

ISSUE BRIEF

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Top Four Homeland Security Priorities for the Next Administration

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In 2017, a new President will face significant challenges at the Department of Homeland Security (DHS). Rectifying these shortcomings is important if the U.S. is to remain secure and prosperous. The following are the top four DHS priorities for the next Administration.

1. Fix DHS Management

DHS's organizational cohesiveness and its central leadership continue to face serious challenges.¹ These include financial management, acquisitions, IT, planning, and budgeting.² The Obama Administration has attempted to remedy some of these problems through its Unity of Effort initiative, but more work remains to be done. A good step would be completing the headquarters campus in Washington, DC, a project for which the President requested and Congress provided additional funding in fiscal year (FY) 2016. With a history of cost overruns, DHS should ensure that this and future funding is well spent. Beyond this, additional measures need to be taken to improve the authority of DHS's central leadership. The next Administration should:

- **Create a more unified, standardized procurement and acquisitions process.** This will

require empowering the Chief Procurement Officer to drive these reforms.

- **Provide more authority to centralized service components**, such as the General Counsel, the Chief Financial Officer (CFO), the Chief Information Officer (CIO), and International Affairs, over their respective component offices. Such measures should not exclude component heads from exercising their authority, but ensure that department-level directives are being carried out.
- **Strengthen the DHS Policy Department** to develop intra-agency policy, resolve disputes, and drive organizational change to make DHS components work as a more cohesive whole.

2. Enforce Immigration Laws

DHS policy, most notably President Obama's executive action on immigration in 2014, has increasingly pushed immigration officers to focus their enforcement efforts on so-called priorities, while ignoring or even rewarding the vast majority of illegal immigrants who do not fit such priorities. DHS statistics indicate that the U.S. conducted only 462,463 deportations³ in FY 2015, plummeting to their lowest level since 1971.⁴ Deportations from the interior of the U.S. have dropped from around 230,000 in FY 2010 to approximately 70,000 in FY 2015, a decline of 70 percent in just five years.⁵ Although removing criminal aliens is an Administration priority, Immigration and Customs Enforcement (ICE) deported just over 63,000 criminal aliens from the U.S. interior in 2015, a decline of almost 60 percent from approximately 150,000 in FY 2011.⁶

This paper, in its entirety, can be found at <http://report.heritage.org/ib4530>

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Moving forward in 2016, the next Administration should:

- **Rescind** President Obama’s executive actions on immigration enforcement;
- **Strengthen** the 287(g) program, which trains and deputizes state and local police to help enforce immigration law;⁷
- **Expand** use of rapid-removal authority under Section 235 of the Immigration and Nationality Act to discourage future surges;⁸
- **Request** more immigration prosecutors, judges, and agents to more effectively adjudicate cases and remove illegal immigrants; and
- **Ensure** immigrants appear at their court hearings through detention and expanded use of effective “Alternatives to Detention,” such as GPS tracking anklets.

3. Cybersecurity

Following the passage of the Cybersecurity Information Sharing Act (CISA), DHS will have more responsibility for domestic cybersecurity. CISA’s

fundamental purpose is to better enable cybersecurity information to be shared between the private and public sectors. DHS has been tasked with setting up the rules and regulations for this information-sharing system as well as being the hub that collects information shared with the government so that it can be then shared with others.⁹

A related program is the National Cybersecurity Protection System, also known as Einstein, which works to detect and prevent malicious traffic on civilian government networks. While Einstein is just one tool out of many in use by the government to protect networks, Einstein provides protection across the .gov domain by detecting malicious signatures. A recent Government Accountability Office (GAO) report, however, was critical of Einstein’s ability to prevent intrusions based on its limited signature information, its focus on only signature-based detection, and its not being used across all types of traffic.¹⁰

The federal government is also uniquely responsible for responding to cyber attacks and espionage by nation-states. While defensive measures like Einstein and information sharing can help, the U.S. also needs to do more to retaliate against state-sponsored hackers. While attribution is difficult, it is not impossible, and the U.S. should use all the tools at its disposal to deter malicious activity.

