

Transcript of Homeland Security Panel with DHS Secretary
Janet Napolitano

Jane Harman:

Good morning. Good morning. Good morning, everyone, and welcome to the Wilson Center. I'm Jane Harman, the not-so-new president and CEO and, as I like to say, an escapee from the United States Congress. I'd like especially to acknowledge the presence of the chairman of the Board of the Wilson Center, Joe Gildenhorn and his wife, Alma Gildenhorn, who's a member of the Wilson Council. And in a moment, I will introduce many dear friends who are members of the Aspen Homeland Security Advisory Group.

Unlike the Lincoln Memorial or the Washington Monument, the Wilson Center is a living memorial to our 28th president and provides an essential link between the worlds of scholarship and policy making. That's essentially what the Homeland Security Advisory Group at the Aspen Institute, which I co-chair with my very good friend, former secretary of Homeland Security, Michael Chertoff, aims to do. We are a bipartisan group with extensive expertise and strong opinions -- no surprise -- who meet periodically to discuss homeland security and counterterrorism issues and make recommendations to policy members. Many of this group are with us. I can't be sure I've -- everyone is sitting in front of me, but I see many of you. Let me just list you alphabetically: Charlie Allen, whom I don't see -- is Charlie Allen here? No. Zoe Baird, whom I know is here; Stewart Baker, yeah; Richard Ben-Veniste; P.J. Crowley; Steve Hadley, saw him; Brian Jenkins, all the way from California; Mike Leiter, who was a marvelous head of the National Counterterrorism Center and a papa-to-be; Stuart Levey -- is Stuart here? No. Jim Loy; Paul McHale, former colleague in the United States Congress; Phil Mudd; Eric Olson, Dan Prieto -- is he here? No. Marin Strmecki, nope; Guy Swann, yes; Juan Zarate, there; Evan Wolff; Gary Hart, former Senator Gary Hart, very good friend and new member of the group, here from Colorado; and the indefatigable director, former Homeland Security Inspector General Clark Ervin.

The Wilson Center is pleased to partner with the Aspen Institute to host this event, the second public discussion we've held with secretary -- Homeland Secretary Janet Napolitano. Today we are examining the international dimension of homeland security. Huh? Most people don't

recognize what an important role the Department of Homeland Security actually plays internationally. As a recovering politician, as I mentioned, who sat on the House Homeland Security Committee and chaired its subcommittee on intelligence for many years, I do know about this. Representing two of America's largest ports of entry and terror targets, LAX and the Port of Los Angeles, I spent a lot of time thinking about the best ways to vet the people who enter our country without slowing tourism or commerce or compromising individual rights. But it's not just about securing borders. As a co-author -- actually, the original author of the Safe Ports Act of 2006, I urged that we needed to push out America's borders because we don't want to discover a container ship with highly-enriched uranium at the Port of Los Angeles. We don't ever want to discover it, but surely if that is the situation, we want to discover it at the point of embarkation or we want to discover it when that container is penetrated on the high seas.

And that is why we not only need state-of-the-art intelligence, but we need the Homeland Security Department charged with protecting our homeland to be on the case. It doesn't help to screen air passengers with cutting edge body scanners at LAX if a passenger in Bangkok waltzes through the airport with a weapon. So, to thwart terror threats like dirty bombs as well as a variety of others, the Department of Homeland Security needs to and does maintain healthy relationships with our international partners so we can share information about individuals who may pose security threats so we can identify those who might have so-called clean records but nefarious intent. These are all appropriate applications of U.S. homeland security.

This morning, our panel will explore these issues, and we have an extraordinary and experienced group of people, including Secretary Napolitano, a former national security advisor and a former deputy director of the CIA, moderated by an excellent homeland security reporter who just happens to be a woman, Jeanne Meserve. Before we hear from this panel, Secretary Napolitano will say a few words. Everyone knows she is the former governor of Arizona and our third secretary of Homeland Security. Our second is sitting right in front of me. She was the first woman to chair the National Governor's Association and was the first female attorney general of Arizona. You do need to know, however,

that I knew her, she says -- I knew her when -- I know when I knew her, when she was a young lawyer in Phoenix. She says she had a perm. That is somewhat unimaginable.

[laughter]

Somewhat unimaginable. But even then, it was absolutely clear that Janet Napolitano was someone to watch. And I think she's not only someone to watch in this job, but she's someone to watch in the future. She's a dear friend and is protecting our homeland as we stand here and sit here. Please welcome Secretary Janet Napolitano.

[applause]

Janet Napolitano:

Well, thank you very much, Jane, for that introduction. Thank you to the Wilson Center for hosting us today and to the Aspen Institute as well. And I really want to mention the Aspen Institute and their committee on homeland security, co-chaired by Jane Harman and Michael Chertoff. A number of the members are here today. And it is part of our ever-maturing process at Homeland Security to really think strategically about its role domestically and in the world and how we serve the people of our country in the best possible way. I'm also glad to be here with my friends, Jim Jones, John McLaughlin. I think we will have a very interesting discussion about Homeland Security and its role in the international sphere.

And let me, if I might, turn briefly to that to kind of set the stage for our discussion. We have personnel now stationed in 75 countries around the world. We have the third largest international footprint of any agency of the federal government. Our work in the international sector is increasingly substantial. It's essential and innovative. It recognizes that in today's world, domestic security and international security are inextricably intertwined. A security decision made in one part of the globe can rapidly impact security half a world away. And that means that we have to look at our physical borders as our last line of defense and not as our first.

Our international engagement at DHS is focused on a set of core approaches and goals. These include improving information sharing, fostering better operational alignment and joint activities, and ensuring better law enforcement

coordination with other nations. Since I became secretary almost three years ago to the day, we have now executed 118 major international agreements that go to many of these goals, with a number of other important initiatives currently under negotiation right now.

I'll start, for example, in the aviation sector. We have now negotiated a new passenger name record agreement with the European Union, the Post-Lisbon Treaty, European Union, to improve information sharing and ensure that DHS personnel have the information they need to identify threats before someone embarks on a plane to the United States, that we have greater tools, that we have greater awareness. The agreement has been accepted by the European Commission. It was been approved by the Council of Ministers. And we are now awaiting a ratification vote in the European Parliament. It is -- and I will apologize in advance for the alphabet soup. I will try to explain some of these as we move forward, but PNR, Passenger Name Record, is a critical tool to assess a passenger's risk before he or she boards a flight to the United States. It allows us to better identify passengers to whom we should pay more attention. It also, by the way, as we move forward, will help us also identify passengers who are low risk and can be expedited through lines. The new agreement incorporates all of our commitments into a single document. And it does, I think, help and ensure the safety and security of the traveling public. And I mention that to start with because this is a major agreement for which DHS was actually named as the lead negotiator on behalf of the United States.

But that's not the only one. Moving on to cargo, we are working hand-in-hand with our international partners bilaterally and through multinational organizations, like the World Customs Organization, the International Civil Aviation Organization, and the International Maritime Organization to secure agreements to improve security while promoting the movement of cargo around the world. With respect to cargo security, we've worked with the WCO, IMO, and IKO -- I told you there would be alphabets in this presentation -- and with our partner nations to share info, to build resilience and to smooth travel and trade.

