



Time to Act

*14 Steps in 2007 to Further Implement
the 9/11 Commission Recommendations*

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CENTER FOR AMERICAN PROGRESS



Introduction

The leadership of the 110th Congress later this month plans to review the status of the 9/11 Commission's recommendations made to the Bush administration and Congress almost three years ago. The new Congress also intends to examine the current state of our national and homeland security. Such a focus is vital and needed—America is not as safe as it should be.

The United States has yet to adapt to the new post-9/11 security environment, aggressively mobilize its defenses at home, and close known vulnerabilities before the next attack occurs. While Congress addressed many 9/11 Commission recommendations through the Intelligence Reform and Terrorism Prevention Act of 2004, more needs to be done.

The problem: actions now required to measurably improve homeland security are not cost free. The ability of the new congressional leadership to invest in new initiatives or accelerate existing programs is constrained by an uncertain budget environment. These constraints include: a continuing resolution to fund the government in the current fiscal year that is below its stated requirements; an existing \$248 billion budget deficit bequeathed by the 109th Congress; expected pay-as-you-go budget rules to be enacted by the new 110th Congress; and extremely costly ongoing military operations overseas, particularly in Iraq.

Nonetheless, the terrorist threat to the United States for the foreseeable future is well-defined: Global extremist networks are most likely to strike well-known critical infrastructure in or near major urban centers where large numbers of people work or gather.¹ These are clear threats, yet the current homeland security approach does not mirror these threats. Despite 9/11, the Bush administration does not view homeland security as its top priority. Nor has it acted with an appropriate sense of urgency.

The Bush administration remains too deferential to corporate interests. The federal government is not taking steps to eliminate clear vulnerabilities, particularly in urban areas. And Congress has, up to this point, resisted threat-based funding, preferring set formulas that spread grants across all states to targeted programs.

To address these gaps, the Center for American Progress has drawn up 14 specific steps that Congress and the Bush administration can take in 2007 to follow up on the 9/11 Commission's recommendations and measurably improve the country's emergency response capability, private sector preparedness, transportation system and critical infrastructure protection, border security, domestic intelligence, and non-proliferation efforts. These steps address:

- **Emergency Preparedness and Response.** The federal government needs to significantly increase federal homeland security grants in order to support the country's security and preparedness requirements as well as provide more first-responder training to overcome organizational and cultural obstacles to communications interoperability.



- **Critical Infrastructure.** The Department of Homeland Security needs to restrict the National Asset Database to those facilities that are actually critical. Congress must strengthen recently enacted chemical security authorities to eliminate most chemical facility exemptions to increased security standards and include transportation of hazardous materials in security planning.
- **Private Sector Preparedness.** Congress and the Bush administration need to create market-based incentives to encourage the private sector to more aggressively address security vulnerabilities and adopt mitigation strategies, including a long-term terrorism risk insurance program and a more detailed publicly-traded company reporting to the Securities and Exchange Commission and shareholders on terrorism risk.
- **Transportation Security.** Given the ongoing threat to aviation, the Transportation Security Administration needs more resources to expand physical inspection of air cargo and validate security steps taken at major domestic airports and within air cargo supply chains. Air cargo should be incorporated into major domestic airport planning for in-line passenger luggage explosive detection screening.
- **Border Security.** Congress needs to continue to support more U.S. Customs and Border Protection agents along borders and at ports of entry, equipped with better technology, real-time information, and organizational support. Congress should strengthen its oversight of the Customs and Border Protection's automated tracking system. Congress should also modify the so-called Basic Pilot program to allow real-time and secure verification of social security numbers.
- **Domestic Intelligence.** Congress should authorize the addition of a Deputy Director of National Intelligence to oversee the overlapping federal domestic intelligence responsibilities and fully implement the national information-sharing environment. The Bush administration should establish a so-called COPS II program to improve local intelligence capabilities and links among federal, state, and local governments.
- **Non-Proliferation.** DHS should expand current efforts to deploy a real-time urban nuclear, chemical, and biological detection system in all major metropolitan areas. This system should be backed by a stronger non-proliferation regime, including improved forensic technology to identify the source of dangerous materials that might be employed by a rogue element against the United States.

The only way Congress can make such investments in a new and balanced national security strategy is by reducing the cost of the Iraq war and shifting a portion of the \$8 billion currently committed to operations in Iraq each month to other urgent national security requirements. Iraq is consuming an inordinate share of the national security budget of the United States. This cannot continue.

