodaro follows:]

PREPARED STATEMENT OF EUGENE L. DODARO

MAY 1, 2019

GAO HIGHLIGHTS

Highlights of GAO-19-544T, a testimony before the Committee on Homeland Security, House of Representatives.

Why GAO Did This Study

In 2003, GAO designated *Implementing and Transforming DHS* as a high-risk area to the Federal Government. DHS has made considerable progress in transforming its original component agencies into a single Cabinet-level department, and as a result, in 2013, GAO narrowed the scope of the high-risk area to focus on *Strengthening DHS Management Functions*.

In addition, DHS leadership is responsible for implementing numerous recommendations that GAO has made to the Department and its component agencies. Current vacancies in top leadership positions could pose a challenge to addressing high-risk areas and priority recommendations that span DHS's diverse missions, which include preventing terrorism and enhancing security, managing our borders, administering immigration laws, securing cyber space, and responding to disasters.

This testimony discusses the need for DHS leadership commitment to strengthen its management functions and address GAO's priority recommendations. This testimony is based on GAO's 2019 high-risk update and other reports issued from March 2006 through April 2019.

What GAO Recommends

Since the creation of DHS, GAO has made approximately 2,800 recommendations to the Department, and DHS has implemented more than 75 percent of them, strengthening program management and performance measurement, among other things. GAO will continue to monitor DHS's progress in strengthening management functions and addressing priority recommendations.

DEPARTMENT OF HOMELAND SECURITY.—CONTINUED LEADERSHIP IS CRITICAL TO ADDRESSING A RANGE OF MANAGEMENT CHALLENGES

What GAO Found

With the support and commitment of top leadership, the Department of Homeland Security (DHS) has made important progress in strengthening its management functions; however, considerable work remains. As of March 2019, DHS had fully addressed 17 of the 30 outcomes related to its management functions (see table). DHS needs to continue to show sustained leadership commitment in implementing its *Integrated Strategy for High-Risk Management* to achieve the remaining outcomes. Leadership commitment is also pivotal in addressing other GAO high-risk areas where DHS has a role, such as ensuring the cybersecurity of the Nation, the National Flood Insurance Program, and limiting the Federal Government's fiscal exposure by better managing climate change risks. Currently, DHS has acting officials serving in 8 positions requiring Senate confirmation, including positions with responsibilities for implementing high-risk outcomes, such as the Secretary, deputy secretary, and under secretary for management.

TABLE.—GAO ASSESSMENT OF DEPARTMENT OF HOMELAND SECURITY (DHS) PROGRESS ON KEY OUTCOMES ACROSS MANAGEMENT AREAS, AS OF MARCH 2019

Key Management Function	Fully Addressed	Mostly Addressed *	Partially Addressed **	Initiated ***	Total
Acquisition management	2	2	1	.....	5
Information technology management	5	1	.....	.....	6
Financial management ...	2	.....	3	3	8
Human capital management	5	1	1	.....	7
Management integration	3	.....	1	.....	4
Total	17	4	6	3	30

Source: GAO analysis of DHS documents, interviews, and prior GAO reports./GAO-19-544T

* "Mostly addressed": Progress is significant and a small amount of work remains.

** "Partially addressed": Progress is measurable, but significant work remains.

*** "Initiated": Activities have been initiated to address the outcome, but it is too early to report progress.

In April 2019, GAO sent a letter**** to the Acting Secretary of Homeland Security detailing 26 open recommendations that GAO believes warrant the highest-priority personal attention from the Department and its components. These 26 recommendations fall into 6 major areas—emergency preparedness and response, border security, transportation security, infrastructure and management, cybersecurity, and chemical and nuclear security. For example, GAO has recommended that DHS take steps to strengthen human capital management, such as better managing and assessing its cybersecurity workforce gaps and areas of critical need. Fourteen of the 26 recommendations have been issued to acting officials serving in vacant positions, including 12 to the Secretary of Homeland Security, and two to the Federal Emergency Management Agency which is currently operating under acting leadership.

Chairman Thompson, Ranking Member Rogers, and Members of the Committee: I am pleased to be here today to discuss the importance of Department of Homeland Security (DHS) leadership in addressing management challenges and the Department's progress thus far. As you know, when DHS began operations in 2003, Department leadership faced the daunting task of transforming 22 agencies—several with major management challenges—into one department. At that time, we recognized that the creation of DHS was an enormous undertaking that could take years to implement. Failure to effectively address management challenges could have serious National security consequences. In 2003, shortly after the Department was formed, we designated *Implementing and Transforming DHS* as a high-risk area to the Federal Government. Today, the work to strengthen DHS management continues.

DHS has made considerable progress in transforming its original component agencies into a single Cabinet-level department. As a result, in 2013, we narrowed the scope of the high-risk area to focus on strengthening DHS management functions (i.e., acquisition management, information technology management, financial management, human capital management, and management integration) and changed the name of the high-risk area to *Strengthening DHS Management Functions* to reflect this focus. Over the last 16 years, leadership commitment has been a key factor in DHS's progress toward implementing our criteria for removal from the High-Risk List. It remains essential for DHS to maintain top leadership support and sustained commitment to ensure continued progress.¹

In addition to addressing its management functions high-risk area, DHS leadership is responsible for implementing numerous recommendations that we have

****The information is retained in committee files and is available at <https://www.gao.gov/products/GAO-19-360SP>.

¹The five criteria for removal are the agency must have: (1) A demonstrated strong commitment and top leadership support to address the risks; (2) the capacity—the people and other resources—to resolve the risks; (3) a corrective action plan that identifies the root causes, identifies effective solutions, and provides for substantially completing corrective measures in the near term, including but not limited to steps necessary to implement solutions we recommended; (4) a program instituted to monitor and independently validate the effectiveness and sustainability of corrective measures; and (5) the ability to demonstrate progress in implementing corrective measures.

made to the Department and its component agencies. Since DHS began operations in 2003, we have made about 2,800 recommendations, and DHS has implemented more than 75 percent of them, thereby strengthening program management and performance measurement, among other things. In April 2019, we sent a letter to the Acting Secretary of Homeland Security detailing 26 open recommendations that we deem highest priority for implementation.² Given that these recommendations are often the most complex and difficult to implement, top DHS leadership will play an important role in the actions to address these recommendations.

Current vacancies in top leadership positions could pose a challenge to addressing high-risk areas and priority recommendations that span DHS's diverse missions, which include preventing terrorism and enhancing security, managing our borders, administering immigration laws, securing cyber space, and responding to disasters. Based on information we have received from DHS in compliance with the Federal Vacancies Reform Act of 1998 (Vacancies Act), there are currently acting officials serving in 8 positions requiring Senate confirmation.³ Specifically, as of April 26, 2019, the following positions remain vacant: Secretary (16 days), deputy secretary (377 days), under secretary for management (16 days), under secretary for science and technology (826 days), director of U.S. Immigration and Customs Enforcement (ICE) (826 days), administrator of Federal Emergency Management Agency (FEMA) (50 days), chief financial officer (826 days), and inspector general (512 days).⁴

Filling vacancies—including top DHS leadership positions and the heads of operational components—with confirmed appointees, as applicable, could help to ensure continued leadership commitment across all of DHS's mission areas. Although the Department was formed as part of a determined National effort to safeguard the United States against terrorism, Department leaders must execute all of the Department's missions. For example, Hurricane Katrina in 2005, one of the largest natural disasters in our Nation's history, refocused attention on the importance of DHS's role in providing the coordinated, comprehensive Federal response in the event of a natural disaster.⁵ In addition, DHS focuses efforts on cybersecurity because cyber-based intrusions and attacks on Federal systems and systems supporting our Nation's critical infrastructure are evolving and becoming more sophisticated, such as the significant 2015 Office of Personnel Management (OPM) data breaches that affected 21.5 million individuals.⁶ Such examples demonstrate the range of threats that DHS leaders must be prepared to address.

With DHS's wide-ranging missions, DHS leadership also has a pivotal role in addressing other DHS-specific and Government-wide areas on our high-risk list. Specifically, DHS is responsible for addressing a high-risk area related to FEMA's management of the National Flood Insurance Program. DHS and FEMA will also play key roles in the high-risk area of *Limiting the Federal Government's Fiscal Exposure*

²GAO, *Priority Open Recommendations: Department of Homeland Security*, GAO-19-360SP (Washington, DC: Apr. 19, 2019). We highlight priority recommendations because, upon implementation, they may significantly improve Government operation, for example, by realizing large-dollar savings; eliminating mismanagement, fraud, and abuse; or making progress toward addressing a high-risk area or duplication issue.

³Pub. L. No. 105-277, Div. C, Title I, 112 Stat. 2681-611 (1998) (codified as amended at 5 U.S.C. §§ 3345-3349d). The Vacancies Act requires executive departments and agencies to report to the Congress and to us certain information about a vacancy in a Presidentially-appointed, Senate-confirmed position immediately upon the occurrence of events specified in the statute. The Vacancies Act further requires us to report to Congress, the President, and the Office of Personnel Management if we determine that an acting officer is serving longer than the 210-day period permitted under the statute or any applicable extensions.

⁴In addition, the Presidentially-appointed, Senate-confirmed position of under secretary for the Office of Strategy, Policy, and Plans, which was established in December 2016, has not yet been filled but a nomination for the position is currently pending. In its report to us concerning the vacancy in the Secretary position, the Department stated the commissioner for U.S. Customs and Border Protection was serving as Acting Secretary pursuant to section 113(g)(2) of title 6 of the United States Code, rather than the Vacancies Act. Generally, the Vacancies Act is the exclusive means for temporarily authorizing an acting official to serve in a vacant position, unless another means is expressly authorized by statute. Section 113(g) is such a statute and provides at section 113(g)(1) that if both the positions of Secretary and deputy secretary are vacant, the under secretary for management is required to serve as acting secretary. In the absence of an under secretary for management, section 113(g)(2) permits the Secretary to designate other officers in further order of succession to serve as acting secretary. We calculated the durations of the vacancies based on information reported to us by DHS as required pursuant to the Vacancies Act. 5 U.S.C. § 3349.

⁵GAO, *Hurricane Katrina: GAO's Preliminary Observations Regarding Preparedness, Response, and Recovery*, GAO-06-442T (Washington, DC: Mar. 8, 2006).

⁶GAO, *Information Security: OPM Has Improved Controls, but Further Efforts Are Needed*, GAO-17-614 (Washington, DC: Aug. 3, 2017).

by *Better Managing Climate Change Risks*.⁷ Additionally, DHS has a key role in ensuring cybersecurity of the Nation. For example, DHS has established the National Cybersecurity and Communications Integration Center, which functions as the 24/7 cyber monitoring, incident response, and management center for the Federal civilian government. Further, DHS has a nexus and responsibilities in several of our other Government-wide, high-risk areas including: (1) Improving management of information technology acquisitions and operations, (2) strategic human capital management, (3) managing Federal real property, and (4) the Government-wide security clearance process.⁸

My statement today discusses the need for DHS's continued leadership commitment to: (1) Strengthen its management functions and (2) address our priority recommendations. This statement is based on our 2019 high-risk update and other reports we issued from March 2006 through April 2019.⁹ For these products we analyzed DHS strategies and other documents related to the Department's efforts to address its high-risk areas and interviewed DHS officials, among other things. More detailed information on the scope and methodology of our prior work can be found within each specific report. We conducted the work on which this statement is based in accordance with generally accepted Government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

TOP LEADERSHIP COMMITMENT IS CRITICAL TO SUSTAINED PROGRESS IN
STRENGTHENING MANAGEMENT FUNCTIONS

With top leadership support and commitment, DHS has made important progress in strengthening its management functions, but considerable work remains. As shown in figure 1, as of March 2019, DHS had met 3 out of 5 criteria for removal from our High-Risk List—leadership commitment, action planning, and monitoring progress.

⁷ GAO, *High-Risk Series: Substantial Efforts Needed to Achieve Greater Progress on High-Risk Area*, GAO-19-157SP (Washington, DC: Mar. 6, 2019).

⁸ GAO-19-157SP.

⁹ GAO, *High Risk: Important Progress Made, but More Work Needed to Strengthen DHS Management*, GAO-19-475T (Washington, DC: Apr. 3, 2019); GAO-19-157SP; *Southwest Border Security: CBP Is Evaluating Designs and Locations for Border Barriers but Is Proceeding Without Key Information*, GAO-18-614 (Washington, DC: July 30, 2018); *Roundtable on Reauthorizing the Department of Homeland Security*, Statement of George A. Scott, managing director, Homeland Security and Justice (Washington, DC: February 2018); *Cybersecurity Workforce: Urgent Need for DHS to Take Actions to Identify Its Position and Critical Skill Requirements*, GAO-18-175 (Washington, DC: Feb. 6, 2018); *High-Risk Series: Progress on Many High-Risk Areas, while Substantial Efforts Needed on Others*, GAO-17-317 (Washington, DC: Feb. 15, 2017); *Cybersecurity: DHS's National Integration Center Generally Performs Required Functions but Needs to Evaluate Its Activities More Completely*, GAO-17-163 (Washington, DC: Feb. 1, 2017); *Hurricane Sandy: An Investment Strategy Could Help the Federal Government Enhance National Resilience for Future Disasters*, GAO-15-515 (Washington, DC: July 30, 2015); *Federal Real Property: DHS and GSA Need to Strengthen the Management of DHS Headquarters Consolidation*, GAO-14-648 (Washington, DC: Sept. 19, 2014); *Extreme Weather Events: Limiting Federal Fiscal Exposure and Increasing the Nation's Resilience*, GAO-14-364T (Washington, DC: Feb. 12, 2014); *Federal Disaster Assistance: Improved Criteria Needed to Assess a Jurisdiction's Capability to Respond and Recover on Its Own*, GAO-12-838 (Washington, DC: Sept. 12, 2012); *Government Performance: GPRA Modernization Act Provides Opportunities to Help Address Fiscal, Performance, and Management Challenges*, GAO-11-466T (Washington, DC: Mar. 16, 2011); *Flood Insurance: FEMA's Rate-Setting Process Warrants Attention*, GAO-09-12 (Washington, DC: Oct. 31, 2008); and GAO-06-442T.



Source: GAO analysis. | GAO-19-544T

DHS has partially met the remaining two criteria: Capacity (i.e., people and other resources) and demonstrated, sustained progress. To address the criteria for capacity, DHS needs to make additional progress in identifying and allocating resources in certain areas—namely, acquisition, information technology, and financial management—to fully demonstrate its capacity. For the criteria for demonstrated, sustained progress, we reported in March 2019 that DHS had fully addressed 17 out of the 30 outcomes that are the basis for gauging DHS's progress across management areas, as shown in table 1.

To fully meet the criteria for demonstrated, sustained progress, DHS needs to continue implementing its Integrated Strategy for High-Risk Management and maintain engagement with us to show measurable, sustainable progress in implementing corrective actions and achieving outcomes. DHS can accomplish this by, among other things, maintaining a high level of top leadership support and sustained commitment to ensure continued progress in executing its corrective actions through completion, and increasing employee engagement and morale.

TABLE.—GAO ASSESSMENT OF DEPARTMENT OF HOMELAND SECURITY (DHS) PROGRESS ON KEY OUTCOMES ACROSS MANAGEMENT AREAS, AS OF MARCH 2019

Key Management Function	Fully Addressed	Mostly Addressed *	Partially Addressed **	Initiated ***	Total
Acquisition management	2	2	1	.....	5
Information technology management	5	1	.....	.....	6
Financial management ...	2	.....	3	3	8
Human capital management	5	1	1	.....	7
Management integration	3	.....	1	.....	4
Total	17	4	6	3	30

Source: GAO analysis of DHS documents, interviews, and prior GAO reports./GAO-19-544T

* “Mostly addressed”: Progress is significant and a small amount of work remains.

