

**A THREAT TO AMERICA'S DEFENSES:
FRAGMENTED CONGRESSIONAL OVERSIGHT
OF THE DEPARTMENT OF HOMELAND SECURITY**

John W. Barkhamer
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EXECUTIVE SUMMARY: CONGRESSIONAL OVERSIGHT AND THE WAR ON TERROR

The 9/11 attacks on the United States and the subsequent reorganization of federal agencies into the Department of Homeland Security presented Congress with the challenge of reorganizing itself to provide effective and efficient oversight of the new department charged with defending the country from terrorism. The way in which Congress ultimately chooses to structure oversight for the new department will affect how America identifies threats to domestic security, develops national strategies to meet those threats, and manages the resources with which it implements those strategies.

During the 108th Congress from 2003 to 2004, Congress's initial attempts to reorganize its committee structure for the new department met with prohibitive resistance from committee chairs and agency officials with established relationships with their present committees. The structure remained largely unchanged, resulting in significant jurisdictional conflict during the new department's budget authorization in 2004. The conflict and duplication of effort among congressional committees left department officials strained and uncertain as to Congress's mandate.

In response to the inadequacies of the previous oversight structure and calls for reform by the 9/11 Commission, the Senate and the House have taken steps to consolidate oversight for the new department and to draw clearer lines of jurisdiction. The effectiveness of the new structure remains unclear. Continued ineffective oversight by Congress will harm the Department of Homeland Security's ability to manage its multiple and disparate agencies toward the critical mission of preventing and responding to terrorism.

INTRODUCTION: PROVIDING A RECOMMENDATION TO CONGRESSIONAL LEADERS

Congress has struggled to develop an oversight structure for the Department of Homeland Security (DHS) that enables it to provide clear and effective direction to the new department. Many members of Congress involved in the recent reforms to consolidate jurisdiction over DHS either consider the recent reforms as having gone too far or not far enough.

The uncertain outcome of the new structure and the critical importance of the matter indicate the need for a review of the options for structuring oversight of DHS that are available to congressional leaders. This report first explains the recent history of the issue, providing the context for the analysis of the policy options. The analysis focuses on the following three broad approaches to the oversight structure for DHS:

- Maintain the current structure in use during the 109th Congress;
- Consolidate jurisdiction over the homeland security functions of DHS into a single committee in each house;
- Consolidate jurisdiction over the entire department with few exceptions into a single committee in each house.

The report evaluates each model based on criteria that measure the ability of each one to provide clear direction to DHS, to develop invaluable homeland security expertise among members of Congress, and to draw clear lines of jurisdiction to prevent conflict and duplication of effort. The report will also examine the political obstacles to implementing each option.

The analysis of the options draws largely from congressional resolutions on committee jurisdictions, material from DHS and its agencies, and literature regarding congressional oversight, in general, and congressional oversight of DHS, in particular.

Due to the complexity of the issue, this report could not provide an exhaustive diagram or quantitative assessment of the oversight relationships between DHS component agencies and congressional committees and subcommittees. At the time of DHS's creation, its components reported to 88 committees and subcommittees. Recent studies estimate that DHS currently reports to roughly 79 committees. That said, the report covers the major oversight relationships throughout its background and analysis sections and provides a table of DHS components, their parent departments, and their placement in DHS in Appendix A. Appendix B provides an organizational chart of DHS obtained from a Congressional Research Service report.

PROBLEM IN CONTEXT: REORGANIZING TO ADDRESS THE TERRORIST THREAT

The 9/11 attacks on the United States and the subsequent reorganization of federal agencies to address the terrorist threat require Congress to review its related constitutional obligations and steps it must take to fulfill them. Through its authorization and appropriations committees, Congress performs the vital constitutional role of authorizing, appropriating funds for, and monitoring the activities of federal agencies. Within its role, it implicitly holds the responsibility of providing direction to agencies in terms of objectives to pursue and how to spend appropriated funds to achieve those objectives. In order to accomplish this task, Congress allocates jurisdiction among its committees and develops specialized policy expertise among its members.

In the wake of the terrorist attacks on the World Trade Center and the Pentagon, the country recognized that responsibility for preventing and responding to terrorist acts, the emerging concept of homeland security, rested with federal agencies across the executive branch, virtually countless congressional committees, and numerous actors at the state and local level. Within a year of the attacks, President Bush and Congress reorganized executive branch agencies into a new department assigned with the primary responsibility for homeland security, including identifying threats, developing strategies to respond to threats, and managing departmental resources and coordinating with agencies outside of the department to execute developed strategies.

This section of the report places the issue of congressional oversight for DHS into the broader context of bolstering America's homeland security and provides background information on the executive branch reorganization and congressional attempts to reorganize its committee structure to address the emerging threat of terrorism.

Post-9/11 Reorganization of the Executive Branch

In response to the 9/11 attacks and an increased awareness of the emerging terrorist threat, President Bush proposed and Congress passed the Homeland Security Act of 2002, creating the U.S. Department of Homeland Security. The act reorganized 22 existing agencies into a single department under the authority of a Cabinet-level official and with the overriding mission to "prevent terrorist attacks within the United States; reduce the vulnerability of the United States to terrorism; and minimize the damage, and assist in the recovery, from terrorist attacks that do occur within the United States".¹

Prior reorganization efforts by the president either proved insufficient or stalled. The public and congressional Democrats viewed the effectiveness of Tom Ridge, then-director of the White House Office on Homeland Security, with increasing skepticism, noting his lack of personnel and budget authority over the disparate agencies with homeland security roles. Efforts in the spring of 2002 to merge border and transportation security agencies met with debilitating resistance from the agency bureaucracies and the parent departments.

Despite the challenges of a large reorganization, the attacks on the World Trade Center and the Pentagon powerfully demonstrated America's vulnerability to terrorists and required an aggressive reform of America's defenses. The vulnerabilities that dominated the review of America's defenses and informed the creation of DHS are provided in Figure 1 on the following page.

¹ U.S. Congress, H.R. 5005-8: The Homeland Security Act of 2002, Section 101.

Figure 1: U.S. Homeland Security Weaknesses

Lack of a comprehensive threat assessment and corresponding national homeland security strategy

Insufficient information-sharing and collaboration across the intelligence community and other federal agencies with homeland security roles, such as the Coast Guard and Border Patrol

