



## Remarks by Homeland Security Secretary Michael Chertoff at a Roundtable with Bloggers

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**Question:** Can I ask a question?

**Secretary Chertoff:** Sure.

**Question:** The quadrennial homeland security review is something I'm interested in quite a bit. It's modeled on the Pentagon's version of QDR, which is typically done around the time of the beginnings of administrations, and this is the first HSR that your department is running, and it's going to be coming out, as I understand, pretty much at the end of the administration. What's your hope for it, plan for it, what's your expectations for its impact?

**Secretary Chertoff:** You know, it is the first one, and I think what it's designed to do is to take the broadest look at what we see as the homeland security challenges going forward over the next several years -- which I would hope would be part of what the next administration considers as they evaluate what our budget proposals are, what we've got on track, things that we still think need to be done that we don't have underway. It's kind of a good way to step back and look at all the threats, evaluate what we're doing as against threats, and then decide what additional steps need to be made.

**Question:** Is this going to be a department-wide scope? Is this going to focus on any particular area, in particular? There are some new things, like cyber, for example.

**Secretary Chertoff:** It should be department-wide.

**Question:** Department-wide. Is that run out of policy?

**Secretary Chertoff:** Yes. But there will be other input.

**Question:** Okay. Thank you.

**Question:** Can you give us an update how things stand with the fence? I know there was some big news yesterday.

**Secretary Chertoff:** Well, we've got about 310 miles built -- about 170 of pedestrian fence and about 140 of vehicle fence. We're on track -- I want to get 670 miles done by the end of the calendar year, of which 370 will be pedestrian and 300 will be vehicle.

To do that, although we want to be respectful of the environment, we cannot afford to get enmeshed in the kinds of litigation that have traditionally caused projects to take decades to complete. By way of comparison, the 11 miles of fence that were built in San Diego took 14 years. That's basically a mile a year. At that rate if we were going to cover what we need to cover at the border it would be seven centuries. We do not have that long to wait.

So although we've done a lot of environmental analysis already on most of the border, and we will complete an environmental work-up on the pieces that we haven't done that yet, we needed to be able to clear the way to make sure we can contract out with respect to the remaining miles that we have to do. Now as I say, we've got about 360 to do this year. We've actually waived 470 miles because we may wind up going back and retrofitting some of the existing miles to change them from vehicle to pedestrian. So that means we have to waive for that as well. And we also want to give ourselves some flexibility if we do make some modifications at the end to put a fence -- move it from one place to another, we want to make sure we're covered under the

waiver.

So this is probably a little broader than what we'll actually build this year, but of course anything that's left over can be carried into next year, as well. The bottom line is we have actually built more fence in the last year and a half than has ever been built in the history of the country, and we're much further along in security on the southwest border than we ever have been in the past. But it requires that we continue to move forward in a disciplined way.

We've done a lot of consultation. We were able to reach an agreement with Hildago County, so that we could build a combined levy and barrier that would serve our purposes and theirs. That's great; happy to consult. But consultation doesn't mean endless consultation and it doesn't mean veto -- because if we do endless consultation and veto it never gets done.

So to me we are demonstrating the willpower -- we're open-minded, but we're demonstrating the willpower to get the job done, as we promised to do. And I think that's important, not only because it enables us to achieve what we need to achieve over the next few years at the border, but it also tells the American people that we will not simply abandon the enterprise when the television cameras turn off, which is often the case with government -- you know, going years back, where everybody gets excited about something, then attention drifts and all of a sudden the initial energy level is degraded and all the people who object -- for a host of reasons -- stop the project. We're not going to let that happen.

**Question:** So now a quick follow-up. After President Bush leaves office in January of '09, will plans proceed on target, or could a new President come in and scrap the whole thing?

**Secretary Chertoff:** We have asked for money in the budget that will complete the process. We expect to have 670 miles done when the President leaves office. There is some additional mileage that we think probably should be in place -- not a huge amount. There's additional technology that needs to be in place.

We've set the course, we've budgeted the money, we've got the plan, we've tested it out. And the law supports this -- the Secure Fence Act and the other -- the law supports it. If the next administration says, you know what, we want to abandon it, and if Congress lets them do it -- well, you know, my authority lapses when I leave. But I think that -- I'd be doubtful that the next administration would do that, because I think the public reaction would be very strong and very negative. Moreover, for those who want to have comprehensive immigration reform -- and I still think that's the right idea -- the worst thing you could do would be to renege on this promise, because then you would tell the American people the government can't be trusted in immigration. And that is what has been the obstacle to dealing with this whole problem.

