



Make America Safer: Shut Down the Department of Homeland Security

By [Chris Edwards](#)

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Congress created the Department of Homeland Security (DHS) in 2002 by combining 22 agencies that are responsible for a vast array of activities. President George W. Bush promised that the new department would “improve efficiency without growing government” and would cut out “duplicative and redundant activities that drain critical homeland security resources.”

The president’s promise of creating a lean and efficient DHS did not materialize. The department’s spending doubled from \$27 billion in 2004 to \$54 billion in 2014. Its workforce expanded from 163,000 employees in 2004 to 190,000 by 2014. And far from being efficient, DHS agencies are some of the most poorly managed in the federal government.

DHS houses the Federal Emergency Management Agency (FEMA), Customs and Border Protection (CBP), Transportation Security Administration (TSA), Immigration and Customs Enforcement (ICE), Secret Service, and many other agencies. These agencies are known more for scandals than for high performance, and burying them within the DHS bureaucratic superstructure did not help matters.

This article explores three types of DHS failing: general mismanagement, misallocated investment, and civil liberties abuse. It argues that DHS should be closed down. Needed DHS agencies should be moved to other departments or should report directly to the president. Other DHS agencies, including FEMA and TSA, should be terminated because their services would be better provided by the states and private sector.

General Mismanagement

DHS has suffered from management failures since the beginning. It has long been on the Government Accountability Office (GAO)’s “high risk” list of troubled federal organizations. Employee surveys by the Partnership for Public Service have found that DHS is the worst department to work for in the government.

In October, *The Washington Post* reviewed a new survey of 40,000 DHS employees, and it found grim results. Only 42 percent of DHS employees said they are satisfied with the department, only 25 percent have a positive view of their leaders’ ability to “generate high levels of motivation

and commitment in the workforce,” and only 39 percent said department leaders “maintain high standards of honesty and integrity.”

In September, a separate *Washington Post* investigation found that many DHS employees say they have “a dysfunctional work environment” with “abysmal morale.” Not surprisingly, DHS has a high employee turnover rate. Current and former DHS officials told the Post that “the department can be an infuriating, exhausting place to work” with “stifling bureaucracy.”

One of the exhausting factors is that DHS leaders have to devote extraordinary amounts of time dealing with the complex tangle of 90 congressional committees and subcommittees that oversee the department. Congress is thus partly to blame for DHS failings by creating such an inefficient oversight structure.

One might have hoped that putting a layer of expert DHS officials over top of the 22 agencies would improve governance, but it has not. Consider FEMA, which had been a stand-alone agency before 2002. It had already been known for sluggish responses to disasters, but FEMA’s performance during Hurricane Katrina in 2005 was worse than ever.

Or consider the Secret Service, which has had a series of management failures in recent years despite being overseen by DHS. The Service has spent huge amounts on security for foreign presidential trips, yet trips have been undermined by scandals related to prostitution and drunken agents. At home, the Service had a series of embarrassing security failures leading up to the remarkable White House intruder incident of September 2014.

TSA has long struggled with poor management. In 2012 reports by House committees found that TSA’s operations are “costly, counterintuitive, and poorly executed,” and that the agency “suffers from bureaucratic morass and mismanagement.” Former TSA chief Kip Hawley argued in a 2012 op-ed that the agency is “hopelessly bureaucratic.” And, in 2014, former acting TSA chief Kenneth Kaspirin said that the agency has “a toxic culture” with “terrible” morale.

Employee misconduct is a problem in numerous DHS agencies. At TSA, for example, employee theft from passenger baggage is a serious problem. At Customs and Border Protection (CBP), there appears to be a growing corruption problem related to drug and human smuggling. And, according to a September *Washington Post* editorial on CBP, there has been “an alarming number of incidents involving the use of lethal force . . . all too frequently under circumstances that suggest the agency is indifferent or hostile to the most basic standards of restraint, transparency, and self-policing.”

Many organizations have management problems. But DHS leaders allow problems within agencies to fester for years, and only promise to make changes after major scandals erupt. In the wake of the recent White House intruder incident, the head of the Secret Service resigned. But the head of DHS did not resign and said very little about it, presumably to evade responsibility. But if DHS does not proactively correct agency problems, and DHS leaders do not take responsibility for failures, then the DHS structure provides little value from a management perspective.