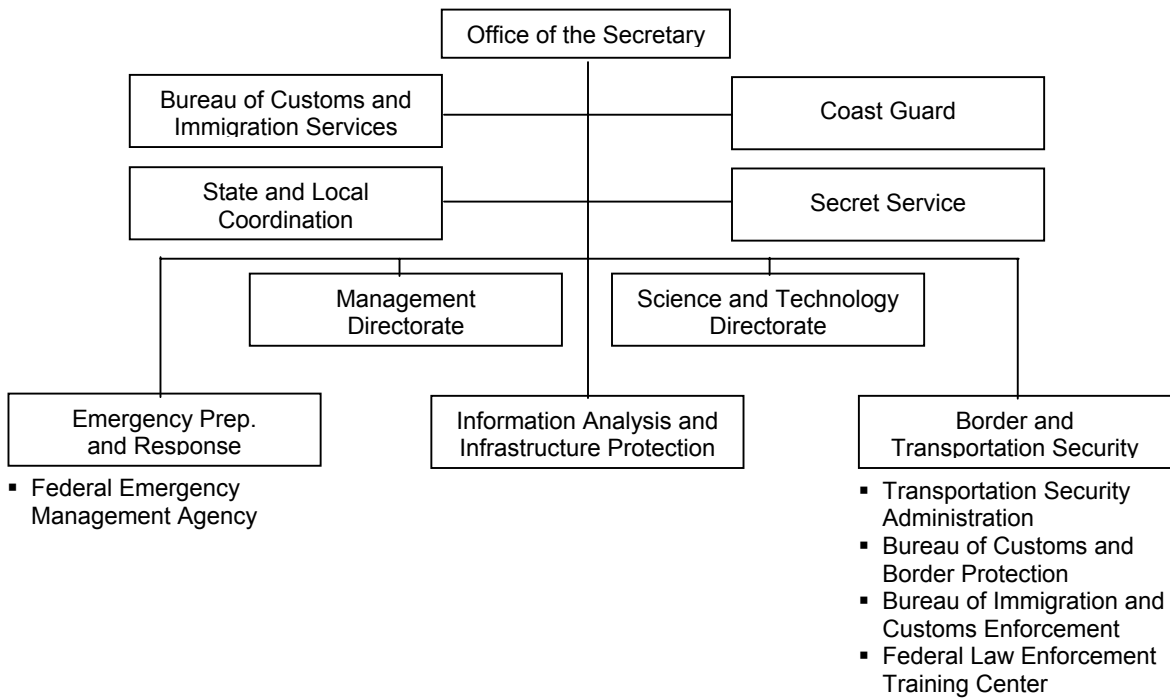
Disorganized information-sharing and collaboration among federal, state, and local governments

Lack of coordination among first-responders

Transportation system and other infrastructure vulnerabilities

By creating the new department, the president and other DHS proponents sought to address the weaknesses listed above. As shown below in the summary organizational chart in Figure 2, DHS includes components that align with the cited weaknesses, including the Information Analysis and Infrastructure Protection directorate (IAIP), Border and Transportation Security directorate (BTS), the Emergency Preparedness and Response directorate (EPR), and the Office of State and Local Coordination (SLC). Appendix B provides a more current and comprehensive organizational chart for DHS.

Figure 2: DHS Summary Organizational Chart



Resistance to Committee Structure Changes in the 108th Congress

Despite formally expressing the need to review the committee structure for DHS in the Homeland Security Act, proponents of reform in the 108th Congress met with prohibitive resistance from committee chairs, agency bureaucracies, and other groups with vested interests in the *status quo*.

Committee chairs argued that existing committees possessed valuable experience with their agencies and that creating any new committees would needlessly complicate the already complicated congressional committee structure. Some agency officials also opposed shifting oversight away from congressional committees with which they had developed a cooperative relationship. From outside of the government, unions and other lobbying groups similarly opposed disrupting existing relationships.

As a result of considerable opposition, congressional leaders enacted minimal reforms to provide clear and consistent guidance and oversight to DHS. Senate authorization committee chairs successfully persuaded the Democratic leadership not to create a committee devoted to homeland security or to reassign committee jurisdictions. The Governmental Affairs Committee gained jurisdiction over the activities associated with creating and integrating the new department. In the House of Representatives, the leadership largely kept authorization committee jurisdictions in place but established the Select Committee on Homeland Security on a temporary basis. The new committee's jurisdiction included general homeland security policy and partially covered activities associated with creating and integrating the new department.

Unlike the authorization committees, leaders in the Senate Appropriations Committee and House Appropriations Committee, which historically function somewhat

independently from the rest of Congress, overcame opposition to change within their committees. At the start of 2003, the leaders consolidated jurisdiction over DHS funding and other homeland security funding from among the existing appropriations subcommittees into a new Homeland Security Appropriations Subcommittee in each house.

With few other shifts in jurisdiction, an estimated 79 committees and subcommittees that oversaw DHS's components retained shared authority over the new department, with negative results from the perspective of Congress and the department. By comparison, only 36 committees and subcommittees, including the indisputably dominant armed services committees, have jurisdiction over the Defense Department, which has a budget more than ten times larger than that of DHS.²

During the 108th Congress, vague lines of jurisdiction greatly disrupted the legislative activities of its committees. For example, the Select Committee on Homeland Security Chairman Christopher Cox's (R-CA) attempted to pass a budget authorization bill for DHS's fiscal year 2005 budget, which sets parameters for the appropriations subcommittee, and met with opposition from Republicans within his own committee. Republicans on Mr. Cox's committee, many of whom were chairs of competing committees, staged a walk-out, giving Democrats enough votes on the committee to disrupt Cox's efforts. The select committee's other legislative accomplishments were minimal. The Speaker of the House's website listed dozens of homeland security legislative accomplishments for the year. Of these accomplishments, the select committee only had jurisdiction over four bills, none of which ultimately became law.

² Center for Strategic and International Studies and Business Executives for National Security, *Untangling the Web: Congressional Oversight and the Department of Homeland Security* (10 December 2004).

The persistent diffusion of authority in Congress adversely affected the ability of DHS officials to perform their duties. In 2003, Secretary Ridge and his top lieutenants testified at more than 145 congressional hearings. Beyond time and resources spent responding to congressional oversight, the multiple sources of oversight left DHS officials unclear of the priorities and activities that Congress mandated. Unclear priorities and activities contributed to the difficulty of integrating DHS's component organizations, each with its own institutional culture, into a well-coordinated department. The views of senior DHS officials responsible for the entire department periodically conflicted with the views of agency officials, who often possessed powerful congressional allies, enabling them to undermine departmental officials' authority.³

Attempts at Reform for the 109th Congress

The difficulties of fragmented oversight prompted congressional leaders to reform the committee structure for the 109th Congress from 2005 to 2006. Despite these efforts and calls for consolidation by various groups, including the 9/11 Commission, opposition from powerful committee chairs and other interests allowed for only moderate changes. In addition to the moderate changes in the rules governing committee jurisdictions, how the changes will affect the *de facto* functioning of the 109th Congress remains uncertain.

The House made the Committee on Homeland Security permanent as well as expanded and more clearly defined its jurisdiction at the expense of other committees. Despite the expanded jurisdiction, the opponents of change to the committee structure successfully inserted language into the rules for the 109th Congress that enables other

³ Sheila M. McNeill, "Memo to Congress: Streamline Homeland Security Oversight," *Sea Power: The Official Publication of the Navy League of the United States* (August 2004).

committee chairs to require legislation from the Homeland Security Committee to pass through their committees before the full House may vote on it. Thus far, committee chairs have yet to fully demonstrate how and to what extent they will use the provision.

Due to the impasse within his committee over the budget authorization act, Chairman Cox also won a victory in the reduction of the number of committee members from 50 members to 34 members, enabling a smaller number of members with less competing responsibilities to focus on homeland security. That said, four powerful members chair either committees or subcommittees that have competed with the Homeland Security Committee in the past.

Within the Senate, the rules for the 109th Congress assigned general jurisdiction over DHS to the Governmental Affairs Committee and renamed it the Homeland Security and Governmental Affairs Committee. The jurisdiction of the new committee covers roughly 38 percent of the DHS budget.⁴

Several of the largest DHS agencies, including the Transportation Security Administration, the Border Patrol component of the Bureau of Customs and Border Protection, the Federal Law Enforcement Training Center, and the Secret Service, fall outside of the new committee's jurisdiction. The committee shares oversight of several DHS components, including Citizenship and Immigration Services with the Judiciary Committee and Foreign Relations Committee; of Immigration and Customs Enforcement with the Judiciary Committee; and of the Federal Emergency Management Agency with the Banking Committee and Housing and Urban Affairs Committee.