So I think that people on all ends of the spectrum should realize that it is in everybody's interest to get this job done at the border, to enforce the law against employers, and then when we've established credibility with the American public that we are serious and that we follow through, then I think it's fair to say now, look, our economy requires temporary agricultural workers, we need to deal with some of the economic issues that are bringing people in, and we also need to resolve the problem that people who are here illegally, who have got to comply with the law -- but many of whom have been here for a long time -- we've got to figure out a way to deal with that issue.

But the foundation for doing this is living up to our obligation as it is now -- and I would say whatever happens eventually with immigration reform, there's no excuse for not complying with the law as its been set forth.

**Question:** I guess I wanted to get an update, if possible, on REAL ID. I know that yesterday you all put out a press release that said 49 of 50 states had gotten this first deadline extension and that Maine was sort of the holdout. I didn't know if you had heard from the governor there in Maine or -- anything new on this?

**Secretary Chertoff:** We did. The governor -- we got a very good letter from the governor. He committed to making the steps we had asked him to make as a condition for granting the extension and we set some deadlines for actually carrying out on these which he agreed to. And so we are now in a position to grant the extension to Maine, too.

**Question:** Okay.

**Question:** What's the next step after this, then, after the extension?

**Secretary Chertoff:** Now they've got 18 months to actually finish the process of being able to issue the cards

that will meet the requirements. And then there's a period of time during which you actually penetrate the market, where people come in and they get their renewals and they get the new card. And many of the states are quite close to what they need to do. I don't think it's going to be that heavy a lift for a lot of states. I know there's an issue about money -- the states want the federal government to pay for it. We've cut the cost quite substantially. I'm sure the debate about money will continue not only through this administration, but into the next one.

But the technology is there, the capability is there and I think we're -- you know, here's the interesting fact: We've actually moved substantially in the direction of more and secure licenses even as we speak now. As controversial as this issue has been, it has had the effect of actually raising the bar on security for many of the licenses.

For example, the stuff the governor of Maine has agreed to do is going to make Maine's licenses better. So although not the most emollient process, not the most lovey-dovey process, this has actually had the effect of moving the country in the direction where the 9/11 Commission said we ought to go, and that's a good thing.

**Question:** You mentioned immigration reform, and I know you want to see it happen. Will it happen? And what will it take to get comprehensive immigration reform?

**Secretary Chertoff:** Well, I don't know when it will happen. I think the first condition is we will have to demonstrate to the satisfaction of the American people that we are serious about the enforcement side. There are some additional tools that we could use to help us enforce -- like, for example, getting our No-Match rule done, having E-VERIFY reauthorized -- it's very popular now. That will help us, enable us.

As we become more and more successful with enforcement we're going to see more and more stories like the one in the paper, *The New York Times*, today about the tomato farm that's going out of business because they can't get workers. And so we're going to have to then offer people who are no longer using illegal workers some legal way to satisfy their labor needs. And that's why I think Congress will have to turn to expanding and streamlining the temporary worker program beyond what we've been able to do administratively. I think that will be the next step. I think those two things are inevitable.

The last piece will be what do you do with the 12 million who are here -- the 11 million people who are here. And I think that's the hardest nut to crack and the -- you know, once we establish the other pieces of this, the public will have to decide whether they are -- how do they balance the humanitarian concerns, the respect for the rule of law, and the practical realities in order to deal with this population. So that's my best estimate of how it's going to turn out. Now, over what period of time? I can't tell you. But I think that in the end at least we've begun to really deal with the problem seriously, and that's a good thing; that's a good thing.

**Question:** You just came back from overseas, and I wanted to ask you a question about how the trip went. Particularly in Kuwait and in some of the -- that particular region there's tension that DHS has a significant and important role to play in our international affairs, and yet there's the other side of it where people say, look, that's State Department's domain and DHS, frankly, isn't up to the task.

I wonder if you could tell me -- tell us -- what your expectations are of the President's visit right now over there, 26 nations he's meeting with; what your hopes are in terms of the outcomes of the trip you just took; and maybe going forward, transitions coming up, what has yet to be done?