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1. Steven Bucci, Paul Rosenzweig, and David Inserra, “Reforming DHS: Missed Opportunity Calls for Congress to Intervene,” Heritage Foundation *Issue Brief* No. 4336, January 26, 2015, <http://www.heritage.org/research/reports/2015/01/reforming-dhs-missed-opportunity-calls-for-congress-to-intervene>.
 2. U.S. Government Accountability Office, *Strengthening Department of Homeland Security Management Functions*, February 2015, http://www.gao.gov/highrisk/strengthening_homeland_security/why_did_study (accessed February 19, 2016).
 3. In this report, “deportations” refers to removals plus returns. Removals are more serious deportations that impose a ban on re-entry into the U.S. with the threat of jail time. Returns merely send the person back to their home country without further repercussions.
 4. News release, “DHS Releases End of Fiscal Year 2015 Statistics,” U.S. Department of Homeland Security, December 22, 2015, <http://www.dhs.gov/news/2015/12/22/dhs-releases-end-fiscal-year-2015-statistics> (accessed February 19, 2016).
 5. News release, “FY 2015 ICE Immigration Removals,” Immigration and Customs Enforcement, <https://www.ice.gov/removal-statistics> (accessed February 19, 2016).
 6. Center for Immigration Studies, “Interior Enforcement Disintegrates Further in 2015,” U.S. Center for Immigration Studies, December 22, 2015, <http://cis.org/Interior-Enforcement-2015-Deportations> (accessed February 19, 2016).
 7. David Inserra, “Ten-Step Checklist for Revitalizing America’s Immigration System: How the Administration Can Fulfill Its Responsibilities,” Heritage Foundation *Special Report* No. 160, November 3, 2014, <http://www.heritage.org/research/reports/2014/11/ten-step-checklist-for-revitalizing-americas-immigration-system-how-the-administration-can-fulfill-its-responsibilities>.
 8. David Inserra, “Children Illegally Crossing the U.S. Border: Responding Requires Policy Changes,” Heritage Foundation *Issue Brief* No. 4248, July 15, 2014, <http://www.heritage.org/research/reports/2014/07/children-illegally-crossing-the-us-border-responding-requires-policy-changes>.
 9. Evan McDermott and David Inserra, “Why Cybersecurity Information Sharing Is a Positive Step for Online Security,” The Daily Signal, January 25, 2016, <http://dailysignal.com/2016/01/25/why-cybersecurity-information-sharing-is-a-positive-step-for-online-security/>.
 10. U.S. Government Accountability Office, Report to Congressional Committees, *Information Security: DHS Needs to Enhance Capabilities, Improve Planning, and Support Greater Adoption of Its National Cybersecurity Protection System*, January 2016, <http://www.gao.gov/assets/680/674829.pdf> (accessed February 19, 2016).
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While the current Administration is looking to improve Einstein and information sharing, much will fall to the next Administration, which should:

- **Continuously improve Einstein.** DHS should ensure it is working with other departments to fully implement Einstein across civilian and government networks. Einstein also needs to be connected to more sources of signatures, including those available through other government programs. DHS should also work with other departments to see how Einstein could expand to prevent and detect malicious behavior based on anomalous behavior.
- **Retaliate against state-sponsored cyber attacks.** The U.S. should use all the tools at its disposal, including diplomatic, legal, visa, financial, and others, to push back on state-sponsored cyber-aggression.
- **Effectively share information.** Implementing CISA should provide interested parties with more cybersecurity information with which to secure their networks. It is critical that DHS quickly share the information that it receives so that it can be of use to others in the private and public sector.

4. Ensure Proper Vetting

Multiple events in 2015 raised real concerns over how individuals are vetted before coming to the U.S., whether they are refugees, permanent immigrants, or visitors.

The refugee process is the most difficult method for entering the U.S., taking 12–18 months on average to complete. Background checks will query the State Department, DHS, FBI, National Counterterrorism Center, Interpol, Drug Enforcement Administration, and Department of Defense databases, although these checks are limited by the amount of intelligence available on individuals from war-torn

and chaotic countries. In addition, the refugee process requires a Security Advisory Opinion be completed by the intelligence community on high-risk refugee applicants. Interagency checks are constantly being done in connection with a wide range of U.S. agencies.¹¹ Interviews by U.S. Citizenship and Immigration Services cover everything from immigration matters to security and country-specific questions. To further mitigate potential vulnerabilities in the process, the Syrian Enhanced Review is already applying additional scrutiny to Syrian applicants, giving additional security and intelligence resources to adjudicators.¹²

For other, shorter term visas, similar but quicker vetting is required, although security officials may put any visa application through additional scrutiny. Similarly, the Visa Waiver Program (VWP) includes vetting but does not require the in-person interview before allowing travel to the U.S. In exchange, VWP countries provide the U.S. with intelligence on known and suspected terrorists, serious criminals, and lost and stolen passports, as well as improving airport security. While there is always room for program improvement as threats evolve, the VWP is a crucial tool for U.S. security and should be judiciously expanded.¹³

While the U.S. can and should continually look to improve the ways in which the vetting process has access to information and how it works to detect suspicious behavior, much of these efforts are based on the support of the intelligence community. Recent budget cuts to the intelligence community, the retrenchment of capabilities following revelations by Edward Snowden, and growing threats around the world point to the U.S. not having the intelligence resources it needs.

The next Administration should provide Congress with detailed information on the nature of the risks in the vetting process and how it will mitigate those risks as well as support the repair of America's intelligence capabilities.

11. David Inserra, "How Our Refugee Vetting Process Works," *The Daily Signal*, December 17, 2015, <http://dailysignal.com/2015/12/17/how-our-refugee-vetting-process-works/> (accessed February 19, 2016).

12. U.S. Citizenship and Immigration Services, Department of Homeland Security, "Refugee Processing and Security Screening," December 2015, http://www.uscis.gov/refugeescreening#Enhanced_Review (accessed February 19, 2016).

13. David Inserra, "The Visa Waiver Program: Congress Should Strengthen a Crucial Security Tool," *Heritage Foundation Issue Brief* No. 4492, December 2, 2015, <http://www.heritage.org/research/reports/2015/12/the-visa-waiver-program-congress-should-strengthen-a-crucial-security-tool>.

Meeting Core Responsibilities

DHS needs to improve how it carries out these duties if it is to effectively keep the homeland safe. While completing all these reforms will not be easy, they are core government functions that need to be addressed by the next Administration.

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