While the precise size of the upcoming emergency supplemental budget is not yet known, it could be \$100 billion or more, which would push direct and indirect costs of the Iraq war to at least \$163 billion this year alone, consuming 23 percent of the national security budget. These costs will only increase further if the Bush administration decides to "surge" more forces to Iraq in the months ahead.



Five years after 9/11 and three years after a costly diversion in Iraq, the United States needs to make a fundamental shift in its strategy as highlighted by the 9/11 Commission and most recently the Baker-Hamilton Iraq Study Group. More needs to be done in other areas besides the defense sector, including: better intelligence and information sharing; more engaged diplomacy; a realistic energy policy; more aggressive steps on non-proliferation; and a better protected and prepared homeland.

The 14 steps highlighted in this report are not cost-free. If enacted, they would require an additional \$10 billion-to-\$14 billion for the Department of Homeland Security, as well as an additional \$2 billion-to-\$4 billion for improved non-military domestic intelligence capabilities.



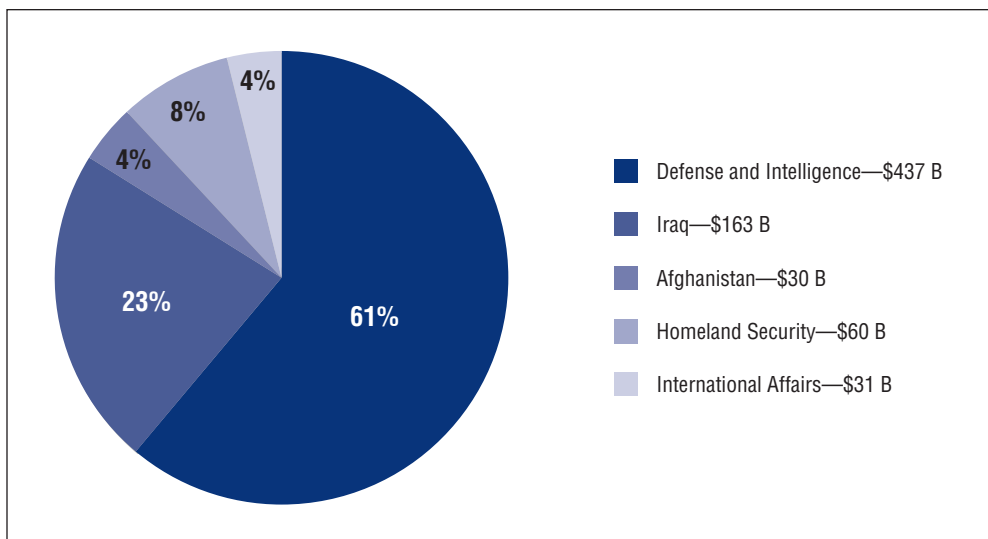
The Existing National Security Budget

The current approach to homeland security is backwards. Underfunded from its inception, the Department of Homeland Security has been reluctant to assume responsibility, set strong national standards, regulate the private sector where necessary, and aggressively push the country to adopt a higher level of security. Further implementation of the 9/11 Commission's recommendations requires not just more action and oversight, but also an infusion of additional federal resources.

Given current strategic and fiscal realities, however, funding for new homeland security initiatives in support of the 9/11 Commission's recommendations is likely to be scarce. The only realistic way to free resources for improved homeland security and domestic intelligence as called for by the 9/11 Commission is to reduce the number of forces in Iraq in order to free up more funding to support a new strategy that employs and invests in all elements of national power, not just one.²

While most appropriations bills were not passed in the 109th Congress and the exact size of the emergency supplemental for Iraq and Afghanistan in fiscal year 2007 is not known, the federal government will spend roughly \$721 billion for national security in FY2007.³ If the emergency supplemental in February 2007 is as high as projected, at least \$100 billion to fund ongoing operations in Iraq and Afghanistan and to replace damaged, destroyed, and worn out equipment, the federal government could spend more than twice as much to protect Iraq as the American homeland.

Estimated FY 2007 National Security Budget—\$721 Billion



The United States cannot afford strategically or economically to stay on the offensive indefinitely. Perpetual war is not an option. The United States requires a new post-Iraq strategy, one that views the homeland as the central front and takes an integrated and balanced approach.