A good example of this is a program known as Global Shield. Global Shield protects the supply chain by preventing the theft or diversion of precursor chemicals that can be used

to make improvised explosive devices -- bomb-making materials. And as of December of 2011, we've accounted for the seizures of over 45 metric tons and 19 arrests related to the illicit diversion of these chemicals. More and more nations are now joining into the Global Shield network.

With respect to passenger security, I already mentioned PNR, but we are also moving to pre-clear more passengers through the world. And this is done through CBP. Now what does this mean? Well, CBP is Customs and Border Protection, as you know. And what pre-clearance is, is that somebody can actually go through the customs process, the international border travel process abroad, so that when they finally get to the United States, they can expedite through the lines. It allows us to screen passengers internationally. And it's identical to what they would go to here except it's abroad. It's pre-clearance. Last year, we processed 15 million travelers through 15 pre-clearance locations. And last December, I announced a new immigration advisory program in Abu Dhabi that is specifically designed to lead to pre-clearance agreement out of the airport there. This would be the first such agreement in the Middle East. We also have announced a new IAP in Qatar, and negotiations are underway in other countries as well.

Programs like that and programs like Global Entry, which is CBP's kind of fast-travel program that gives you your pre-cleared card to expedite through international arrival. A new pilot that we have just started called PreCheck, which is the domestic part of global entry, so that working off of the same platform, we can clear passengers through domestically. All of this is designed to improve access to passenger information to allow us to better assess passenger risk and to allocate resources to higher-risk travelers. These programs make the passengers' travel experience safer and more efficient, and that already has had a positive impact on many. Rather than standing in line after entering the United States -- and, by the way, if in our discussion, somebody wants to raise an issue about where they last stood in line, one of the problems we have, of course, is that some of our airports are older. And they are not built for the wide-bodied planes and the mass arrival of passengers all at the same time. Well, one of the ways we can deal with that is to better differentiate among passengers and also to conduct more and more of our activities outside of the physical border of

the United States. That all requires international negotiation, international agreement and building that consensus. And it's right in that sweet spot where security and economic and efficiency can be united.

Let me touch briefly on two other areas where we are heavily engaged in the international sphere. One is cyber security. In an age, of course, of rapidly evolving cyber threats, physical borders are almost irrelevant, except that they have jurisdictional meaning. And that requires us to work internationally. We're working now with international partners on the Budapest Declaration, on the European Cybercrime Forum. We conducted an international exercise this fall, and we are working within the auspices of the U.S.-E.U. Working Group on Cyber-security and Cyber-crime. We also recently entered into a partnership with Mexico to enhance our mutual cyber security and infrastructure protection efforts.

And then the third area I'd like to briefly touch upon is countering violent extremism. We know that terrorism, whether homegrown or imported internationally, remains a threat in the world today. We know that we are not immune to homegrown threats. We know that we have a lot to learn from our international partners on the issue of countering violent extremism. So, we have been engaged internationally with a number of countries in exchanging best practices and really trying to explore what is meant by violent extremism in terms of what kinds of indicators, tactics and techniques we need to be watchful for so that we can in turn share information with the state and local law enforcement partners we have who are within the United States, the first line of prevention.

So what does all of this mean in concrete terms? It means obviously that Homeland Security requires working internationally as well as within our borders. It means that there is a new avenue of negotiation and diplomacy occurring outside traditional State Department avenues, although we work very closely with the State Department and coordinate our activities with them. It means that we are finding new ways to unite effective security with good, economic business practices as we smooth and secure the movement of goods and people around the world. And given the economics and the sweet spot I described, it means that it is within the self interests of the nations of the world to participate globally in these initiatives.

And finally, it means that we have matured the concept of homeland security to the point that we can dissolve the traditional dividing line between international security and homeland security and recognize that each can strengthen the other. So, thank you for your presence and your attention here today, and I thank also many of you for your ongoing efforts in this arena. I look forward to our discussion. Thank you.

[applause]

All right, I'm going to let you pin me there. You want to put it on this one.

Male Speaker:
[inaudible]

Janet Napolitano:
That's right. Where's my corsage? Oh, okay.

Jeanne Meserve:
Oh, I forgot that.

Janet Napolitano:
[laughs] I think I'm all set.

Male Speaker:
Could you stand up again?

Female Speaker:
[affirmative]

Male Speaker:
Oh, you got it.

Jeanne Meserve:
Yes.

Male Speaker:
Okay.

Jeanne Meserve:
Done it a few times.

Male Speaker:
[inaudible]

Jeanne Meserve:

Thank you all for joining us. Secretary Napolitano, thank you for setting the stage, and I just want to assure you that we all had perms once upon a time.

[laughter]

Let me introduce our other two panelists. I'm sure many of you are familiar with them, but General James Jones is here with us -- 40 years on the Marine Corps, holding many important positions, including commandant of the Marine Corps and head of all NATO forces. He then became President Obama's first national security advisor. He left that post in 2010, and now is president of the Jones Group International. And John McLaughlin, three decades in the CIA, arising to the post of deputy director and eventually serving also as acting director, now a senior fellow at the Nitze School of Advanced International Studies at Johns Hopkins. Thank you all for being here.

Secretary Janet Napolitano:

Thank you, Jeanne.

Jeanne Meserve:

Well, I can't have this menu of guests and not ask you first of all about the current threat situation. A couple of weeks ago, a video was released online that appears to show U.S. Marines urinating on members of the Taliban. There's been a lot of discussion about what reaction that might provoke. Secretary Napolitano, let me ask you, are you seeing anything in the chatter or in other indicators that worry you that perhaps this has been some sort of a trigger to action or maybe in the future?

Janet Napolitano:

First, I think the activities that were videoed are not the policy of the United States. They're not the practice of other Marines or other fighting men and women, and they deserve the highest condemnation. And I hope and know that appropriate actions are being taken in that regard. So we begin with that.

We have obviously -- are always watching for things that could trigger an international reaction that could have impacts within the homeland. And it's an example of how something that happens abroad or that happens in the so-

called international or DoD spheres could actually have real impacts within the homeland. I don't want to talk about the intel we have except to say that that is the kind of thing that in the past has caused violence and violence against Western interests and against the United States, so obviously we are monitoring very carefully what is going on.

Jeanne Meserve:

The other big point of tension right now, Iran -- much concern over their nuclear program, escalating tensions with the U.S. over the Strait of Hormuz and so forth. Let me ask you, General Jones, what aspect of this relationship between the U.S. and Iran concerns you most at this point in time in terms of its possible ramifications for the homeland?

James Jones:

Well, I think it's enormous. I mean, I think 2012 is announcing itself as the year that Iran is going to have to be dealt with one way or the other. But it is the enormous shadow that casts its -- that demands our attention in many different ways. The threat of Iran possessing nuclear weapons obviously is a threat to one of their sovereign country neighbors, Israel. It's a real threat to a possible nuclear arms race in the Gulf. And third, it's -- and the most pervasive threat, as national security advisor, is the one that I thought had the most risk, is the fact that in a world that's increasingly populated by non-state actors, that Iran could export that kind of technology of a weapon of mass destruction, nuclear but others as well, to a non-state actor. And if that happens, I think the world that we live in changes dramatically, so it's a big deal.