** “Partially addressed”: Progress is measurable, but significant work remains.

*** “Initiated”: Activities have been initiated to address the outcome, but it is too early to report progress.

Examples of important programs and remaining work in the key management functions include:

- In the key management function of human capital management, DHS leadership is needed to address skills gaps that have had a significant role in the DHS management high-risk area. For example, we have found that DHS lacks guidance on how to identify critical cybersecurity and acquisition skills needed to support its new information technology delivery model. We have also found that DHS has insufficient technical skills to support its biometric identification services program. Addressing these skill gaps could help DHS fully demonstrate its capacity to strengthen and integrate its management functions.
- Additionally, within human capital management, DHS has struggled with low employee morale scores since it began operations in 2003. DHS’s 2018 score ranked 20th among 20 large and very large Federal agencies. Increasing employee engagement and morale is critical to strengthening DHS’s mission and management functions. DHS has continued to strengthen its employee engagement efforts by implementing our 2012 recommendation to establish metrics of success within components’ action plans for addressing its employee satisfaction problems. Further, DHS has conducted audits to better ensure components are basing hiring decisions and promotions on human capital competencies. In addition, OPM’s 2018 Federal Employee Viewpoint Survey data showed that in the past 2 years, DHS’s score on the Employee Engagement Index (EEI) increased by 4 points—from 56 in 2016 to 60 in 2018—which was 1 point more than the Government-wide increase over the same period. While this improvement is notable, DHS’s current EEI score is 1 point below its EEI baseline score in 2010, suggesting that DHS is still working to regain lost ground after an 8-point drop between 2010 and 2015.
- In the key management function of financial management, DHS officials have faced challenges modernizing DHS components’ financial management systems and business processes that affect the Department’s ability to have ready access to timely and reliable information for informed decision making. Effectively modernizing financial management systems for the Coast Guard, FEMA, and ICE would help improve the reliability of their financial reporting.

As we have reported, perhaps the single most important element of successful management improvement and transformation initiatives is the demonstrated commitment of top leaders, as shown by their personal involvement in reform efforts.¹⁰ With regard to leadership commitment, DHS’s top leadership, including leaders at the Secretary and deputy secretary level, has demonstrated exemplary commitment and support for addressing the Department’s management challenges. They have also taken actions to institutionalize this commitment to help ensure the long-term success of the Department’s efforts. One such effort is the under secretary for management’s Integrated Priorities initiative to strengthen the integration of DHS’s business operations across the Department.

¹⁰ GAO-11-466T.

During monthly leadership meetings with the Under Secretary for Management, the Department's Chief Executive Officers have been providing status updates on their respective actions to address this high-risk designation. Furthermore, top DHS leaders, such as the under secretary for management and the Department's Chief Executive Officers, routinely meet with our management to discuss progress on high-risk areas.

CONTINUED LEADERSHIP COMMITMENT IS CRITICAL TO ADDRESSING PRIORITY OPEN
RECOMMENDATIONS

In April 2019, we sent a letter to the Acting Secretary of Homeland Security detailing 26 open recommendations that we deem highest priority for implementation.¹¹ Priority recommendations are those that we believe warrant priority personal attention from heads of key departments or agencies. These 26 recommendations fall into 6 major areas—emergency preparedness and response, border security, transportation security, infrastructure and management, cybersecurity, and chemical and nuclear security. Many of these recommendations cut across DHS's mission areas that are critical for National security. Given that these recommendations are often the most complex and difficult to implement, top DHS leadership will play a critical role in addressing them.

Fourteen of the 26 priority open recommendations we identified in the April 2019 letter are directed to acting officials serving in vacant positions. We have issued 12 recommendations to the Secretary of Homeland Security who is currently an acting official.¹² We have also issued two recommendations to FEMA which is currently operating under acting leadership.

Committed and consistent leadership at the Department and component levels will be critical for addressing our priority recommendations. For example:

- In September 2014, we recommended that the Secretary of Homeland Security work jointly with the administrator of the General Services Administration to strengthen management of the on-going acquisition project to develop the multi-billion dollar headquarters facilities at the St. Elizabeths campus in Washington, DC.

Leadership is critical in this effort, given the magnitude of the project and the impact of headquarters consolidation on DHS operations.¹³

- In October 2008, we recommended actions that FEMA should take to improve its administration of the National Flood Insurance Program high-risk area.¹⁴ We also recommended in September 2012 that FEMA develop a methodology to better assess a jurisdiction's capability to respond to and recover from a disaster without Federal assistance.¹⁵ In July 2015, we further recommended that the Mitigation Framework Leadership Group establish an investment strategy to identify, prioritize, and guide Federal investments in disaster resilience.¹⁶ Implementing these actions could limit the Federal Government's fiscal exposure and increase the Nation's resilience to extreme weather events as the costs and impacts of weather disasters resulting from floods, drought, and other events are expected to increase in significance as previously "rare" events become more common and intense.¹⁷
- In July 2018, we recommended that U.S. Customs and Border Protection (CBP) analyze the costs associated with future barrier segments along the Southwest Border and include cost as a factor in the Impedance and Denial Prioritization Strategy. Obtaining this key information could help CBP evaluate designs and prioritize locations for future border barrier segments to deter cross-border illegal activity.¹⁸
- In February 2017, we recommended that DHS establish metrics and methods by which to evaluate the performance of DHS's National Cybersecurity and Communications Integration Center in relation to its statutorily-required cybersecurity functions. Until it develops metrics and methods to evaluate its performance, the center cannot ensure that it is effectively meeting its statutory requirements, while cyber-based intrusions and attacks on Federal systems and systems supporting our Nation's critical infrastructure are becoming more nu-

¹¹ GAO-19-360SP.

¹² GAO-19-360SP.

¹³ GAO-14-648.

¹⁴ GAO-09-12.

¹⁵ GAO-12-838.

¹⁶ GAO-15-515.

¹⁷ GAO-14-364T.

¹⁸ GAO-18-614.

merous, damaging, and disruptive.¹⁹ We also recommended in February 2018 that DHS take steps to better manage and assess its cybersecurity workforce gaps and areas of critical need.²⁰ Given its important role in the Nation's cybersecurity, taking steps to address these issues will be critical.

We will continue to monitor DHS's progress in strengthening management functions and addressing priority recommendations. We also plan to continue to meet quarterly with DHS management to gauge leadership commitment, discuss progress, and review DHS's goals and corrective action plans in its *Integrated Strategy for High-Risk Management*, which DHS issues twice per year.

Thank you, Chairman Thompson, Ranking Member Rogers, and Members of the committee. This concludes my testimony. I would be pleased to answer any questions.

Chairman THOMPSON. Thank you for your testimony.

I now recognize Mr. Roth to summarize his statement for 5 minutes.

**STATEMENT OF JOHN ROTH, FORMER INSPECTOR GENERAL,
DEPARTMENT OF HOMELAND SECURITY**

Mr. ROTH. Chairman Thompson, Ranking Member Rogers, and Members of the committee, thank you for the invitation to testify here today concerning leadership vacancies at the Department of Homeland Security. As you know, I served as inspector general for DHS for almost 4 years until I retired in November 2017 after almost 32 years of Government service.

In the best of times, DHS is an unruly and difficult-to-manage organization, and we are not in the best of times. The nature and extent of senior leadership vacancies in the Department is cause for concern, as such pervasive vacancies significantly hamper the Department's ability to carry out its all-important mission.

I had the unique opportunity and privilege to examine all areas of DHS programs and operations. Our reviews found even when fully staffed a Department that was challenged in meeting its goals and struggling to mature as an organization. Our reviews highlighted significant issues that touched nearly every area of the Department, including acquisition management, personnel management, employee morale, grants management, cybersecurity, border security, and transportation security.

We sought to understand the root causes for these persistent shortfalls. These shortfalls persisted over time regardless of administration and can be fairly attributed to the following two root causes—first, a lack of unity of effort; and second, poor internal controls.

DHS has demonstrated an inability to mesh divergent components with different histories, cultures, and missions into a single agency with a unity of effort. Knitting together a unified DHS with all components requires strong and committed leadership and oversight. This goal is thwarted by pervasive senior leadership vacancies.

The failures reflected in audit reports also reflect an inability to develop, oversee, and enforce the internal controls that are typical of a mature organization.

The current environment of relatively weak internal controls affects all aspects of the Department's mission. Even when fully

¹⁹ GAO-17-163.

²⁰ GAO-18-175.

staffed, the Secretary's office and the deputy secretary's office are simply too small to be aware of, much less effectively manage, the significant and varied issues that face DHS.

In my time as inspector general through two administrations, senior leadership was continually caught by surprise by various issues that bubbled to the surface. They simply did not have the staff or the structure to be fully informed to conduct effective oversight.

In November 2016, after noting some progress and attempting to ensure a unity of effort, we noted that that progress is largely as a result of the force of will of a small team of Department's leadership. However we concluded that such effort was unsustainable in the long run, absent structural changes to ensure streamlined oversight, communication, responsibility, and accountability, changes that must be enshrined in law.

In November 2017, in one of my final reports regarding the management challenges facing the Department, I wrote that senior leadership positions suffer from a lack of permanent Presidentially-appointed and Senate-confirmed officials. As a result there has not been the opportunity or leadership stability to implement needed reforms.

Long-standing vacancies hurt the Department in a number of ways. First, those who hold the position in an acting capacity are simply in a caretaker role and are justifiably hesitant to make decisions that would tie the hands of the individual who would ultimately be appointed to that position.

Second, a full leadership cadre of Presidentially-appointed, Senate-confirmed officials increases political accountability, particularly as it relates to Congressional oversight.

Third, Presidential appointees are better able to represent the Department's interests in interagency coordination.

Finally, full-time political appointees can bring fresh perspectives and energies to a position. They are better able to reflect the administration's policies and often have a desire to drive specific issues to completion during their tenure.

The practice of dual-hatting, having senior officials serve two roles, undermines the seriousness of the mission of the agencies whose leadership is being plundered. This lack of settled leadership contributes to the significant morale problems that are endemic to DHS components. For DHS to mature as an organization and address the significant root causes of its shortfalls, it must have in place dedicated long-term leadership.

I thank the committee again for the invitation to testify. This concludes my prepared remarks, and I am happy to answer any questions.

[The prepared statement of Mr. Roth follows:]

PREPARED STATEMENT OF JOHN ROTH

MAY 1, 2019

Chairman Thompson, Ranking Member Rogers, and Members of the committee, thank you for inviting me here today to discuss leadership vacancies at the Department of Homeland Security. As you know, I served as inspector general for the Department of Homeland Security for almost 4 years, until I retired in November 2017, after over 32 years of Government service. In the best of times, DHS is an unruly and difficult to manage organization. We are not in the best of times. The

nature and extent of senior leadership vacancies in the Department is cause for concern as such pervasive vacancies significantly hamper the Department's ability to carry out its all-important mission.

THE NATURE OF THE PROBLEM

As inspector general, I had the unique opportunity and privilege to examine all areas of DHS's programs and operations. Our reviews found, even when fully staffed, a Department that was challenged in meeting its goals and struggling to mature as an organization. Our reviews highlighted significant issues in the Department's operations. These shortfalls touch nearly every area of the Department, including:

- *Acquisition management, including acquisition of major IT systems.*—Acquisition management, which is critical to fulfilling all DHS missions, is inherently complex, high-risk, and challenging. Most of DHS's major acquisition programs continue to cost more than expected, take longer to deploy than planned, or deliver less capability than promised.
- *Personnel management, including employee morale.*—DHS is the third-largest Federal agency and its employees serve a variety of missions vital to the security of our Nation. To achieve these missions, DHS must employ and retain people who are well-prepared for their work and appropriately supported by their managers. Since its inception, however, DHS has suffered poor employee morale and a dysfunctional work environment.
- *Grants management, particularly the administration of FEMA grants.*—FEMA administers millions of dollars in homeland security preparedness and recovery grants. However, during my tenure as inspector general, we found that FEMA does a fairly poor job of ensuring that the money is not wasted. We believed the cause to be a failure of leadership within and oversight over FEMA, in addition to structural and systemic issues inherent in the program.
- *Cybersecurity.*—Cybersecurity is a serious challenge given the increasing number and sophistication of attacks against our Nation's critical infrastructures and information systems. Failure to secure these assets increases the risk of unauthorized access, manipulation, and misuse of the data they contain. External threats such as hackers, cyber-terrorist groups, and denial of service attacks are of particular concern.
- *Border security.*—Numerous IG reports over time have highlighted significant concerns about the manner in which ICE and CBP manage their border security responsibilities. The concerns have ranged from staffing issues, detainee management, acquisition of the technology necessary to carry out their duties, and management of visa overstays and removals.
- *Transportation security.*—The inspector general's office has noted over time significant challenges and shortfalls in TSA and Coast Guard's ability to secure transportation networks from potential terrorist attack.

ROOT CAUSES

As we were required to do, we sought to understand the root causes for the persistent shortfalls we found. These shortfalls persisted over time, regardless of administration, and can be fairly attributed to the following two root causes:

- *Unity of Effort.*—DHS has demonstrated an inability to mesh divergent components, with different histories, cultures, and missions, into a single agency with a unity of effort. Too often, the components operated as stand-alone entities or, worse, in competition with each other. Knitting together a unified DHS with all components pulling together to protect our homeland security is a top challenge of the Department and requires strong and committed leadership and oversight. This goal is thwarted by the pervasive senior leadership vacancies.
- *Poor internal controls.*—The failures reflected in our audit reports reflect an inability to develop, oversee, and enforce the internal controls typical of a mature organization. The current environment of relatively weak internal controls affects all aspects of the Department's mission, from border protection to immigration enforcement and from protection against terrorist attacks and natural disasters to cybersecurity.

Part of the problem is a lack of personnel within the Departmental leadership offices to focus on and address overarching issues. For example, DHS has a vast law enforcement enterprise, which brings with it challenges in managing the unique issues associated with that. But on issues like use of force and training, DHS simply does not work together as a unified organization. DHS does not have a Department-level office to manage and oversee use of force activities; collect and validate data to assess use of force, minimize risks, and take corrective actions; and ensure use-

of-force policies are updated and incorporate lessons learned. Nor has it attempted to integrate various component training facilities and programs. Time and again we saw the law enforcement agencies operating independently without the necessary oversight and no real effort to compel coordination.

Likewise, given the significant investment in immigration enforcement and administration of immigration laws, DHS should pay particular attention to the coordination of the programs and operations of CBP, ICE, and USCIS. Yet, the Department does not have a designated responsible official or Department-level group to address overarching issues related to immigration, resolve cross-cutting problems, and foster coordination in processing aliens. Increases in the size or mission of an agency create risk. Significant growth and expanded responsibilities in the immigration enforcement arena further stresses an already struggling organization. Strong, permanent leadership, with political accountability and political backing, are necessary for effectiveness in growing organizations.

INSUFFICIENT STAFFING AND STRUCTURE

Simply put, the Secretary's office and the deputy secretary's office are simply too thinly staffed to be able to even be aware of, much less effectively manage, the significant and varied issues that face DHS. In my time as inspector general, through two administrations, senior leadership was continually caught by surprise by our findings. They simply did not have the staff or the structure to be fully informed to conduct effective oversight.

In 2016, after noting some progress in attempting to ensure a Unity of Effort, we noted that progress was largely as a result of "the force of will of a small team within the Department's leadership." However, we concluded that such an effort was unsustainable in the long run, "[a]bsent structural changes to ensure streamlined oversight, communication, responsibility and accountability—changes that must be enshrined in law."¹

VACANCIES EXACERBATE THE PROBLEM

In November 2017, in one of my final reports regarding the management challenges facing the Department, I wrote:

"The responsibility for proactive leadership . . . falls on the Secretary, the Deputy Secretary, the Under Secretary for Management, and on the newly created Under Secretary for the Office of Strategy, Policy, and Plans. Unfortunately, these positions suffer from the lack of permanent, Presidentially appointed and Senate-confirmed officials; as a result, there has not been the opportunity or leadership stability to implement or reinforce needed reforms."²

The situation has become no better with the passage of time. In the best of times, this is a difficult Department to manage effectively. But vacancies, particularly those that remain vacant for a long time, cripple the ability of the Department to move forward.

Long-standing vacancies hurt the Department in a number of ways.