**Secretary Chertoff:** Well, first of all, I disagree with anybody who says that this is a State Department job alone and we're not up to the task. We have actually -- I've signed a bunch of agreements with respect to the visa waiver countries when I was in Europe. We have the PNR agreement; we've done a lot of information exchange. I'd venture to say that at the level of my counterparts -- ministers of the interior -- we've made as much progress as anybody in cementing international relationships.

And if you think about it, the responsibility for facilitating travel and trade and for securing the border, a lot of that lies with us, so that you can't really do our job without engaging internationally, because we set the terms for how freight is going to move, we have a lot to do with setting the terms of how people are going to come in. And therefore we really have to be very much at the table in all these things.

I think that there has been much more convergence on the way to balance security and travel and trade than the public is aware of or that some of the observers will give us credit for. For example, initially we did the PNR Agreement with the Europeans; now they're talking about having their own PNR system. We put in US-VISIT fingerprints, the British are now going to put in fingerprints, the Japanese are putting in fingerprints. We

signed a Prum Agreement with the Germans that facilitates our information-sharing.

So in every way I would venture to say that we are much more closely aligned on the security and travel issues now than we were several years ago. So I think this is -- and I think it reflects the fact that we are significant players in international affairs. You know, the State Department obviously is the lead agency in foreign policy, but the Department of Justice has always played a role with international things through extraditions. International activities are cross-cutting. And increasingly we're being asked to put DHS attaches overseas -- we have one in the EU, we have one in Britain, we have one in Mexico -- because we have such significant equities with our counterparts and also our counterparts want to engage with us, because we have common vision of the problems that we have.

So I think the trips are very successful and I think that we've succeeded in raising the bar in security not just for this country, but for the whole world.

**Question:** Could I ask a quick follow-up on the Kuwait part, in particular? You were asked a question there about the layered defense concept that we embrace here in the United States as a logical paradigm for (inaudible) ourselves that is as far away as possible from the homeland. The perception overseas can be, wait a minute, that means closer to us; I don't know if I like that idea. And someone asked a question to you of that. How did you handle it? How do you expect our friends overseas, particularly in the Middle East, to be receptive of this idea?

**Secretary Chertoff:** Well, because I think we're enabling them. What we're saying to them is, look, if we can share information and give you better capabilities so you can stop threats in your own country, that's good for you -- that stops a threat in your own country. It's also good for us because it creates an additional barrier. It's like defending in a football game, you know, you don't put everybody up on the line, you have your safeties, everybody else playing defense.

So I don't think it's inconsistent with the interest of those states. It rather reflects that, in a way, I'd say networked defense is much better than unilateral defense.

**Question:** You mentioned the No-Match letters before. Can you give us an update on where things stand there and any future strategies that your Department is planning?

**Secretary Chertoff:** I believe we corrected the -- the judge raised three what I consider to be fairly collateral issues, two of which were required -- just some changes in the language of the background to the rule, and one of which required an economic analysis, which we did.

I now believe that under the judge's prior ruling we should be good to go and once the comment period ends, if not earlier, there should no longer be a court order against this. My experience tells me that the ACLU is not going to give up and the business community is not going to give up.

The biggest challenge here is in getting the ground truth out, because there's a lot of misinformation that is put out by opponents of what we do. And I'm going to broaden this out a little bit and talk not just about No-Match, but also about REAL ID.

There are people who ideologically oppose any government measure to enforce the law -- whether it's criminal sentences, whether it's keeping illegals out -- they believe their ideology and their belief is open borders, criminals should have light sentences, government should not be involved, should not be tough in enforcing the law. I, obviously, emphatically disagree with that.

The way they try to argue the position is, everything is an invasion of privacy or a catastrophe, and you get a lot of exaggeration. So let's take the No-Match rule. The No-Match rule is not only common sense, it's so common sense that two years ago when I was in front of the Senate Judiciary Committee and I said, "Do you know we can't even tell people, when they have a discrepancy between their name and the Social Security number, what to do?" The members of the committee were shocked; they were like, what's the matter with you? I said, well, there's a legal issue here. So that's how common sense it is.

The whole purpose of the No-Match letter is if there is a mismatch between your name and your number, it gives you the opportunity to correct it. That's why they sent the letters out in the first place. Presumably the predicate for that is that you can, in fact, correct these things -- that's why we send the letters out. So all we're saying is, when you get the letter, go to the employee. If the employee can correct it, have him correct it -- that's great, that's good for the employee, that means in 30 years when the checks are being written, he's

going to get his check -- or her check -- and not have it go someplace else. But if the person doesn't correct it because they can't correct it and because they're illegal, then you can't just simply ignore it.