Misallocated Investment

Federal agencies often make wasteful spending decisions, and DHS agencies are no exception. In one recent case, CBP built 21 small homes for border agents in Ajo, Arizona, at a cost of \$680,000 each, but this is a town where the average home price is just \$86,500. A 2014 DHS Inspector General review of the project concluded, “this is a classic example of inadequate planning and management leading to wasteful spending.”

This was a small project, but these sorts of problems plague major DHS projects as well. In their 2011 book, *Terror, Security, and Money*, homeland security experts John Mueller and Mark Stewart discuss how DHS often fails to rigorously evaluate projects to see whether the benefits outweigh the costs. A 2010 National Academy of Sciences (NAS) report made similar criticisms, as have numerous GAO reports.

Without a rigorous process to steer spending to high-value uses, DHS has funded many boondoggle projects, including:

- **Radiation Detectors:** DHS spent \$230 million over five years on radiation detectors for cargo containers before withdrawing the project as a failure in 2011. The GAO and NAS were highly critical of DHS’s handling of the project.
- **Full-Body Scanners:** TSA spent hundreds of millions of dollars installing and operating Rapiscan scanners at U.S. airports, but research by a team led by Keaton Mowery of University of California, San Diego, found that the scanners were easy for terrorists to foil. The machines were withdrawn in 2013, but a different type of body scanner is now widely used. Mueller and Stewart find that such scanners fail a cost-benefit analysis “quite comprehensively.” As for the TSA, it did not bother to perform a cost-benefit analysis of full-body scanners before rolling them out nationwide.
- **SPOT Program:** TSA spends about \$230 million a year on the Screening of Passengers by Observation Techniques (SPOT) program, which tries to catch terrorists by their suspicious behaviors in airports. In a 2012 report, GAO found that TSA “deployed SPOT nationwide before first determining whether there was a scientifically valid basis” for it. TSA also did not perform a cost-benefit analysis of SPOT. In a 2013 report, GAO found that there is little, if any, evidence that SPOT works, and recommended that the program be cancelled.
- **High-Tech Border Control:** CBP spent \$1 billion on the SBInet virtual fence project for a 53-mile portion of the Arizona-Mexico border. The project, which involved video cameras, radar, sensors, and other technologies, was begun in 2006 and cancelled in 2011 as a failure. Another high-tech system for the Arizona border is now moving ahead, but its effectiveness is in doubt.

The concern is not that DHS makes unavoidable mistakes, but that it puts too little effort into researching how to allocate spending to best improve security. In their book, Mueller and Stewart make an assessment of the costs and benefits of homeland security spending since 2001.

They conclude that “increases in American homeland security expenditures have been wildly inefficient.” DHS has been too willing to throw money at any idea that might conceivably prevent a worst-case scenario, instead of balancing the benefits and costs of projects based on hard data. Policymakers eventually cancel some boondoggles, but they should be performing rigorous analyses on projects up front before hundreds of millions of dollars goes out the door.

Civil Liberties Abuse and Mission Creep

DHS is a powerful department that conducts a wide range of intelligence, investigative, and law enforcement activities. Its mission has grown broader and more amorphous over time. DHS has expanded into properly state law enforcement activities, and into areas that should be free of government encroachment altogether. Put another way, “mission creep” is a serious problem at the DHS, creating an ongoing threat to our civil liberties.

Here are examples illustrating the expansive and intrusive activities of DHS and its agencies:

- CBP pursues warrantless searches of general aviation aircraft, and the TSA engages in warrantless searches of valet parked cars at airports.
- TSA is aggressively conducting searches at rail stations, transit stations, and other public venues across the country, resulting in arrests for minor offenses such as drug possession.
- TSA is teaming with state governments to put checkpoints on highways to perform searches of trucks for drugs and other items.
- DHS provides grants to towns and cities for license plate readers and video surveillance systems. DHS is apparently trying to build a national license plate database based on the local reader systems.
- DHS provides grants to towns and cities to purchase military-style equipment for their police forces, such as heavily fortified vehicles and sound cannons.
- DHS provides grants to towns and cities to purchase aerial drones, and it uses a growing number of drones itself.
- DHS gave a grant to Tacoma, Washington, to buy a Stingray device that “sweeps up records of every mobile telephone call, text message, and data transfer up to a half-mile from the device,” said an August *Bloomberg Businessweek* story. The equipment is becoming widely used by police across the nation.

