

# THE HILL



OCTOBER 26, 2005

## **Security mishmash**

*By John Fortier*

Despite a major reorganization of homeland-security and intelligence functions in the executive branch, Congress's committee system looks much as it did before Sept. 11.

Last week, the 9/11 Public Discourse Project, a follow-up to the Sept. 11 commission, issued a report card, giving Congress very low marks on reforming itself.

Why is this a problem? Consider the analogy of Microsoft, which has acquired hundreds of companies over the years, but imagine that these absorbed companies retained their own boards of directors, with Bill Gates reporting to all of them. What would be preposterous in the private sector is reality in Congress, which has a mishmash of committee jurisdictions that do not follow the missions of our Department of Homeland Security or our revamped intelligence system.

After Sept. 11, we were blessed with several important commissions and special inquiries that urged reforms. But going forward, the real heavy work of oversight and reform will fall to congressional committees. This is the message of both the Sept. 11 and Silberman-Robb commissions, which made significant recommendations on strengthening congressional oversight.

To be fair, Congress has made some progress in committee reform. In the 108th Congress, the House created a temporary select committee on homeland security with almost no exclusive jurisdiction, and it was populated by the chairmen of other powerful committees, who could watch over their own turf and make sure that the committee did not get too strong. Things have improved in the 109th, as the committee was made permanent and its membership is no longer made up of other chairmen. Under the new chairman, Rep. Peter King (R-N.Y.), there is hope that it may continue to evolve into a more substantial panel. Nonetheless, its jurisdiction is still quite limited.

On the Senate side, the Government Affairs Committee was designated the committee for homeland security, but it also has only partial jurisdiction

over homeland-security matters.

Other changes include the Senate Intelligence Committee's doing away with eight-year term limits on membership, both intelligence committees' creating oversight subcommittees and the House and Senate Appropriations Committees creating subcommittees dedicated to homeland security.

While these changes move in the right direction, the big picture is not pretty. By some counts, 88 committees or subcommittees oversee the Department of Homeland Security. Major parts of the department are not under the primary jurisdiction of the homeland-security committees. The department includes immigration, customs and Coast Guard functions, but the judiciary committees have jurisdiction over immigration; the Finance and Ways and Means committees oversee customs, the Senate Commerce and House Transportation committees oversee the Coast Guard, and the list goes on.

What is to be done? Among the recommendations of the Sept. 11 and Silberman-Robb commissions are homeland-security committees with substantial jurisdiction over the department, making public the total amount we spend on intelligence, and more radical changes, such as a joint intelligence committee or one with authorizing and appropriating functions. Whatever the mix of reforms, at the end of the day Congress needs to have much more powerful and focused intelligence and homeland-security committees that can oversee the executive branch.

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