Now, what were the arguments against it? "Oh, there are going to be a lot of mistakes in the database." Well, the mistakes, if they're innocent, should be corrected. The mistakes, if they're not innocent, should be addressed by terminating people. People say, "Well, there will be discrimination." That doesn't make sense. Obviously you should apply the law in a non-discriminatory way. But it's like the carding requirement for buying liquor, you could apply that in a discriminatory way -- it doesn't mean we abolish carding requirements, it just means we say you can't discriminate.

And then there's the argument that sometimes creeps out of the tent, which is, "It's going to be a burden on business because businesses are going to have to let a lot of workers go." What that means in English is complying with the law will hurt my business. Well, that's true. And for example, requiring people to take out the toxic waste in what they dispose of, that's going to hurt some people's business. It's going to hurt some people's business to make sure the water that they put in the soda pop is pure water. It's going to hurt people's business if they have to file their tax returns. You're right, complying with the law, if your business is built on illegality, it's going to be a problem for you if you have to comply with the law. I don't think that's a valid reason not to enforce the law.

I'll give you one other example of this kind of mis-information thing. Take REAL ID. I had someone say to me today, "Well, when you have these REAL ID licenses with a Machine Readable Zone" -- which is, really it's the sequence of letters and numbers that everybody has on their passport -- "it's going to be used to track people. People can skim it and they can steal it and then they can use it to follow you around."

Now, this is a fantasy. This is just not true. Machine Readable Zone can't be skimmed. Now, if someone was thinking of an RFID chip -- but we're not putting RFID chips in, so that was myth number one. Myth number two, "Because you can swipe the Machine Readable Zone you're going to get information about people that's private." The reason that's a myth is because it's nothing more than the information on the face of the license. I already have a reader for the license, it's called my eye, and I can read what's on your license. So therefore there's nothing I'm going to get out of the MRZ that I can't get from the face of the license.

And finally the "track where you go" issue just baffles me because, you know, if you present your license to get on a plane we're not going to keep that in a big database that every time you get on a plane or every time you go into a store and someone wants a license, there's no big database for that. The truth is there is a good way to track people, and that's their credit card records. So if you hack into someone's credit card records, that will be a way of tracking where a person's movements are. But that's not what we're about -- that's a problem for VISA and MasterCard.

So when you unpack each of these arguments, they fall to pieces. The difficulty we have is when we're struggling about the debate, the ACLU and people of like mind simply throw out, "It's going to track everybody." And I feel like I have to run around and correct the record a lot, and that has made it a difficult debate. But I come back to this fundamental point: We spent I don't know how much money with the 9/11 Commission; it was not the first commission to deal with terrorism. But I believe, and if my memory serves me, that the reason we viewed it as different was because we had suffered 9/11, we realized we couldn't afford to treat these things anymore alike, academic exercises where Gilmore writes something or Hart and Rudman write something, we read it, we throw it on the shelf. So everybody took it seriously; it was a best-seller.

One of their top recommendations is you've got to have secure identification. And for us to -- you could debate that, but it ought to be debated honestly. If people believe that you should have a right to, for example, get on a plane anonymously, without saying who you are -- you know, that's a very libertarian view. I'm willing to respectfully hear that view; I disagree with it. But at least it's coherent. Now, I venture to say if you offer people a choice between Airline One and Airline Two, at Airline One we check people to see if they're on the watch list, Airline Two, anybody can get on without giving their name -- I know which airline is going to have a lot more passengers and I know which airline I'm going to put my kids on. But at least that's a logical discussion.

What's not logical to me is to concede that you have to have identification to get on a plane or get in a building, but then to make it say, but you ought to be able to easily forge the identification; you have a right to pretend to be somebody else. That's just -- that's just wrong. The most liberal judge who ever lived never said you have a right to defraud people, or to lie about who you are. So that's when I begin to feel we've strayed very

far from the message of the 9/11 Commission. And, you know, shame on us if we don't do everything reasonable to plug the gaps that we so painfully learned about 6 years ago. Sorry to give a long speech. You know, this is a lot of what we're doing this year is trying to have an honest debate about what are the issues, so that people understand this is not invasion of privacy. This actually protects privacy if you have an honest statement of what it is we're proposing to do, as opposed to a Chicken Little, the-sky-is-falling, statement.