- First, those who hold the position in an acting capacity are simply in a caretaker role and are justifiably hesitant to make decisions that would tie the hands of the individual ultimately appointed to that position. Thus, long-term strategic decision making is deferred until someone is appointed. It is also inherently temporary, since under the Vacancy Reform Act, an official can act in that capacity generally for only 210 days.
- Second, a full leadership cadre of Presidentially-appointed, Senate-confirmed officials increases political accountability, particularly as it relates to Congressional oversight. My experience is that the Department responds to Congressional oversight and having politically responsible officials who must justify programs and operations is a key factor in ensuring the Department stays on track.
- Third, Presidential appointees are better able to represent the Department's interests in interagency coordination. DHS leadership must continually coordinate and plan with other agencies on matters of homeland security. A Presidential appointment carries a stamp of legitimacy within the Government that is sim-

¹Major Management and Performance Challenges Facing the Department of Homeland Security, <https://www.oig.dhs.gov/sites/default/files/assets/2017/OIG-17-08-Nov16.pdf> (November 2016).

²"Major Management and Performance Challenges Facing the Department of Homeland Security" <https://www.oig.dhs.gov/sites/default/files/assets/2017-11/OIG-18-11-Nov17.pdf> (November 2017).

ply not available to those in an acting capacity. Fewer Presidentially-appointed or full-time leaders means that DHS is not as well-equipped to protect its equities in the complex world of interagency relationships.

- Finally, full-time political appointees can bring fresh perspectives and energy to a position. They are better able to reflect the administration's policies, and often have a desire to drive specific issues to completion during their tenure.

DHS now has significant vacancies in leadership positions, including Secretary, deputy secretary, under secretary for the office of strategy, policy, and plans, under secretary for management, under secretary for science and technology, administrator of FEMA, and director of ICE. The commissioner of CBP and the administrator of TSA are occupying acting roles as Secretary and deputy secretary, which will deprive those components of leadership at a critical time. "Dual-hatting" undermines the seriousness of the mission of the agencies whose leadership is being plundered. This lack of settled leadership contributes to the significant morale problems that are endemic to DHS components. For DHS to mature as an organization and address the significant root causes of its shortfalls, it must have in place dedicated, long-term political leadership.

I thank the committee again for the invitation to testify. This concludes my prepared remarks, and I am happy to answer any questions.

Chairman THOMPSON. I thank both witnesses for their testimony.

I will remind each Member that he or she will have 5 minutes to question the panel.

I will now recognize myself for questions.

This is pretty much to both of the witnesses. In your experience, what effect does constant change in leadership have on morale throughout a department?

Mr. DODARO. I think it depends mostly on the actions of the people who are in the positions at the time, you know, whether acting or not. The optimum is to have a confirmed person in place over a sustained period of time. But you know, the way our system is structured, you know, fundamentally change is inevitable. With any change in administration, you have a whole new 3,000 people at the top of the Federal Government that are in place.

Now Congress has set expectations through the Vacancy Act that the appointments and an acting basis be on a temporary nature, so nobody believes that it should be on an on-going basis, but there is constant change at the Federal level across the Federal departments and agencies on an on-going basis. Even within administrations, the turnover of top political leadership occurs and occurs on a fairly frequent basis.

But this can undermine the sustained effort that is needed in order to address long-term management issues. So it is a very important question that you are asking. It goes in part to individual decisions made by the President and by the Congress, but also goes to the nature of the system that we have in place that pretty much makes it difficult to sustain efforts across administrations.

I would say that this effort at DHS, some of their efforts have at least been sustained from the prior administration into this new one. Now, you need to make a lot of improvements, but I am pleased that there has been some continuity between administrations.

Chairman THOMPSON. Mr. Roth.

Mr. ROTH. I think it very much depends on the specific component or agency that is involved. Certainly if you have a systemic and pervasive morale problem, employees are going to look to the leaders for fixing the problem. If that leader is in a temporary position, he might be stymied or she may be stymied from being able

to engage in whatever long-term fix. Whether it needs to be pay parity or needs to be training or some other issue that requires a long-term systemic fix, it is going to be much more difficult for an acting person to do it rather than a permanent appointed person.

Chairman THOMPSON. Thank you. In April of this year, I introduced and Congress passed what is called the MORALE Act. It was primarily focused on the fact that in the scheme of ranking, DHS was 17 out of 17. In other words, they were at the bottom.

To the extent that having so many acting people in a department with a department that is struggling in terms of employee morale, how do you fix it with acting people in dual roles and already having primary responsibility for another agency?

Employees talk to us, they really want to carry out the mission, but with the musical chairs at the leadership, it has been a struggle.

So I will give you a chance to address that.

Mr. DODARO. Well, first, I would say we are fortunate that we have very dedicated, professional people at the Department of Homeland Security who will carry out their job regardless of the circumstances. It is much more difficult to get buy-in when you have people in acting positions with long-term plans and efforts that are under way, because people are historically skeptical when the Federal Government—of whether the latest effort to make improvements is going to be sustained over a period of time.

So the bureaucracies don't respond well to a lot of change quickly over time. It is more difficult with an acting person. But I would note that DHS has had morale problems whether there have been confirmed people in the positions or acting positions. I think there are some structural issues there that need to be dealt with.

I think the legislation, Mr. Chairman, you sponsored is a good effort to try to get at some of those problems. The problems don't exist across the components in DHS. There are a couple components that have more, you know, systemic morale issues than other components.

But it is a difficult issue to address. I think the MORALE Act would help. It actually codifies a number of our recommendations that have been made.

Chairman THOMPSON. Mr. Roth.

Mr. ROTH. That is exactly right. I mean, the MORALE Act, for example, has a number of long-term fixes for the morale problem. We didn't get to this place overnight, and we are not going to get out of it overnight. But again, because it is long-term, it is going to be required long-term planning, long-term budgeting, kinds of things that are impossible to do with a series of acting.

Chairman THOMPSON. Thank you. Yield to the Ranking Member.

Mr. ROGERS. Thank you, Mr. Chairman. As I talked about in my opening statements, since its inception, DHS has struggled with the disparate missions and priorities. As you made reference in your statement, Mr. Roth, they have a real problem with Unity of Effort among the DHS components.

Mr. Doddard—Dodaro.

Mr. DODARO. Dodaro.

Mr. ROGERS. Dodaro. You made reference to this, just the fundamental structural problems. What, in your opinion—clearly you are

two of the leading experts on this—what do we need to do about this? This has been a problem since we stood the Department up, and it doesn't seem to be getting better. Just fundamentally what does this committee need to do to help give some stability to the management of the Department?

Mr. DODARO. I think, you know, as a sign of the challenge, the day that DHS started operations, we designated implementation and transformation of the Department as a high-risk area across the Government. Now we have seen some changes over time in some of these agencies, so there has been some improvements in having strategic planning and having better efforts in place, but there is still a long way from having a unified, well-functioning organization.

You know, part of the problem was—and still remains—is that there are weaknesses in some of the 22 components that were merged into the Department, so the Department did not have, receive, you know, 22 well-functioning units at that time. It continues to be a struggle.

So I think the suggestions that John made in his opening statement, Mr. Roth, are very important in terms of having a better structure at the top of the Department, was better financed and better functions in place.

I think also—and I have said this for other agencies, including the Department of Defense—there needs to be a chief management officer position that transcends administrations. These efforts to focus on fundamental management weaknesses are not going to get solved in a short period of time. In fact right now, they are targeting these financial management system improvements and not be in effect until 2020 and way beyond that effort over time.

Same thing with morale. It needs sustained attention. So you need a management infrastructure. Each President should have their ability to put the political leadership in, but you need to have a well-resourced continuity management functions to integrate them across the Department so that it can be responsive to policy changes.

So I think that is the fundamental change. It needs to transcend administrations.

Mr. ROGERS. Does that model exist in any other department?

Mr. DODARO. The changes that were made to the IRS, for example, the IRS commissioner has a 5-year appointment. The FAA has a 5-year appointment. Social Security Administration has a 5-year appointment. So there are models. We have suggested that that be put in place at Defense for—a chief management official. The Congress has agreed to have a chief management official, but they didn't go as far as I think they need to go and have that person span administrations.

So there is some recognition in certain positions, you need more continuity. So you should have a tenured person in there for basic management functions. They are not a policy official, but they are to make sure that the Department operates effectively regardless of what policies are implemented. Right now you don't have that.

Mr. ROGERS. You made reference to the fact that the Department struggles to mature. I wholeheartedly agree. Aside from that management deficiency, what could we do to help it mature? Because

I have been frustrated by that. It doesn't seem to be growing and maturing.

Mr. DODARO. Yes. John.

Mr. ROTH. I mean, what we have now in DHS I think is basically a holding company for 17 sort-of independent components. My experience in both administrations was that I would go and I would brief the Secretary and the deputy secretary on various findings that we had, and they were completely caught by surprise. They didn't have the ability and the staff and the structure to get the kind of reporting that they needed to be able to look at problems and fix them.

I think that is a personnel issue, a staffing issue, and a structural issue that can be fixed by this Congress. In other words, beef up the ability of the Secretary and the deputy, as well as the under secretary for management and the under secretary for policy plans to—and strategy to be able to have true insight into the workings of the various parts of the Department.

Mr. ROGERS. Did either of you or your offices draft a proposal that would do that and to present to the Congress? Do you know if there is something in writing about how that would look that we could review?

Mr. DODARO. I don't—we don't have anything currently in writing, but I would be happy to put some ideas together for consideration. In addition to what John is saying, which I agree with completely, the other thing Congress can do is to have more oversight.

I know in the beginning in the creation of DHS, the big complaint was there was too much Congressional oversight from too many different committees, but I think that helped spur them to make changes. They didn't like it, and a lot of people didn't think it was efficient, but I think it was very helpful.

Right now for example, the Quadrennial Homeland Security Review is late. It is not submitted. You know, Congress hasn't—is trying to get more attention to that. The Unity-of-Effort effort and more—I mean, Congressional oversight can be an important catalyst. Any area we end up taking off the high-risk list, it is in part because the Congress acted, both legislatively in providing funding necessary to do that, so I wouldn't—you know, there are some structural problems with the Department, but without a commensurate active Congress in providing oversight, it is still—you know, it won't work. You need both components.

Mr. ROGERS. Thank you. Thank you, Mr. Chairman. Yield back.

Chairman THOMPSON. Thank you.

Chair recognizes the gentleman from Missouri, Mr. Cleaver.

Mr. CLEAVER. Thank you, Mr. Chairman. Thank you for calling this extremely important hearing.

Let me first of all say that I agree with the Ranking Member that if any of us are calling for the dismantling of any department, it is not serving the Federal employees well and probably does not contribute to the kind of morale we all would like to have.

I am saying that because I think it is—what I have said—it is what I believe—and I believe that no matter who is in the White House, one of the problems the public now has with Congress is that it is almost dramatic the way we can change our positions based on who was in the White House.

So I think ICE needs to be probably—like many other departments, dealt with and improved. But I don't think we shut down ICE or anything else in Homeland. I think we need to concentrate on fixing it.

The day we stopped defending things because it is somebody in the White House that we happen to be connected with is the day that I think we began to move this country forward. I will disagree with anybody. I think I am just that tough, whether it is me disagreeing with President Obama, which I did publicly when he was in office, or President Trump. I hope that my children will never see a day when I defend wrong based on who is in the White House.

Now, let me go on. I apologize for my sermonette. But nature abhors a vacuum. Do both of you agree? I mean, Aristotle said it years ago, but I think it—centuries ago, but I think it still is a fact. I think we are seeing it now with Homeland Security.

As the theory goes, there is something that will fill every vacuum, and I think right now it is indecision. I am particularly concerned because I serve—I wish everybody the country had in my district, which is the largest city in the State and then 14 of the smallest cities. We are having flooding. We have positions that are vacant that need to be—in Homeland Security that need to be addressing these issues.

I mean, we have farmers suffering because of the tariffs, soybeans dropped to \$8 right now. My farmers are all complaining. Then right as they are getting hit with the tariffs, they get hit with the Missouri River. We don't—and the Governors, Nebraska, Missouri, all have declared, you know, emergency, state of emergencies.

So what can we do? I mean, the slowness—I can't even get an answer on the fact that you have to have \$8 million in damage before—you know, you have this threshold before you can get assistance for people in these small towns. You can destroy a whole town, like Orrick, Missouri, and not reach the threshold.

I said a lot. Help me, please. Both of you, either or both.

Mr. DODARO. There is a couple of things with FEMA I think are important and on point to what your program is. First of all, the Flood Insurance Program is not actuarially sound. Right now, they're over \$20 billion in debt to Treasury after Congress has already recently forgiven \$16 billion in debt. So that program, it needs to be better managed. There needs to be better mapping. There needs to be better—

Mr. CLEAVER. We need both. We need to forgive—we should have forgiven the whole entire debt. I am sorry, go ahead.

Mr. DODARO. Well, but—I think the idea was when the program was set up is the people who benefited from flood insurance were supposed to pay for the program. Right now that cost has been transferred to the general taxpayers, and everybody is paying for it.

Mr. CLEAVER. Right.

Mr. DODARO. So we either ought to say that is the policy and we ought to do it, or we should make some other fundamental reform changes to that program, because it is not going to be ever on a

sound fiscal basis to pay for itself over time, particularly with some of the weather forecast information.

Second, more effort needs to be put in to build resilience into the communities in the first place. This is where a long-term strategy comes in place. I commend the Congress for passing the Disaster Recovery Reform Act last year, which allows some of that money to be used for resilience building and also to bring in additional structural changes to flood mitigation approaches, elevation standards.

I was disappointed the administration has revoked the Executive Order on a risk—on a flood mitigation strategy. So there is a lot of things that could be done. I mean, there are some things that need to be done in the short term, as you are talking about, but if we don't prepare for the long term in this area, we are—the Federal Government is very exposed at a time where it is on a long-term unsustainable fiscal path. This is going to be a problem.

So you need effective leadership. But we need long-term efforts and planning efforts, particularly in the Homeland Security Department and particularly in the area of both flooding and also building resilience and in the future.

Chairman THOMPSON. Thank you. The gentleman from New York, Mr. King, is recognized.

Mr. KING. Thank you, Mr. Chairman. I want to thank the witnesses for their testimony. Mr. Dodaro, it is good to see you back again.

I agree with Mr. Cleaver in many respects. We have had variations of this hearing over the last 10, 12, 13 years, under all Secretaries in all administrations. I believe even under Secretary Johnson we had maybe more vacancies we do now, and I think he was one of the best Secretaries we ever had. He had a good bipartisan relationship. So it is something endemic to the Department.

Now, one concern I do have—I think it is on target for today—is that, you know, coming from New York—and I am sure Congressman Rose agrees with this—this Department was created because of 9/11, because of terrorist attacks, counterterrorism. I know that issues from immigration to global warming are all important, but going through both of your statements, I don't see a word about terrorism.

Now, does that mean that you feel it is all under control? I mean, we have the fusion centers, we have—we have had problems administering the grants in the past. I know certainly in New York, that has been an issue. As far as a cooperation with local and State law enforcement.

My concern is, are we losing the purpose for which this Department was created? I mean, all these other issues are important, and I realize that by incorporating different departments in, you also assume those responsibilities. But the ultimate responsibility was to fight terrorism.

I never want to go through another 9/11 and say, oh, well, we missed that attack because we were talking about global warming that day. I mean to me, I want to make sure that ISIS and al-Qaeda, white supremacists, whoever we are talking about is not able to launch a terrorist attack.

Do you believe the Department right now is doing enough, whether it is acting or permanent or whatever, are they doing enough to combat terrorism and to prevent another 9/11? It is the both of you.

Mr. ROTH. I mean, certainly, for example, transportation security, both I think the GAO and the inspector general's office, has done a lot of work in examining sort-of what the shortfalls are with transportation security, which continues to be sort of the bright, shiny trophy of any sort of domestic international terrorist attack.

So I think the focus has been there. But then when you look at transportation security, what are you looking at? You are looking at the ability of TSA for example to make the kinds of acquisitions that will actually pay dividends in keeping us safe, looking at how it is that we hire and screen transportation security officers.

So it all comes back to fundamentals, fundamentals about how it is that we budget, how it is that we plan, how it is that we hire, and how it is that we train our folks. So while it is a multi-mission agency, certainly terrorism is always at the forefront. I can tell you that, just from my experience from working within the Department.