Jeanne Meserve:

The U.S. has tried to mount an international effort vis-à-vis their nuclear development and had limited success. Does this show the limitations of international cooperation on security issues?

James Jones:

No, I think -- I think it certainly is always difficult, but I think one of the signature achievements of the administration in the first couple years was to be able to rally such generally disparate countries like China and Russia and many other countries to the cause of sanctions

against Iran, sanctions that have not really run their course, nor have they been ratcheted up just as fully as they can. And we're seeing individual countries and some of our Arab friends and neighbors as well starting to really tighten the screws on Iran. So there's still a way to go in terms of things that can be done. And I think Iran knows that. And I think that's one of the reasons that we're seeing the bellicose behavior of Iranian forces in the Gulf -- in the Gulf of -- in the Arabian Gulf or throughout any of the Straits of Hormuz, which is one of their favorite tactics. But it's clear that where world opinion is concerned, the majority of the countries that we have relations with are certainly with us on the side of the issue.

Jeanne Meserve:

John, are you also concerned about Iran's relationships with certain groups like Hezbollah?

John McLaughlin:

Yeah, I think the problem with Iran is that, you know, we have basically three courses of action. We can use diplomacy. We can use sanctions. Or we can, you know -- people keep saying that the military option is still on the table. I think it would be a very bad option, the latter one, to use. And one of the reasons is that Iran does have this relationship with Hezbollah. Hezbollah has not attacked American interests in recent years but has lots of plans on the library shelf for doing that in the event we got into a confrontation with Iran. And Hezbollah, of course, has been present in the United States, at least in fundraising. So, the -- one of the big problems with Iran is that if you get into an open confrontation, a military confrontation, you risk a cycle of retaliation and response with great difficulty seeing where the end point is.

Janet Napolitano:

If I might, on Iran, a couple of things -- one is we've seen some activities that are in open source, obviously, now that seem a bit irrational, but can fit into an overall picture -- the Arbabsiar matter --

John McLaughlin:

Right.

Janet Napolitano:

-- for example, the individual brought to the United States ostensibly to assassinate the Saudi ambassador here. That's an example where CBP, working with our other domestic law enforcement partners, was able to help make sure that that arrest occurred and that no activity was underway. The other thing is, when you talk about some of these organizations, one of the things we do is analyze at what point do you move from, say, fundraising, for lack of a better term, to planning a tactic or an operation that could actually take place against a Western interest, a U.S. interest abroad or within our homeland, and share that kind of information with the police around the country and law enforcement around the country. So they know the kinds of things to watch out for. And to share with them information about where we know specified groups could be located.

Jeanne Meserve:

Now, we've just had an arrest in Thailand of someone, purportedly a member of Hezbollah, interested in targeting tourist spots, possibly Israeli targets. Any Iranian connection there? And was that, by the way, an example of international information sharing thwarting something?

Secretary Janet Napolitano:

Let me not comment on the connections there and so forth, but I think many of these events that are in the open source press are now good examples of information sharing that is occurring around the globe between a security, homeland-type security officials as well as other officials. We all have an interest in making sure peoples are safe.

Jeanne Meserve:

General Jones?

James Jones:

I'd just like to point that I think we've been very fortunate in having two outstanding secretaries back-to-back. Secretary Chertoff is here, and I was privileged to work with him in my NATO hat. And it was that, at that point, really, then, that started thinking about the international aspects --

Janet Napolitano:

Yeah.

James Jones:

-- of DHS. And when you look at the threat envelope that's out there, one of the last conferences I attended as national security advisor was a Russian-sponsored conference which 43 countries attended. And the subject -- the main subject of the conference was the gradually increasing cooperation between terrorists, drug merchants and organized crime. And this is right in DHS' sweet spot in terms of an emerging threat, 43 countries at the table talking about this. This was about a year and a half ago. And this is a clear and present rising threat. And DHS is, as the secretary admirably pointed out, we want to defend our borders as far away from our physical borders as we can. And the way you do that is by international engagement. And so, the presence of DHS and the importance of DHS on the international arena, as part of our combatant commands, for example, having a resonance in those commands is very, very important in order to deal with that threat in conjunction with the interagency process.

And I think one of the great things that we did early on in the administration was to decide to combine Homeland Security and National Security and rename the National Security Staff the National Security Staff. And that has spawned a great cooperation, which I'm sure goes on today. But when you see the -- and Mike Leiter is here as well -- and when you see the cooperation that exists in the interagency level, and where DHS is one of the prime movers of this entire process, it's really, I think it's very comforting to the people of this country to see the progress that's been made.

Jeanne Meserve:

Just to follow up on that briefly, when you have a merger of Homeland Security and National Security, at that level, what do you lose? Don't you lose some capabilities through a merger? Or is it all positive?

James Jones:

Well, since it happened early on and with the agreement of the secretary, you know, from my standpoint, we didn't lose anything. We gained a lot. And you saw that reflected in not only the amount of work that was being done involving the interagency where everybody was present at the table. And it wasn't instant. And we had to grow it a little bit, but I'm quite sure that in the past year it's even gotten -- it's gotten even better. I'd be very surprised because --

- if it hasn't -- because we see -- and the president presided, and I'm sure still presides, over regular meetings involving Homeland Security, DHS, and DHS is always present -- the secretary is always present at the table where other big decisions are being made in terms of international security as well. So this, this growing partnership is really a tremendous achievement, I think. And if you liken it a little bit to what we did to reform the intelligence community where we took disparate stovepipes and eventually forced them all to bend towards the middle, this is what's happening I think in terms of our homeland security as well. And it's really a work in progress, but I think the secretary is being very modest about a lot of the achievements that have been made in the last couple of years.

John McLaughlin:

If I could add to that, Jeanne, I don't think you lose anything. We, I think, realized very early on after 9/11 that the secret to not be attacked again was -- involved many things, but two of the things it involved was integration of information. The -- putting it in the starkest terms, if some trooper in Nebraska picks up a group of people and finds them suspicious and can't reach into a database that includes what CIA has picked up in the back alleys of Cairo or Istanbul or wherever and integrate that, it's arguably an intelligence failure these days. So, that -- merging things, integration is always a good thing.

And the other big secret is also in something the secretary said, and that's international engagement. If you went back to the Cold War, we shared information with small numbers of people with the U.S. government and around the world. We had to build a worldwide coalition. You cannot do this job yourself. You need a lot of hands in it. You need to be able to pick up the phone and call some police chief in a Southeast Asian country and say, "I need you to do this for me tomorrow," and they need to respond. And that only comes about through constant engagement and, to the degree that we've also integrated our own information, homeland and foreign, it facilitates everything.

Jeanne Meserve:

And yet, certainly, you can't share all information with all players.

