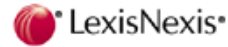




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[Homeland Security Experts Weigh in: Obama's Best Move in 2009?](#)

By Rob Margetta, CQ Staff

With the new year beginning, it's time once again to take stock of how homeland security fared in 2009 and what could be in store in 2010. CQ Homeland Security contacted more than two-dozen leaders and thinkers in the field to ask three simple questions: What was the best move the Obama administration made in homeland security in 2009, what was the worst move, and what is the biggest challenge the administration faces in 2010?

The answers are as varied as homeland security is diverse. Some were colored by the attempted bombing of Northwest Airlines Flight 253 on Christmas Day.

In this first installment of a three-part series, respondents answered the question, what is the best move the Obama administration made in homeland security in 2009?

Former DHS officials

- **Stewart A. Baker**, former assistant secretary for policy at the Department of Homeland Security, currently a partner at the law firm Steptoe and Johnson LLP: "In general, DHS had the least partisan and least divisive transition of any major department (other than the Department of Defense, where the secretary actually stayed in office). In particular, DHS continued to aggressively pursue U.S. security interests internationally, implementing a passport requirement at the Canadian land border and successfully negotiating information sharing arrangements with several European countries."

- **Tom Blank**, former acting deputy administrator of the Transportation Security Administration, currently vice chairman at Wexler and Walker Public Policy Associates: "The best thing the Obama administration did this year was the launch of the Transportation Security Administration's Secure Flight program. This program represents a significant step forward in applying an intelligence- and risk-based capability to aviation security that supplements the scanning and detection measures put in place after 9/11. The second-best thing is that the Patriot Act has not been curtailed. This is evidenced by the disruption of several domestic terrorist plots such as the plan to blow up Grand Central Station in New York."

- **Asa Hutchinson**, former under secretary of homeland security and a founding partner of the business-consulting firm the Hutchinson Group: "The best move was to keep the basic structure of the Department of Homeland Security and to not make dramatic changes that disrupt the security efforts and deflate morale of those on the front line. Since the department was formed and the 22 agencies were merged into one, there have been significant organizational challenges. The department now has developed into a more mature and stable security organization with improved morale and increased pride. A massive reorganization by the new administration would have been harmful to the security of our country and diminished the effectiveness of the security agencies. It was a good move to build on the progress already made and not to dismantle a solid foundation."

- **Julie Myers Wood**, former assistant secretary for Immigration and Customs Enforcement and a

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founder of consulting firm Immigration and Customs Solutions, LLC: "Specific to immigration enforcement, the best move was prioritizing the continued expansion of the Secure Communities program, which is the ICE initiative to ensure criminal aliens are identified and processed for removal while they are incarcerated, and before they get back out on our streets. As the program expands and criminal aliens are identified throughout our penal system, the need for detention and removal funding will explode. I hope that the administration and Congress will make a long-term funding commitment to ensure that ICE is not forced to allow criminal aliens to be released back onto the streets."

- **Greg Garcia**, former DHS assistant secretary for cybersecurity and communications and a founder of the consulting firm Garcia Strategies, LLC: "Appointed Howard Schmidt as Cyber Coordinator."

Lawmakers

Rep. Peter T. King, R-N.Y., ranking member of the House Homeland Security Committee: "The best move the Obama administration made during 2009 was to support the extension of three critical intelligence-gathering tools: the roving wiretap and 'business records' production provisions of the Patriot Act, and the 'lone wolf' provision of the Intelligence Reform and Terrorism Prevention Act of 2004. The Obama administration has told Congress that these provisions provide critical investigative authorities to stop terrorists from killing Americans. I support the president in opposing liberal members of Congress who still operate in a pre-9/11 mindset and look forward to working in 2010 with the president to ensure these provisions are reauthorized permanently."