But again, the ability to combat terrorism is only as effective as the ability of DHS to function as an organization.

Mr. DODARO. John mentioned, we focus a lot on their terrorism-related responsibilities. We have a lot of recommendations in the Transportation Security Administration. We look at border security, I got recommendations there, as well, protecting the chemical plants that we have in the country and the CFATS program, we have had a lot of recommendations in that area. The transportation worker identification cards, never been evaluated for effectiveness. We have got recommendations in that area, as well.

But I also, you know, believe we have been spending a lot of time also focusing in on what potential attacks could come in the future, you know, as opposed to—we have reacted to the way people have exploited us in the past, but we also need to prepare for the future. I think cybersecurity is a critical component of that.

So we spend a lot of time and effort on not only DHS's role, but the Government-wide strategy. You know, there are four areas—I think we don't have a comprehensive National and global strategy to deal with supply chain issues, cyber work force issues, and other issues. Departments and agencies still have weaknesses across the board—

Mr. KING. My time is running out. I hate to interrupt.

Mr. DODARO. Yes. OK, sure.

Mr. KING. My time is running out. How about the grant system to the local police? Police and fire departments?

Mr. DODARO. Yes, we have had recommendations in the grants area, as well, to determine the effectiveness, the coordination approach to make sure that they are not duplicating efforts in the grant areas, as well. We have made recommendations in those areas. There are things that can be improved in those areas.

Mr. KING. I guess it bothered me. We are 45 minutes into the meeting, into the hearing before we mentioned terrorism.

Mr. DODARO. Right.

Mr. KING. When this started, that is all we were talking about, was terrorism. I just don't want to—I realize there are other issues, but I just don't want to get sidetracked from that.

Also, I have to respectfully disagree with one thing you said about having the multitude of committees watching Homeland Security. You also mentioned the Chemical Plant Act. In fact, the Chairman was on the on the committee—Mr. Rogers was, also—it took us almost a year-and-a-half to get chemical plant security legislation through because of all the departments had to go through. Various special interests and other committees are holding it up for this reason or that reason. In the mean time, we could have had a catastrophe here in the country.

I think right now the chemical plant security is done pretty well. But again, what we had to go through to get that done—and maybe I am being selfish here—I don't think the other committees added much to it, other than to obstruct it. During all that time, we were afraid there could have been a chemical plant attack here in this country.

So I will just leave it at that.

Mr. DODARO. Yes, well, I didn't mean to imply there couldn't be some streamlining of efforts. But I don't think—you know, the answer isn't no Congressional oversight.

Mr. KING. Again, I thank you for your work over the years. It has been a privilege working with you, so thank you. Thank you.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentlelady from New York, Ms. Clarke.

Mr. CLARKE. Thank you, Mr. Chairman, for convening today's hearing. I also want to thank our witnesses, Comptroller General Dodaro and Mr. Roth, for joining us.

I have to slightly disagree with the false equivalency of the DHS vacancies expressed by a few of my colleagues here this morning. Donald Trump, I believe, has created a leadership void at the Department of Homeland Security, and he has done so intentionally.

During a February interview, he said, I like actings because I can move so quickly, it gives me more flexibility. These are his own words. When Superstorm Sandy devastated my district, we turned to FEMA, but right now the top post at FEMA is vacant. Our Nation faces unprecedented cyber threats, as well as all-too-real possibilities of terrorism, but the top posts at DHS's Management, Science, and Technology and Strategy Directorates are also empty.

The top official at TSA, our first line of defense against another 9/11, simultaneously serves as the entire agency's acting deputy secretary. Neither of those positions should be a part-time job.

Meanwhile, as Donald Trump pursues and implements policies which many believe undermine the rule of law, such as family separation, we do not have a confirmed DHS inspector general to investigate those abuses.

So I am going to turn to you, Mr. Roth, but I did want to put that on the record, because there is a false equivalency, and I don't want that to be put out there into the public. The President has said it himself.

Mr. Roth, around the time of your retirement at DHS as DHS inspector general, you wrote a letter to Congress regarding your

Department's failure to timely release the full version of a report on possible misconduct during the implementation of the President's Muslim ban.

In fact, you said, this is the first time in my tenure as inspector general that the Department has indicated that they may assert this privilege in connection with one of our reports or consider preventing the release of a report on that basis. In fact, we regularly have published dozens of reports that delve into the Department's rationale for specific policies and decisions and comment on the basis and process on which these decisions were made.

Could you elaborate on how the Department sought to interfere in the release of the Muslim ban report? Do you believe political appointees at the Department or at the White House itself sought to improperly withhold the work of the inspector general's office from Congress?

Mr. ROTH. Thank you for your question. The report that you refer to, obviously, is the report with regard to the so-called Muslim ban or the travel ban that we investigated and did an assessment of, which was the typical kind of work that we would do over time.

Typically, the only privilege that the Department has ever invoked is the attorney-client privilege, which we have universally respected in the course of our work, because of the nature of the attorney-client privilege and the importance that it has of ensuring that senior leadership gets unvarnished legal advice.

But for this report, a new privilege was interjected, which is the deliberative process privilege, which is a common law privilege that is typically done in civil litigation. This is the first time that we had ever seen this. I polled some of my other inspectors general in other agencies and they had never seen the ability or the use of this deliberative process in our reports, because most of our reports are, in fact, deliberative process.

What we examine is the ability or how it is that the Department makes decisions, gets to a specific policy, and implements that. So it is the core of what we do.

Mr. CLARKE. So in your humble estimation, do you believe that that was an attempt to block the ability for that report to be examined by Congress?

Mr. ROTH. Certainly the report with redactions is considerably less than the report without the redactions. I think there was some very important information that was redacted from that report, again, in an unprecedented manner. So I was not still at the post when the final redactions were made, but certainly reading it, there is a lot that is missing.

Mr. CLARKE. Thank you very much, Mr. Chairman. I yield back.
Chairman THOMPSON. Thank you very much.

Chair now recognize the gentleman from New York, Mr. Katko.

Mr. KATKO. Thank you, Mr. Chairman, and thank you for convening this most important hearing.

I agree with the general premise that acting is not as good as having someone in place. I think we can all agree on that. But I want to just touch real quickly on something Mr. Dodaro said, because being lost in all this are all the great people that dedicate their lives to trying to keep our country safe.

I think—and he mentioned the fine and dedicated people of homeland security. Couldn't possibly agree more. The best example of that was during the Government shutdown, you had the TSOs at airports throughout his country working for free. These people are not rich. They don't have a lot of money, and they still sucked it up and did the right thing and kept us safe. That is perhaps the best example of the American spirit alive and well at Homeland Security.

But nevertheless, the problems at Homeland Security have been pervasive, and it crosses administrations. I think at one point in the Obama administration, there was 18 leadership offices with unconfirmed or unappointed leaders. There are 17 today. During the Obama administration at one point, there were 10 Senate-confirmable positions that were led by unconfirmed individuals. Today there are 8.

At the height of the Obama administration, the employee satisfaction score was 56 percent. It is 60 now. Pretty much even. It is pretty much how it has been throughout the administrations. But the notion that acting is going to be better, I don't think it is.

I will note this. Mrs. Watson Coleman and myself were Chair and Ranking Member for TSA for several years, and we did an awful lot of oversight. There is no substitute for us doing our job and having hearings and bringing people before us and holding them accountable.

When you do that, you hear things. Here are some of the things that Mrs. Watson Coleman and I came up with, one of which was a 5-year appointment for the TSA administrator, critically important. I think those—to your point, having the—going across just 5-year terms, giving some sense of permanency to some people in key positions at these agencies is very important.

Both sides are going to slow down appointments in the Senate. That is a political beast, and we don't have any control over that. But it is something that neither side should do for the good of the country in my mind.

But I want to get back to one thing. Mr. Roth, I want to give you an opportunity to talk about this a second. Homeland Security perhaps has the most disjointed oversight of any agency in Congress. We are spread across I think 6 different—Mr. Rogers, at least 6 different committees?

Mr. ROGERS. Standing committees, over 100 subcommittees.

Mr. KATKO. Standing committees. Over 100 when you include subcommittees, but over 6 standing committees. That is insane to me. I think it hampers our effort to deal with what Mrs. Watson Coleman and I did with TSA. I dare say, we made that a better agency.

So what are your thoughts on the multi jurisdictions of the committees?

Mr. ROTH. I agree. I had the opportunity earlier in my career to work on the 9/11 Commission as a staff member, looking at terrorist financing. I know from first-hand one of the discussions of the commission was to make more streamlined and more rational, and that was in fact one of the recommendations of the committee, is to do, in fact, that. But here we are a number of years later and that still has not been accomplished.

But I agree, the diffracted nature of the oversight is, I think, distracting. But I will echo Mr. Dodaro's comments that oversight works. I have seen it first-hand. Letters get answered. Things get done in preparations for hearings that would not otherwise happen.

So even to the extent that it is fragmented, I compliment this committee on the sort of sustained focus, and you for example and Mrs. Watson Coleman, where I have testified a number of times on TSA issues, it truly works.

So, notwithstanding the fragmentation, we should continue on.

Mr. KATKO. Yes. Mr. Dodaro, do want to add anything to that?

Mr. DODARO. I think it is always possible to make improvements and to make streamlining efforts there. You know, but it is up to the Congress to decide on how to do that. It is obviously easier to respond to those things if you have a well-functioning organization in place to be able to be prepared.

But, you know, the philosophy I have always, it is up to Congress to decide how it wants to organize. It is up to DHS to make their management better. A lot of it is not dependent on how Congress was organized. Some of it is, as John—Mr. Roth has pointed out, but I think that oversight is essential in this area.

I know when agencies have to prepare, as John was saying, for a hearing, there are things that get done—we get access to more information, too, in a timely manner, and both the GAO and the IG if there are hearings, that the Congress is going to have.

Mr. KATKO. And—

Mr. DODARO. It doesn't always have to be hearings. It could be exchange of letters and other things.

Mr. KATKO. Well, I am out of time, but I would like just like to ask if someone else will pick up on this and that is, going forward, I just want to know what else we can do to streamline these processes and make these agencies work better.

But having a sense of permanency in leadership to me is absolutely critical. I encourage both sides to encourage the Senate to get these—you know, either thumbs up or thumbs down on these positions quicker so that we can fill these voids.

But leading as an acting is not going to cut the mustard going forward.

Mr. DODARO. No. I agree completely with what you are saying. Part of this issue occurs with other agencies, as well. You know, I mentioned Department of Defense.

I think, you know, one of the main reasons that we don't have this conversation as much with them is you have a military that stays in place regardless of who is in administration, has its own structure, has permanent leadership, it has good succession planning.

But if you look on a civilian side at DOD, you have a lot of the same problems that you have at Homeland Security. I can point to other agencies across the Government, as well.

Mr. KATKO. Thank you, Mr. Chairman.

Chairman THOMPSON. Thank you. Speaking of oversight, the Chair and Ranking Member of the House and the Chair and Ranking Member of the Senate, we sent to the Secretary of letter asking, when would the Quadrennial Homeland Review committee re-

port would be submitted? It is over a year overdue. We have yet since March 28 letter, it hadn't even been acknowledged.

So that—sometimes letters get responded to and sometimes they don't. But this is part of what we have to do from an oversight perspective to try to get things done. We will continue to do that.

Chair now recognizes the gentlelady from California, Ms. Barragán.

Ms. BARRAGÁN. Thank you, Mr. Chairman.

Since Mr. Katko asked for some follow-up, I am actually going to do that. I want to read just some of the—I want to read all of the vacancies we have. U.S. Customs and Border Protection, vacant. Federal Emergency Management Agency, vacant. U.S. Immigration and Customs Enforcement, vacant. The U.S. Secret Service, vacant. The Office of Operations Coordination, vacant. Privacy Office, vacant.

Management Directorate, vacant. Chief Financial Officer, vacant. Science and Technology, vacant. Office of Strategy Policy and Plans, vacant. Office of Public Affairs, vacant. Office of Inspector General, vacant. The Secretary, vacant. As was mentioned, the deputy secretary, who simultaneously holds the Transportation Security Administration position.

I mean, this is a lot of vacancies. What was—as was mentioned at the outset, only I believe 4 have been nominated. The Senate is in control right now of the Republican Party. Unlike when Obama was President, and he actually nominated people, and the Senate went out of their way to block his nominations, we have a President now who is deliberately not filling vacancies. Either that or people don't want to work for him. It is one of the two.

When you have a history of a President taking out people who don't agree with this policies, I don't blame people for not wanting to work there, but this is part of the mismanagement. To try to equivalent the prior administration to this one is completely unacceptable. It is totally wrong to do.

Just wanted to clarify that for the record.

Mr. Dodaro, this week, the House is going to vote on H.R. 9. It is the Climate Action Now Act. I am a firm believer that climate change is a National security crisis. Your report as comptroller general at GAO as well as your testimony here today highlights the risk posed by climate change to our homeland security.

Now, FEMA has no permanent leader right now. We know that hurricane season is around the corner. Weather events are getting more extreme even in Coastal California, where my district is. How dangerous is it for FEMA to operate without stable leadership?

Mr. DODARO. Well, I think in the short run—I mean, there is an acting person in charge of there who was, I believe, the deputy beforehand. We saw, though, in the 2017 hurricanes how FEMA could be stretched by multiple disasters, so—and we have had a lot recommendations about that, about how they could have better contracting in place.

So I think FEMA needs to aggressively provide more effort on its contracting and staffing efforts and its ability to deal with not only one disaster, but multiple disasters over time. We have made a lot of recommendations in that area.

So I think, you know, FEMA has spent a lot of effort trying to improve itself, but I think the current environment in which it is going to be operating with more frequent, more intensive storms, predicted by the National Climate Assessment, is going to stretch its capabilities. So I think it is operating on a margin that I think can go either way, depending upon how many disasters occur at any one particular point in time.

I think if it is a single disaster, your odds are better. If it is multiple ones, your odds are lower.

Ms. BARRAGÁN. Right. Mr. Roth, how long were you at the Department of Homeland Security?

Mr. ROTH. About 46 months.

Ms. BARRAGÁN. Forty-six months?

Mr. ROTH. Yes.

Ms. BARRAGÁN. You mentioned briefly and you touched on this, as inspector general at DHS, you were tasked with the mission of providing independent oversight and promote excellence, integrity, and accountability within DHS. As part of that mission, you conducted the detailed investigation and produced reports for Members of Congress.

In 2017, you investigated the President's travel ban and produced an 87-page report summarizing your findings, which was submitted to DHS leadership. Is that the report you briefly mentioned a moment ago?

Mr. ROTH. Yes. To be clear, we were reviewing DHS programs and operations, not the White House's.

Ms. BARRAGÁN. Was part of that to over—to investigate the Muslim ban?

Mr. ROTH. It was to determine how well DHS reacted and implemented the President's policies.

Ms. BARRAGÁN. That report was redacted, is that right?

Mr. ROTH. That is correct.

Ms. BARRAGÁN. Did your experience with that report lead to your decision to retire?

Mr. ROTH. No, it did not.

Ms. BARRAGÁN. OK. All right. Thank you, I yield back.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentleman from North Carolina, Mr. Walker.

Mr. WALKER. Thank you, Mr. Chairman. Thank you to both of our panel witnesses for being here today.

I would like to start with the Comptroller General Dodaro with a few questions, if I might. I believe, if I am correct in this, in your testimony, you mentioned the 8 acting officials serving in Senate-confirmed positions. How does that compare to other periods of time in the Department's history? Would you address that?

Mr. DODARO. We haven't gone back and made that exact comparison over time, but there have been, you know, acting positions as has been referred to today in prior administrations. You have normal turnover that occurs with any administration. So I don't have the exact comparison.

Mr. WALKER. OK. Without exact comparisons, maybe we could speak just a second in a general terminology. Is this far outside the bounds of anything that you have ever seen?

Mr. DODARO. I would say it is in the upper areas of concern.

Mr. WALKER. OK.

Mr. DODARO. You know, I have been at GAO for 46 years, so I have seen a lot of things.