If that occurs, the Department of Homeland Security would require an additional \$10 billion-to-\$14 billion in additional funding. This funding would enable DHS to:

- improve emergency response capabilities and rebuild FEMA;
- expand homeland security grants to cities and states;
- create incentives to encourage improved private sector preparedness;
- add border agents and officers with better technology at various ports of entry and along the U.S. northern and southern flanks;
- strengthen identification and verification credentials;
- improve the ability to detect explosives in passenger luggage and air cargo;
- reduce the risk that rogue elements or states will acquire weapons of mass destruction-related technology or smuggle a weapon into the United States.

While specific funding may be allocated through the Departments of Justice, Homeland Security, and other agencies, the Director of National Intelligence would manage an additional \$2 billion-to-\$4 billion for improved non-military domestic intelligence capabilities, including greater support for more state and local law enforcement intelligence analysts, and improved connectivity within a secure information-sharing environment that effectively links agencies of the federal government with its state, local, and private sector counterparts.

In the age of globalization, where borders have less and less meaning, “there is simply no possibility of keeping the threat ‘outside, over there’ anymore.”⁴ As a result, the United States must be far better prepared for another attack than it is today.

Fourteen Steps in 2007 to Further Implement the 9/11 Commission Recommendations

Emergency Preparedness and Response and Infrastructure Protection

Hurricane Katrina provided DHS with its first real test. It failed. Many elements put in place to enable the federal government to manage future crises were not effective. Communication and coordination among local, state, and federal authorities was poor and cost lives.⁵

The solution is not for Washington to attempt to micro-manage the next crisis, but to build stronger capabilities across the country and develop a genuine national partnership. The private sector



is largely missing in action. By every indication, private sector security spending has leveled off as publicly-traded companies squeeze overhead to a bare minimum.⁶

Because the private sector is likely to be the target of future attacks, governments must establish clear security standards and provide incentives to spur the private sector toward higher security levels than currently required. Across 17 infrastructure sectors and key resource areas, the federal government must set priorities. It must decide what is actually critical. And it must provide more specific guidance to states, cities, and the private sector regarding what to protect and how to do it.

What the 9/11 Commission Recommended:

Provide adequate radio spectrum for first responders.

What To Do Now:

Change organizational cultures to improve interoperability.

A recent DHS analysis gave only six of 75 municipalities high grades for emergency communications.⁷ The primary problem with communications interoperability is no longer technology, but bureaucracy. First responders require more intensive education and training to overcome existing organizational impediments that inhibit better networking and coordination in a crisis. Interoperability grants should be focused more significantly on better training, not new technology.

To the extent that technology can facilitate organizational change—given how the Internet survived Hurricane Katrina where radio towers did not—greater emphasis should be given to the adoption of broadband Internet-protocol communications capabilities to ensure that there is a reliable, resilient, and redundant national communications backbone that will survive any crisis situation.⁸ Rather than waiting until February 2009, Congress should accelerate the allocation of more radio spectrum to first responders.⁹

What the 9/11 Commission Recommended:

Allocate homeland security funds based on risk.

What To Do Now:

Increase funding for homeland security grants.

The White House's February 2006 post-Katrina report listed 125 lessons learned; a reduction in federal support to first responders was not one of them.¹⁰ Yet the Bush administration proposed substantial reductions in homeland security grants in its FY2007 budget submission.¹¹ Before that, the 109th Congress reduced the Bush administration's urban area threat-based grant request for FY2006, which led to a 40 percent cut in funding for New York and Washington, D.C., the two cities attacked on 9/11 and most likely to be struck again.¹²

Grant programs should be all-hazard, but designated for a specific objective, either security or national preparedness. Rather than cuts, Congress should substantially increase grant funding to support both



requirements. These two imperatives should not be in competition. Security-related grants should be targeted at metropolitan areas and based on threat and risk assessments. Preparedness grants can employ set formulas and be distributed to all states in support of the National Preparedness Goal.

Congress should employ multi-year sources of revenue where possible. It should also require DHS to report on how much is being spent on homeland security at the state and local levels and in the private sector in order to measure progress and assess future funding requirements.

What the 9/11 Commission Recommended:

Set critical infrastructure priorities based on risk and vulnerability.

What To Do Now:

Determine which infrastructure is actually critical.

Reconsider and strengthen comprehensive chemical security regulation.

