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The Homeland Security Authorization Bill

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Next to defense, arguably the most important congressional responsibility is ensuring that the federal government has the resources and guidance needed to fulfill its domestic security role. Congress created the Department of Homeland Security (DHS) in 2002; however, it has yet to pass a DHS authorization bill—an inexcusable shortfall.

To its credit, the House Committee on Homeland Security has drafted authorization legislation every year since DHS's inception, but the measure has never been taken up by the Senate. On May 9, the House passed the Department of Homeland Security Act Authorization Act for Fiscal 2008 (H.R. 1684); once again, the Senate has failed to act.

Congress must make it a priority to improve and pass DHS authorization legislation.

The Good and the Bad. H.R. 1684 includes many long-overdue initiatives that should be retained by the Senate:

- Creating an undersecretary for policy. It has long been recognized that the Homeland Security Act of 2002, which created the department, erred in not establishing a high level officer to oversee policy and planning.
- Requiring periodic strategic reviews. The act requires strategic assessments every four years, similar to those required of the Pentagon.
- Calling on Congress to reform oversight by consolidating jurisdiction of DHS activities under

one committee in the House and one committee in the Senate. This was a key recommendation of the 9/11 Commission.

The Senate should make the following changes to H.R. 1684:

- Remove provisions repealing the civil service reforms established in the Homeland Security Act of 2002. The Administration must have the flexibility to adjust its workforce to meet the emerging national security challenges of the 21st century.
- Eliminate requirements to replace existing Federal Acquisition Regulations with “buy America” policies, which limit the purchase of some goods and services to domestic sources. These protectionist provisions would hurt homeland security by stifling innovation and increasing costs. The DHS should get the “biggest bang for the buck” when awarding contracts.

Time to Act. The United States is waging a long battle against transnational terrorism. Congress must pay consistent and close attention to homeland security through the authorization process. Passing an annual authorization bill and further consolidating the jurisdiction over DHS

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would show that Congress takes its responsibilities seriously.

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