



Written by [Jack Kenny](#) on March 10, 2015

Published in the March 23, 2015 issue of [the New American](#) magazine. Vol. 31, No. 06

Homeland Security: Going Places the Government Shouldn't Go

It's not a question likely to be asked in a high-school civics class or found in a college textbook, but as a reality check on how government really operates, try answering the following: Which agency, bureau, or department of the federal government exercises jurisdiction over the following matters?



- Tracking down fraudulent Native American art.
- Investigating pickpocketing.
- Teaching children about the dangers lurking on the Internet.
- Warning elderly senior citizens about scam artists.
- Instructing nightclub strippers to beware of sex traffickers.

If you guessed it is the Department of Homeland Security, you could be working for the federal government. The above activities constitute but a partial list of varied activities of the third largest federal department (after Veterans Affairs and Defense), ostensibly created to protect us from acts of terror and natural disasters. Rather than asking how tracking down pickpockets and educating strippers helps America fight terrorism, we might ask how DHS has not yet put preventing jaywalking on its ever-growing list of responsibilities. Then again, maybe it has. The department has done such a thorough job of empire building that no one seems to know exactly what it's doing, including the DHS officials themselves.

"They've kind of lost their way," former Homeland Security Secretary Tom Ridge told the *Albuquerque Journal* in an interview with the New Mexico newspaper last year. "I was proud to be associated with those men and women, but it just seems to me ... the focus — the primary focus — has been substantially diminished."

"It needs to be dismantled," Representative John Mica (R-Fla.) said last October. "We put this together after 9/11 to communicate and coordinate better but instead it's a monument to bureaucracy."

The activities cited above make up but a partial list of the expanding role of DHS, and only in one state at that. The *Albuquerque Journal* published a series of articles last spring on the department's activities in New Mexico. Officials were asked how, among the many other DHS activities, they were keeping America safe by detecting forgeries of Native American art.

"Native American culture is very important here in New Mexico, and we want to preserve that," Kevin Abar, assistant special agent in charge of Homeland Security Investigations explained to the *Journal*. Preserving culture might seem a far cry from defending the nation from terrorist attacks, but an investigative unit that has, according to the DHS website, 10,000 employees and 6,700 special agents in



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more than 200 U.S. cities and 47 foreign countries, is obviously waging a war on terror that knows no bounds. Some agents will even call on strip club dancers for their country, the *Journal* reported:

Last June, HSI's Albuquerque field office announced it would meet with adult dancers and strip club owners to train them about the dangers of sex trafficking and how to recognize it. Agents are planning seminars and workshops at retirement centers to inform older residents about lottery, IRA and jail fraud schemes. And the agency last month announced a program called iGuardian that will send DHS officers into schools and nursing homes, where they will teach young and old alike about the dangers of Internet predators.

"We want to secure the Internet and make sure the individuals on it understand the pitfalls, and that they can become victims," Abar said.

Creating the Behemoth

The Department of Homeland Security was created by an act of Congress signed by President George W. Bush in November 2002, just over one year after the September 11 terrorist attacks on the United States. Though the United States' 17 intelligence agencies failed to discover and foil the September 11 plot, President George W. Bush was able to convince the Congress that adding another layer of bureaucracy would somehow make us safer.

The act merged 22 federal agencies into one vast department, charged with the task of preventing terrorist attacks, reducing the nation's vulnerability to terrorism, and assisting in the recovery from any terrorist acts or other disasters that might occur, natural or man-made. That might seem like a large enough task for any organization. But Homeland Security Investigation officers have been working with local police and state attorneys general on investigations of gang activity, pickpocket rings, and missing and exploited children. "We are working side-by-side, literally — we are entrenched with our state and local counterparts," special agent Abar said.

What is often called "mission creep" might, in the case of DHS, more accurately be described as "mission gallop." While Congress has recently reached an impasse over funding the department, it is worth noting that Homeland Security's annual spending has kept pace with the ever-expanding scope of its activity. With a total workforce of 240,000, DHS last year spent \$61 billion, more than double the \$29 billion it received in 2003, its first year of operation. The overreaching and redundancies in the department's operations are apparent in the 78 "fusion centers" it has established throughout the United States to process and share information with local, state, and federal law-enforcement agencies. Started in 2006, the fusion centers were from the beginning not limited to monitoring terrorist activities, though that is a major part of their mission. They also gather information related to other criminal activities. On both counts their work often overlaps that of the FBI, which in addition to its criminal investigation units, has Joint Terrorism Task Forces at various locations around the country, as well as Field Intelligence Units reporting to the Task Forces. In 2013, the Government Accountability Office looked at fusion centers in eight cities and found that all eight overlapped at least partially with the FBI's counterterrorism work and four of them were doing nothing the FBI wasn't already doing.