The existing National Asset Database, or NADB, which lists 77,069 potential targets in 17 critical infrastructure sectors and key resource areas, is worthless as a means of guiding homeland security priorities.¹³ DHS should limit the NADB to less than 10,000 facilities, tier them by threat and risk, and review specific security plans to protect them.

Chemical security remains a significant vulnerability, despite the interim chemical standards passed by Congress in September 2006. A number of omissions need to be corrected. Tiers should be established, based on the presence of acutely hazardous materials, proximity to major population centers, and potential impact if successfully attacked by terrorists. Exemptions intended to exclude facilities from stronger security standards, such as for drinking water and water treatment facilities, should be revoked.

Required security plans should address not just the manufacture, repackaging, physical security, storage, and use of acutely hazardous materials or HAZMAT, but their transportation as well.¹⁴ If graffiti artists can draw on rail cars that carry HAZMAT through major cities, terrorists can blow them up. Stronger rail security rules recently promulgated by DHS are useful, but not sufficient.¹⁵

When the Departments of Homeland Security and Transportation finishes a national rail security study currently underway, either hazardous materials should be rerouted away from major cities or high risk facilities should be required to adopt safer practices to reduce terrorism risk.¹⁶ Federal standards should be a floor, not a ceiling, meaning states should be allowed to promulgate stronger measures consistent with federal rules if desired.¹⁷

What the 9/11 Commission Recommended:

Make private sector preparedness a higher priority.

What To Do Now:

Establish a long-term terrorism risk insurance program.

Create market-based private sector preparedness incentives.



A vibrant commercial terrorism risk insurance market can be a catalyst for improved private sector preparedness. The Terrorism Risk Insurance Act, under which government and the private insurance market share responsibility for terrorism risk, is up for renewal at the end of 2007. A follow-on long-term solution is required.

Congress should authorize a terrorism risk reinsurance corporation as a government-sponsored enterprise or comparable entity to ensure the existence of sufficient national terrorism insurance capacity. Special tax incentives can be employed to build private capital to enable the government to reduce its role over time. In the meantime, private insurers should compensate the government for its reinsurance coverage. As long as the U.S. considers itself at war, all owners of critical infrastructure listed in the National Asset Database should be required to maintain a minimum level of terrorism risk coverage.

Congress also should instruct the Securities and Exchange Commission to improve the caliber of corporate public disclosure regarding private sector homeland security actions. The SEC, in its guidance to public companies and enforcement actions, should require a private sector company with infrastructure listed in the National Asset Database to provide general statements in corporate filings regarding the nature and potential impact of terrorism on company operations.

These filings should detail a company's level of security spending, what steps the company has taken to counter such threats or to comply with various security requirements, and how its actions compare with its broader market sector. A more vigorous market-based reporting system should be subject to third-party auditing and validation as is required for financial reporting under the Sarbanes-Oxley corporate disclosure guidelines.

Transportation Security

As the experience of the past five years reinforces, transportation systems remain a primary focus of terrorist groups.¹⁸ The recently thwarted terrorist plot in Britain demonstrates how the primary aviation threat today has gone "back to the future." Terrorists are once again trying to smuggle bombs on board aircraft, reminiscent of Ramzi Yousef's aborted Bojinka plot in 1995. Despite a great deal of effort, however, passenger baggage and air cargo screening remains a significant vulnerability. Passenger luggage screening is too labor intensive. Only a fraction of air cargo on passenger aircraft is physically inspected to the standards that are used for checked baggage. Global supply chains are the lifeblood of the U.S. economy. If attacked, they can instantly generate tens of billions in economic losses. Security has improved since 9/11, but more needs to be done.

What the 9/11 Commission Recommended:

Make checked baggage and cargo screening a higher priority.

What To Do Now:

Accelerate deployment of in-line passenger luggage and air cargo screening.

Strengthen air cargo supply chain security.



Improved aviation security will require significant and escalating capital expenditures for at least the next 10-to-15 years. Congress should provide increased funding to accelerate the deployment of in-line explosives-detection-system equipment at all major U.S. airports. The Transportation Security Administration should expand its planning to incorporate not only the need to maintain 100 percent electronic screening of passenger luggage, but to accommodate a significant percentage of break bulk air cargo inspection as well. Planning assumptions should include aggressive anticipated growth rates for both passenger travel and air cargo, realistic life-cycle cost projections, and a reasonable total system cost-sharing arrangement (taking into account screening, baggage handling, infrastructure construction, and system maintenance costs) between the federal government and aviation industry.