Janet Napolitano:

That's right. And I think one of the things -- one of the value-added propositions of DHS, if I might, you know, sometimes we get the question, why do you have your own intel and analysis section. You've got the CIA. You've got the FBI. You've got the NCTC, et cetera, et cetera, et cetera, DNI, et cetera. The value added is really to take intel that is obtained through a variety of ways and to integrate it into what is and can be and should be shared, real time or over time, to state and local law enforcement and with the private sector, and to combine the intel, the data points with analysis that really says, "All right, we have this. These are the things you want to watch out for. These are the kinds of behaviors, the tactics, the techniques that good law enforcement should be aware of." And we share those things through integrated centers throughout the United States. We have 72 of them now. We share those things with the private sector particularly where critical infrastructure is concerned, our utilities, our telecommunications, and build in that way kind of the homeland security aspect of what is being collected and analyzed around the world, really.

Jeanne Meserve:

But internationally, you can't share all information with all countries. You can't trust everyone, can you?

Janet Napolitano:

That's right. And we don't. Some countries we have a very, very close relationship with, and the mutual sharing is very robust. Others, of course, decisions are made about what can properly be shared.

Jeanne Meserve:

In your department, you've recently created a new position, assistant secretary for international affairs. What do you hope creating that office will accomplish that you're not already doing?

Janet Napolitano:

Well, we had one, and we just kind of reinstated it. And what that office is designed to do are the follow-up and all the operational things that require time and attention, the -- if we decide we need an overall strategy on protecting the global supply chain, that's kind of a policy decision. And a lot of that -- things go into that. But at some point, you've got to deal operationally. Well,

what does that mean at the ports, the airports, the sea ports, the land ports? What does that mean for training, domestically and internationally? What does that mean -- which countries have to engage? Who is going to intersect with all of the alphabet soup of international organizations? And to do that at a level that is very focused and concentrated on the operational activities that need to follow up on the policy decisions that are made. And so, that's really what that shop is designed to do.

Jeanne Meserve:

Now, you also, at the State Department, forming a Bureau of Counterterrorism, supposed to work hand-in-hand with DHS. But I guess I'm wondering how much unity of effort ultimately there's going to be or whether those two entities and the others that exist end up either tripping over one another or being duplicative. Or is it all positive synergy, as they say?

[laughter]

John McLaughlin:

I --

Janet Napolitano:

Of course, it's all positive.

[laughter]

John McLaughlin:

I can't speak about the State Department, but in sort of reviewing all the things that DHS is now doing overseas, I was frankly surprised by the sweep of it and the breadth and the numbers. The question I asked myself was, how does this fit with what my former agency is doing and with what other intelligence services are doing? And I have to say, I came away thinking it's very complementary. It's very complementary, because what Homeland Security is doing is essentially a layer above what's going on in the intelligence realms. So, for example, if someone in the intelligence field develops concerns about a group of individuals who may be traveling, it helps a lot to have a Customs and Border person from the United States at an airport. It helps a lot to have DHS doing passenger name recognition. It helps a lot to have an ICE agent who can look into whether there's a high-risk traveler involved here. So, I, you know, I'm not doing this anymore, so I

don't know precisely how this liaison is working, but if I had my hands on it, I would assume that there is an advantage to be gained here in terms of how traditional intelligence works in the field, having people from DHS out there who can take this material and do something with it that ultimately protects the homeland.

James Jones:

One of things that, as national security advisor, I tried to encourage among different countries is the idea that they should -- other countries should have a national security advisor so I'd have somebody to talk to.

[laughter]

Jeanne Meserve:

Was it that lonely at the top?

[laughter]

James Jones:

No, no, no. But a lot of them did. Quite a few did. And the United States generally gets mimicked in a lot of ways around -- by our friends and allies. I was curious, Secretary Napolitano, if you're seeing an international trend towards developing homeland security departments, that your peer group -- or do you have to do like I did, and that's basically, well, I can't -- they don't have a national security advisor, so I got to call, you know, the next closest thing.

Janet Napolitano:

I think what is happening is they are -- many countries have departments that overlap with homeland security. And their missions are being amended or changed to more closely mirror the myriad of missions we have now swept under the rubric of DHS. My peers are the home secretaries, the interior ministers of the world. Those tend to be the closest relationships. But because of the things that we do, we also have partnerships with ministers of transportation. We have agreements on the development of counterterrorism, science and technology and sharing of some of that technology. So that occurs at a different level. We have agreements sometimes with commerce departments and things of that sort. But the primary relationship I have, the people I call on the phone, the

people I meet with abroad and here are the ministers of interior and, in some cases, known as the home secretary.

Jeanne Meserve:

Some of our closest relationships are with the Europeans. The Europeans find themselves right now in a big heap of trouble economically. How is that impacting what they're doing in terms of protective measures, in terms of intelligence? Is it hurting?

Janet Napolitano:

Well, I think right now they're under tremendous budget pressure, as are we all. And some of your earlier questions suggested that. Are we being unnecessarily duplicative, redundant and the like? We are trying not to be, recognizing that in some areas you do need multiple layers because there are different functions to perform. I think we don't know. I think the intent is not to see a degradation. But when you actually read the budgets of some of these countries and see the reduction in personnel, how that will play out over time is unknown. However, the budget pressure, I think, on all of us requires us to act more internationally. We have to leverage resources with one another. And we are actually exploring some pilots where we leverage inspections and checks abroad with other countries. We'll do some, they do some, all to the same standards, all with some mutual embeds to make sure those standards are abided by, but the idea is to say, "Look, we're all under budget pressure. There are some things that we could do together now. And we ought to be exploring that." And we are.

Jeanne Meserve:

How worried are you about the future ramifications of their economic troubles?

Janet Napolitano:

Well, I, you know, I worry about a lot of things.

Jeanne Meserve:

Yeah, I'm sure you do.

[laughter]

Janet Napolitano:

That's my job. But I think, again, when we meet and speak and speak with each other, the idea is: all right, that's

the situation we have. That's the hand of cards that we've been dealt. How do we make this work so that there is a maximum ability to detect and interrupt before a violent action takes place?"

Jeanne Meserve:

Now, the U.S. has internationally provided advice and sometimes equipment to help partners in this security battle. Is the U.S. still going to be able to do that to the extent it has been, given the budgetary constraints you are facing?

Janet Napolitano:

Well, a lot of that we do through the State Department. And this is where funding for the State Department -- one of the many reasons the State Department is key in all of these security areas. For example, our efforts with Mexico, which have required us to help provide training and equipment up to and including things like some helicopters, that's all funded through something called the Mérida Initiative. That's all funded through the State Department. We work with them on how and what makes sense. We work with the Mexicans on how and what makes sense, what should be prioritized, and obviously, on the joint training, the vetting of law enforcement personnel, et cetera. So, all of that happens within the ambit of the State Department and exemplifies the kind of linkage that has to occur there.

Jeanne Meserve:

I -- we talked a little bit about the current threat picture, and I don't want to clearly spend all of our time talking about threat, but I would like you to look forward in time for me six months, a year, and tell me what you see emerging internationally as your principal areas of concern, your top two or three. The list could be endless, I know. We've got Yemen, Iraq, Somalia, Pakistan. But what are your top two or three? John, do you want to start?

John McLaughlin:

Well, I don't think we're out of the woods at all yet with terrorism. It's become a little too fashionable, I think, to say that al-Qaeda is strategically defeated and so forth. In a sense, it is. I mean, the al-Qaeda we knew at the time of 9/11 is defeated, that al-Qaeda. But the al-Qaeda of today is still alive. It is less hierarchical.

