

**U.S. House of Representatives, Committee on Homeland Security,
Subcommittee on Emergency Preparedness, Response, and Communications and
Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies**

**“Weapons of Mass Destruction:
Bolstering DHS to Combat Persistent Threats to America”**

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Chairs McSally and Ratcliffe, Ranking Members Payne and Richmond, distinguished members, thank you very much for the opportunity to present testimony today regarding how the Department of Homeland Security can best organize itself to meet the challenge of weapons of mass destruction.

I commend these subcommittees for ensuring continued focus on the question of the best approach to defending against weapons of mass destruction. As a former first responder and official at the Department of Homeland Security, I know the challenges we face as a Nation in confronting this threat. While organizational change is rarely the first solution to a problem, in this case, the Department is rightfully examining the effectiveness of its organization with respect to this challenge. The Department’s headquarters needs to be consolidated in many aspects, ensuring consolidation of similar headquarters functions and integration by the headquarters with respect to the Department’s national responsibilities, while ensuring that the Department’s operational components and its external operational partners—rather than the Department’s headquarters—are entrusted with operations. To that end, I support the consolidation of DHS’s headquarters weapons of mass destruction functions into a single office reporting to the Secretary of Homeland Security. A fuller explanation of these points follows.

While cyber threats, geopolitical conflicts, and instability and terrorism overseas have rightfully captured the interest and imagination of the American public and the media at this time, this Committee has correctly ensured that we remain focused on the range of security challenges facing the United States. As stated in the report on the 2014 quadrennial homeland security review, biological threats and hazards, the use of an improvised nuclear device, and the terrorist use of explosives against transportation targets and mass gatherings remain among threats, hazards, and persistent challenges that pose the most strategically significant risks to the Nation. In addition, chemical weapons and accidents involving chemical facilities and chemicals in transit, and radiological dispersal devices or “RDDs,” are risks that must continually be assessed and addressed.

I am currently of counsel with Steptoe & Johnson, LLP, the principal of my own consulting firm, and a non-resident senior fellow with the Brent Scowcroft Center for International Security at

the Atlantic Council, focusing on issues at the intersection of security, technology, innovation, and government. I am proud to have served with the dedicated men and women of the Department of Homeland Security in the Department's Office of Policy for nine years, from 2006 to 2015, seven of those as the head of strategy and strategic planning, the last three as Assistant Secretary for Strategy, Planning, Analysis & Risk, and the last year dual-hatted as the deputy head of policy for the Department. Before that, I practiced law, was a member of the Fairfax County Urban Search & Rescue Task Force and a Disaster Assistance Employee for the Federal Emergency Management Agency's urban search and rescue program, and served as an emergency medical technician for the 911 emergency ambulance system in New York City. I recognize the deep need for Congress and the Department to get its job done efficiently and effectively. This is important for the Nation, but also for the first responders across the country who rely on the Department for effective risk assessment, national strategy and policy, grants and grant guidance, scientific information, and protection, detection, and response and recovery equipment to supplement their own efforts and that of their departments and jurisdictions.

As noted above, organizational changes are rarely the first solution to any problem. However, in this case, the Department of Homeland Security does not lack for leadership, expertise, or dedicated personnel and resources focused on these challenges. Rather, the Department is faced with the problem of dispersing that leadership, expertise, and personnel and resources across numerous organizations just in its headquarters, let alone its operational components. That dispersal has resulted, as this Committee has rightfully recognized, in unclear assignment of responsibilities and suboptimal engagement with federal interagency partners and external stakeholders on weapons of mass destruction issues, and has contributed to less than effective oversight and execution of major acquisitions involving programs aimed at combatting weapons of mass destruction. This is not unique to weapons of mass destruction; the Department's headquarters is in need of overall consolidation, and an overall sharpening of roles and lines of authority.

For that reason, Congress should be commended for directing, and the Department should be commended for conducting, a study of the Department's organization with respect to its weapons of mass destruction functions, and for making difficult decisions that will require organizational transition and consolidation within the Department. During my time as an Assistant Secretary at the Department, I led portions of this review process, and helped facilitate discussions that resulted in the report that was provided to Congress by the Department. However, the views expressed today are my own, and are not intended to represent the Department of Homeland Security or the organizations with which I am currently associated.

I believe that there are three principles that should guide any organizational changes at the Department of Homeland Security, given the Department's structure as a multi-divisional organization, a corporate form of organization in which semi-autonomous component entities perform interconnected functions and responsibilities, and where a headquarters exists to support the organization's senior leadership in effectively integrate and optimize cross-

Departmental activities and decision-making in order to best meet the organizations overall goals and responsibilities.