⁴ Walter Pincus, "Congress Resists Key Recommendation of 9/11 Panel," *Washington Post* (1 January 2005).

ANALYSIS OF POLICY OPTIONS FOR CONGRESSIONAL LEADERS

As illustrated by the conflicts of the 108th Congress, congressional leaders face the daunting task of creating an oversight model for a department comprised of many formerly disparate parts with varied missions and policy focus areas. Congressional expertise and historical relationships vis-à-vis the agencies are similarly dispersed among members and committees. In addition to challenges within Congress, leaders of the new department face centrifugal forces inside of DHS agency bureaucracies that obstruct the integration and coordination efforts for which Congress created the new department.

Recognizing these challenges, Senate and House leaders partially consolidated jurisdiction over DHS in the authorization committee structure for the 109th Congress. This section of the report evaluates the three approaches available to congressional leaders for the 110th Congress. Brief overviews of each approach are provided below. The sections following the brief overviews review the criteria for analyzing each approach, describe the approaches in more depth, and apply the criteria to each one.

Maintain Current Models In Use During 109th Congress—Congressional leaders might choose to keep the Senate and House models that resulted from the recent reforms. Selecting this option avoids another round of contentious reforms but may leave a suboptimal model in place.

Consolidate Jurisdiction Over DHS Homeland Security Functions—The component agencies of DHS pursue a wide range of missions beyond the department's core homeland security mission. Congressional leaders might choose to consolidate jurisdiction over the homeland security functions its agencies perform and leave oversight of the department's non-homeland security functions unchanged. This

approach would result in moderate changes in the House and considerable changes in the Senate, mobilizing the opposition from the previous round of reforms.

Consolidate Jurisdiction Over the Department—Congressional leaders might decide to operate based on a rebuttable presumption of jurisdiction over DHS being consolidated into one authorization committee in each house. The underlying assumption of this approach is that compelling benefits exist to having consolidated oversight for an organization despite its multiple missions. Selecting this option might clarify jurisdictions and enable Congress to provide clear direction to DHS but would considerably fragment oversight of other policy areas and would inspire an even greater level of opposition from committee chairs suffering losses, agency officials, and other interests than the previous consolidation approach.

Analytical Framework for Policy Options

The optimal committee structure for DHS must enable Congress to fulfill its constitutional responsibilities by effectively and efficiently overseeing DHS's pursuit of its critical homeland security mission and the other missions of its component agencies. The optimal committee structure must also avoid adversely affecting Congress's ability to oversee non-DHS agencies and must not inspire insurmountable political opposition. Drawing from this assertion and the recent history of DHS oversight, this report uses the following five criteria as the basis for its analysis of the policy options available to Congress.

Intradepartmental Unity of Effort: Does the model assign jurisdictions to facilitate the coordination necessary for multiple, disparate programs to achieve DHS's strategic goals?—Achieving DHS's strategic goals requires coordination among the many formerly disparate programs within the department. An oversight model must support this unity of effort by enabling Congress to credibly set national homeland security strategy and coordinate efforts of relevant DHS programs. Figure 3 lists DHS's seven strategic goals.⁵

Figure 3: DHS Strategic Goals

"Awareness—Identify and understand threats, assess vulnerabilities, determine potential impacts, and disseminate timely information to our homeland security partners and the American public."

"Prevention—Detect, deter, and mitigate threats to our homeland."

"Protection—Safeguard our people and their freedoms, critical infrastructure, property, and the economy of our Nation from acts of terrorism, natural disasters, or other emergencies."

"Response—Lead, manage, coordinate the national response to acts of terrorism, natural disasters, or other emergencies."

"Recovery—Lead national, state, local, and private sector efforts to restore services and rebuild communities after acts of terrorism, natural disasters, or other emergencies."

"Service—Serve the public effectively by facilitating lawful trade, travel, and immigration."

"Organizational Excellence—Value our most important resource, our people. Create a culture that promotes a common identity, innovation, mutual respect, accountability and teamwork to achieve efficiencies, effectiveness, and operations synergies."

Interdepartmental Unity of Effort: Does the model support or unduly fragment coordination between DHS and non-DHS agencies for homeland security and other policy area goals?—The components of DHS work with agencies outside of the department for homeland security issues and issues in other policy areas. Efforts to redraw jurisdictional lines that focus on the unity of effort within DHS might consequently fragment oversight for responsibilities jointly held by DHS and non-DHS agencies that require interdepartmental collaboration.

⁵ U.S. Department of Homeland Security, *Securing Our Homeland: U.S. Department of Homeland Security Strategic Plan* (February 2004).

Jurisdictional Clarity: Does the model provide clear lines of program jurisdiction?—While the unity of effort criteria examine where Congress draws the jurisdictional lines, this criteria emphasizes the clarity and permeability of the jurisdictional lines. Congress might draw lines that all of the members clearly understand and adhere to but that might either fragment or unite department effort. If Congress draws lines based on underlying principles of policy area coherence, jurisdictional clarity would likely coincide with unity of effort. If Congress draws lines based on its internal institutional politics, jurisdictional clarity might not coincide with unity of effort.

Drawing clear lines of jurisdiction minimizes duplication of congressional efforts and the efforts of agency officials to facilitate congressional oversight. Clear jurisdictional boundaries minimize possible related "turf" conflicts among congressional committees, which disrupt the legislative process and foster ill-will among members of Congress. As a large deliberative body that deals with a host of complex issues, members of Congress must often justifiably wage jurisdictional battles. That said, as a new department with evolving responsibilities in a new policy area, DHS inherently offers a greater opportunity for conflict than other organizations or policy areas.

Development of Congressional Homeland Security Expertise: Does the model enable members of Congress to develop homeland security expertise?—During their tenure, members of Congress develop expertise that greatly helps them to address complex policy issues that arise. The concept of homeland security policy in the U.S. is relatively new and is still evolving. An oversight model must develop members' understanding of emerging homeland security threats and how DHS and other agencies might respond to those threats.

Political Feasibility: Do political barriers prohibit the implementation of the policy option?—Evaluating an oversight structure for DHS must weigh how effectively it manages America's homeland security resources above all other factors. That said, political barriers may prohibit an option, recommend one option of equal benefit over another, or inform how the option must be argued for and implemented.

Agency Examples in the Analysis of Options

The analysis of options cites agency examples to support its points. The analysis does not permit restricting the pool of examples to a small number of agencies, due to the range of points it uses the examples to illustrate and the complex nature of DHS and its congressional oversight. That said, the following agencies serve as examples numerous times throughout the analysis section:

- Citizenship and Immigration Services;
- Coast Guard;
- Customs and Border Protection;
- Federal Emergency Management Agency;
- Federal Law Enforcement Training Center;
- Transportation Security Administration.

The section on the reorganization of the executive branch on page 5 and the two appendices at the end of the report provide background information for the agencies, such as location within the DHS organizational structure and the agency pre-DHS parent department.