Mr. WALKER. I would imagine. I would imagine. Previous GAO studies in 2012 and 2013 have noted the historical issues of vacancies in DHS's senior executive service positions. In your opinion, what might be the root cause of that? Maybe if you would add to that, how would we address it?

Mr. DODARO. In terms of the vacancies in the positions?

Mr. WALKER. Yes, correct. What is your opinion of why there has been vacancies in that position? How do we address it?

Mr. DODARO. Yes, well, I think, No. 1, it needs to be a Department priority. They need to focus on this issue. I think that there needs to be attention and inquiries at the White House in the Presidential personnel process in terms of how they are going about identifying candidates for those positions.

It has to be a priority. There has to be an effort to focus on it. I think Congress has a role to inquire about how that process is going and when their intention is to fill these positions over a period of time.

Right now, you have about 4 or 5 nominations pending before the Congress for the FEMA director, the chief financial officer, the inspector general officer. So obviously they are working to try to identify people to nominate them. That's occurred.

But then these other vacancies are relatively recent, some of them. But I think it is Congress's obligation and duty to inquire.

Mr. WALKER. Sure. Well, in this current administration, the position of under secretary for intelligence and analysis was vacant for 7 months, according to our record, with an acting under secretary awaiting confirmation for the last 5 months.

In December 2013, when this committee held a similar hearing on vacancies, the position of the under secretary for intelligence and analysis was vacant for over a year. With the unique mandate this office has within the intelligence community, as the Federal Government lead for sharing information and intelligence with most—with all, really, State, local, Tribal, and territorial governments, and the private sector, how do you think our intelligence capability is impacted by a vacancy, specifically at this position?

Mr. DODARO. I think it is worrisome. I think in that area you need to have a stable leadership. You are dealing with a number of entities across the Federal Government. You know, Mr. Roth mentioned this before, but when you are in a position like a FEMA director where you are dealing with elected State and local officials, but in intelligence area, you are dealing with the intelligence community, about 16 different operations, and other things, I think it is better to have a confirmed position or person in that job.

Mr. WALKER. I did see the Honorable Roth, the former inspector general, Department of Homeland Security, nodding in agreement there on a couple things there, so let me pivot to you, Mr. Roth, if I could. In your time as the IG, did you witness any impact on homeland security and National security of having senior leadership vacancies filled by acting positions?

Mr. ROTH. In my tenure, I was one of the people on a wave of appointments, so actually when I was appointed, pretty much everyone had vacant—there were no vacancies. We had a Secretary, deputy secretary, had a vice, et cetera, et cetera, so I didn't personally witness that obviously until the change of administration, which of course is natural to have those vacancies then.

Mr. WALKER. OK. Thank you. Mr. Chairman, I yield back.

Chairman THOMPSON. Thank you very much.

Chair now recognizes the gentlelady from New Jersey, Mrs. Watson Coleman.

Mrs. WATSON COLEMAN. Thank you. Thank you for holding this very important hearing.

I want to put something in context. Context is important. As Mr. Mueller informed us yesterday, I want to put something here in context. We talk about the vacancies that have existed from time to time through other administrations, particularly the Obama administration, as it relates to DHS, but we failed to realize that in this administration Republicans were in charge of the presidency, the U.S. Senate, and the U.S. House of Representatives, and could have had as many people anywhere they wanted them when they wanted them and where they wanted them.

But for this fact, that on April 4, 2019, this President, President Donald Trump, said, frankly, there is only one person who is running DHS. Do you know who that is? It is me.

So the responsibility for the insufficiency of staff and leadership and direction and mission and commitment at DHS lays right at his feet.

I want to ask a couple of questions about the impact of some of these vacancies. I have had a lot of conversations with Mr. Pekoske. He is really presented himself as a very competent, caring, and comprehensive TSA administrator.

What impact does it have on getting TSA where it needs to be and where we thought we were moving in the right direction by having him also simultaneously hold the position of deputy—what is it, deputy secretary? Exactly how does that impact this organization? That is No. 1.

No. 2, we have a list of 25 or so top positions that report to one person. Of those, there are 13 vacancies with one person doubling up Mr. Pekoske. This is the leadership of these various components. We have no idea here today, Mr. Chairman, how many people who work in those components have vacancies.

So we don't really know how stripped this particular Department is. It is very concerning to me because other than building a wall and castigating the people coming in from the south, I don't know whatever else this doggone Department is doing. I need to know, so you need to tell me, how lean is this organization? How difficult is it for it to get any of its important things done other than trying to build a wall and protect the Southern Border?

So I would, first, you know—would love to hear from you, Mr. Dodaro, and then from you, Mr. Roth. I did not know that you had retired. I am sorry that you retired. I think the Department is sorry that you retired, and it is a sorry situation that we have been acting inspector general. But I think we are in a sorry and crisis situation.

So I am going to give you the last 1.39 seconds of my time to answer those questions and recognize how absolutely frustrated I am.

Mr. ROTH. I see that.

[Laughter.]

Mr. ROTH. I would say, with regard to the TSA issue, they have designated somebody to be in charge of the program, so I don't think there is an intent that they are going to be double-hatted. I think the effect on TSA is somewhat mitigated because the current administrator that is confirmed is staying within the Department, so that mitigates it a little bit as opposed to leaving later, and we will have to see how well they function. And the—

Mrs. WATSON COLEMAN. But that truly was a full-time job for him.

Mr. DODARO. Oh, of course. Of course. The deputy will be a full-time job for him, as well, but at least he will still be in the Department to provide oversight and direction and they have somebody designated, so we will have to see how they perform. It is not the ideal situation. It is not the ideal situation in that area.

Now, with regard to how deep the vacancies go, there are, according to information we got from the Department, about 84 positions at the assistant deputy secretary level and above and about 32 percent of those are vacant at this point in time. They don't have a confirmed—now, they have—most of them have acting people in them, so they are not—it is not like there is nobody home, but—so that tells you—you know, gives you a pretty good picture overall.

I will yield my 8 seconds to John.

Mrs. WATSON COLEMAN. So we may have people in those positions, but they are temporary residents, and I doubt that they have—

Mr. ROTH. I mean, TSA is a great example of what happens if you have, like, high-quality leadership over time. TSA has benefited from two very, very good administrators back-to-back. I think it's made an enormous difference in transportation safety.

So leadership matters. Permanent leadership matters. High-quality leadership matters. So that is my takeaway from TSA. But with regard to, for example, the deputy secretary being vacant since Elaine Duke left over a year ago, that is extraordinarily troubling to me. That is the chief operating officer who is responsible for long-term planning, budgeting, coordination, interagency coordination. So not having somebody in that position I think is especially troubling.

Mrs. WATSON COLEMAN. Thank you. Thank you, Mr. Chairman, I yield back because I have no time left.

Chairman THOMPSON. Thank you very much.

Chair now recognizes the gentleman from Louisiana, Mr. Higgins.

Mr. HIGGINS. Thank you, Mr. Chairman. Thank you, gentlemen, for appearing today.

I wish my colleague, Ms. Barragán, was still here. I am going to state some vacancies, as well.

The Secretary, deputy secretary, chief of staff, under secretary for management, chief financial officer, commissioner of Customs and Border Protection, director of ICE, under secretary for intel-

ligence and analysis, under secretary for science and technology, under secretary for National protection and programs direction, assistant secretary for cybersecurity and communication, director, Office of Biometric Identity Management, inspector general, assistant secretary for health affairs, the chief medical officer, assistant secretary for private sector, assistant secretary for legislative affairs, assistant secretary for State and local law enforcement, and assistant secretary for policy implementation and integration.

But welcome to the 116th Congress, gentlemen, where everything seems to be designed to attack a President, because these were vacancies in 2013. Yet all but two of those positions I just named, which is the case now, are filled by highly qualified American citizen that has been placed in that position. That is the nature of chain of command, as in chain of command is an efficient flow of authority and rank, either the military or law enforcement.

The authority automatically shifts, including without executive or administrative command. In the field this happens. If there is an absence in chain of command, it is immediately filled by that ranking American.

I believe it is a failure of this Congress when we politicize these things rather than seeking actual answers. The President, been pointed out that the buck stops with him. He is a leader. He leads from the front. All the Members here support comprehensive reauthorization, gentlemen, many of the things that we have discussed today it occurs to me.

Do you support—both of you gentlemen please respond to this question—comprehensive reauthorization of DHS, with centralized command and control, with focused Congressional oversight responsibility through more streamlined and limited committee jurisdiction?

Mr. DODARO. I think in terms of, you know, comprehensive reauthorization of the Department, to codify the Unity of Effort, I think is what you said—

Mr. HIGGINS. Yes, sir.

Mr. DODARO [continuing]. And to ensure that we have got effective people in place to carry out those responsibilities, I agree with that. I would yield to Congress to decide how it decides to best organize itself.

Mr. HIGGINS. Well, that would be within the parameters of the Constitution, so I appreciate you yielding that. Mr. Roth.

Mr. ROTH. I was consulted during the authorization writing, and we think it is codifying many of the best practices that DHS has and the sort of imprimatur of Congress making it legislatively mandated as opposed to a simple internal control by the Department, I think is a positive step forward.

Mr. HIGGINS. Thank you. In the interest of time, in my remaining time, thank you for what I am hearing is that you essentially support what I believe is a bipartisan interest of this committee. It is the kind of thing we should be focused on as opposed to posturing for 2020.

I am concerned about technology. All of DHS agencies need new technology, but it seems to me that research and development is scattered and unorganized. In my remaining minute, I would like you each to take 30 seconds, please, and respond to that. How can

we fix that? Research and development is quite disorganized within DHS.

Mr. DODARO. Yes, I mean, I believe we have issued some reports on that, and I will provide them to the committee along with our recommendations.

Mr. HIGGINS. Thank you, sir, for that clarification. We can expect that within a timely basis?

Mr. DODARO. You will have it by this afternoon.

Mr. HIGGINS. Wow, that is very timely.

Mr. ROTH. Yes, I would agree that, you know, part of the issue with regard to information technology and technology in general is a lack of a strategic plan and a lack of oversight to sort of drive that into a productive way.

So, again, some of the issues that we have been talking about, the inability of the deputy secretary and the Secretary to actually understand what is going within the components is a critical part of moving forward.

Mr. HIGGINS. Thank you for your clarification, sir. Mr. Chairman, I yield.

Chairman THOMPSON. Thank you very much.

Chair recognizes the gentleman from New York, Mr. Rose.

Mr. ROSE. Thank you, Chairman. I do just want to start by reiterating my support for what my friend and colleague Peter King said, that there—I am nervous—and I haven't received enough information today to quell that nervousness—that we are losing our focus on terrorism, that that was the roots and origins of this Department, and we should go back to that focus.

I appreciate us—I am asking these questions, if you could integrate if you have any comments on that into your answers. You both mentioned two things that I found alarming. The first is, is that this Department in—when you boil it down is a holding company for 17 different organizations. Then you also mentioned, and we have also commented on it, the incredible overlapping jurisdiction. If you were designing committee jurisdiction, the last way in which you would ever design it is the way it exists right now as it pertains to this Department in question.

So my question for both of you is, what are your ideas for how we can simplify this, both the Department structure as well as committee jurisdiction?

Mr. ROTH. Well, certainly, with the Department structure, having a more fulsome staff for the Secretary and the deputy secretary, the under secretary for management, and the under secretary for policy and planning is extraordinarily important, because what I saw during my tenure as inspector general is the senior leadership continually sort-of back on their heels and surprised by activities within their own components that they were unaware of.

So this idea of being able to have internal controls and derive those internal controls from the senior leadership is very, very important.

Mr. ROSE. Do you recommend the merger of any organizations?

Mr. ROTH. I do not, no.

Mr. ROSE. OK.

Mr. DODARO. I agree with John on that. I think it is important to recognize, too, that a lot of departments and agencies of the Fed-

eral Government are holding companies, whether you are talking about the Agriculture Department, the Commerce Department, the Treasury Department, where you have IRS as a component within it, but there you have agencies that have been in place a longer period of time. They have a lot more of continuity in terms of the positions and they are more mature organizations. I think you could strengthen the central management functions.

I think it is also important to recognize if these agencies weren't within DHS, they would have to coordinate across departments and agencies. We have many, many recommendations of where that is a problem across Government, as well, because departments aren't coordinating as much across the agencies that they need to deal with. More and more problems require cooperation among different components of the Federal Government.

So I think it is better within the Department than outside the Department, but you need to strengthen the structure within the Department. You know, otherwise you could create other problems that I think would be perhaps more daunting.

Mr. ROSE. If you could just paint me a picture during both of your respective tenures at the Department, were there highs and lows for when terrorism was considered as the priority, in terms of your daily life?

Mr. DODARO. Oh, yes, sure.

Mr. ROSE. Could you tell me what those—how would that look?

Mr. DODARO. Well, I think right after 9/11, that was the focus.

Mr. ROSE. Yes.

Mr. DODARO. That was the focus, getting TSA up and running and organized, and have operating procedures in place. I think that was the main focus until 2005, 2006, when Hurricane Katrina and Rita hit.

Mr. ROSE. Sure.

Mr. DODARO. FEMA wasn't prepared. We had a lot of disasters. So that—the lesson from that is that all missions of the Department are important.

Mr. ROSE. Absolutely.

Mr. DODARO. They need to keep their eye on the ball, whether it is terrorism, emergency preparedness, cyber issues, and other issues. I—so I think it is important that all the missions get equal treatment and attention over time. Otherwise you are going to have a problem.

Mr. ROSE. OK. Last question. Travel ban, which is I know something—I know it is not immediately in our purview today, but it is a very simple question. When the travel ban was announced, what was also announced concurrently was that a review process would be undertaken. Many elected officials at the time were calling it a travel pause, not a travel ban.

To your knowledge, what was undertaken, what is still going on as it pertains to this review of the deficiencies in our system that led to the travel ban?

Mr. DODARO. Yes. I don't have information to respond to that now. I will provide something for the record.

Mr. ROSE. Please.

[The information follows:]

RESPONSE FROM EUGENE L. DODARO

In August 2018, we reported that, in accordance with Executive Order 13780 (EO-2), the Department of Homeland Security (DHS) conducted a world-wide review, in consultation with the Department of State (State) and the Office of the Director for National Intelligence (ODNI), to identify additional information needed from foreign countries to determine that an individual is not a security or public-safety threat when adjudicating an application for a visa, admission, or other immigration benefit.¹ According to State officials, an interagency working group composed of State, DHS, ODNI, and National Security Council staff was formed to conduct the review. To conduct this review, DHS developed a set of criteria for information sharing in support of immigration screening and vetting, as we discussed in our report.² For example, the criteria required that countries regularly report lost and stolen passports to INTERPOL, make available information on individuals it knows or has reasonable grounds to believe are terrorists, and provide criminal history record information to the United States on its nationals who are seeking U.S. visas or other immigration benefits. According to DHS officials, to develop these criteria, DHS, in coordination with other agencies, identified current standards and best practices for information collection and sharing under various categories of visas to create a core list of information needed from foreign governments in the visa adjudication process. For example, State sent an information request to all U.S. posts overseas requesting information on host nations' information-sharing practices, according to State officials.

To assess the extent to which countries were meeting the newly-established criteria, we reported that DHS officials stated that they used various information sources to preliminarily develop a list of countries that were or were not meeting the standards for adequate information sharing. For example, DHS officials stated that they reviewed information from INTERPOL on a country's frequency of reporting lost and stolen passport information, consulted with ODNI for information on which countries are terrorist safe havens, and worked with State to obtain information that State officials at post may have on host nations' information sharing practices. According to the Proclamation, based on DHS assessments of each country, DHS reported to the President on July 9, 2017, that 47 countries were "inadequate" or "at risk" of not meeting the standards. DHS officials identified several reasons that a country may have been assessed as "inadequate" with regard to the criteria. For example, some countries may have been willing to provide information, but lacked the capacity to do so. Or, some countries may not have been willing to provide certain information, or simply did not currently have diplomatic relations with the U.S. Government.