1. Consolidation: There should be a **single center of gravity within the Department's headquarters for any major function**, whether in an integrated policy, management, or other directorate, or in a specialized office, recognizing that most if not all of the Department's operating components will likely have a role in carrying out that function.
2. Integration: **Headquarters entities should perform the integrating functions necessary for a multi-divisional organization to be effective**: conducting risk assessments and associated analysis, leading to the development of integrated strategy and policy, against which research and development, programmatic activity, major acquisitions, joint operational planning, and joint operations can be conducted.
3. Operations: **Operating entities should carry out operational responsibilities**, whether the Department's own operating components or the myriad state, local, territorial, tribal, private-sector, non-governmental, and other partners with operational roles.

It goes without saying that any entity's organization should be as lean as possible, with clearly delineated mission responsibility and authority, a clear leadership structure, effective recruiting, training, and retention programs, progressive opportunities for advancement into either leadership or senior technical positions, and a robust interchange of personnel and information between headquarters entities, the Department's operating components, and the Department's external stakeholders. This testimony assumes those steps will follow any reorganization of the Department's weapons of mass destruction functions.

With those elements as the backdrop, I believe that the time has come for the Department to undertake a reorganization of its weapons of mass destruction activities, with Congress's direction and authorization, to best serve its constituents and help safeguard the Nation. Specifically:

- Congress should authorize the consolidation of the functions currently performed by the Domestic Nuclear Detection Office, the Office of Health Affairs, and certain functions performed by the Science & Technology Directorate, the Office of Policy, the Office of Operations Coordination, and the National Protection and Programs Directorate to create a single office in the Department's headquarters, headed by an Assistant Secretary and reporting directly to the Secretary of Homeland Security, to best support the Department's responsibilities to combat chemical, biological, radiological, nuclear, and explosive (CBRNE) threats and hazards.
- Congress should ensure that this new office is clearly authorized and empowered to perform the range of headquarters functions associated with the Department's CBRNE responsibilities, to include effectively assessing CBRNE risk, formulating and communicating consistent and integrated Departmental CBRNE strategy and policy, ensuring effective oversight and execution of major CBRNE-related programs and acquisitions, communicating effectively with the Department's partners and

stakeholders concerning CBRNE risks and the most effective ways to manage those risks, and enabling the Department's operational components to effectively carry out their CBRNE-related responsibilities.

- Congress should direct the Department to study, and should also direct an independent study, to determine the best model for integration of CBRNE-related research and development functions conducted by the Science & Technology Directorate with the functions to be performed by the new CBRNE office, and should revisit that issue once those studies have been completed.

The Department has now proposed many of these steps to Congress, so I will elaborate on two points: (1) the integration of CBRNE functions within a new CBRNE headquarters office; and (2) the process for determining the best model for integration of CBRNE-related research and development functions within the Department's headquarters.

First, the Department must go beyond placing the Domestic Nuclear Detection Office, the Office of Health Affairs, and the Office of Bombing Prevention into the same organization, and must fully integrate the functions to be transferred into the new office. Both the Domestic Nuclear Detection Office and the Office of Health Affairs perform certain functions well, but both could benefit from taking the best practices of each and adopting them across CBRNE functions. Moreover, the functions to be transferred from the Office of Policy and the Office of Operations Coordination, as well as the Office of Bombing Prevention, should be integrated in full into the new organization. Congress should set the overall responsibilities and authorities of the new CBRNE office, and empower the Secretary to integrate the functions to be incorporated into the new office to achieve the best effect across CBRNE functions, and not simply place the offices whole into what might be nothing more than a new shell organization.

Second, Congress must ensure that the Department effectively assesses its current models for CBRNE research and development, and determines the best manner in which to pursue CBRNE programs and major acquisitions. Currently, the Domestic Nuclear Detection Office uses a "systems command" approach, similar to Naval Sea Systems Command, performing "end-to-end" systems development including research and development. The Office of Health Affairs uses a model that separates research and development from programmatic execution and acquisition, with research and development functions performed by the Science & Technology Directorate. Both models have achieved successes, and both models have resulted in the failure and termination of major acquisitions. It is difficult to say with certainty which of these models, or a third model, is best suited to ensuring effective mission execution and guarding against the failure of major systems acquisitions. However, there is an answer to this question, and Congress and the Department should actively seek that answer.

For that reason, Congress should mandate that the Department assess the effectiveness of each of these models under the new organizational structure, perhaps on a yearly basis, until a specific date in the future, say three years from the creation of the office. In addition, Congress should mandate that an independent study be conducted by an organization with familiarity

with the different research and development models currently in use by the Domestic Nuclear Detection Office and the Office of Health Affairs, as well as those of other federal departments and agencies and corporate entities, and make a recommendation to Congress and the Secretary as to the best model for the new CBRNE organization to employ. Congress can then revisit this last CBRNE-related organizational piece once both the Department and an independent organization have completed their review.

DHS has been traumatized in its short lifespan by a series of reorganizations. However, this does not mean that the Department cannot benefit from thoroughly-examined, well-considered reorganizations and consolidations, particularly of its headquarters functions. In this case, the time has come for Congress and the Department to reorganize and consolidate its CBRNE headquarters functions to better effectuate the Department's CBRNE responsibilities.

Thank you again for the opportunity to provide this testimony.