The Transportation Security Administration has done more to improve air cargo security than is generally understood through a layered program that includes stronger security standards for known shippers, indirect air carriers, and passenger airlines. Yet only \$55 million and 300 inspectors are dedicated to securing air cargo on passenger aircraft, a tiny fraction of the resources devoted to overall aviation security. TSA needs more resources to be able to expand the physical inspection of a greater share of air cargo and strengthen the validation and inspection of security efforts both at major airports and throughout the air cargo supply chain.

Border Security

Border security and immigration reform are integrally linked. To enhance U.S. border security, Congress needs to end its divisive and futile debate regarding immigration and adopt a more realistic and less ideologically-driven approach. Effective immigration reform will free border agents to focus on protecting the country rather than attempting to indirectly regulate our labor market.

We need more agents at borders and ports of entry, with better technology, real-time information, and organizational support. The preferred border “technology” embraced by the 109th Congress—a 700 mile long fence along a 2,000-plus mile southwest border—will not work.¹⁹ Instead, we need a system that can distinguish quickly and reliably between those who want to contribute to our society and those who want to destroy it. A national identification card is not necessary. Rather than inconvenience 300 million U.S. citizens to find the next 19 terrorists, a better course is to strengthen forms of identification and verification tools that already exist.

What the 9/11 Commission Recommended:

Implement a comprehensive border security screening system.

What To Do Now:

Field more border agents with better technology.

Strengthen oversight of individual automated tracking system.

Notwithstanding recent increases, Customs and Border Protection still requires more agents along our borders and at ports of entry, together with improved technology and integrated information systems to truly gain control of the borders. Congress should fund 2,000 additional agents per year



for the at least the next four years (as called for in the Intelligence Reform and Terrorism Prevention Act) and perhaps longer.

Customs and Border Protection needs appropriate organizational and management capabilities to support a larger work force. Work should continue on the US-VISIT program exit capability to minimize so-called “phantom overstays” that clog up the enforcement system. DHS’ go-slow approach to the Secure Border Initiative is prudent, validating the concept before seeking full-scale development funding.

Custom and Border Protection’s automated tracking system, which assesses the relative risk of travelers—including U.S. citizens who pass through U.S. border points of entry—is consistent with the 9/11 Commission’s intent. Yet the system raises legitimate privacy questions about the use, accuracy, and retention of pattern and link analyses of passenger- name-record data and other personal information.

DHS only recently issued a Privacy Act Impact Statement regarding the program, which suggests its use is not widely understood. The program is valuable and should be continued, but Congress should strengthen its oversight, ensure that its use is restricted to terrorism-specific applications, require DHS to use anonymizing techniques where feasible, and develop stronger redress procedures.²⁰

What the 9/11 Commission Recommended:

Standardize secure identification documents.

What To Do Now:

Develop real-time verification of Social Security numbers.

The social security number is the de facto national identifier today. Near real-time verification of social security numbers can help identify those not authorized to be in the United States. It also benefits U.S. citizens who are being increasingly victimized by document fraud and identity theft.

Congress should modify the so-called Basic Pilot program and allow the Social Security Administration to communicate information to employers regarding stolen social security numbers used in multiple workplaces.²¹ Increased reliance on social security numbers for security purposes must itself be done securely to prevent identity theft, and must be linked to an effective and responsive redress system for victims of fraud or legal employees misidentified in the screening process.

The Intelligence Community and Homeland Defense

The United States needs (but does not yet have) an effective domestic intelligence system to complement its unmatched global intelligence capability. Considerable effort has been focused on changing the management and organization of the intelligence community, but less on building an effective system to produce, connect, and share better threat information.²²

Outside Washington, the intelligence community remains fragmented. The federal government has not established a genuine two-way flow of information with its homeland security partners. There



are not yet sufficient links between federal authorities and state and local operations and intelligence fusion centers. Too few local authorities have the technology and clearances for effective communication and coordination.

What the 9/11 Commission Recommended:

Support the Director of National Intelligence.

What To Do Now:

Add Deputy DNI for Domestic Intelligence.