As was required by EO-2, we reported that State engaged with foreign governments on their respective performance based on these criteria for a 50-day period.³ In July 2017, State directed its posts to inform their respective host governments of the new information-sharing criteria and request that host governments provide the required information or develop a plan to do so. Posts were directed to then engage more intensively with countries DHS's report preliminarily deemed "inadequate" or "at risk". Each post was to submit an assessment of mitigating factors or specific interests that should be considered in the deliberations regarding any travel restrictions for nationals of those countries. DHS officials stated that they reviewed the additional information host nations provided to State and then reevaluated the initial classifications to determine if any countries remained "inadequate."

On September 15, 2017, in accordance with EO-2, DHS submitted to the President a list of countries recommended for inclusion in a Presidential proclamation that would prohibit certain categories of foreign nationals of such countries from entering the United States.⁴ The countries listed were Chad, Iran, Libya, North Korea, Syria, Venezuela, and Yemen—which were assessed as "inadequate," and Somalia,

¹GAO, *Nonimmigrant Visas: Outcomes of Applications and Changes in Response to 2017 Executive Actions*, GAO-18-608 (Washington, DC: Aug. 7, 2018). The President issued Executive Order 13769, *Protecting the Nation from Foreign Terrorist Entry Into the United States* (EO-1), in January 2017. Exec. Order No. 13769, 82 Fed. Reg. 8977 (Feb. 1, 2017) (issued Jan. 27) (EO-1). In March 2017, the President revoked and replaced EO-1 with the issuance of Executive Order 13780 (EO-2), which had the same title as EO-1. Exec. Order No. 13780, 82 Fed. Reg. 13,209 (Mar. 9, 2017) (issued Mar. 6) (EO-2).

²For a list of these criteria, see table 6 in GAO-18-608.

³Exec. Order No. 13780, §2(d), 82 Fed. Reg. at 13,213. Specifically, EO-2 directed the Secretary of State to request that all foreign governments not providing adequate information regarding their nationals to the United States begin providing such information within 50 days of notification.

⁴See id. §2(e), 82 Fed. Reg. at 13,213.

which was identified as a terrorist safe haven. The Presidential Proclamation indefinitely suspended entry into the United States of certain categories of nationals from the listed countries (see table 7 below from our August 2018 report regarding restrictions for nonimmigrants, or temporary visitors) and directed DHS, in consultation with State, to devise a process to assess whether the entry restrictions should be continued, modified, or terminated.⁵

TABLE 7.—PRESIDENTIAL PROCLAMATION NONIMMIGRANT VISA (NIV) ENTRY RESTRICTIONS BY COUNTRY OF NATIONALITY (AS OF APRIL 2018)

Country(ies) of Nationality	Scope of NIV Restrictions
Yemen, Libya, Chad	All temporary visitor (B–1, B–2, and B–1/B–2) visas.**
Syria	All NIVs.
North Korea	All NIVs.
Iran	All NIVs except nonimmigrants seeking entry on valid student (F and M) or exchange visitor (J) visas.
Venezuela	Official-type and diplomatic-type visas for officials of certain government agencies and temporary visitor (B–1, B–2, and B–1/B–2) visas for their immediate family members.
Somalia	None.***

Source.—GAO analysis of Presidential Proclamation 9645 of September 24, 2017./GAO–18–608

Note.—The Presidential Proclamation also permits consular officers to grant waivers to the restrictions and authorize the issuance of visas on a case-by-case basis if the visa applicant can demonstrate the following: (a) Denying entry would cause undue hardship to the applicant; (b) the visa applicant's entry would not pose a threat to the National security or public safety of the United States; and (c) his or her entry would be in the U.S. National interest.

*The Presidential Proclamation has provided certain exceptions to the entry restrictions. For example, unless otherwise specified, suspensions do not apply to diplomatic (A–1 or A–2) or diplomatic-type visas, visas for employees of international organizations and NATO (NATO–1–6, G–1, G–2, G–3, or G–4), or visas for travel to the United Nations (C–2).

**As of April 10, 2018, the Proclamation's visa entry restrictions are not applicable to nationals of Chad.

***The restrictions for Somalia only apply to immigrant visas, and do not apply to NIVs.

As of April 10, 2018, the Proclamation's visa entry restrictions are not applicable to nationals of Chad. According to State, as part of a periodic review of countries as directed in EO–2, Chad was found to meet the baseline criteria established by DHS. Specifically, according to State, Chad made significant progress toward modernizing its passport documents, regularizing processes for routine sharing of criminal and terrorist threat information, and improving procedures for reporting of lost and stolen passports.

Since the removal of Chad from the list in April 2018, there have been no other changes to the list of countries covered by the Proclamation.

Mr. DODARO. Yes.

Mr. ROTH. I don't have any insight into that, either.

Mr. ROSE. OK. Thank you.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentleman from Texas, Mr. Crenshaw.

Mr. CRENSHAW. Thank you, Mr. Chairman. The title of this hearing is "Trouble at the Top: Are Vacancies at the Department of Homeland Security Undermining the Mission?" Yes, the answer is yes. I don't think there is any disagreement on that. Of course we agree.

I am new here, so I don't always understand how everything works, but I am not so sure why we needed a hearing for this, be-

⁵ See Proclamation No. 9645, §§2, 4, 82 Fed. Reg. at 45,165–167, 45,169–170.

cause we agree. I don't think anybody wants there to be vacancies at the top. What concerns me is that we don't meet that often. We don't have full committee hearings that often. The last one was March 6, I believe.

If we care about the mission and we care about if that mission is being undermined, then we should be talking about how to fix it and what this committee can do to fix it. We are not the administration. We can't nominate more political appointments. We are not the Senate. We don't advise or consent.

But there is a lot we can do. I want to talk a little bit about that. I do share some of the concerns, counterterrorism, cyber. I am from Texas, so the border is in crisis mode right now. Two hundred thousand people, that is the approximate number of CBP apprehensions along the Southwest Border since the last time this committee held a hearing, just since the last time we held a hearing, 200,000.

In March, 103,492 were apprehended. According to CBP, April will be on par with that. Border Patrol estimates they actually only catch 1 in 3 people, so we can figure that that is actually about 600,000 illegal crossings in March and April. Ninety-six thousand, two-hundred thirty-seven that is the number of apprehensions along just the Texas border between March 6, the last time this committee held a hearing, and April 24. It is safe to say at least 3,763 more have crossed in this last week. So we can just call it an even 100,000.

In the same period, 51,983 pounds of marijuana, 1,342 pounds of cocaine, 207 pounds of heroin, and 2,856 pounds of methamphetamines have been seized along the Texas-Mexico border. This is just Texas. Two U.S. soldiers were disarmed by the Mexican military on the U.S. side of the border. Human smugglers are using drones now to reconnoiter routes. Heavily-armed escorts are being used to illegally traffic people into the United States. We have video of this.

Border Patrol agents are being taken away from patrolling the border to staff processing centers. This leaves critical gaps unmanned. Seven hundred and fifty CBP officers, who usually staff ports of entry, have been relocated to help deal with the humanitarian crisis staffing at processing centers.

Compared to last year, we have seen an increase of more than 370 percent in the number of family units apprehended at the Southern Border. Children are arriving sicker than ever before. Because of our broken asylum system, children have become tokens for free passage. Human traffickers and drug cartels are benefiting from this broken system.

These are the harsh realities of a crisis on the border that we should be addressing, but instead we are spending the committee's time—we are looking at something we don't control. We aren't the administration. Again, we don't nominate. We aren't the Senate. We don't provide advice or consent.

I think we can all agree that the number and length of these vacancies is definitely a problem. We agree. Done. Acting leaders can't implement a long-term vision and we don't have—and they do not have the status of confirmed leaders. That limits their ability to actually lead and manage.

However, instead of looking to do what we can, this committee is using this hearing as a tool to message and bash the administration. Last time we met for a hearing, it was with Secretary Nielsen. Did we really try to get facts and answers from her? Or do we bring her here for a circus to get sound bites for fundraising e-mails?

What we can do is help DHS accomplish its mission. We can help by working to fill the vacancies throughout the organization by addressing problems CBP has had with recruitment and retention. That is, for instance, why I proposed H.R. 1609, which would waive the polygraph requirement for CBP applicants with law enforcement or military experience who have already gone through thorough vetting.

I ask that we spend our time finding solutions to fix this absolute mess on our border rather than messaging in preparation for 2020.

In my limited time, I do want to ask you all, this hearing has vacillated between two subjects. One is management, which has been productive. The other is filling vacancies, which we have no control over political appointment vacancies.

On the matter of management, as a Ranking Member—and I work with Chairwoman Torres Small, who has been great on this, we would like to do that. What are your top three priorities as far as fixing—or that we should focus on in that subcommittee, the Subcommittee of Management, Oversight, and Accountability?

Mr. DODARO. I think the first priority I would mention is in the human capital side. You have critical skill vacancies. You have right now the Customs and Border Patrol are almost 7,000 people short of their goal. You have vacant skill gaps in the cyber area and acquisition management area, financial management area. People are important. They are essential to having good management operations.

It is not just the leaders. It is the skills of the people that support the leaders, as well, so that would be my No. 1 area.

No. 2 area would be long-term planning for FEMA, in particular. I think in the last, you know, since 2005, the Federal Government spent nearly half-a-trillion dollars on natural disasters. There is still no way to determine how prepared State and local entities are. Is the money going to help them, prepare them properly? Do we have a disaster resilience framework in place? How are they implementing the new legislation of the Congress on the Disaster Response Recovery Act? I think that is critical to the Department and limiting Federal Government's fiscal exposure.

Then the last area of the three that I would focus on would be in the area of cybersecurity. I think that area, as I mentioned earlier, that the Federal Government is not moving with a sense of urgency commensurate with the emerging threat, and new technologies, artificial intelligence, quantum computing, other things, are going to make that problem a lot worse, not better over time. So those would be my top three.

Chairman THOMPSON. Thank you very much.

For the gentleman from Texas' information, the Secretary of Homeland Security was scheduled to be at this hearing today to talk about the Department of Homeland Security and its budget. She was fired. The second person who was scheduled to take her

place, she quit. So we have gone on and on talking about vacancies, so we felt that since everybody who is running the shop is either fired or leaving, it is important to talk about vacancies.

In fact that we have over 50 senior leadership positions at the time of this hearing still vacant. Leadership is important. So oversight, which is a primary mission, and it has come out today that we have to do oversight in order to get it right. So this is part of the oversight responsibility of the committee.

Chairman now recognizes the gentleman from New Jersey, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Chairman. I appreciate you having this hearing. That is what we are here for.

You know, I am sorry the gentleman from Texas just left, but you know, these vacancies, some of them are frightening. Some of them are strategic, based on the President's understanding of what his job is. I don't think that it is a mistake that the U.S. Customs and Border Protection position is vacant. He wants to run that. It doesn't surprise me that U.S. Immigration and Customs Enforcement is vacant. He wants to run that. Office of Inspector General, well, you don't have anybody checking to make sure things are going properly, and on and on and on.

You know, my colleagues on the other side continue to talk about the vacancies in the prior administration, but let us reiterate one more time that there was a concerted effort to keep the previous President from having people go through the process. That is not the case now. It went as high as the Supreme Court, the last President. So let's, you know, leave the apples and oranges here, OK?

This is an effort by the President to control this Department to the degree he wants to control it. The past President was not given the opportunity to fulfill his obligations to this Department, period.

Let me ask my question now. Mr. Roth, as you know, the TSA administrator is also fulfilling deputy secretary responsibilities. How will this impact airport security across the country?

Mr. ROTH. As Mr. Dodaro pointed out, obviously, they have an acting administrator for TSA, but it is a critically important job and TSA is really still an agency that is a work in progress. A lot of things need to occur, for example, with regard to hiring, with regard to acquisition of new equipment, IT issues that they have, all along the spectrum TSA has to improve its operations.

So any time that you remove senior leadership what you do is you remove the ability to engage in long-term planning, decision making, and those kinds of things.

The other thing is—and I have known this from first-hand—you know, every morning they have a threat assessment, they have a threat briefing that the administrator attends, and it is critically important to make sure that there is a politically accountable individual who is making the decisions with regard to the safety of passengers, air passengers.

Mr. PAYNE. Doesn't look like many people are there at that threat assessment, does it? You know, the gentleman from Texas once again said that he hasn't been here that long, and so he doesn't know, and he is right. He hasn't been here that long and he doesn't know.

To have U.S. Customs and Border Protection, something that this administration has been just overwhelmed or enamored with, and then not to have a leader there, what does that do for the morale in that Department? What does that do for having a direction in that Department?

Everybody on the other side is so worried about, you know, the border protection, but, hey, you don't need a director, you don't need anyone at the top. Doesn't make—it is absurd. It just doesn't make sense.

When something serious happens, we are going to all be looking at each other and trying to tell the American people why we did not do our job. I yield back.

Chairman THOMPSON. Ranking Member.

Mr. ROGERS. Thank you, Mr. Chairman. I just want to pause for a minute—and I have great respect for Mr. Payne—but we need to be careful and keep the proper decorum in this committee and not disparage other Members about what they do and don't know. It is OK to say he hasn't been here long, but to say another Member of this committee doesn't know something, I think it is a little bit too far. Thank you. I yield back.

Chairman THOMPSON. Well, he said it. He was repeating what—he didn't say it.

Mr. ROGERS. Then he came back and said, “And he doesn't know.”

Chairman THOMPSON. No, but he—well——

Mr. PAYNE. You know, based on the gentleman's length of time here.

Chairman THOMPSON. So the only thing I am saying is, you know, I respect each Member's—how they got here and that. I let Mr. Higgins just get his 5 minutes. I will give Mr. Payne the same respect to his 5 minutes.

So that is all the time that we have. Let me just say to the witnesses, thank you very much for your expert testimony.

What I would also like to ask Mr. Dodaro, some of us are vitally interested—the Ranking Member and myself—in trying to fix some of this. Whatever ideas you might have, if you would make those ideas available to us, we would appreciate it. We want to get it right, whatever—whether it is a natural disaster, an act of terrorism, or whatever, it impacts Americans. We need to do that.

So I do thank you for your participation. I would like to also—and your testimony. The Members of the committee will have additional questions for the witnesses. We ask that you respond expeditiously in writing, as you have already committed to. Without objections, the committee record shall be kept open for 10 days.

Hearing no further business, the committee stands adjourned.

[Whereupon, at 11:41 a.m., the committee was adjourned.]

APPENDIX

QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR EUGENE L. DODARO

Question 1. Recruitment and retention have been a challenge throughout the Department of Homeland Security (DHS). To what extent do leadership vacancies affect DHS's ability to recruit, retain, train, and develop a workforce equipped to address current and evolving threats?

Answer. Filling vacancies—including top DHS leadership positions and the heads of operational components—with confirmed appointees, as applicable, could help to ensure continued leadership commitment across all of DHS's mission areas.¹ Over the last 16 years, leadership commitment has been a key factor in DHS's progress toward implementing our criteria for removal from the High-Risk List. DHS's progress has included taking steps to address outcomes related to recruitment, retention, training, and development. It remains essential for DHS to maintain top leadership support and sustained commitment to ensure continued progress.

While confirmed leadership is the ideal state, acting or confirmed leadership can work to address high-risk human capital challenges, such as closing critical skills gaps and ensuring a well-trained workforce. For example, we have found that DHS lacks guidance on how to identify critical cybersecurity skills and acquisition skills needed to support its new information technology delivery model.² We have made recommendations to address these challenges, including that DHS should ensure its cybersecurity workforce procedures identify position vacancies and responsibilities, develop plans for reporting on critical needs, and implement a plan for identifying the Department's future information technology skillset needs resolving any skills gaps identified. Addressing these skill gaps and additional human capital challenges that we have identified as high-risk could help DHS fully demonstrate its capacity to strengthen and integrate its management functions.

Question 2a. Ronald Vitiello was named by former Homeland Security Secretary Nielsen as "Acting Director of ICE" in June 2018. Mr. Vitiello later had to drop his "acting" title to conform with the Federal Vacancies Reform Act. However, after dropping his "acting" title, Mr. Vitiello continued to perform the nondelegable functions and duties of the office of the director. He even used the title of "Deputy Director and Senior Official Performing the Duties of Director" until he resigned.