**Question:** I just wanted to circle back to what you were saying about Maine, with REAL ID. You mentioned a couple of, sort of, subset deadlines for making various strides with their licenses. And I noticed just with talking with various state officials that some other states have sort of expressed some reservations about REAL ID, even as their requests and deadline extensions. And some have even said, you know, we requested this extension but it doesn't mean that we're ultimately going to comply. And wondered whether DHS has any responsibilities in sort of making sure they're on track? If they've asked for this extension?

**Secretary Chertoff:** I understand some states reserve their rights, you know, because they don't know what's going to happen in the future. And some states have laws that don't -- that at least at this moment, prevent you from complying. But they're kind of 90 percent of the way on their own. And our philosophy was, look, this is not about pledging allegiance to the REAL ID Act. This is about getting to the result. If you're getting there, even if it's "on your own," as opposed to and in response to the act, that's terrific. All that matters is that at the end, when the next gate comes, which is the end of next year, you are beginning to issue licenses that meet the necessary standards.

So we will have to watch this, because the one thing that will be important is for a state not to be dilatory in completing the process of what it needs to do, so that they get jammed up at the end. Because although we're willing to be flexible about the formalities, we're not willing to be flexible about the substance. The substance has to be met. And I think that, you know, this has been a little bit of a close call for some states, and I think that's good. It's focused people's minds on this. And by the way, I think a lot of people now realize that these are very good things. I know there's going to be an issue about the money. We cut the cost by three-quarters. Some the states may seek more money from Congress, and that's all going to have to be wrestled out in the normal process. But in terms of the ability to reach the goal, I think that states are on a path of doing that. And I think that's a good thing.

**Question:** Do you think I could ask a question about the cyber initiative? We were actually talking about this before. Cyber-security. It is another one of the more significant initiatives to come out of this President's term. Also one that, no question, will not be complete before you leave office. And I want you to speak a little about this because it seems to be rather opaque. Knowing full well a lot of it's classified, but let's just talk about the scope of DHS's responsibility, in particular -- add some details in terms of what success factors look like.

**Secretary Chertoff:** I think that, you know, we have to consider -- again, staying out of classified material -- two broad types of issues. Actually three. One is how do we protect federal civilian domains against attacks? Second, how do we protect our military domains against attacks? That second one is really DOD's domain. And the third is how do we enable the private sector to protect itself against attacks? The answer -- now, of course, we do have, for example, EINSTEIN, which is one example of a tool that allows us to detect when an attack has happened, so that we can help formulate a response. We have the USCERT team which helps us warn and assist the private sector as well as the government in responding to and mitigating and ameliorating attacks.

But this is, as I've described, a nibbling around the edges. We need to be more robust. And that means we need to configure our federal civilian domains so that they are -- it is possible to, in real-time, detect intrusions and prevent or respond to those intrusions in real-time. That is one element of what we have to do. And then we have to be able to use some of our tools -- and this is where we're classified -- to offer the private sector enablers that will help them protect themselves using some of the software they have, but with some additional assistance we might be able to give them. There we are treading very carefully, because we want to make sure we're staying away from any idea that this is like what the Chinese do, where we're going to sit on the Internet and, you know, stop people from communicating. We don't want to do that.

We're talking about a voluntary program where if you want to have us assist you -- the government -- we can assist you. If you don't want to, you know, have a great life; we're not going to make you do it. So this is really -- this is the last area of homeland security in which we need to make some significant strides for me to feel that we've at least, not completed the job, but significantly raised the bar. And I think that -- and this is where I'm probably at the end of what I can say -- I think that in light of what we've put together in the strategy in the

last six to eight months, I think for the first time we really have a strategy that does take it to the next level, instead of just essentially being a foreman, which various kinds of software manufacturers can talk to one another.

**Question:** Quick follow up, and I want to keep this in the domain you comfortably can speak in. The CERT teams, the EINSTEIN and the ability to share information with the private sector that would help them protect themselves are things that are currently underway. New things that would happen -- is it in the context of well, more of that, but just better? Or are there different things that will happen? For example, the ISACs seem to do that third piece, and you already mentioned in the other two.

**Secretary Chertoff:** I think in some ways it's more and better of what we're doing, and some things may involve some additional things that I can't talk about.