Policy Option #1: Maintain Current Models in Use During the 109th Congress

In response to the inadequacies of the committee structure for the 108th Congress, leaders in the Senate and the House adopted a new and more consolidated jurisdictional model. In the Senate, leaders formally added general oversight of homeland security

policy and of DHS to the Committee on Governmental Affairs and renamed it the Committee on Homeland Security and Governmental Affairs (HSGAC). The Committee on Governmental Affairs established significant ties with DHS, because it held responsibility for the creation and processes for integrating the new department. In addition to its homeland security responsibilities, the committee oversees the U.S. Postal Service, intergovernmental relations, the federal civil service, financial management, and several other policy areas.

As noted in the background section of the report, HSGAC's jurisdiction over DHS only covers 38 percent of the DHS budget. Agencies under HSGAC's jurisdiction are the Science and Technology directorate, the Information and Infrastructure Protection directorate, the majority of the Emergency Preparedness and Response directorate, DHS management functions, the Office of the Secretary, the Office of State and Local Coordination and Preparedness, and most grant programs.

The Commerce, Science, and Transportation Committee retains oversight of the Transportation Security Administration and the Coast Guard. The Judiciary Committee retains oversight of the Secret Service, the Federal Law Enforcement Training Center, and Citizenship and Immigration Services.⁶

⁶ David Bates, "Congress Realigns Its Homeland Security Responsibilities," *GSN Magazine* (December 2004).

The Homeland Security and Governmental Affairs Committee shares oversight of several DHS components, including those listed below.⁷

- Immigration and Customs Enforcement with the Judiciary Committee and Finance Committee
- Customs and Border Protection with the Judiciary Committee and Finance Committee
- Federal Emergency Management Agency with the Banking Committee and Housing and Urban Affairs Committee

Under the reforms in the House, the Homeland Security Committee (HSC) holds primary jurisdiction over DHS with exceptions. Exceptions include Judiciary Committee oversight of the Secret Service, immigration policy, and non-border enforcement with respect to immigration and customs; Ways and Means Committee oversight of customs revenue responsibilities of Customs and Border Protection; and Transportation and Infrastructure Committee oversight of the Coast Guard. As previously discussed, committees that lost jurisdiction to HSC can require legislation from the Homeland Security Committee to pass through their committees before the full House may vote on it. Committee chairs have not yet expressed the extent to which they will use the option during this session of Congress.⁸

Intradepartmental Unity of Effort

The Senate's model significantly fails to assign jurisdictions to facilitate collaboration between DHS's disparate programs in their pursuit of its strategic goals.

⁷ Chris Strohm, "Study Outlines Senate Homeland Security Oversight," *Government Executive* (10 January 2005).

⁸ U.S. House of Representatives, H.R. 5 Adopting Rules for the One Hundred Ninth Congress (4 January 2005).

Jurisdiction over much of DHS and corresponding budget authority rests outside of HSGAC, which ostensibly serves as the central point for homeland security oversight.

The diffusion of authority undermines homeland security strategy development as well as holding DHS leaders accountable for program, agency, and departmental performance. For example, the secretary of DHS might determine that during the upcoming year terrorists will likely attempt to smuggle components for a chemical weapon into the country by partnering with major drug trafficking organizations. In order to prevent and be able to respond to such an attack, the secretary must coordinate efforts among the Information Analysis and Infrastructure Protection directorate, the Bureau for Customs and Border Protection, the Coast Guard, FEMA, TSA, and the Office of State and Local Coordination and Preparedness. In the Senate alone, the secretary must likely persuade at least four committees, their relevant subcommittees, and the Senate appropriations subcommittee on homeland security to both agree on the level of priority the secretary places on the threat and adopt compatible strategies for dealing with it.

Moreover, officials in the agencies listed might have their own assessment of priorities as well as established relationships with congressional allies, possibly further undercutting the secretary's efforts. In addition to competition between departmental officials and agency officials, the diffuse oversight might also undermine the authority of DHS officials to arbitrate between competing agency officials. For example, officials at FEMA and the Office of State and Local Coordination and Preparedness might seek to settle a dispute over a grant program for first responders by appealing to congressional allies rather than allowing the secretary to arbitrate a resolution.

The model in the House suffers from the same problems, albeit to a lesser extent than in the Senate. According the rules for the 109th Congress, the Homeland Security Committee possesses primary jurisdiction over much of DHS. That said, chairs of other committees retain enough influence to potentially derail actions by HSC. They retain the right to have legislation pass through their committees before the entire House can vote on it.

Chairs of several committees with which Chairman Cox competed remain on HSC, including Don Young, Chair of the Transportation and Infrastructure Committee; Tom Davis, Chair of the Government Reform Committee; Christopher Shays, Vice-Chair of the Government Reform Committee; and Mark Souder, Chair of the Criminal Justice, Drug Policy, and Human Resources Subcommittee. Although HSC benefits from their experience with homeland security, opportunities exist for them to promote the interests of the committees that they chair at the expense of HSC as occurred during the 108th Congress.

Interdepartmental Unity of Effort

The relatively strong roles of the non-homeland security committees in the current Senate and House models facilitate coordination between DHS components and the agencies outside of DHS with which they work. The unconsolidated model in the Senate particularly supports interdepartmental unity of effort. For example, the Commerce, Science, and Transportation Committee's retaining of the Transportation Security Administration and the Coast Guard strengthens the alignment of those agencies with the country's transportation policy. In the House, the extent to which committee chairs

choose to exercise their right to intervene in the Homeland Security Committee's oversight and the nature of that intervention will help to shape coordination between DHS and non-DHS agencies. Even if the committee chairs choose to take a generally non-interventionist approach, they would likely ensure that the Homeland Security Committee would not greatly deviate from the oversight that they provide to the non-DHS agencies.

Despite the positive contributions to interdepartmental unity of effort, the low level of intradepartmental unity of effort in the current models potentially undermines interdepartmental unity of effort. The architects of DHS did not design the department to contain every element of America's homeland security defenses. They designed DHS to provide a center of gravity for America's homeland security defenses, acting as a central body to set priorities and coordinate agencies within and outside of the department. The lack of homeland security policy coherence generated by the unconsolidated models mitigates the interdepartmental unity of effort that serves as their chief benefit.

Jurisdictional Clarity

The Senate's lack of aggressive consolidation has resulted in nominally clear lines of jurisdiction, reducing possible duplication of effort and jurisdictional conflicts. Much of the legislative and oversight activities for DHS's component agencies will continue much as they proceeded in the past. HSGAC's general responsibility for DHS might cause it to either duplicate effort or initiate jurisdictional conflict. The reforms place HSGAC in a weaker position to compete with other committees for jurisdiction, likely limiting the number of jurisdictional conflicts it would intentionally initiate.

That said, a small degree of effort duplication and jurisdictional conflicts is inevitable and even desirable among congressional authorization committees. Legislation typically covers many broad and complex policy areas that require the expertise of more than one committee. Congressional committees also might represent different groups with an interest in the legislation, allowing for each group to participate in its creation.

Within the House, the January 2005 reform clarified lines of primary jurisdiction among committees. The new rules largely organized jurisdictions along the lines of homeland security activities versus non-homeland security activities. That said, individual agencies within DHS participate in both types of activities, causing opportunities for conflict between committees. For example, the Bureau of Citizenship and Immigration Services must both eliminate the large naturalization application backlog and partner with the FBI to conduct thorough criminal background checks and other security measures. The degree to which other models can avoid such duplications of effort and conflicts, if at all, will inform how well this model meets the criterion.

