

Wednesday, November 4, 2020

Representative Nancy Pelosi  
Speaker of the House  
235 Cannon House Office Building  
Washington, DC 20515

Senator Mitch McConnell  
Majority Leader  
Russell Senate Office Building, 317  
Washington, DC 20510

Representative Kevin McCarthy  
Minority Leader  
2468 Rayburn House Office Building  
Washington, DC 20515

Senator Charles E. Schumer  
Minority Leader  
Hart Senate Office Building, 322  
Washington, DC 20510

Dear Representative McCarthy, Senator McConnell, Speaker Pelosi, and Senator Schumer:

As the country awaits the result of yesterday's election, we write to bring to your attention an important decision that Congressional leaders should make between today and the date the 117<sup>th</sup> Congress convenes on January 4, 2021: the need to consolidate and strengthen Congressional oversight of the Department of Homeland Security (DHS) in order to make possible the fundamental changes that DHS urgently needs to protect the American people from the threats we face in 2021.

As former Secretaries and Acting Secretaries of Homeland Security, we have served under every President since DHS was established in 2003 by the Homeland Security Act. We know firsthand the value and importance of working closely with the Congress. However, under House Rule X and S. Res. 445, more than 90 different committees or subcommittees today have jurisdiction over DHS—far more than any other cabinet department.

In contrast, a single committee in the House and the Senate has the lead responsibility for developing legislative proposals and oversight over the Department of Defense (DoD). The same singular focus is true for all the other national security departments. Needing to work legislation through sometimes competing and overlapping committees makes needed, fundamental reforms at DHS difficult or impossible to achieve. DHS has [not had a comprehensive re-authorization](#) signed into law since its inception in 2002. In contrast, Congress passes a DoD authorization bill almost every year to keep our national defense coordinated, focused, and—ultimately—successful.

DHS urgently needs to make major reforms, improvements, and enhancements to ensure the Department can protect the nation in the way Congress envisioned nearly two decades ago. DHS's leadership, whether Democratic or Republican, needs to work with a single authorizing committee with broad subject matter authority to enact the changes and authorize the programs that DHS needs to address the threats of 2021.

We are the Senior Advisors of the Atlantic Council's "[Future of DHS Project](#)" that made [forty-one recommendations](#) to the executive branch to address DHS's most urgent problems. First, while DHS needs to sustain its current missions, it needs to refocus on the most urgent non-

kinetic threats to the homeland: (1) [Help end](#) the COVID-19 pandemic; (2) Protect against the [long-term threat](#) from climate change and extreme weather; and (3) Counter [threats to US democracy](#) from Russia, China, Iran, and elsewhere through cyber operations, threats to US elections and our critical infrastructure, and foreign disinformation operations. Second, DHS needs an [updated approach](#) to the public-private partnerships that are instrumental to the homeland security mission, and DHS needs an updated strategy for sustained engagement with both industry and state and local governments. Third, DHS should address urgent management issues, starting with [employee morale](#). Fourth, DHS should [improve](#) its communications, strengthen its trust relationships with its 240,000 employees and the American people, and make fundamental changes to how headquarters works with DHS's operational components.

Congressional support for these reforms is vital to the security of the homeland, but we know that achieving these reforms is not possible with fragmented jurisdiction. The most significant threats to our security today are multi-layered and multi-dimensional, and are addressed by six or more DHS components. To the United States, China, for example, is both a rival and a leading trading partner. It is a non-kinetic threat in cyberspace, a potential military threat, and is currently trying to steal both America's technical innovations and our personal data. It was, and will continue to be, a potential source of pandemic disease. DHS Headquarters, CBP, CISA, FEMA, I&A, ICE, TSA, USCG, USCIS, and USSS are all engaged in the defense of the homeland and ensuring the handling of legitimate trade with China. A comprehensive effort to address both the threat and the opportunity of engagement with China would require DHS to engage with eight committees in the House and seven in the Senate.

Other examples of major threats that require a more effective DHS and an integrated DHS response include (i) taking on Russian and Iranian use of cyberspace to target American democratic institutions and our critical infrastructure, (ii) responding to COVID-19 and future pandemics, and (iii) taking on the threat from domestic and international terrorism. Each of these major threats involve DHS Headquarters and eight or more DHS components—which fall under the jurisdiction of seven or more major Congressional committees in each body of Congress.

The problem is apparent. If DoD tried to deter and, if necessary, fight kinetic wars with a similar division of Congressional responsibility, our military would not succeed. DoD could not modernize fast enough to stay ahead of evolving military threats to our security if DoD had to report to seven or more different authorizing committees. Just as the jurisdiction of the House Committee on Armed Services includes “Common defense generally” and the Senate Committee on Armed Services’ jurisdiction includes “Common defense,” DHS needs to be able to focus its work with the Congress through a single authorizing committee whose jurisdiction includes “Common homeland security generally” so that DHS and the Congress can make the legislative changes and program authorizations needed to address the threats of 2021.

There are few issues in Washington with a stronger claim to bipartisan support than keeping the American people and our democracy safe. Restructuring Congressional oversight of DHS is the [most important un-implemented recommendation of the 9/11 Commission](#). More than a dozen think tanks across the political spectrum from the Brookings Institution to the Heritage Foundation, and numerous bipartisan commissions on which we have served, have

recommended consolidating DHS Congressional oversight. Even a significant reduction in the number of committees with authority over DHS would be a step in the right direction.

In 2021, DHS needs to begin to make fundamental changes and reforms to protect the American people from threats that are different from what they were in 2003 when DHS was first authorized. We urge that House and Senate provide stronger direction to DHS in the 117<sup>th</sup> Congress by amending House Rule X and S. Res. 445 to consolidate committee jurisdiction around a single primary authorizing committee in each body.

We would be happy to meet with you or your staffs to discuss these ideas further.

Respectfully,




Tom Ridge



Janet Napolitano



Rand Beers



Michael Chertoff



Jeh Johnson



Kevin McAleenan