In GAO's opinion, is this a violation of the Federal Vacancies Reform Act's restriction on the continued performance of nondelegable duties of an office?

Answer. Whether this is a violation depends on whether a duty can only be performed by the Presidentially-appointed, Senate-confirmed position. A violation of the Federal Vacancies Reform Act would occur if someone other than the agency head were to perform that duty after expiration of the permissible period of acting service. This is because once the permissible period of acting service ends, non-delegable duties can only be performed by an agency head. GAO has not done the work necessary to make such a determination.

To determine that a violation occurred, the statute or regulation in question must be sufficiently prescriptive to conclude that it assigned the performance of the duty only to the Presidentially-appointed, Senate-confirmed position. Additionally, there must be evidence that the official, who is not the agency head, performed those non-delegable duties.

Question 2b. Doesn't it negate the Constitutional requirement that the Senate confirm heads of agencies, if a political appointee can perform nondelegable functions of an office seemingly forever by dropping their "acting" title?

¹ GAO-19-544T.

² GAO, *Cybersecurity Workforce: Urgent Need for DHS to Take Actions to Identify Its Position and Critical Skill Requirements*, GAO-18-175 (Washington, DC: Feb. 6, 2018) and *Homeland Security: Progress Made to Implement IT Reform, but Additional Chief Information Officer Involvement Needed*, GAO-17-284 (Washington, DC: May 18, 2017).

Answer. Where non-delegable duties exist and the permissible period of acting service has ended, those duties should only be performed by an agency head while the office remains vacant. This is the case regardless of whether the acting title has been dropped and another title is used instead.

Question 3a. GAO plays a critical role in conducting oversight of the Department of Homeland Security (DHS). When those efforts are stymied, it makes it more difficult for the public and Congress to know whether the Department is operating as it should be.

Have you faced any challenges in obtaining the information GAO needs to conduct its audits of DHS?

Answer. We are typically able to obtain the information needed from DHS for our engagements in a timely manner, as is generally the case across the Executive branch. Among Executive branch agencies, GAO and DHS have had a particularly strong working relationship, which has facilitated our timely access to information. This relationship is characterized by regular and open communication, including quarterly meetings between senior DHS and GAO executives and regular engagement on high-risk issues.

From time to time, we have had some difficulties obtaining information from DHS and its components. In these cases, we have used well-established escalation strategies to obtain the requested information or to reach an accommodation that allows our work to move forward.

Question 3b. Is there anything about having leadership positions vacant throughout the agency that makes it more challenging for GAO to do its work?

Answer. Strong and committed Departmental leadership has been critical to the success of our work at DHS. In recent years, both acting and confirmed leadership at DHS has demonstrated a strong commitment to maintain effective relationships with GAO and provide information needed to conduct our audit work. DHS has also demonstrated a strong commitment to addressing open GAO recommendations in a timely manner.

We are optimistic that our constructive relationship with DHS will continue during this time of transition. However, we will monitor our communications, interactions, and our access to information in the months ahead and report to you and other committees if we notice any negative change in our relationship.

QUESTIONS FROM HONORABLE MICHAEL T. MCCAUL FOR EUGENE L. DODARO

Question 1. DHS's primary goal is to keep America safe. Achieving this goal requires every administration to make DHS a priority. Talented and long-term leadership is a critical component. This has not always been the case. No administration since 2003 has a pristine record.

It is incumbent that the Trump administration and Congress must change this. They must work together to ensure DHS's talent and resources are commensurate with its critical mission. There is too much at stake to do anything less.

I will continue to work with my colleagues on both sides of the aisle in the House, the Senate, and the White House to find solutions for DHS.

For years, I have urged each administration to address DHS's leadership problems. What recommendations do you have to address senior leadership vacancies as well as recruiting and retaining talented career professionals?

Answer. We last reported on senior leadership vacancies at DHS in 2012, including efforts to address vacancies, and do not have any open recommendations regarding senior leadership vacancies.³ However, we have made a number of observations concerning DHS's leadership challenges. In February 2012, we found that senior leadership vacancy rates generally declined, from fiscal year 2006 through fiscal year 2011. At that time, DHS's exit survey responses indicated that the top reasons for senior executives leaving were: (1) Supervisor/management, (2) personal or family-related reasons, and (3) salary/pay.⁴ At the time, DHS officials had implemented two programs to enhance senior leadership hiring and recruitment. In fiscal year 2010, DHS implemented a simplified pilot hiring process aiming to attract additional qualified applicants. According to DHS officials, the pilot was successful, and they planned to use the method for all Senior Executive Service hiring. In May

³ GAO, *DHS Human Capital: Senior Leadership Vacancy Rates Generally Declined, but Components' Rates Varied*, GAO-12-264 (Washington, DC: Feb. 10, 2012).

⁴ In January 2010, DHS deployed its first Department-wide exit survey—the DHS National Exit Survey. At the time of our report in February 2012, DHS had analyzed, in the aggregate, the senior leadership responses it has collected since it implemented the survey. That analysis demonstrated that 17 departing officials had self-identified as senior executives.

2011, DHS also implemented a centralized candidate-development program aimed at providing a consistent approach to leadership training.

Leadership commitment is one of the five criteria areas that must be addressed for any agency to be removed from GAO's High-Risk List. We stated in May 2019 that filling vacancies—including top DHS leadership positions and the heads of operational components—with confirmed appointees, as applicable, could help to ensure continued leadership commitment across all of DHS's mission areas. In the coming years, DHS needs to continue implementing its *Integrated Strategy for High-Risk Management* to show measurable, sustainable progress in implementing corrective actions and achieving outcomes. In doing so, it remains important for DHS to continue to identify the people and resources necessary to make progress toward achieving outcomes, work to mitigate shortfalls and prioritize initiatives as needed, and communicate to senior leadership critical resource gaps.

We have been tracking 7 human capital outcomes related to the DHS high-risk area. DHS has fully addressed 5 of the 7 outcomes. For the remaining 2 outcomes, DHS has partially addressed 1 and mostly addressed the other. Specifically, DHS has partially addressed the outcome for improving its scores on 4 human capital indices of the Federal Employee Viewpoint Survey (leadership and knowledge management, results-oriented performance culture, talent management, and job satisfaction). Additionally, DHS has mostly addressed the outcome for developing and implementing a mechanism to assess education, training, and other development programs and opportunities to help employees build and acquire needed skills and competencies. We will continue to monitor DHS's progress in sustaining and addressing these outcomes moving forward.

Question 2. Can you describe the structural changes to DHS that would facilitate better leadership awareness, oversight, communication, responsibility, and accountability? What steps should Congress take?

Answer. DHS needs to continue implementing its *Integrated Strategy for High-Risk Management* and maintain engagement with us to show measurable, sustainable progress in implementing corrective actions and achieving outcomes. DHS can accomplish this by, among other things, maintaining a high level of top leadership support and sustained commitment to ensure continued progress in executing its corrective actions through completion, and increasing employee engagement and morale. Congressional oversight also plays a critical role.

Congress, through the Homeland Security Act of 2002 and subsequent amendments, has also taken important steps to establish within DHS the under secretary for management (USM) position, which is responsible for management and administration of the Department. The roles and responsibilities, and qualifications and performance expectations of the USM, who is designated in statute as the Department's chief management officer (CMO), align with our criteria for CMO positions in Federal agencies.⁵ Consistent with our criteria, one action Congress could consider to help ensure continuity of leadership in the Department's USM/CMO position would be to establish a term appointment for the position for at least a 5–7 year period to help promote continuity over time. The term could have a renewal option as well.

Further, we have observed that across the various Government high-risk areas that we monitor, consistent Congressional oversight is key to making progress in these areas and holding agencies accountable. Hearings, such as the one that the committee held, and continuing efforts to legislate needed reforms will be key to DHS's continued success.

Question 3. Last Congress, I helped lead the effort to pass the first-ever comprehensive reauthorization of DHS with bipartisan support in the House. How would a comprehensive reauthorization help improve DHS's mission as well as potentially improve employee morale?

Answer. Comprehensive reauthorization would provide an updated framework for the Department that takes into account changes made as part of the Department's transformation since 2002. For example, reauthorizing legislation could codify positive reforms DHS has made to major management functions, such as areas like financial and acquisitions management, human capital, and information technology. Further, legislation that reflects current National priorities and directs the Department toward these priorities could ensure more efficient and effective operations to achieve DHS's mission. This in turn could improve employee morale and the Department's ability to hire and retain employees with critical skills. Given the critical nature of DHS's mission to protect the security and economy of our Nation, it is important that DHS employees be satisfied with their jobs so that DHS can retain and attract the talent required to complete its work.

⁵ GAO, *Organizational Transformation: Implementing Chief Operating Officer/Chief Management Officer Positions in Federal Agencies*, GAO-08-34 (Washington, DC: Nov. 1, 2007).

QUESTION FROM HONORABLE PETER T. KING FOR EUGENE L. DODARO

Question. Could GAO please provide a list of reports that it has issued on the terrorism and terrorism-related issues over the last several years as well as an on-going work on terrorism and terrorism-related issues?

Answer. The following is a list of terrorism and terrorism-related reports that GAO has on-going and issued in the last 5 fiscal years. We have also testified dozens of times on terrorism and terrorism-related topics.

ON-GOING TERRORISM AND TERRORISM-RELATED WORK (AS OF JUNE 17, 2019)

DOD Mission Assurance (planned issuance 9/2019)
 Lebanon Security Assistance (planned issuance 11/2019)
 U.S. Assistance to the West Bank and Gaza (planned issuance 6/2020)
 Coast Guard Deployable Specialized Forces (planned issuance 11/2019)
 U.S. Assistance to the Iraq Ministry of Interior (planned issuance 3/2020)
 National Biodefense Strategy (planned issuance 11/2019)
 Disaster Preparedness and Lessons Learned from 2017 and 2018 Disasters (planned issuance 1/2020)
 TSA Passenger Screening Rules (planned issuance 12/2019)
 Surface Transportation Security Research and Development Efforts (planned issuance 9/2019)
 Security of Airport Public Spaces (planned issuance 12/2019)
 TSA Insider Threat Program (planned issuance 2/2020)
 National Strategy for Transportation Security (planned issuance 12/2019)
 Terrorist Screening Database (planned issuance 6/2019)
 National Cyber Investigative Joint Task Force (planned issuance 9/2019)

TERRORISM AND TERRORISM-RELATED WORK ISSUED IN FISCAL YEAR 2019 (AS OF 6/17/19)

Critical Infrastructure Protection: Key Pipeline Security Documents Need to Reflect Current Operating Environment (GAO-19-426)
 Combating Nuclear Terrorism: DHS Should Address Limitations to Its Program to Secure Key Cities (GAO-19-327)
 Priority Open Recommendations: Department of Homeland Security (GAO-19-360SP)
 Aviation Security: TSA Uses a Variety of Methods to Secure U.S.-Bound Air Cargo, but Could Do More to Assess Their Effectiveness (GAO-19-162)
 Special Operations Forces: Actions Needed to Manage Increased Demand and Improve Data for Assessing Readiness (GAO-19-149C)
 Continuity of Operations: Actions Needed to Strengthen FEMA's Oversight and Coordination of Executive Branch Readiness (GAO-19-18SU)
 FEMA Grants Modernization: Improvements Needed to Strengthen Program Management and Cybersecurity (GAO-19-164)
 Aviation Security: TSA Improved Covert Testing but Needs to Conduct More Risk-Informed Tests and Address Vulnerabilities (GAO-19-374)
 Federal Protective Service: DHS Should Take Additional Steps to Evaluate Organizational Placement (GAO-19-122)
 Critical Infrastructure Protection: Actions Needed to Address Significant Weaknesses in TSA's Pipeline Security Program Management (GAO-19-48)
 Information Security: Agencies Need to Improve Implementation of Federal Approach to Securing Systems and Protecting against Intrusions (GAO-19-105)
 Federal Law Enforcement: Purchases and Inventory Controls of Firearms, Ammunition, and Tactical Equipment (GAO-19-175)
 Emergency Communications: Office of Emergency Communications Should Take Steps to Help Improve External Communications (GAO-19-171)
 Cybersecurity: Federal Agencies Met Legislative Requirements for Protecting Privacy When Sharing Threat Information (GAO-19-114R)
 Combating Nuclear Terrorism: NRC Needs to Take Additional Actions to Ensure the Security of High-Risk Radioactive Material (GAO-19-468)
 Military Courts: DOD Should Assess the Tradeoffs Associated With Expanding Public Access to and Information About Terrorism Trials (GAO-19-283)
 State Department: Better Oversight and Controls Could Improve Timely Delivery of Legal Documents for Terrorism Victims (GAO-19-139)
 Fiscal Exposures: Federal Insurance and Other Activities That Transfer Risk or Losses to the Government (GAO-19-353)
 Homeland Security: Research & Development Coordination Has Improved, but Additional Actions Needed to Track and Evaluate Projects (GAO-19-210)

Export Controls: State and Commerce Should Share Watch List Information If Proposed Rules to Transfer Firearms Are Finalized (GAO-19-307)

Security Assistance: U.S. Agencies Should Establish a Mechanism to Assess Caribbean Basin Security Initiative Progress (GAO-19-201)

National Security: Long-Range Emerging Threats Facing the United States as Identified by Federal Agencies (GAO-19-204SP)

Colombia: U.S. Counternarcotics Assistance Achieved Some Positive Results but State Needs to Review the Overall U.S. Approach (GAO-19-106)

Human Trafficking: State and USAID Should Improve Their Monitoring of International Counter-trafficking Projects (GAO-19-77)

TERRORISM AND TERRORISM-RELATED WORK ISSUED IN FISCAL YEAR 2018

Chemical Terrorism: A Strategy and Implementation Plan Would Help DHS Better Manage Fragmented Chemical Defense Programs and Activities (GAO-18-562)

Critical Infrastructure Protection: DHS Should Take Actions to Measure Reduction in Chemical Facility Vulnerability and Share Information with First Responders (GAO-18-538)

Homeland Security: Clearer Roles and Responsibilities for the Office of Strategy, Policy, and Plans and Workforce Planning Would Enhance Its Effectiveness (GAO-18-590)

Homeland Security Grant Program: Additional Actions Could Further Enhance FEMA's Risk-Based Grant Assessment Model (GAO-18-354)

Emergency Communications: Increased Regional Collaboration Could Enhance Capabilities (GAO-18-379)

Emergency Management: Implementation of the Major Disaster Declaration Process for Federally-Recognized Tribes (GAO-18-443)

Homeland Security Acquisitions: Leveraging Programs' Results Could Further DHS's Progress to Improve Portfolio Management (GAO-18-339SP)

Foreign Assistance: U.S. Assistance for the West Bank and Gaza, Fiscal Years 2015 and 2016 (GAO-18-612)

Security Force Assistance: U.S. Advising of Afghan National Army Has Expanded Since 2015, and the U.S. Army Has Deployed a New Advising Unit (GAO-18-573RC)

Nonimmigrant Visas: Outcomes of Applications and Changes in Response to 2017 Executive Actions (GAO-18-608)

Overseas Conflicts: U.S. Agencies Have Coordinated Stabilization Efforts but Need to Document Their Agreement (GAO-18-654)

Counterterrorism: DOD Should Fully Address Security Assistance Planning Elements in Global Train and Equip Project Proposals (GAO-18-449)

Science and Technology: Considerations for Maintaining U.S. Competitiveness in Quantum Computing, Synthetic Biology, and Other Potentially Transformational Research Areas (GAO-18-656)

Humanitarian Assistance: USAID Should Improve Information Collection and Communication to Help Mitigate Implementers' Banking Challenges (GAO-18-669)

Biological Select Agents and Toxins: Actions Needed to Improve Management of DOD's Biosafety and Biosecurity Program (GAO-18-422)

Nuclear Nonproliferation: The Administration's 2018 Plan for Verification and Monitoring Met Most Reporting Requirements but Did Not Include Future Costs and Funding Needs (GAO-18-617)

Law Enforcement: Few Individuals Denied Firearms Purchases Are Prosecuted and ATF Should Assess Use of Warning Notices in Lieu of Prosecutions (GAO-18-440)