It is less structured. And it's more in the mode, if they have a motto, it's "Go do attacks where you are." There are ways in which it's been weakened. For example, I would say the middle rank bench is pretty much gone, so there's a big gap between the very top leaders of that organization and the muscle at the bottom. Those middle-level leaders are either dead or captured. They are having some trouble fundraising. And the Arab Spring is not working to their advantage yet.

Jeanne Meserve:

But it's not yet clear it's going to work to our advantage either, is it?

John McLaughlin:

It's not clear it's going to work to our advantage. That's totally up for grabs. And it's act one of a three-act play. So, we don't know what's going to happen next there. And then you come to the affiliates. And if I were giving you my top two or three worries, I would have to say I'm still worried about al-Qaeda central, the core of al-Qaeda, but I'm in a way more worried about the affiliates. And there, the alarming thing is the relationships and connections that are developing among them. The major ones are, of course, al-Qaeda in the Arabian Peninsula in Yemen, which now, if not controls, at least is influential in about 50 percent of that country.

Jeanne Meserve:

The impact of the death of al-Awlaki.

John McLaughlin:

I don't think it's had a big impact on them operationally. It's had an impact in the sense that he was there as principal spokesman to an English audience. Their leadership is still there. There are two or three characteristics of that organization that we have to worry about. One, they move fast. I mean, their operation that sent Abdulmutallab here in December of 2009 was something - - was a pick-up game, took about a month to get that thing going. They're cheap. The package bomb operation by their own estimate cost them about \$4,200. And they have a strategy, which is 1,000 cuts, so basically attack us where they can. And they're not routed out of important cities in Yemen yet. And they're connected. That's the other thing. They're connected both to al-Qaeda core, and they're connected to Al-Shabab in Somalia, which is strong

and which is a magnet, it seems, for Americans of Somali heritage who are becoming quite important in that organization in terms of leadership.

Jeanne Meserve:

Are we still, by the way, seeing Americans leave for Somalia, or does that --

Janet Napolitano:

Yes, we are. And we work very closely with the Somali-American community itself, building bridges there within the homeland. But Al-Shabab obviously is a growing organization and one that is quite concerning.

Jeanne Meserve:

Your top two or three?

Janet Napolitano:

Well, you know, I don't rank them like basketball teams in a way. I would say, I would agree with John, that we should not be facile about the threat of international terrorism. It is there. It takes different forms. The threats constantly evolve, and the kind of targets of opportunity constantly change. It requires us to always be leaning forward and to try to be thinking proactively what is the next best thing. And so, you know, the al-Qaeda affiliates, AQIM, AQI, AQIP, et cetera, all are of concern. Al-Shabab is another one. And then, one of the things I constantly keep my eye on is what is going on in Mexico and Central America. What is going on south of us in this hemisphere that could actually affect us unduly in the homeland itself?

Jeanne Meserve:

And your level of concern with an election approaching and --

Janet Napolitano:

Well, you know, there's an election in Mexico in July, so they're in their election season now. President Calderón has undertaken really a heroic effort there to try to rid that country, our neighbor, of these cartels. It is a very violent struggle, and we see it all in the papers. And it is ongoing. And our hope is and our plan is to keep working with the Mexicans, the Mexican federal government in particular, on those efforts.

Jeanne Meserve:
What if he's not reelected?

Janet Napolitano:
Well, he won't be reelected. He can't --

Jeanne Meserve:
So, okay, excuse me. But they --

Janet Napolitano:
If they have a party change --

Jeanne Meserve:
Yeah. And, by the way, a story just in recent days about indications that the drug cartels are trying to influence the election.

Janet Napolitano:
Well, I think we will work with whoever is in power in Mexico. We have good relationships there at a lot of different levels, but it's simply an indicator of while we keep our eye on the Middle East, on Africa, other places that are obvious hot spots, this is one that we also work very closely with because it's so close to home.

Jeanne Meserve:
General Jones, your top two or three?

James Jones:
Well, I think, you know, not necessarily in any particular order, but I think in addition to terrorism, proliferation is a huge threat. And cyber security is certainly one of the giants that's coming down the road at us. But I would say that the one component that defines all of these threats is the speed with which you need to respond to them. The speed is really something that is -- defines the times that we're living in. You have to be able to respond pretty quickly. And I was very encouraged during my time as national security advisor at how we were able to build rapport with friends and allies a lot -- our traditional friends and allies, but the speed with which we're able to pass information and share information, more information than we ever did in the past without vetting it, because time was of importance. When you think about threats, you know, they are really two formulas, if you will, to think about a threat. The first is somebody has a hostile intent and puts together a capability. Then that's a

vulnerability for us. And then if you take the vulnerability and -- I'm sorry -- the capability. That becomes a vulnerability. And then you take the threat and vulnerability, and then you have risk. And then the newest formula would be that risk plus consequence helps you -- or forces you to determine what priority you're going to respond to the threat in. And that, I think, gets into some of the questions that you were talking about with regard to, you know, how much of your resource are you going to devote to this priority. And it really is a clear priority.

John McLaughlin:

But on that point, on proliferation, it's worth mentioning too that in the context of terrorism, a number of the people in al-Qaeda who had interest in proliferation and in WMD attacks are still at large. We -- among those that we've taken out, are not all of the WMD people. And Zawahiri himself, as a physician, has always been interested in a WMD attack. And I think we cannot underestimate him. No, he doesn't have the charisma of bin Laden. No one's printing t-shirts, you know. But he's a tough, disciplined guy who has a lot of credit in the organization for his time in prison and his operational ability, so -- and there's a lot of stuff lying around in the world. The president has an initiative underway, of course, to tighten up on loose nuclear material, but we haven't made a lot of progress on that. There's something like 2,300 tons of enriched uranium and highly enriched uranium and reprocessed plutonium that's out there with varying degrees of security. And we know it leaks. In 2003, 2006, we picked up significant amounts coming across the border in Georgia.

Jeanne Meserve:

So what do we do about that problem? It's still significant, nuclear threat initiative --

John McLaughlin:

It requires exactly what the secretary was talking about in a different context. It really requires international agreements and commitment by a lot of countries to tighten up on the control of those kinds of substances. And within the terrorism context, it requires a lot of focus on that because, you know, that could be a game-changer on the terrorism front. That would be the big game-changer, even a dirty bomb as opposed to a nuclear weapon. That would

bring -- put them back in business. It would inspire their recruitment, and it would put them back on the map at a time when they seem to be back on their heels.

Jeanne Meserve:

But we've been talking about international cooperation on that front for decades, and yet we still have a long way to go. How do we get there? What's the obstacle?

Janet Napolitano:

Well, I think in this area in particular, our efforts, our protection efforts for the country really begin with good intelligence, because there are different -- so many different ways that material could be smuggled into the United States. And so, good intelligence and good information sharing. And that's where the international engagement really has to occur, is that real-time information sharing. And, as General Jones said, a lot of times, you don't have the opportunity to make sure it's perfect information, the perfect can be the enemy of the good. It has to go.

Jeanne Meserve:

However, back in 2005, the Robb-Silberman Commission said, quote, "The U.S. has not made intelligence collection of loose nuclear material a high priority." Has that changed?