The extent to which committee chairs use the option to contribute to and potentially hold up HSC legislation will play a large role in determining how well the current model meets the clear lines of jurisdiction criterion. The committee chairs will most likely use it in moderation, knowing that the House leadership has sided with consolidating authority. Nonetheless, extent to which committee chairs use the option will remain far from certain until later in the current session.

Development of Congressional Homeland Security Expertise

The *status quo* models use the considerable amount of policy expertise currently held by members of Congress and congressional staffs. That said, the policy expertise typically focuses on narrow areas of homeland security, such as transportation security or border protection. Despite the significant short-term costs of moving away from the *status quo* models, the lack of development of congressional homeland security expertise in the long-run represents a notable drawback of the models.

Although specialization is less important in the relatively small Senate than in the House, the current model in the Senate offers inadequate opportunities for senators to develop expertise in homeland security. Since so many committees share oversight over DHS, senators cannot obtain a comprehensive view of DHS programs and how all of them interact and contribute to America's security.

Assigning individual senators to committees with significant involvement in DHS and homeland security could help to remedy this flaw. Currently, only four of the sixteen HSGAC members serve on either of the two committees with significant DHS oversight, Judiciary Committee and the Commerce, Science, and Transportation Committee. That said, doing so would constrain the ability of senators to gain committee assignments of most interest to constituents. Placing a large number of senators from competing committees in HSGAC also runs the risk of them subverting HSGAC to benefit the other committees.

HSGAC's large number of pre-existing responsibilities might prevent members from focusing on homeland security enough to fully develop expertise in it. Its three subcommittees are Federal Financial Management, Government Information, and

International Security; Investigations; and Oversight of Government Management, the Federal Workforce, and the District of Columbia. It does not have any subcommittees specific to homeland security.

In the House, where specialization plays a larger role, the relative concentration of homeland security activities in HSC allows its members to develop greater homeland security expertise. HSC effectively functions as the central forum on homeland security and DHS matters, even though some matters fall outside of its primary jurisdiction.

HSC's subcommittees allow members to further specialize in homeland security policy without being confined to traditional policy silos. Its subcommittees are provided below:

- Prevention of Nuclear and Biological Attack;
- Intelligence, Information-Sharing, and Terrorism Risk Assessment;
- Economic Security, Infrastructure Protection, and Cyber-Security;
- Management, Integration, and Oversight;
- Emergency Preparedness, Science, and Technology.

Among these specialized subcommittees, members maintain closer relationships than would be the case across different committees, such as HSC and Transportation and Infrastructure. The closer relationships enable members to share knowledge and collaborate in setting policy and allocating resources.

Political Feasibility

As the *status quo* model, no political barriers to its implementation exist beyond the Senate and House leaving the rules unchanged for the remainder of the 109th Congress and for the 110th Congress. Obstacles for passing the rules again might include

poor oversight of DHS with demonstrably negative results, major conflict over homeland security legislation between committees, or dedicated advocacy for change by consolidation proponents.

Policy Option #2: Consolidate Jurisdiction Over DHS Homeland Security Functions

Under this model, Congress would re-assign jurisdiction over activities and programs of a primarily homeland security nature to HSGAC and HSC, leaving the remaining jurisdiction of DHS in its current form. The underlying assumption of this model is that consolidation of jurisdiction over homeland security programs and activities yields net benefits but that a complete consolidation of jurisdiction over DHS is unnecessary. The benefits center around the greater ability of a small group dedicated to a common purpose overseeing and guiding a collection of activities or programs pursuing the same purpose.

Although the president and Congress established DHS with the overarching mission of preventing and responding to terrorism, the component agencies of DHS carry out numerous missions that are not primarily of a homeland security nature. DHS agencies with non-homeland security elements to their missions include the Coast Guard, the Federal Law Enforcement Training Center, FEMA, Customs and Border Protection, Citizenship and Immigration Services, and the numerous national laboratories.

The current model in the House largely parallels this model with exceptions, including several programs and the potentially significant influence of former committees of DHS components under the legislative history language. The Senate did not organize

itself according to the assumptions of this model. As previously discussed, committees other than HSGAC hold jurisdiction over many homeland security functions within DHS.

Intradepartmental Unity of Effort

Consolidating the homeland security functions of DHS under HSGAC and HSC would significantly improve the ability of Congress to understand the DHS agencies that contribute to homeland security and to provide more informed oversight and legislation. DHS officials would have a clear sense of which members of Congress would help them to set the direction of the department and make corresponding resource allocation decisions.

Despite the consolidation of jurisdiction over homeland security functions, many non-homeland security functions remain inextricably linked, leaving a considerable amount of influence with the committees overseeing the non-homeland security functions. For example, Citizenship and Immigration Services primarily processes immigration applications, provides immigrant benefits, and adjudicates related matters, in addition to assisting in preventing the entry of dangerous individuals into the U.S. Many non-homeland security functions that the bureau performs affects how it partners with the intelligence and law enforcement communities to prevent terrorism. Since the judiciary committees in each house would have jurisdiction over the non-homeland security functions of the bureau, they could either intentionally or unintentionally greatly affect its homeland security functions.

Interdepartmental Unity of Effort

The intradepartmental unity of effort gained by consolidating homeland security oversight under this model would result in a moderate degree of oversight fragmentation for policy areas that intersect with homeland security, such as transportation, disaster response, public health, and information technology. That said, the sum of the intersections between those areas and homeland security is relatively small for those areas but quite large for homeland security. Including the intersections in homeland security oversight is essential for coordinating the multiple agencies involved, whereas removing the intersections from oversight of the other policy areas is far from debilitating.

Jurisdictional Clarity

The model provides the homeland security versus non-homeland security test to draw clear lines of jurisdiction. As previously discussed, one cannot always easily distinguish between homeland security and non-homeland security functions. Determining the nature of the functions of DHS's component agencies requires negotiation and accommodation by the committees involved. Although such cooperation is not impossible, the recent history of DHS congressional oversight reveals opportunities for conflict. As a deliberative body, Congress cannot fully avoid opportunities for unproductive conflict, but a model that provides less opportunities for it holds an advantage over other models.

Development of Congressional Homeland Security Expertise

The model enables the members of HSGAC and HSC to develop specialized homeland security expertise by forming relationships with DHS officials and focusing a greater degree of their time on the homeland security activities of DHS and how they work with agencies outside of the department. The ability of other committees to retain oversight of pieces of DHS also enables members outside of HSGAC and HSC to gain some understanding of how the department operates and how its non-homeland security functions interact with its homeland security functions.

Despite its long-term benefits, the model entails significant short-term costs in the loss of policy knowledge focused on the traditional policy areas, such as transportation or immigration. The members of Congress and congressional staffs with that expertise would likely not transition to the consolidated committees. In the recent consolidation in the House, the leadership included members of Congress with useful policy expertise, in order to mitigate the short-term costs of knowledge loss. Due to the size constraints for a committee, this mitigation tactic has natural limits.

Political Feasibility

As demonstrated by recent consolidation efforts, significant political barriers to implementing a consolidated model exist within and outside of Congress. Members of Congress, drawing from recommendations of the 9/11 Commission and a large number of outside experts, attempted to consolidate congressional committee jurisdictions around homeland security to parallel the reorganization of the executive branch agencies into DHS. Consolidation efforts within the appropriations committee succeeded, while efforts

in the House met with nominal success as previously described. In the Senate, the influence of chairs of committees that might suffer losses thwarted proponents of consolidation.