Central American Police Training: State and USAID Should Ensure Human Rights Content Is Included as Appropriate, and State Should Improve Data (GAO-18-618)

Improvised Threats: Warfighter Support Maintained, but Clearer Responsibilities and Improved Information Sharing Needed (GAO-18-509)

Foreign Assistance: Better Guidance for Strategy Development Could Help Agencies Align Their Efforts (GAO-18-499)

Committee on Foreign Investment in the United States: Action Needed to Address Evolving National Security Concerns Facing the Department of Defense (GAO-18-494)

Nuclear Nonproliferation: The Administration's 2015 Plan and 2017 Update for Nuclear Proliferation Verification and Monitoring Generally Did Not Address Reporting Requirements (GAO-18-505R)

Small Unmanned Aircraft Systems: FAA Should Improve Its Management of Safety Risks (GAO-18-110)

Border Security: Actions Needed to Strengthen Performance Management and Planning for Expansion of DHS's Visa Security Program [Reissued with Revisions Mar. 29, 2018] (GAO-18-314)

Customs and Border Protection: Automated Trade Data System Yields Benefits, but Interagency Management Approach Is Needed (GAO-18-271)

Emergency Management: Federal Agencies Could Improve Dissemination of Resources to Colleges (GAO-18-233)

Critical Infrastructure Protection: Additional Actions Are Essential for Assessing Cybersecurity Framework Adoption (GAO-18-211)

Critical Infrastructure Protection: Electricity Suppliers Have Taken Actions to Address Electromagnetic Risks, and Additional Research Is On-going (GAO-18-67)

Transportation Security Administration: Surface Transportation Inspector Activities Should Align More Closely With Identified Risks (GAO-18-180)

Aviation Security: TSA Strengthened Foreign Airport Assessments and Air Carrier Inspections, but Could Improve Analysis to Better Address Deficiencies (GAO-18-178)

Critical Infrastructure Protection: DHS Risk Assessments Inform Owner and Operator Protection Efforts and Departmental Strategic Planning (GAO-18-62)

TSA Modernization: Use of Sound Program Management and Oversight Practices Is Needed to Avoid Repeating Past Problems (GAO-18-46)

Biodefense: Federal Efforts to Develop Biological Threat Awareness (GAO-18-155)

Committee on Foreign Investment in the United States: Treasury Should Coordinate Assessments of Resources Needed to Address Increased Workload (GAO-18-249)

Personnel Security Clearances: Additional Actions Needed to Ensure Quality, Address Timeliness, and Reduce Investigation Backlog (GAO-18-29)

Physical Security: NIST and Commerce Need to Complete Efforts to Address Persistent Challenges [Reissued with Revisions Mar. 14, 2018] (GAO-18-95)

High-Containment Laboratories: Coordinated Actions Needed to Enhance the Select Agent Program's Oversight of Hazardous Pathogens (GAO-18-145)

Automated Vehicles: Comprehensive Plan Could Help DOT Address Challenges (GAO-18-132)

Personnel Security Clearances: Plans Needed to Fully Implement and Oversee Continuous Evaluation of Clearance Holders (GAO-18-117)

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Antiterrorism Assistance: State Department Should Improve Data Collection and Participant Oversight (GAO-17-704)

National Mall: Actions Needed to Better Manage Physical Security Risks (GAO-17-679)

Federal Emergency Management Agency: Additional Actions Needed to Improve Handling of Employee Misconduct Allegations (GAO-17-613)

Critical Infrastructure Protection: DHS Has Fully Implemented Its Chemical Security Expedited Approval Program, and Participation to Date Has Been Limited (GAO-17-502)

Weapon Systems: Prototyping Has Benefited Acquisition Programs, but More Can Be Done to Support Innovation Initiatives (GAO-17-309)

Customs and Border Protection: Improved Planning Needed to Strengthen Trade Enforcement (GAO-17-618)

Iraq: DOD Needs to Improve Visibility and Accountability Over Equipment Provided to Iraq's Security Forces (GAO-17-433)

Countering Violent Extremism: Actions Needed to Define Strategy and Assess Progress of Federal Efforts (GAO-17-300)

2017 Annual Report: Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Other Financial Benefits (GAO-17-491SP)

Building Partner Capacity: Inventory of Department of Defense Security Cooperation and Department of State Security Assistance Efforts (GAO-17-255R)

Critical Infrastructure Protection: Additional Actions by DHS Could Help Identify Opportunities to Harmonize Access Control Efforts (GAO-17-182)

Contracting Data Analysis: Assessment of Government-wide Trends (GAO-17-244SP)

Radioactive Sources: Opportunities Exist for Federal Agencies to Strengthen Transportation Security (GAO-17-58)

Contractor Whistleblower Protections Pilot Program: Improvements Needed to Ensure Effective Implementation (GAO-17-227)

Foreign Assistance: Agencies Can Improve the Quality and Dissemination of Program Evaluations (GAO-17-316)

Electricity: Federal Efforts to Enhance Grid Resilience (GAO-17-153)

Federal Courthouses: Actions Needed to Enhance Capital Security Program and Improve Collaboration (GAO-17-215)

Bioforensics: DHS Needs to Conduct a Formal Capability Gap Analysis to Better Identify and Address Gaps (GAO-17-177)

Border Security: CBP Aims to Prevent High-Risk Travelers from Boarding U.S.-Bound Flights, but Needs to Evaluate Program Performance (GAO-17-216)

Cybersecurity: DHS's National Integration Center Generally Performs Required Functions but Needs to Evaluate Its Activities More Completely (GAO-17-163)

Federal Real Property: GSA Should Inform Tenant Agencies When Leasing High-Security Space from Foreign Owners (GAO-17-195)

Rule of Law Assistance: DOD Should Assess Workforce Size of Defense Institute of International Legal Studies (GAO-17-118)

Declining Resources: Selected Agencies Took Steps to Minimize Effects on Mission but Opportunities Exist for Additional Action (GAO-17-79)

Supply Chain Security: Providing Guidance and Resolving Data Problems Could Improve Management of the Customs-Trade Partnership Against Terrorism Program (GAO-17-84)

Permanent Funding Authorities: Some Selected Entities Should Review Financial Management, Oversight, and Transparency Policies (GAO-17-59)

Air Traffic Control: Experts' and Stakeholders' Views on Key Issues to Consider in a Potential Restructuring [Reissued on December 9, 2016] (GAO-17-131)

Enterprise Risk Management: Selected Agencies' Experiences Illustrate Good Practices in Managing Risk (GAO-17-63)

Radiation Portal Monitors: DHS's Fleet Is Lasting Longer than Expected, and Future Acquisitions Focus on Operational Efficiencies (GAO-17-57)

Hazardous Materials Rail Shipments: Emergency Responders Receive Support, but DOT Could Improve Oversight of Information Sharing (GAO-17-91)

West Coast Ports: Better Supply Chain Information Could Improve DOT's Freight Efforts (GAO-17-23)

International Mail Security: Costs and Benefits of Using Electronic Data to Screen Mail Need to Be Assessed (GAO-17-606)

Intelligence Community: Analysis of Alternatives Approach for a New Site Reflects Most Characteristics of a High-Quality Process (GAO-17-643)

DOD Biometrics and Forensics: Progress Made in Establishing Long-term Deployable Capabilities, but Further Actions Are Needed (GAO-17-580)

Internet of Things: Enhanced Assessments and Guidance Are Needed to Address Security Risks in DOD (GAO-17-668)

Supply Chain Security: CBP Needs to Enforce Compliance and Assess the Effectiveness of the Importer Security Filing and Additional Carrier Requirements (GAO-17-650)

DOD Excess Property: Enhanced Controls Needed for Access to Excess Controlled Property (GAO-17-532)

Department of Defense: Actions Needed to Address Five Key Mission Challenges (GAO-17-369)

Iran Sanctions: U.S. Agencies Continue to Implement Processes for Identifying Potentially Sanctionable Entities (GAO-17-779R)

Managing for Results: Further Progress Made in Implementing the GPRA Modernization Act, but Additional Actions Needed to Address Pressing Governance Challenges (GAO-17-775)

Iraqi and Syrian Cultural Property: U.S. Government Committee Should Incorporate Additional Collaboration Practices (GAO-17-716)

Diplomatic Security: Key Oversight Issues (GAO-17-681SP)

Anti-Money Laundering: U.S. Efforts to Combat Narcotics-Related Money Laundering in the Western Hemisphere (GAO-17-684)

Aviation Security: Actions Needed to Systematically Evaluate Cost and Effectiveness Across Security Countermeasures (GAO-17-794)

Terrorism Risk Insurance: Market Challenges May Exist for Current Structure and Alternative Approaches (GAO-17-62)

Aviation Security: TSA Has Made Progress Implementing Requirements in the Aviation Security Act of 2016 (GAO-17-662)

Critical Infrastructure Protection: Improvements Needed for DHS's Chemical Facility Whistleblower Report Process (GAO-16-572)

Diplomatic Security: State Should Enhance Its Management of Transportation-Related Risks to Overseas U.S. Personnel (GAO-17-124)

Emergency Communications: Improved Procurement of Land Mobile Radios Could Enhance Interoperability and Cut Costs (GAO-17-12)

Federal Disaster Assistance: FEMA's Progress in Aiding Individuals with Disabilities Could Be Further Enhanced (GAO-17-200)

High-Risk Series: Progress on Many High-Risk Areas, While Substantial Efforts Needed on Others (GAO-17-317)

Countering ISIS and Its Effects: Key Issues for Oversight (GAO-17-687SP)

Combating Terrorism: Additional Steps Needed in U.S. Efforts to Counter ISIS Messaging (GAO-17-41C)

Combating Terrorism: U.S. Footprint Poses Challenges for the Advise and Assist Mission in Iraq (GAO-17-220C)

Low-Dose Radiation: Interagency Collaboration on Planning Research Could Improve Information on Health Effects (GAO-17-546)

Highlights of a Forum: Combating Synthetic Identity Fraud (GAO-17-708SP)

Emergency Communications: Improved Procurement of Land Mobile Radios Could Enhance Interoperability and Cut Costs (GAO-17-12)

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Iraq: State and DOD Need to Improve Documentation and Record Keeping for Vetting of Iraq's Security Forces (GAO-16-658C)

Homeland Security: DHS's Chemical, Biological, Radiological, Nuclear, and Explosives Program Consolidation Proposal Could Better Consider Benefits and Limitations (GAO-16-603)

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QUESTIONS FROM HONORABLE MICHAEL T. MCCAUL FOR JOHN ROTH

Question 1. DHS's primary goal is to keep America safe. Achieving this goal requires every administration to make DHS a priority. Talented and long-term leadership is a critical component. This has not always been the case. No administration since 2003 has a pristine record. It is incumbent that the Trump administration and Congress must change this. They must work together to ensure DHS's talent and resources are commensurate with its critical mission. There is too much at stake to do anything less.

I will continue to work with my colleagues on both sides of the aisle in the House, the Senate, and the White House to find solutions for DHS.

For years, I have urged each administration to address DHS's leadership problems. What recommendations do you have to address senior leadership vacancies as well as recruiting and retaining talented career professionals?

Answer. Creating a positive leadership culture requires a long-term commitment to effectively recruit, train, and reward individuals who choose to devote a life to public service. As an initial step, the administration needs to rededicate itself to appointing senior leadership in a timely manner, with qualified candidates that will be swiftly confirmed. To ensure an adequate cadre of career professionals, DHS should develop a unified leadership "pipeline." According to the Partnership for Public Service, strengthening the pipeline includes: (1) Creating a central office for accountability and responsibility to do so, (2) developing a comprehensive approach for developing talent to recruit into the Senior Executive Service ranks, and open senior executive pipelines to external candidates as well.¹ To date, the Department has not taken a cohesive, whole-of-Department approach to recruiting qualified candidates. Negative morale actively hampers recruitment efforts, and DHS' overall time-to-hire is very poor.

Question 2. Can you describe the structural changes to DHS that would facilitate better leadership awareness, oversight, communication, responsibility, and accountability? What steps should Congress take?

Answer. DHS must take a renewed focus on management fundamentals. Although neither exciting nor publicly lauded, the basics of management are the lifeblood of informed decision making and successful mission performance. Management fundamentals include having accurate, complete information on operations and their cost; meaningful performance metrics on programs and goals; and appropriate internal controls. The Department has made strides in establishing its management fundamentals, including obtaining an unmodified opinion on its financial statements. DHS has also instituted many positive steps such as over-arching acquisition policies and other meaningful acquisition reforms, but the value of these steps is under-

¹ Partnership for Public Service, *Building the Leadership Bench*, <https://ourpublicservice.org/wp-content/uploads/2013/07/9fa59e1bf79d8e17d83729f4c97c716b-1396975476.pdf>.

mined by the lack of discipline in management fundamentals. The on-going challenges the Department faces into are usefully summarized into three main categories:

- *Collecting the right data.*—The Department does not prioritize collection of data in its program planning, does not always gather enough data, and does not validate the data it receives to ensure it is accurate and complete. The lack of reliable and complete data permeates through the entire Department and its components and is often accompanied by too little management oversight and weak internal controls.
- *Collecting and Analyzing Cost Data.*—DHS does not put sufficient emphasis on collecting cost data for operations and programs. Successful businesses unfailingly track cost data because the cost of their operations or products directly impacts their bottom-line revenue. Government does not have that bottom-line drive for cost information; yet, all Government programs should rely on informed decision making to optimize performance. Without cost information, DHS cannot conduct a reliable cost-benefit analysis of proposed program or policy changes or new initiatives. Because it does not fully understand the costs of its program choices, the Department is not equipped to analyze its risk decisions.
- *Performance Management.*—DHS does not routinely establish meaningful performance measures for many of its on-going initiatives and programs. Multiple audit and inspection reports identify deficiencies in or the absence of DHS performance measures. OIG audits have identified costly programs that DHS has not measured for effectiveness. Therefore, we do not know whether the investment of taxpayer resources is a good one.

Additionally, as I noted in my testimony, the Secretary's Office and the Deputy Secretary's Office are simply too thinly-staffed to be able to even be aware of, much less effectively manage, the significant and varied issues that face DHS. In my time as inspector general, through two administrations, senior leadership was continually caught by surprise by our findings. They simply did not have the staff or the structure to be fully informed to conduct effective oversight.

Question 3. Last Congress, I helped lead the effort to pass the first-ever comprehensive reauthorization of DHS with bipartisan support in the House. How would a comprehensive reauthorization help improve DHS's mission as well as potentially improve employee morale?

Answer. As inspector general, I wholeheartedly endorsed the efforts to pass a comprehensive reauthorization of DHS. It includes many updates and modernization efforts that would assist in improving morale, by creating a more streamlined, effective, and centralized Department. This includes reforming the DHS headquarters structure and ensuring needed acquisition reforms are in place. Most importantly, it requires DHS to focus on human resource matters specifically, requiring the Secretary to create an action plan to improve employee engagement, diversity, and development.

Question 4. You noted that a dysfunctional work environment has plagued DHS since its inception. Can you describe this in more detail and what actions would address this?

Answer. The "Best Places to Work" survey has consistently reflected that the morale in DHS is among the lowest in Federal service. The challenges have been well-documented over the life of the Department. In our prior work, we have identified the root causes of this, including the Department's failure to develop, implement, and widely disseminate clear and consistent guidance; a lack of communication between staff and management; and insufficient training. DHS has also had problems determining how to assign staff appropriately and hiring and retaining enough people to handle a reasonable workload while maintaining a work-life balance.² As we noted, the Partnership for Public Service has made recommendations to improve employee morale and engagement:

- Holding executives accountable for improving employee morale;
- Partnering with employee groups to improve working relationships;
- Designing and executing short-term activities to act on employee feedback and contribute to a potential long-term culture change;
- Developing and committing to shared organizational values and aligning agency activities and employee interactions to those values;
- Increasing transparency and connecting employees to the mission, the Department, and their co-workers;

²Major Management and Performance Challenges Facing the Department of Homeland Security, (November 2017) <https://www.oig.dhs.gov/sites/default/files/assets/2017/OIG-17-08-Nov16.pdf>.

- Investing in and developing employees through leadership and technical training and by providing mentoring.