Leslie Phillips, spokeswoman for Sen. Joseph I. Lieberman, I-Conn., chairman of the Senate Homeland Security and Governmental Affairs Committee: "The administration's decision to keep DHS intact by rejecting calls to remove FEMA from the department."

Rep. David E. Price, D-N.C., chairman of the House Appropriations Homeland Security Subcommittee: "The new direction that has been charted on immigration enforcement: the focus on convicted criminals as the highest priority for deportation, the targeting and prosecution of egregious employment violators to address the magnet for economic immigrants, and the efforts to clean up the '287(g)' program [which authorizes local police to enforce federal immigration laws] by providing more oversight over local jurisdictions to ensure consistency in how the authority is implemented from place to place. Beyond these policy changes, the administration has made it clear that none will be sufficient without comprehensive legislation to reform the entire immigration system."

Rep. Harold Rogers, R-Ky., ranking member of the House Appropriations Subcommittee on Homeland Security: "Bolstering resources along the Southwest border to fight the spread and influence of the Mexican drug cartels. While I am pleased to see the administration is taking the threat posed by the cartels seriously, I was disappointed by the reluctance of many at DHS and the Justice Department to acknowledge the cartels' reach spans almost every American city -- their reach and presence is sadly without question. The surge in resources devoted to the Southwest border is a good start, but unfortunately I worry it is not sustainable and fear that DHS is just scratching the surface in this fight with the cartels -- a fight that has escalated to an all out-war with no end in sight."

Think Tank Analysts

- **Frank Cilluffo**, director of the Homeland Security Policy Institute at The George Washington University: "The best move may have been no move at all. During the pre-election period and subsequent transition, debate raged about whether the country would be better served by restoring FEMA's pre-9/11 status as an independent agency or to keep it within the Department of Homeland Security. At the end of the day however, sound policy prevailed over politics and the administration held firm against political pressure from its own party. Granted, FEMA's leadership must embrace that they are part of an all-hazards preparedness team -- that response and recovery complement preparedness and prevention -- whether responding to bad people, bad bugs or bad weather. But 2009 was simply not the time to be re-shuffling the deck chairs yet again and compel two separate agencies to compete for the same limited resources. Secondly, it is laudable that the administration recognized the significant role played by state and local law enforcement in securing the homeland with the establishment of program management offices to help support fusion centers and suspicious activity reporting. This emphasis on the tip of the spear -- namely intelligence-led and community-led policing -- is critical in identifying and preventing terrorism and radicalization."

- **Jena Baker McNeill**, homeland security policy analyst at the conservative-leaning Heritage Foundation: "The Obama administration should be applauded for keeping FEMA at the Department of Homeland Security, despite support for taking it out of the department within Congress, and having the guts to let Congress know that the 100 percent maritime scanning mandate wasn't going to happen by its legislative deadline. This scanning mandate doesn't contribute much to security but has a big impact on the private sector and the supply chain."

- **James Jay Carafano**, senior research fellow and director of the institutes of International Studies and Foreign Policy at the Heritage Foundation: "Keeping many of the Bush programs in place."

- **James Lewis**, director and senior fellow of the technology and public policy program at the Center



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for Strategic and International Studies: "They have a first-rate management team in place at DHS. The agency will be much stronger a year or two from now as a result."

- **Ben Friedman**, research fellow in defense and homeland security studies at the libertarian Cato Institute: "Secretary Napolitano's effort to stop hyping the terrorist threat deserves praise. Unfortunately, she continues to tell Americans to remain vigilant and avoid becoming complacent about the threat. Given the infinitesimal odds most Americans face of being killed by terrorists, complacency is probably the right attitude. The Department of Homeland Security should be vigilant, but citizens' vigilance results in paranoia, false leads and wasted time, not safety."

Security Consultants and Lobbyists

- **Christopher Battle**, partner at the Adfero Group: "Appointing a cyberczar."

- **Jessica Herrera-Flanigan**, partner at Monument Policy Group: "Appointing Janet Napolitano as DHS Secretary."