For the implementation of this model, members in both houses who would lose jurisdiction would argue that their accumulated expertise and well-developed agency relationships outweigh the benefits of consolidation, that consolidation might create redundancy, and that it would adversely fragment interdepartmental unity of effort.

Beyond those professed arguments, the power dynamics in the Senate versus the House create different political barriers. Individual senators can exert greater influence and independence than representatives. Each senator can halt activity with a filibuster that only a sixty-vote or greater majority can overcome. Senators only need to rely on their parties to marshal re-election resources once every six years. The collegial environment of the hundred-person Senate also inhibits substantial reforms that might harm senior members.

In the House, the support of the relatively powerful Republican leadership resulted in the relative success of past consolidation efforts. Future consolidation efforts would undoubtedly require continued support from the Republican leadership. House leaders, particularly the speaker, majority party leader, and majority party whip, possess institutional and informal means of securing the fifty percent majority necessary to firmly control the House. House leaders have demonstrated support for consolidated control for DHS but may prove reluctant to place it on the Rules Committee agenda and divert political capital away from other priorities barring any dramatic conflict as occurred during the 108th Congress.

Committee chairs in the House hold considerable power by managing the oversight and legislation that goes through their committees. House leaders rely on committee chairs to support the legislative priorities of the party. Despite the dominance of the House leadership, achieving the reforms for the 109th Congress required HSC to concede to the committees that lost jurisdictions the ability to require legislation to pass through them before a vote of the entire House.

Entrenched interests within and outside of the agencies, such as agency clients or unions, who have congressional allies in their committees would also oppose further consolidation. Although the interests outside of Congress would only indirectly influence the debate, a relatively small amount of pressure might bolster opponents of consolidation enough to defeat it.

Policy Option #3: Consolidate Jurisdiction Over the Department

Under this model, all of the activities DHS performs would fall under a single authorization committee in each house of Congress with few exceptions. This model rests on the premise that consolidation of jurisdictions over a particular organizational unit with a single overarching mission offers net benefits in terms of effectiveness and efficiency for Congress's oversight and legislative responsibilities.

Assigning jurisdictions under this approach would operate under the rebuttable presumption that primary jurisdiction of a particular program or activity within DHS would fall to HSGAC in the Senate and HSC in the House. In order to offset the benefits of consolidation, proponents of allocating authority over a program or activity to a different committee would need to prove compelling relevance to the rest of the

petitioning committee's portfolio and prove that the change would not appreciably undermine the ability of HSGAC and HSC to fulfill their oversight and legislative responsibilities.

Examples of programs or activities that might fall outside of HSGAC and HSC include customs revenue and the Federal Law Enforcement Training Center. Customs revenue, currently under the Senate Finance Committee and the House Ways and Means Committee, directly affects commerce and government revenue. Establishing customs policy outside of HSGAC and HSC does not overly hinder their functioning. Altering customs policy might conceivably alter how the Bureau of Customs and Border Protection operates. That said, most probable changes to customs policy would have relatively minor effects on the bureau's homeland security efforts. In the less likely case of a significant change in customs policy, HSGAC, HSC, the Senate Finance Committee, and the House Ways and Means Committee could work together to minimize any adverse effects on homeland security.

The Senate and House judiciary committees' portfolios justifiably cover the Federal Law Enforcement Training Center. The center provides law enforcement training to federal, state, and local law enforcement professionals across all career levels. The center must incorporate homeland security into its training. HSC and HSGAC might conduct hearings on homeland security training but do not require primary jurisdiction over the center to either ensure adequate training or to oversee the rest of DHS. Due to the functions that the center performs, rather than bureaucratic opposition to integration within DHS, the center operates largely independently of DHS's homeland security functions.

Immigration and naturalization policy, over which neither HSGAC or HSC hold primary jurisdiction, would most likely not overcome the rebuttable presumption of consolidation. The portfolio of the judiciary committees in each house holds jurisdiction over the administration of justice in federal courts, general law enforcement, and any legislation that involves criminal or civil penalties. Considering the role of immigration policy vis-à-vis the 9/11 hijackers and continuous opportunities for Citizenship and Immigration Services to protect against terrorists, HSGAC and HSC possess a strong claim on jurisdiction over it even without the presumption of consolidation.

Opponents of placing immigration policy under HSGAC and HSC might argue that the homeland security aspect of immigration policy must not overshadow its social and economic aspects. The architects of DHS made CIS a freestanding agency that reports directly to the secretary to avoid the security emphasis that placing it in the Border and Transportation Security directorate would cause. Throughout homeland security policy areas, HSGAC and HSC exercise an understanding of the trade-offs security entails and could do so in the case of immigration policy.

Intradepartmental Unity of Effort

The concentration of jurisdiction over nearly all of DHS's programs within a single authorization committee in each house would facilitate collaboration between them in their pursuit of DHS's strategic goals. A single committee could partner with DHS to evaluate and update its strategic goals and provide oversight toward the pursuit of those goals among its agencies.

If a member of Congress or the Secretary of DHS had a pressing issue, a single committee in each house would offer a central locus in which to address the issue as expeditiously and effectively as needed, similar to the role the armed services committees serve with respect to the Defense Department. Members of the committee would have a well-developed understanding of the complex web of homeland security and DHS programs, which would enable them to better address the issue of concern to the member or secretary.

A single committee would minimize the possibility of agency heads attempting to circumvent senior DHS officials' authority or the authority of another congressional committee. Undoubtedly, relationships will develop between agency heads and members of the HSC and HSGAC under this model that the agency heads might leverage. This phenomena frequently occurs between the Defense Department and the armed services committees. That said, consolidating authority into a single committee would force conflicting interests to debate within a single forum and develop a resolution, whereas conflicting interests appealing to different committees might result in conflicting congressional decisions.

Interdepartmental Unity of Effort

The strong rebuttable presumption in favor of placing oversight of a given DHS component in HSGAC or HSC presents the possibility of significant fragmentation of interdepartmental unity of effort. This model would sever ties between the entire immigration apparatus within DHS and the law enforcement agencies within the Justice Department, hindering coordination between the two groups. The weak

interdepartmental unity of effort of this extreme consolidation model reveals the trade-off between consolidating oversight over DHS and fragmenting oversight of the homeland security and non-homeland security activities not solely within the department. Due to the inherent trade-offs, a model that favors either extreme will likely not maximize the potential benefits of intradepartmental and interdepartmental coordination.

Jurisdictional Clarity

Creating a strong presumption that jurisdiction over DHS falls within a single authorization committee in each house would clarify lines of jurisdiction. Jurisdiction would only fall outside of HSGAC and HSC when representatives of other committees successfully persuade the rules committees in each house that its desired exception meets the criteria. Thus, the lines of jurisdiction would result from a deliberate analysis based on transparent criteria of the impact of shifting jurisdiction over a specified area away from HSGAC and HSC. The criteria used precludes shifting jurisdiction away from the homeland security committees unless the distinction between the program or activity and homeland security is compelling.

Development of Congressional Homeland Security Expertise

The concentration of oversight into a single committee in each house exacerbates the short-term knowledge loss discussed under the previous option but enables the committee members to develop a deeper understanding of DHS's operations than the current models in the Senate and the House. The House model comes close to matching

this model in terms of consolidation and the benefits of it with regard to member expertise.