[laughter]

John McLaughlin:

I think it has, but it's one of those really tough targets because you do need excellent cooperation among allies, but you also need things like provision of equipment to partners who have the potential to monitor borders, sophisticated equipment that can detect, in particular, nuclear material coming across borders. And we've done that. That's how we know that it does leak. We have intercepted significant amounts of enriched -- highly enriched uranium at different parts of the world. So, yeah, I think it's improved, but I don't think the president would have undertaken the initiative he undertook in Prague were it not for the fact that there's still a long way to go here and in terms of gaining international cooperation. It also involves, you know, treaties on things like control of fissile material, which we haven't approved in our own country and which are still controversial in many others.

James Jones:

I think we've made a lot of progress. I mean, particularly with Russia, I think. For the first two or three years of the administration, we've been able to, I think, work very closely with the Russians in terms of having our two countries at the lead of this effort. And that should continue. And the conference that was held in Washington, I think, in 2010 was also very good. So, I think that you -- it's absolutely essential that the United States maintain its leadership in this particular arena.

Janet Napolitano:

And if I might, in terms of this but also the importation of other kinds of weapon-type material, that's why we have a secure container initiative negotiated around the world, to really be able to screen high-risk cargo around the world. That's why we have something called C-TPAT, which is basically a form of the same thing. It's why through TSA and CBP we now have united databases so that we can track travel and travel patterns in such a way that it enables us to do further examination on higher risk travelers or travelers who have had a pattern through countries that cause us to say, "Look, we want to make sure we double check." So those things all go together and are kind of the operational side of, what do you do?

John McLaughlin:

Yeah, the other thing I'd say is that, you know, particularly in the intelligence business, you're constantly struggling with priorities. You can't do everything. You get a lot of reporting on the movement of illicit materials. One thing I would say to you that I hope would be slightly reassuring is that on those kinds of reports, they are all run to ground. In other words, you get a volume of reporting on everything. Some of it you just have to not pursue. On that kind of reporting, every report is run to ground no matter how off-the-wall it appears to be, because you can't take the chance that one of them might be right. So that's a very high priority.

James Jones:

I think, you know, when we talk about -- we tend to gravitate towards talking about things that are kinetic, because those are things that are, you know, obviously involve lives and sometimes hundreds and thousands of lives. But the security threat that we face on the

asymmetric cyber security, when you have a disaster like a WikiLeaks, for example, it causes people all over the world to kind of pull back a little bit. It's a natural reaction. You say, "I don't ever want to get involved in that, so I'm going to be really careful about what I work with in terms of the other countries." And we have to be very aware that the cyber security threat that is growing in this country affects everything we do. It affects --

Jeanne Meserve:
Zappos.

James Jones:
Pardon me?

Jeanne Meserve:
Zappos.

Janet Napolitano:
We know what Zappos --

Jeanne Meserve:
Big shopping site, sorry.

Janet Napolitano:
We know what Zappos is.

[laughter]

Not to worry.

[laughter]

Jeanne Meserve:
Unless you're into high-heel shoes.

Janet Napolitano:
We have better intel.

[laughter]

James Jones:
So, firms [spelled phonetically] and Zappos, I --

[laughter]

-- but it really affects our commerce. It affects our trade. It affects our industrial secrets and everything else. And that is, to me, the most competitive arena that the United States faces in addition to the kinetic threats. But how do we compete in this new world and what role is cyber security protection going to play and how are we going to do that?

Jeanne Meserve:

And how can even the international community grapple with the cyber threat when you're dealing with so many non-state actors? How do you -- how do you do it?

Janet Napolitano:

Well, I think one of the things you work on is how do you protect the networks and do it in such a fashion that critical infrastructure is protected. We did an exercise that included a number of other international partners this fall called Cyber Storm. And, you know, these can be exercises that involve infiltrations of attacks by non-state as well as state actors. Now, how you attribute and what actions are taken as a country, you know, that differentiates a bit, but in terms of prevention, interdiction, response, that all is something that we are working on and must work on internationally. And I would say we're really, in my judgment, only at the beginning of that. This is the new kind of -- the new international sphere that's going to require quite robust engagement if we're to be successful.

Jeanne Meserve:

I just want to touch on one other subject before we open it up. A lot of the programs that you've outlined here about keeping bad stuff out of the country, there's a lot of stuff here already that people can use. And, in fact, we've had people like Najibullah Zazi, who was going around to beauty supply stores buying what he needed to conduct an attack. So, it comes down to, in large measure, to the people. And intelligence is imperfect. We don't always know who the bad guy is when he's coming in. We don't have the exit system worked out so we know when people are leaving. General Jones, you said --

Janet Napolitano:

If I might, though, if I might, Jeanne --

Jeanne Meserve:

Yeah.

Janet Napolitano:

Zazi, Faisal Shahzad, the Time Square bomber, David Headley, who was connected with the attacks in Mumbai -- all of them, all three of those were examples of cases where PNR data actually was very helpful in identifying an unknown actor before the fact.

Jeanne Meserve:

But General Jones, when we were speaking on the phone the other day, you mentioned something that isn't mentioned very often in Washington, which is a national ID card. Do you think that's something that it's time for to help secure the country?

James Jones:

Well, this is a very personal opinion, but I do believe that technology has gotten to the point where something like that could be contemplated. And how you put it together is up to us. But I -- you know, I think -- who individuals are really matters. And I, frankly, having grown up in a country where you had to have a national ID card to do -- to have access to just about anything -- that would be France, post-war France. I mean, it's called a grey card, but I mean, it was the document that you had to have when you were pulled over by a policeman or questioned by a lawyer or anything. You had to have -- or tried to get access to health benefits or anything like that. So it's not a new idea. But when you think of how --

Jeanne Meserve:

But it's very controversial.

James Jones:

It's very controversial, but if you really are thinking about security, I believe that there's more that we can do to assure the security of this country by virtue of knowing who's in the country, who's authorized to be here and who's coming here. And technology can help us get there. Now, whether politically anybody wants to take that on, that's another issue. But I think there's more that can be done.

Jeanne Meserve:

Well, let's ask Secretary Napolitano. Would you want to take that on politically?

[laughter]

Janet Napolitano:

I mean, after we do counterterrorism, immigration enforcement, cyber security, et cetera. Look, I think that that's not in the cards, so to speak, and -- but -- and there is room for a national dialogue about security and privacy and security and other values. And we are always, in our shop, we talk about that a lot. We think about it. We actually have a presidentially appointed privacy office in DHS. And many of these agreements I've discussed with you today, like PNR, have a huge privacy implication that we have negotiated very carefully with the Europeans, being cognizant of their interests in that regard. That is not to say, however, that there isn't room for things like a global entry card, where those who wish can voluntarily provide information and subject themselves to a check, in exchange for which they in essence can be construed as pre-checked as low risk travelers and move through the system more conveniently. But there is real room there for discussion and debate.

Jeanne Meserve:

I'd love to take some questions from the audience here. I see some at the back, but why don't I start right here with Congresswoman Harman? Do we have a microphone here? Yes, we do.

Jane Harman:

Is this on? No.

Male Speaker:

It was.