- **Randy Beardsworth**, a principal at Catalyst Partners: "The appointment of Janet Napolitano as secretary of Homeland Security. Secretary Napolitano carries on in the tradition of her two predecessors, which is particularly important for the development and strengthening of the department. She has political instincts from a state and local perspective, she has executive experience, and she has the intellect and ability to quickly absorb the other 'portfolio' items associated with the department. I don't think there was a better choice."

- **Rich Cooper**, principal at Catalyst Partners: "Getting Janet Napolitano to take the DHS Secretary's chair. Regardless of her poor choice of words following the Flight 253 attack about the system working, whoever the president selected for the secretary's job would face a steep learning curve in taking on the DHS job. Given her experience and familiarity with a number of the homeland-centric issues -- particularly with border and trade concerns, information sharing with states and locals, immigration, as well as emergency management -- she was able to slide into that seat easier than many others could. . . . The same goes for the selection of Craig Fugate to lead FEMA. There aren't a lot of people who can walk in on day one that have the grasp and command of emergency management issues and a have at their reach a nationwide network of people that he does. Like Napolitano, he 'gets it,' and there is a comfort in having that type of experienced leadership at the helm."

- **Mark C. Merritt**, former official at FEMA and founding partner at James Lee Witt Associates: "Selecting a career emergency-management professional with extensive state and local experience - Craig Fugate -- and allowing him the flexibility to reorganize FEMA along operational lines by bringing back the response and recovery missions under the same division the way it was when James Lee Witt was the FEMA Director."

- **David Olive**, principal at Catalyst Partners

"Secretary Napolitano's standing up to congressional pressure to implement 100 percent cargo scanning. Security decisions should be made on the basis of good intelligence and a clear understanding of the risk involved. Congress often does not understand the difference between 'threat' and 'risk' -- or at least does not make legislative decisions as if they understood it. Secretary Napolitano 'gets it' and we are all better off because of the decision she made early in her tenure."

Trade Association Officials

- **Alan Chvotkin**, executive vice president at the Professional Services Council, the trade association of the government professional and technical services industry: "For the department's missions, it is taking the DHS Quadrennial Homeland Security Review seriously and reaching out to all stakeholders for input. The internal 'efficiency reviews' also ensure DHS can control its own administrative actions."

- **Roger Dow**, president and CEO of the U.S. Travel Association: "We commend the Obama administration for taking strides to open dialogue and foster cooperation with the travel industry. Since the beginning of the H1N1 pandemic, Valerie Jarrett in the White House Office of Public Liaison has hosted meetings with representatives from the private sector. The administration took an overall measured approach in response to the H1N1 situation by not closing our borders despite pressure, listening to health experts, considering commerce and encouraging the American public not to panic. We'd like to see the administration continue to cooperate across departments and with the private sector in disaster and pandemic preparation. Thus far, the White House and executive agencies have been very willing to engage. Now we'd like to see them take it to the next level."

- **Colleen M. Kelley**, national president of the National Treasury Employees Union: "A number of events during 2009 impacted in positive ways NTEU-represented employees in the Department of Homeland Security. One was the long-overdue raising of the journey level to grade 12 on the general schedule for Customs and Border Protection officers and agriculture specialists. We continue to pursue this welcome change for other deserving employees in CBP. Along with that, NTEU is

pleased to see the beginnings of a more positive working relationship, as exemplified by our two meetings with senior leaders of the Transportation Security Administration, where we are currently organizing employees. These meetings provided a useful forum for discussions on a number of big-picture issues impacting this agency. On this subject, I also was pleased to see President Obama's issuance of an executive order establishing mechanisms to enhance labor-management collaboration. I also welcomed the good, solid nominations impacting CBP and TSA made by the White House from DHS Secretary Janet Napolitano and other DHS senior leaders. . . . Unfortunately, the confirmation of some of these well-qualified nominees has been delayed by some in the Senate."

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