Perhaps the most serious threat to civil liberties is the growth in “fusion centers,” which are jointly operated by DHS and other federal, state, and local agencies. The more than 70 fusion centers across the nation are supposed to combat terrorism, but they generate little useful intelligence to that end, and yet cost hundreds of millions of dollars a year. The centers amass information about Americans that is generally already in the public domain, and often relates to

lawful political activities. For example, fusion centers were active in spying on the Occupy Wall Street movement.

A 2012 bipartisan report by the Senate Committee on Homeland Security and Government Affairs concluded that fusion centers produced intelligence of “uneven quality—oftentimes shoddy, rarely timely, sometimes endangering citizens’ civil liberties and Privacy Act protections, occasionally taken from already-published public sources, and more often than not unrelated to terrorism.” Sen. Ron Johnson (R-Wis.) noted in a 2011 report that fusion centers are “providing very little in terms of counterterrorism capabilities” and should be abolished.

A growing number of incidents suggest that DHS is trying to act as a domestic police force on matters that have nothing to do with national threats. In July, a North Carolina woman was surprised to see six DHS vehicles full of agents pull up to her house and seize her Land Rover. DHS has refused to return the vehicle, apparently because it had an incorrect VIN tag. The same month, a small-scale army led by DHS including two helicopters, numerous armored vehicles, and 10 police cars swooped into the small town of Livingston, Illinois, to arrest a single individual on child pornography charges.

An April investigative article by the *Albuquerque Journal*’s Michael Coleman summarized other DHS activities:

Today, in addition to protecting America’s borders and airports, the department is interrogating people suspected of pirating movies at Ohio theaters, seizing counterfeit NBA merchandise in San Antonio and working pickpocket cases alongside police in Albuquerque. Homeland Security agents are visiting elementary schools and senior centers to warn of dangers lurking on the Internet.

These incidents reflect vast mission creep. Coleman reports, “Homeland Security Investigations (HSI) agents are now working with local police all over New Mexico, aiming to become an integral part of domestic crime fighting in the state.” HSI agents in New Mexico are training adult dancers about the dangers of sex trafficking, organizing seminars at retirement centers to inform residents about fraud schemes, and teaching school kids about the dangers of Internet predators.

DHS was born out of a fear of terrorism after 9/11, but Congress and DHS have used that fear to build a vastly bloated budget, while extending federal police power into many areas that it does not belong.

Proposed Reforms

A huge new DHS headquarters is planned for a 176-acre site in Washington D.C. The project is years behind schedule and \$1.5 billion over-budget. It may prove to be too much of a boondoggle even for Congress, and some lawmakers are leaning toward canceling it.

That would be a good reform, and it should be followed by shutting down DHS itself. Of course, there are numerous DHS agencies that perform crucial functions, and they should be moved to

other departments or set-up as stand-alone agencies. Other DHS agencies should be terminated, including TSA and FEMA.

TSA operates security screening at commercial airports across the nation. My [2013 Cato Institute study](#) discusses TSA's poor track record and argues that we should privatize airport screening, which is the successful approach taken in Canada and much of Europe.

FEMA distributes disaster aid to individuals and state and local governments, and it subsidizes flood insurance. FEMA has often been slow, disorganized, and wasteful in its disaster operations, and its flood insurance program has backfired by spurring development in flood-prone areas. In an upcoming Cato study, I argue that FEMA should be abolished and its activities performed by state governments and the private sector.

DHS illustrates a fundamental problem with the federal government: it tries to do far too much, and ends up doing little well. Congress should task the executive branch with only those activities that provide added value not provided by the states and private sector.

Congress should also narrow the missions of federal agencies to reduce overlap. Currently, DHS's activities are so broad and ill-defined that it has created turf wars in the federal bureaucracy. DHS's analysis of intelligence overlaps with duties with the FBI, for example, and its cybersecurity activities overlap with those of the National Security Agency.

Congress should also reform itself by streamlining the oversight of federal agencies. It should restructure committees so that each needed agency currently within DHS is overseen by a single House and a single Senate committee. That way citizens would know which politicians are responsible for ensuring that particular agencies perform effectively.

An important way to narrow and focus the role of DHS agencies is to reform broad policies. Overhauling immigration policies, for example, would simplify the system and reduce the costs of administration and enforcement. Liberalizing drug policies would reduce federal enforcement and incarceration costs.

Many Americans are understandably worried about terrorism and domestic security. But a much smaller and more focused set of homeland security agencies would deal with the threats we face more effectively and efficiently. A leaner array of federal security and intelligence agencies would also be less likely to encroach on state responsibilities, and less able to undermine our personal freedoms.

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