Jane Harman:

It was, it is? I'm not sure. It's not on. No. Why I can't learn to turn on a microphone in this place, I don't know. I think it's on now. Yes. I just -- Janet Napolitano just made a comment about security and liberty. And I wholeheartedly agree. I don't think they're a zero-sum game. And I think we have to think about both at the same time. And the Wilson Center will be having more conversations about that. But my question is about something that wasn't mentioned by this excellent panel, and that is the role of the private sector. Cyber for example, cyber threats have more -- they of course affect the ".mil" and the ".gov" space, but the largest space in

this country is the space everybody else in this audience uses, and you too also on the weekends. And that's the -- all of our private carriers. And in order to do the job we have to do on cyber security -- I know you agree, Secretary Napolitano -- we have to build adequate connections with and information sharing with the private sector. So I just thought I'd raise the question how are we doing, and I thought I'd ask General Jones and John, who are now in the private sector, how you see this now that you've left the government space.

Janet Napolitano:

Well, I'll start. You know, this is an area where we are continuing to grow our engagement. We appreciate that roughly 85 percent of the nation's critical infrastructure is actually in private hands. So, we have to have those connects. The way the department is created, we have critical infrastructure councils with each of the major components of the economy, but I believe as we move forward, we're going to have to do even more with the private sector. I think Congress moving forward on a cyber bill will be helpful because it will establish what we are actually practicing under, but it will establish in law what the different authorities and jurisdictions are. And I think that will be important. But, Jane, I think you've really put your finger on an incredible area where it's [audio break] intersect internationally but across the public-private sphere.

Jeanne Meserve:

But does the private sector want to share information with you?

Janet Napolitano:

Sometimes.

Jeanne Meserve:

Sometimes not.

Janet Napolitano:

And sometimes not. I mean, sometimes they may view it as not to their competitive advantage to do so. Or they have information that is something they would like to protect because it is part of their intellectual property, but it also implicates some other things. And so, we have to work with them and be creative, creating things like information lockboxes, looking at different types of secure networks,

other ways of sharing information that we could then share more generally. And these are easier things to say than to do. This is an area that's going to require our best minds over the next months and years.

James Jones:

And I completely agree with that. I think the public and the private sector have to work together. They're not always going to be able to be -- have convergent interests, but it's just going to have to be done. And it's a huge task.

John McLaughlin:

You know, it's the most complicated problem of our times, because it brings together technology, culture, social issues, privacy issues, and it's changing all the time. That's the other problem. It's like going back to the invention of gunpowder and wondering what -- you know, how do you use that stuff? This is totally different and totally revolutionary. The private sector, of course, worries about proprietary information that it might have to put on the table in order to be protected. And I have an alarming thought about all of this, which is that in some ways the discussion about cyber mirrors a bit the discussion we used to have about terrorism back in the '80s and '90s. There was a great deal of difficulty coming to a national consensus about what to do about it until we had 9/11 which then crystallized everything. And we knew what to do, and the nation moved forward.

We haven't had that kind of event in cyber yet. We imagine it. We talk about it. The attack on Zappos, the attack on Stratfor where I lost my credit card -- those, the only good thing that comes out of those is there's, I think, a few more of those and there will be growing public awareness that this is a serious vulnerability that I think will then overcome some of the private sector reservations about working with the government on this because of the terrible ramifications when there is a breach. But you almost need a demonstration effect here to get everyone focused and on the right page.

James Jones:

And the potential's out there.

John McLaughlin:

The potential is out there. It's probably going to happen, you know, the cyber Pearl Harbor we all worry about. It's probably going to happen sometime. And then we'll have national commissions and we'll figure it out. Then we'll do something quickly.

Jeanne Meserve:

And we'll say why didn't we do it 10 years ago, 15 years ago, 20 years ago.

John McLaughlin:

And we'll say why didn't we do it 10 years ago -- yeah, absolutely.

Jeanne Meserve:

Questions over here?

Donald Loren:

Thank you all. Don Loren, former deputy assistant secretary of defense for Homeland Security under Paul McHale. Thank you for your participation this morning. The Graham/Talent Commission report, "World at Risk," opines that we are likely to see a terrorist organization use a weapon of mass destruction by the year 2013. And it goes further to say that there's very strong likelihood that that would be a biological weapon of sorts. I ask all three of you, do you believe from a biosurveillance, biodetection perspective that we are a nation prepared to deal with that or prevent that?

Jeanne Meserve:

It's a tough one.

Janet Napolitano:

Yeah, I'll start with where we are. We do have deployed in a number of cities of the United States biodetection devices --

Jeanne Meserve:

That detect a limited number of pathogens.

Janet Napolitano:

That's correct. You know, one of the issues in the current budget climate is whether we move forward with the construction of a new national Bio Level 4 laboratory that would deal with zoonotic pathogens, disease, which is a concern as well. And that's something that we're working

on right now. That is, you know, when you think about bio, one of the things you have to think about is the development of detection and detection technology, diagnostics, better diagnostics, quicker diagnostics, prophylactics, the development of prophylactics, the development of response and response to medication and how they would be delivered if you were to have such an attack, kind of -- and so, kind of moving backwards through those, we have been working with HHS and others on kind of the response mechanism. We have been working on storage and storage of prophylactics for certain pathogens. We have been improving the technology, although we are not where we need to be in terms of detection. This is an area where intel plays an incredibly important part because bio is easy to imagine, but it is difficult to execute. And it does require training, education, and the like. And so, there are opportunities there for intel to help. And then in terms of our overall ability to develop these things and to improve them, we have to at some point look at what our national laboratory facilities are and what they need to be, and those are -- that question is really part of the ongoing fiscal debate.

Jeanne Meserve:

General Jones, isn't biotechnology capability growing in many parts of the world, and is that a concern?

James Jones:

Yeah, I think it is. And when you talk about proliferation, you know, people immediately gravitate towards nuclear, but chemical and biological threats are out there and they're growing. I don't know whether I agree that, you know -- I wouldn't even pick a year, to be honest with you. But I'm sure that -- I'm sure that there are hostile non-state actors out there that are trying to figure out how to do that. And this is a very dangerous world that we're going to continue to live in. It -- we may not have a conventional war in this century, but we're certainly going to be fighting unconventional asymmetrical threats like proliferation and what all that entails for the foreseeable future.

Jeanne Meserve:

John, you said every lead in this area was run down, but --

John McLaughlin:

It is. We, you know, we worked hard on al-Qaeda's biological weapons program years ago, and I'm sure we still do. To a degree, the trail kind of went cold here at a certain point, particularly on their anthrax program. And the great --

Jeanne Meserve:

And that's a concern, is it not?

John McLaughlin:

That's a concern, yeah. A great mystery, I think, among counterterrorism specialists is why hasn't someone done this up till now because, I mean, everyone will tell you that the barriers to weaponization, the barriers to delivery, and the barriers to culture acquisition have dropped significantly in the last 10 years. Look at the doctor's plot in the U.K. some years ago. They were not into biology, but it illustrates to you that medical [audio break] chemicals and foods. So, the mystery is [audio break] and it is hard to execute, as the secretary said. So, the bottom line here is I don't know whether I'd put a date on it, but it certainly has to be at the top of your concerns, because, like some of the other things we've talked about, it would be a game-changer.