**Question:** Understood, thanks.

**Question:** I'll ask you another one, if no one else? Okay. I wanted to talk about H2B visas. What in the next, in your remaining tenure do you plan to do on that front? And not just that, but on any types of visa programs?

**Secretary Chertoff:** These are the temporary -- H2B being the temporary, non-agricultural workers. As you probably know, until this year, there was a provision that allowed you not to count the prior year's H2B's in hitting the cap, which effectively raised the cap by the amount of the prior year's admissions. That expired. There's a real stress in some of the seasonal industries on this. So we've said to Congress that we would be supportive of rolling forward what we've previously done in the past for another year while we sort out more comprehensively how to deal with the issue. The position we took was, now, let's not change what we did it, let's not make it more or start to add things to do it, because my experience with immigration is once you start to add new dimensions, then everybody wants in and then the whole thing collapses. So, you know, the sense we had was let's keep it plain vanilla. There's an emergency here. We'll just take what we had last year. We'll roll it forward identically. I think there's interest in pursuing this, and we're willing to work with Congress on it.

**Question:** And on that note, I know Congressman Schuler has a bill that, you know, has I think about 180 people who signed on, bipartisan approach. Have members been talking to you about different strategies in terms of comprehensive immigration reform?

**Secretary Chertoff:** You know, I think we're watching -- you know, Congress obviously has a lot of interest in this. I think, you know, we laid out an approach and a framework last year. I think now Congress needs to take on board the various fears and they need to figure out what they think is going to work. And I think we have to let things play out a little bit, and see what emerges. My experience in the last year is that it's always -- there are a lot of different strongly held points of view on this. And it's often easy when you're talking to people who agree with you and think this is an obvious solution. But I guarantee there are always people who have different views.

Now the way we approached it, is we tried to get everybody in a room. We got a lot of people in a room. We spent a lot of time putting together something that we thought did balance everybody's views out. And it wasn't sufficient to carry the day, but at least that's given people visibility to the range of different views. But I think now they're going to have to, you know, pick up the baton in Congress and at least talk about what they think is the art of the possible answer. Anybody asks us, we're always, you know, perfectly anxious to help. But I think that this is really something where the ball is in their court.

**Question:** Question about preparedness. Hurricane season is coming up upon us in summer --

**Secretary Chertoff:** A few months, yes.

**Question:** Right, a few months. But what's your assessment on the department's level of readiness?

**Secretary Chertoff:** I think the best thing I can do is point you to the wildfires. I think we did a very good job in the wildfires. Now, you know, obviously it depends where the hurricane hits, how intense it is, what else is going on. We've done a lot of work with Louisiana over the last couple years, so I think they have a good sound evacuation plan. And I plan to meet with the governor this month to kind of just make sure we've kicked the tires. Florida traditionally, of course, has a very good plan. Alabama has a good plan. And a lot of work has been done. So I think we've much better positioned than we've ever been before.

In the end, individual responsibility is a key element to this. People have got to have the food and the water and the preparation so that if they do have to hunker down for a couple of days they're not going to be in distress. They need to follow the evacuation plans. And that's the cornerstone of a successful response.

**Question:** For first responders, do you -- what do you assess the ability to communicate? The interoperable communications?

**Secretary Chertoff:** You know, we did a scorecard about a year and a half ago, I guess. And the technology to allow cross frequency communication exists through the gateway. So that's not an issue anymore. There are varying degrees of governance that have been -- issues that have been resolved, and some that have not been resolved. Some are better than others. The National Capitol Region is terrific. They have a very, very good system for communications. I think, for example, Chicago and Cook County, a year and a half ago we raised an issue and then I think they fixed it; I think they're much better now. So there's been real improvement.

I know there was some disappointment over the auction, having to do with the spectrum. Because I guess they didn't get people bidding on it. And the FCC has to explain that. I don't really understand the auction thing that well. But that is more relevant to a broader band of data transmission -- video, graphics and things of that sort. So although it's important to have, I think, in the immediate short-term the voice -- tactical voice is much better than it was.

You know, it's not in the end for many cases, a money fix. It's a governance fix. People have to agree on who is talking to who, what language they're using, what the protocols are. And if they don't do that, you can have tons of money and you're still going to miss talking to each other.