A senior position is necessary to rationalize the activities of the FBI, DHS, and the DoD Counterintelligence Field Activity within the United States in order to avoid overlapping responsibilities, promote joint assignments and training, and ensure there is an operational voice in the development and implementation of the information-sharing environment. There should be close liaison between this new position and the DNI Office of Privacy and Civil Liberties.

What the 9/11 Commission Recommended:

Create incentives for information sharing.

What To Do Now:

Create COPS II program to improve local intelligence capabilities.

Congress needs to establish a grant program modeled after the Community Oriented Policing Services, or COPS, a program to support 5,000-to-10,000 state and local intelligence analysts with secure work facilities as well as communications and appropriate security clearances. Federal representation in state and local operations/fusion centers should be expanded and more opportunities created for state and local law enforcement to work directly with federal counterparts.

Consolidating federal intelligence operations outside Washington to mimic the joint structure of the National Counterterrorism Center could be one mechanism for improved interaction. The flow of critical data should be automated and more intelligence written at lower levels of classification for wider dissemination. More data should be generated regarding the potential for radicalization within federal and state prison populations.²³

What the 9/11 Commission Recommended:

Prevent the proliferation of weapons of mass destruction.

What To Do Now:

Deploy a real-time urban detection system.

The federal government has devoted significant attention to the detection of chemical, biological, and nuclear materials, particularly within urban areas. The current system, however, is uncoordinated, spread over multiple agencies, and too labor intensive. Congress should give DHS' Domestic



Nuclear Detection Office expanded authority and resources to create a national real-time monitoring capability that encompasses all major metropolitan areas and key infrastructure sectors, including defense facilities.²⁴

Given the clear risk that an extremist network might acquire a “loose nuke,” the United States should accelerate existing “Nunn-Lugar” threat reduction efforts to secure dangerous weapon stocks and fissionable material. Congress should support expanded research and development on nuclear forensic technology that could rapidly and reliably identify the source of any catastrophic threat-related materials involved in a terrorist incident.²⁵ And the United States should work with other governments, international scientific groups, and global private industry to develop appropriate security protocols within research programs to prevent the misuse of science and proliferation of dangerous technology to rogue elements.²⁶



Endnotes

- ¹ Century Foundation Task Force Report, *The Forgotten Homeland*, p. 5, available at <http://www.tcf.org/list.asp?type=PB&pubid=569>.
- ² The cost of on-going operations in Iraq was estimated at \$100.4 billion for FY2006 by the Congressional Research Service, an average of \$8 billion per month. However, the combination of higher troop levels, intensified operations and burgeoning equipment repairs and replacement will push that figure significantly higher in FY2007. Bridge funding of \$70 billion and equipment reset of \$23 billion was included in the FY2007 defense appropriations bill to cover emergency expenses for the first half of the year, the vast majority for Iraq. See CRS Report to Congress RL33110, *The Cost of Iraq, Afghanistan, and Other Global War on Terror Operations Since 9/11*, available at <http://www.fas.org/sgp/crs/natsec/RL33110.pdf>.
- ³ The unified national security budget estimate of \$721 billion is illustrative and breaks down as follows: Defense and Intelligence (\$437B): National Defense Budget Outlays for FY2007 of \$458 billion (including estimated \$44 billion for National Intelligence Program and \$21 billion for Department of Energy nuclear weapons programs) minus \$21 billion in funding for homeland defense/security; Afghanistan (\$30B): CRS cost estimate of \$20 billion for FY2006, increased by 33 percent to reflect expected costs of intensified operations and repair and replacement of equipment; Iraq (\$163B): Balance of \$70 billion bridge funding, \$23 billion equipment reset funding in FY2007 defense appropriations bill, and estimated \$100 billion in emergency supplemental expected in February 2007; Homeland Security (\$60B): Includes \$58 billion in President's FY2007 budget proposal (including Departments of Defense and State) plus \$2 billion in border security funding added to the FY2007 defense appropriations bill; International Affairs (\$31B): President's FY2007 budget request minus homeland security funding. International affairs spending is constrained by continuing resolution for FY2007, which limits funding to FY2006 levels.
- ⁴ Barnett, p. 124.
- ⁵ Douglas Brinkley, *The Great Deluge*, provides numerous and compelling accounts of the disconnects among government entities and the impact on the people of New Orleans.
- ⁶ Robert Housman and Timothy Olson, *New Strategies to Protect America: A Market-Based Approach to Private Sector Security*, p.4, available at <http://www.americanprogress.org/kf/fecreport.pdf>.
- ⁷ Associated Press, *Few Get Top Federal Marks for Disaster Planning*, New York Times, January 3, 2007, p. A18.
- ⁸ Mike O'Dell, *Panel Discussion on Communications Infrastructure Security, Lessons of Katrina: Critical Infrastructure, Preparedness and Homeland Security*, Center for American Progress, November 17, 2005, available at <http://www.americanprogress.org/kf/katrina%20infra%20conference%20transcripts.pdf>.
- ⁹ P.L. 109-171 calls for the public safety community to be given suitable access to spectrum allocation by February 18, 2009. See Congressional Research Service, *9/11 Commission Recommendations: Implementation Status*, December 4, 2006, p. 53, available at <http://www.fas.org/sgp/crs/homesec/RL33742.pdf>.
- ¹⁰ *The Federal Response to Hurricane Katrina Lessons Learned*, February 2006, available at <http://www.whitehouse.gov/reports/katrina-lessons-learned.pdf>.
- ¹¹ Department of Homeland Security, *Budget-in-Brief Fiscal Year 2007*, p. 74, available at http://www.dhs.gov/xlibrary/assets/Budget_BIB-FY2007.pdf.
- ¹² Eben Kaplan, *Council on Foreign Relations, Q&A: Risk-Based Homeland Security Spending*, New York Times, February 11, 2006, available at http://www.nytimes.com/cfr/international/slot1_021106.html?_r=1&ci=5070&en=9a978d701c5ae6a7&cex=1140325200&oref=slogin&emc=etal&pagewanted=print.
- ¹³ Department of Homeland Security Office of Inspector General, *Progress in Developing the National Asset Database*, June 2006, available at http://www.dhs.gov/xoig/assets/mgmttrpts/OIG_06-40_Jun06.pdf.
- ¹⁴ See Testimony of Philip J. Crowley, Center for American Progress, before the House Subcommittee on Economic Security, Infrastructure Protection and Cybersecurity, June 29, 2006, available at http://www.americanprogress.org/kf/assessing_chemical_security_testimony.pdf.