Jeanne Meserve:

And internationally, is hair on fire about this one? Or are people just watching and waiting?

John McLaughlin:

I don't know, to tell you the truth. My guess is that people internationally -- someone else would have to answer this -- may not be as concerned and focused as we are because -- because it hasn't happened yet.

James Jones:

Nuclear occupies a unique slot. When you talk about proliferation, it's generally about that.

John McLaughlin:

Yeah, usually.

James Jones:

But I think the probability of a cyber attack is higher than any one of those other -- any of the other three.

John McLaughlin:

Easier.

James Jones:

In terms of the near term. And it's not as kinetic in terms of lives lost, but it could be very disruptive in terms of how things work in this country.

Jeanne Meserve:

Let me take one of the questions in the back, here in the dark shirt with the hand still up.

Janet Napolitano:

There are lots of dark shirts.

Jeanne Meserve:

Well, I know.

[laughter]

I wish my eyesight was better, but.

Janet Napolitano:

Okay, that's good.

Male Speaker:

Is it on?

Jeanne Meserve:

Yes, it is.

Male Speaker:

My question is really for Jane Harman, and that was how much does the --

Jeanne Meserve:

Jane, are you listening?

Jane Harman:

I'm listening.

Male Speaker:

Jane, how much does the soaring, if you will, of the deliberative process in Congress impact our credibility for the administration in this country to negotiate all these aspects?

Jane Harman:

I think everyone in this room can answer that question, and the answer is: a lot. It's obviously personally painful for me to watch this, and Paul, because we were in it. And I sadly think the paradigm has changed to "blame the other guy for not solving the problem" rather than "work with the other guy to solve the problem." And it has huge blowback for the executive branch. I'm sure everyone who has served in the executive branch would know that. Judge Webster is one of the -- he's hardly a relic. He's a vital, you know, young man on our committee, but he served in government at a better time. Gary Hart did too, when people solved problems. And these problems are exponentially harder. And if the image people have abroad is that we might even default on our debt, they surely can't take us as seriously, so I'm -- this is for a longer conversation. I think I'll now take medicine after trying to answer it.

[laughter]

But it's a big factor.

Janet Napolitano:

And if I might, one of the things that has not happened yet in the Congress is to realign itself with this -- the new functions. When you have a Homeland Security Department that has an international aspect that's quite significant but the old kind of committee jurisdiction and lines still pertain, and so --

Jeanne Meserve:

And how many are there now?

Janet Napolitano:

It's over a hundred committees and subcommittees have some sort of jurisdiction over our department.

Jane Harman:

[inaudible] recommendation --

Jeanne Meserve:

Right.

Male Speaker:

[inaudible]

Janet Napolitano:

And it's the only 9/11 recommendation on which there's been no movement. And what it does mean, however, is that there is --

Jeanne Meserve:
Members of Congress here?

[laughter]

Janet Napolitano:
-- there is no opportunity for -- a lot of opportunity for overall strategic thinking at the congressional level for strategic oversight of the department as opposed to programmatic.

Jeanne Meserve:
Another question, the gentleman with the glasses with the hand still up there.

Brian Beary:
My name is Brian Beary. I'm the Washington correspondent for EuroPolitics. And my question is for Secretary Napolitano. On the U.S. Visa Waiver Program, can you just say what is the future for it? I know there's four E.U. countries that are knocking on the door quite vigorously, and perhaps Croatia next year if it joins the E.U. And one other question on the 100 percent container scanning rule, I believe there's a July deadline for when you have to extend the waiver and I believe you had signaled you were going to do that. Can you just say what your latest plans are for that?

Janet Napolitano:
Right. We're working with several countries on Visa Waiver, and there's actually I think a congressional proposal to adjust some of the criteria. What Visa Waiver, for those who don't know, is, is it's exactly what the name says. You can travel to the United States without a visa. We get information about those travelers through something called ESTA, so we do get information before they enter the United States. So, it continues to be an important part of what we do. It continues to be something that we work with other nations on. Obviously, becoming a Visa Waiver country is a -- is key for travel and tourism. It just makes everything easier for people.

Jeanne Meserve:

Cargo.

Janet Napolitano:

Yeah, I was thinking -- I'm trying to -- with respect to cargo, we will and are in the process of screening 100 percent of high-risk cargo coming to the United States, but 100 percent of every container coming into the country is -- would require an international engagement far beyond what is accomplishable in the near term and requires other things, redesign of ports, et cetera, that ship cargo to the United States. That's why we have in their place put together efforts that allow us to differentiate high-risk from low-risk cargo and shippers and trans-shippers and cargo forwarders and consigners and the like. That's why we have C-TPAT. That's why we have the Container Security Initiative. They are all designed to give us intel and info sharing opportunities that basically serve the same function as putting every piece of cargo through the same kind of device.

Jeanne Meserve:

One more question here in front. Yes, right here.

Female Speaker:

Hi, thank you. Is it on? Hi. [inaudible]

[laughter]

Hi. Hello? [inaudible]

Jeanne Meserve:

It may have been. Try it one more time.

Female Speaker:

Hello? Testing.

Jeanne Meserve:

There we go. Yes, we hear you.

Female Speaker:

Hi, thank you for taking -- for being here. And I'd like to ask Secretary Napolitano, you've talked about air travel and the efforts in that department also of ports of entry. But I wondered if you could give us a sense of the threat at the border of Canada and Mexico, not just of the regular illegal immigration that people talk about, but of people coming into this country from some of these areas we've

talked about, like Somalia and Yemen and other places where there's a threat. Is there a -- can you give us a sense of how DHS is tracking that? Thank you.

Janet Napolitano:

Yeah, actually, we've done quite a bit in that arena, recognizing that there are many things that could transit these huge land borders that we have. The president and Prime Minister Harper announced what's called "Beyond the Border," which really creates for the first time a perimeter sense of security coming into North America. We're trying to take some pressure off of the airports and land ports along the northern border in that regard and also enable us to follow travel patterns and the like better. With respect to Mexico, we've been working very closely with them. There's a whole category called SIA, special interest aliens is what it stands for, but we watch that very carefully and work with Mexicans on it. We have been working not just with Mexico but countries of Central America in terms of following more closely people transiting the airports and the like. And so, again, our efforts there are to try to get as much info and to take as much pressure off of the physical land border as we can.

Jeanne Meserve:

And, alas, we're out of time. Thank you, Secretary Napolitano, General Jones, and John McLaughlin.

Jane Harman:

I'd like to thank all of our panelists and our --

[applause]

-- ace moderator, Jeanne Meserve. We could easily go another hour, I think. There are a lot of questions in the audience, and this is a subject obviously near and dear to my heart. And I could ask another hundred questions, but I won't. Just go keep us safe, Janet. Please do that. And thank you [laughs] for -- thank you all for coming. I would now ask that the members of the audience remain seated just briefly until our panelists leave and until the members of the Aspen Homeland Security Advisory Group move down the hall for a different meeting. Again, I'd like to thank the Aspen Institute for joining with the Wilson Center to put on this activity and to say that I'm very proud to co-chair the Aspen Institute Group with my dear friend, Michael Chertoff. Thank you again for coming.

[applause]

[end of transcript]