Nonetheless, the higher level of consolidation under this model includes a greater amount of DHS programs and activities, enabling HSC and HSGA to better understand how DHS pursues the overarching homeland security mission and the non-homeland security missions of its components. The consolidated committees can provide effective oversight to the components of DHS that pursue non-homeland security missions by developing niches of relevant expertise and leveraging their understanding of broader organization in which the component agencies operate.

Political Feasibility

This model largely shares the political barriers to implementation that confront the previous consolidation model, although this model would encounter them to a much greater extent. Under this model, a larger number of agencies, programs, and activities would fall under HSGAC and HSC at the expense of other committees, eliciting fiercer political opposition from committee chairs, agency allies, and related interests, such as unions and agency clients. Moreover, many members of Congress without vested interest in the matter might not believe that arranging oversight around the department as an organization is worth the turmoil and interdepartmental unity of effort fragmentation. For those members, organizing oversight for DHS around homeland security as in the previous model offers consolidation benefits without the political costs.

RECOMMENDATIONS FOR CONGRESSIONAL OVERSIGHT OF DHS

Congress faces the challenge of overseeing a large and complex department that it established to address the emerging threat of terrorism to U.S. domestic security. Prior to the creation of the new department, Congress provided oversight through 88 committees and subcommittees to the department's component agencies. Despite early concerns of the diffusion of authority over DHS, proponents of the *status quo* argued against the need for drastic change, claiming that reforms would complicate oversight and disrupt well-developed relationships between committees and agencies. The modest reforms that Congress enacted failed to prevent the fierce jurisdictional conflicts of the 108th Congress over homeland security, which greatly strained and bewildered DHS officials.

For the 109th Congress, Congress responded to the jurisdictional conflict and unclear oversight by enacting reforms to consolidate authority over DHS. Each house followed different approaches to the consolidation. The House consolidated jurisdiction over most of the homeland security functions of DHS but left committee chairs who had suffered losses with significant influence over related legislation. The Senate consolidated the new jurisdictions that resulted from the department's creation, such as the Office of the Secretary, and left the remaining jurisdictions largely unchanged. Neither house chose to heed calls to consolidate jurisdiction over virtually the entire department as is the case for the Department of Defense, due in large part to substantial opposition over the more modest reforms.

The final section of the report recommends a course of action based on the analysis of the options available to congressional leaders for structuring DHS oversight for the 110th Congress.

Selection of Approach for Congressional Oversight Structure

Figure 4: Policy Option Matrix

Policy Option	Intra. Unity of Effort	Inter. Unity of Effort	Jurisdictional Clarity	Expertise Development	Political Feasibility
Maintain Current Structure	C	B+	C+	B-	A-
Consolidate based on Homeland Security	A-	B	B	B+	B
Consolidate based on Department	A	C+	B+	B+	C-

Based on the analysis of each approach against the selected criteria, consolidating jurisdiction over the homeland security functions of DHS provides the best model for overseeing DHS. Maintaining the *status quo* considerably fails to facilitate unity of effort among the components of DHS and will likely foster duplication of effort and jurisdictional conflict due to unclear lines of jurisdiction.

Consolidating jurisdiction over the entire department with few exceptions would result in slightly better intradepartmental unity of effort and clearer lines of jurisdiction than consolidating jurisdiction over the homeland security functions. Despite its slight advantage vis-à-vis the benefits of consolidation, the model presents serious political challenges and unduly harms the ties between DHS and other departments. Members of Congress with a vested interest in the *status quo* would mount significant political opposition against such a comprehensive consolidation. Members of Congress without a vested interest in the debate would likely fail to see the benefits of full consolidation as justifying the political turmoil among and costs to their colleagues.

Intradepartmental Unity of Effort Comparison

The intradepartmental unity of effort criterion measures the ability of the proposed model to enable Congress to direct the multiple and disparate programs of DHS toward its strategic goals of preventing and responding to terrorism. The second option, consolidating jurisdiction over DHS's homeland security functions, provides nearly as much unity of effort as the third option, consolidating jurisdiction over the entire department into a single committee in each house. Although numerous DHS functions, such as immigration policy, indirectly impact its homeland security activities, the unequivocal assignment of responsibility for DHS's homeland security mission to HSGAC and HSC would give them significant leverage in any conflict with another committee that might arise.

Maintaining the *status quo* performs very poorly against the intradepartmental unity of effort criterion. Under its current diffusion of authority, the Senate cannot direct the components of DHS toward a common purpose of domestic security. Even under the House model, consolidation of jurisdiction over homeland security functions within DHS suffers the severe handicap of other committees potentially significantly curbing HSC's ability to write legislation and send it to the House floor for a vote.

Interdepartmental Unity of Effort Comparison

DHS agencies must work with agencies outside of the department to pursue goals in homeland security and other policy areas. Consolidating oversight of homeland security functions within DHS serves as a midpoint between the extremes of limited consolidation under the current models and the extreme consolidation of the third policy

option, offering consolidation benefits without unduly harming coordination between DHS and non-DHS agencies. Moreover, consolidating oversight of the homeland security functions within DHS strengthens interdepartmental unity of effort by providing a center of gravity in the chaotic homeland security arena for agencies within and outside of the department. The homeland security committees in the Senate and House can serve the vital function of setting the general direction for homeland security policy while allowing the participation of other committees.

Jurisdictional Clarity Comparison

Clear lines of jurisdiction reduce duplication of effort and jurisdictional conflicts within Congress. Although the distinction between homeland security and non-homeland security functions is not always clear, it provides a reasonable foundation for negotiating clear lines of jurisdiction among the relevant committees. The rebuttable presumption in favor of assigning jurisdiction over DHS to a single committee in each house would likely result in clearer lines of jurisdiction, albeit at the cost of powerful committee chairs and other groups. The current lines of jurisdiction in Congress appear somewhat clear, but the blurry limits of HSGAC's jurisdiction and the opportunity for encroachment of HSC's jurisdiction by other committees undermine the attempts at jurisdictional clarity made during the recent reforms.

Homeland Security Expertise Development Comparison

The development of homeland security expertise among members of Congress enables them to provide better oversight to DHS and for homeland security policy, in

general. The consolidation of jurisdictions into a single committee in each house in the second and third options would provide the opportunity for a dedicated group of members to learn about the components of DHS and how they work together to pursue DHS's homeland security mission. Despite the short-term costs of knowledge loss, the long-term benefits of homeland security expertise recommend consolidation over the *status quo* models. The Senate *status quo* models reinforces the fragmented view of homeland security with the members of each committee understanding their narrow piece of homeland security but failing to fully understand how all of the pieces work together.

Political Feasibility Comparison

The political feasibility of a policy option broadly outlines the boundaries in which options have a reasonable chance of implementation and informs how proponents of options within those boundaries might implement them. Consolidating jurisdiction of DHS's homeland security functions falls within the boundaries of political feasibility, although the past reform efforts demonstrate that significant obstacles stand in the way of its implementation.

Consolidating jurisdiction of much of the department falls much more closely near the boundaries of political feasibility. The significant opposition mobilized by committee chairs and other interested groups, in addition to the ambivalence of members outside of the debate initiating such political turmoil for arguably little more gain than the second option offers, would impose nearly prohibitive obstacles to prospective proponents of the third option.