- ¹⁵ On December 15, 2006, DHS issued a notice of proposed rulemaking that would require the railroads to take a number of steps to improve HAZMAT security in urban centers, including improved physical steps, better monitoring and reduced loiter time. Announcement is available at http://www.dhs.gov/xnews/releases/pr_1166200220343.shtm.
- ¹⁶ Fred Millar, New Strategies to Protect America: Putting Rail Security on the Right Track, Center for American Progress, April 2005, available at <http://www.americanprogress.org/kf/rail%20security%20printer%20final.pdf>.
- ¹⁷ See Paul Orum, Preventing Toxic Terrorism How Some Chemical Facilities are Removing Danger to American Communities, Center for American Progress, available at http://www.americanprogress.org/issues/2006/04/b681085_ct2556757.html.
- ¹⁸ Brian D. Taylor, Professor and Vice-Chair of Urban Planning and Director, Institute of Transportation Studies, UCLA, 12 Recommendations for Progress, Center for American Progress, August 2005, available at http://www.americanprogress.org/kf/taylor_transit_security.pdf.
- ¹⁹ See Public Law 109-367.
- ²⁰ See Customs and Border Protection Fact Sheet, Facts Concerning the Automated Targeting System, available at http://www.cbp.gov/xp/cgov/newsroom/highlights/cbp_responds/facts_automated_targeting_sys.xml.
- ²¹ Tamar Jacoby, The System Is the Problem, Washington Post, December 15, 2006, A35, available at <http://www.washingtonpost.com/wp-dyn/content/article/2006/12/14/AR2006121401362.html>.
- ²² Gregory Treverton, Intelligence Gathering, Analysis and Sharing in Century Foundation, The Department of Homeland Security's First Year A Report Card, p. 72.
- ²³ The Forgotten Homeland, p. 30, available at <http://www.tcf.org/list.asp?type=PB&pubid=569>.
- ²⁴ The Forgotten Homeland, p. 210.
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- ²⁶ See Andrew J. Grotto and Jonathan B. Tucker, Biosecurity: A Comprehensive Action Plan, Center for American Progress, available at http://www.americanprogress.org/kf/biosecurity_a_comprehensive_action_plan.pdf.

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