**Question:** On that same note, Dana and I were speaking earlier about TOPOFF exercises. And the TOPOFF 4 took place; TOPOFF 5 is on the horizon, planning is underway. Yet we haven't seen anything come out yet in terms of the lessons learned and the action items. Could you speak a little bit about your sense of the value of TOPOFF 4, and how it's going to influence TOPOFF 5?

**Secretary Chertoff:** Well, I can tell you TOPOFF 4, the governor of Oregon told me shortly after they finished it they had big floods and disaster up in Oregon. And he said that some of what they had learned in TOPOFF 4 they directly applied. I think we've circulated, or will shortly circulate an internal to the participants, kind of first cut of lessons learned. TOPOFF 3 actually had a big effect on me in a sense that it raised challenges about distribution of medical supplies and things which have very much become part of our planning process. So I think that, you know, each of these get better. I think everybody who plays likes it. It works better if the actual leaders themselves play, because they get a feel for what's going on.

**Question:** Any influence on TOPOFF 5? Any thoughts on that?

**Secretary Chertoff:** I don't know that I can directly correlate that. So I don't think I can give you an answer to that.

**Question:** Just wanted to get an update. I know there was some controversy last fall about the National Applications Office and use of satellites for gathering surveillance information -- and just wanted to see what's going on with that now.

**Secretary Chertoff:** The charter is signed. I believe the privacy impact and civil liberties impact assessments have been completed. And I don't know if they've formally been issued yet but if not they'll be within a matter of a few days. I think we have fully addressed -- we've briefed the Hill. I think we've fully addressed anybody's concerns. We've made it clear this is not going to be interception of communications -- verbal or oral or written -- that's still going to be done under the traditional way. That we've got a very good process in place to make sure there aren't any legal transgressions. That we're not proposing to change the law or say the law doesn't apply. That this operates within the existing legal framework. So that I think the way is now clear to stand it up and go warm on it.

**Question:** I know we're running out of time so maybe a question on transition. This is something that has been a subject in the policy committee on the Hill, and it met with some resistance from your department, saying, you know, there's only so much of this we're really going to talk about. Wondered if you might give us just an update on how well things are going, the first one this department is going to face, and what do you --

**Secretary Chertoff:** I'm surprised you said we wouldn't talk about it, because I thought we have. I mean --

**Question:** It was Benny Thompson's correspondence with you asking for names and a lot of specific details, and your response was --

**Secretary Chertoff:** I don't know if we were going to get into specific names of people. But, you know, we have populated the major parts of the department now, almost all of them -- if not all of them -- with career people, senior career people in the number two or number three positions so that when the political appointees leave there will be people in place to continue the continuity. We're reducing a lot of what we've learned to doctrine -- plans, principles, capabilities to our operations coordination center, where we're really building a J3, J5, so that the next Secretary who comes in will be able to get plans and have operational support that pre-exists, as opposed to building it while you're in the middle of an emergency, which is the experience we had.

So I think all that will be well in place, and is part of an ongoing plan by the time the transition comes. I would hope that the next team of senior leaders identify that they come over, in addition to looking at the material and meeting with people, that they actually agree to go through maybe a half a day exercise, tabletop, to get some feel for what you might face on January 21 or January 22, 2009. And I'm sure that I will, before I leave, write kind of a candid, confidential to my successor saying, look, here's the stuff which -- here's why we've done what we've done; here are things you've got to watch out for; here are things people are going to push back on and why you ought to continue to do them. So I can kind of unpack, you know, over what will be close to four years of actual on-the-job experience. So I would like this to be as close to a seamless handoff as possible.

The thing the incoming administration in Congress can do is select the senior leaders quickly, and confirm them quickly. I was one of the earliest confirmees in the Department of Justice on September 11th. There were not, by any means, a full group of people occupying the top jobs. And that was, like, nine months into the administration. So that's not a good thing. Makes it much harder on the people who are there. So, you know, Congress ought to be able to conduct their hearings and put people in place quickly. Otherwise there's going to be a vulnerability.

**Question:** If they had fewer committees, that might make that easier.

**Secretary Chertoff:** Well, yes. And certainly that's right, particularly when for some jobs -- I only had to go through one Senate Committee. But some jobs you have other committees require a hearing and that, you know -- again, if they can't combine it, they've got to find some way to streamline it.

**Question:** Thank you.

**Question:** Thank you for your time.

**Secretary Chertoff:** I'm happy to do it, and we'll continue to do this. It's really great.

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