Maintaining the current model has the benefit of most likely offering the fewest political obstacles. That said, its poor performance against the other criteria preclude its selection as the recommended option. The number of political obstacles that maintaining the current models faces will rise as its flaws become apparent during the 109th Congress.

Overcoming Barriers to Implementation

Consolidating jurisdiction over the homeland security functions of DHS into a single committee in each house faces considerable political obstacles in the form of powerful committee chairs, agency officials with well-developed relationships with their current committees, and other vested interests. Although obstacles to change exist in both houses, the opponents in the Senate will prove more difficult to overcome, particularly due to their recent success at avoiding reform.

Overcoming those obstacles will entail effectively persuading congressional leaders and other members of Congress that the current arrangement harms Congress's ability to guide the country's homeland security efforts. Visible conflict as had occurred during the 108th Congress would assist proponents in their efforts. Proponents could also draw support from past and current DHS officials, the 9/11 Commission, and other independent panels of experts that support consolidation of oversight.

Ultimately, the victory of reform proponents will rest on their ability to demonstrate that the fragmentation of homeland security efforts that contributed to the success of the 9/11 attacks remains in existence in Congress, due to a small but powerful group who are unwilling or unable to see the threat that the *status quo* poses to America's security.

Appendix A:⁹

PRE-EXISTING COMPONENT AGENCIES & PARENT DEPARTMENTS

DEPARTMENT	AGENCY	DHS DIRECTORATE
AGRICULTURE	Animal & Plant Health Inspection Service	BTS (CBP)
	Plum Island Animal Disease Center	S&T
COMMERCE	Critical Infrastructure Assurance Office	IAIP
	Integrated Hazard Information System	EPR
DEFENSE	National Bio-Weapons Defense Analysis Center	S&T
	National Communications System	IAIP
ENERGY	Environmental Measurements Laboratory	S&T
	Lawrence Livermore National Laboratory	S&T
	National Infrastructure Simulation & Analysis Center	IAIP
	National Nuclear Security Administration	S&T
	Nuclear Incident Response Team	FREE
	Oak Ridge National Laboratory	S&T
	Office of Biological & Environmental Research	S&T
	Office of Energy Assurance	IAIP
Office of Security	IAIP	
FREE-STANDING	Federal Emergency Management Agency	EPR
GENERAL SERVICES ADMINISTRATION	Computer Incident Response Center	IAIP
	Office of Federal Protective Service	BTS
HEALTH & HUMAN SERVICES	Metropolitan Medical Response System	EPR
	National Pharmaceutical Stockpile Program	EPR
	National Disaster Medical System/Office of Emergency Preparedness	EPR
JUSTICE	Domestic Emergency Support Team	EPR
	Immigration & Naturalization Service	FREE/BTS
	National Infrastructure Protection Center	IAIP
	National Domestic Preparedness Office	EPR
	Office of Domestic Preparedness	EPR*
TRANSPORTATION	Coast Guard	FREE
	Transportation Security Administration	BTS
TREASURY	Federal Law Enforcement Training Center	BTS
	Secret Service	FREE
	Customs Service	BTS

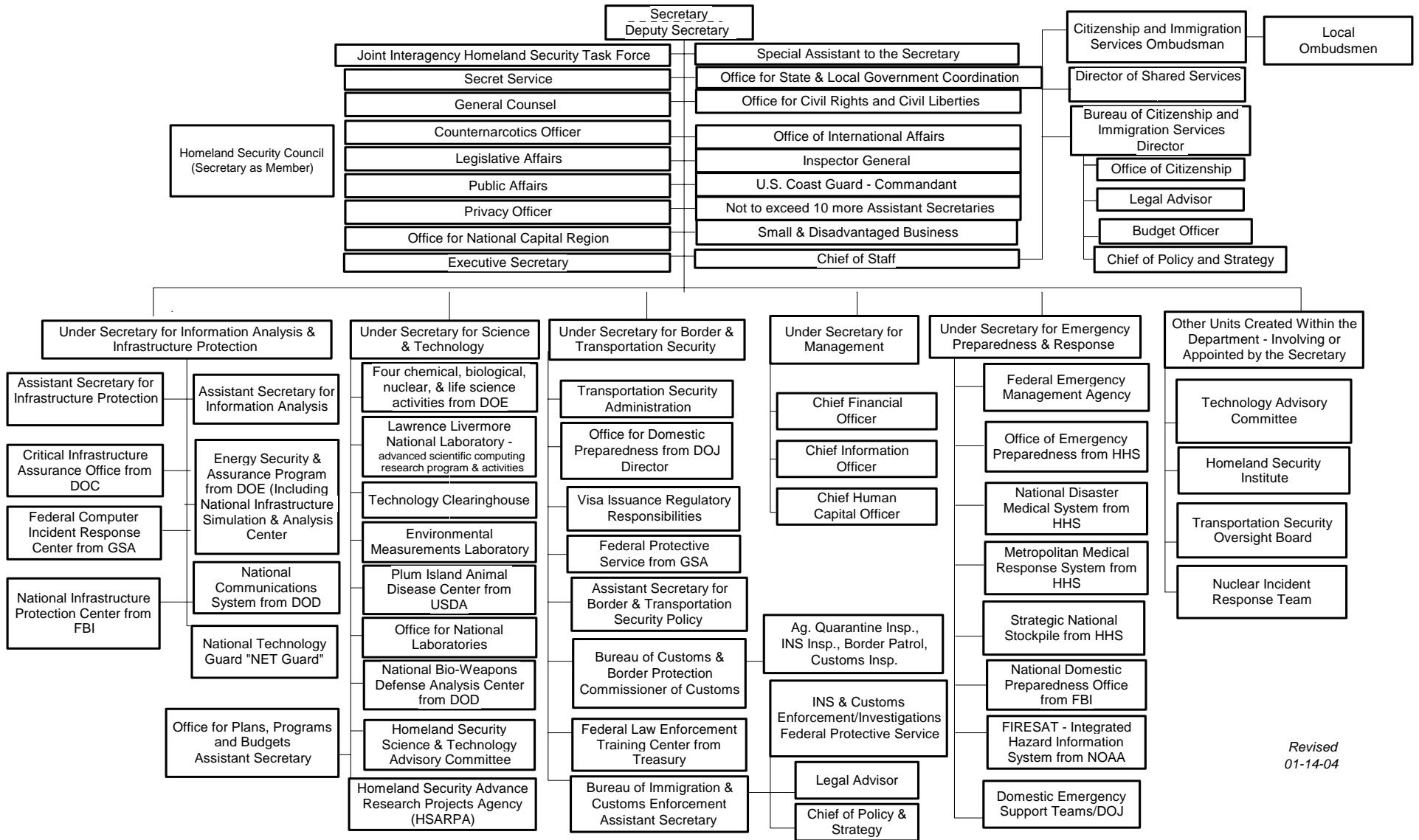
*Office of Domestic Preparedness merged into the free-standing Office of State and Local Coordination and Preparedness.

⁹ C-SPAN, Department of Homeland Security Reorganization, www.cspan.org/homelandsecurity/chart.asp [Accessed March 2005].

Appendix B:

Source: Sharon S. Gressle, Department of Homeland Security Organizational Chart, Congressional Research Service (14 January 2004). CRS-3

Department of Homeland Security — Organization Chart



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