In 2012, an investigative committee of the U.S. Senate published the results of a two-year long investigation of the DHS fusion centers and concluded:

Despite reviewing 13 months' worth of reporting originating from fusion centers from April 1, 2009 to



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April 30, 2010, the Subcommittee investigation could identify no reporting which uncovered a terrorist threat, nor could it identify a contribution such fusion center reporting made to disrupt an active terrorist plot.

One example of “useless information” cited by the Senate committee was a report on a foreigner with an expired visa who had been caught speeding and shoplifting; the man’s name was added to the list of “known or appropriately suspected” terrorists. A reviewer of the report wrote the only factual basis for the terror-suspect designation was that he “tried to steal a pair of shoes from Nieman Marcus.... I have no idea what value this would be adding to the IC [Intelligence Community],” the reviewer wrote. The Senate report also detailed questionable spending practices such as purchases of “shirt button” cameras, \$6,000 laptops, and big-screen televisions. One center, the report said, spent \$45,000 on an SUV that a city official used for commuting. The report, called “Safety at Any Price,” also cited the purchase of 13 snow-cone machines in Michigan and the \$45 million spent on a failed video surveillance network in Illinois as examples of “dubious spending.”

Yet most Americans were unaware of the existence of the fusion centers until one of them, the Missouri Information Analysis Center, made headlines in 2009 by including supporters of Texas Congressman and Republican presidential candidate Ron Paul and pro-life activists as people to be watched as potential terrorists. A fusion center in Texas drew verbal fire from the American Civil Liberties Union for targeting antiwar activists and a lobbyist for Islamic organizations as potential threats.

“They have not solved or prevented any terrorist acts in the United States,” Wendell Oliver, a retired Virginia police officer who has written two textbooks on homeland security, told the *Albuquerque Journal*. “But there is also no evidence they have necessarily done any great harm — other than waste money.” It could be argued that given the type of people and organizations they have put on their “watch lists,” some of the fusion centers have also contributed to a climate of fear and suspicion that could pose a greater threat to the nation’s freedom and stability than the wasteful and duplicative spending cited in studies of Homeland Security operations. But the waste itself is harmful in that it diverts into nonproductive uses dollars that might otherwise be spent defending both security and freedom.

“We can only defend our freedoms by ensuring the dollars we spend on security are done so in a fiscally responsible manner, meet real needs, and respect the very rights we are aiming to preserve and protect,” wrote former Senator Tom Coburn, who chaired the subcommittee that produced the report. In other words, Congress and the agencies it has created should stop playing the role of a fanatic — one who redoubles his effort (and his spending) when he has forgotten his aim.

Militarizing the Police

Another area of duplication is in equipment grants to state and local law-enforcement agencies. For decades the federal government has been making surplus military equipment available through grants from the Pentagon and the Justice Department. In addition, the DHS also has its set of grants for police departments to purchase military and other equipment that is supposed to be used for counterterrorism activity, but is often used for drug enforcement or crowd control. The multiplicity of departments handling the same type of grants is almost certain to generate more spending and less accountability, since if one department denies a grant application or cuts off funding, the applicant can try the other two. By 2014, DHS had spent an estimated \$34 billion to put on the streets of America’s cities and



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towns armored vehicles and other military hardware more commonly found in the war zones of Afghanistan and Iraq.

More than a dozen armored tactical vehicles named BEARCAT (Ballistic Engineered Armored Response Counter Attack) were used in Boston and Watertown, Massachusetts, in pursuit of the Marathon bombing suspects in April 2013. Last summer police in Ferguson, Missouri, turned out in riot gear, bearing automatic rifles and accompanied by a Mine Resistant Ambush Protection armored vehicle in response to violence that occurred in protest demonstrations over the shooting death of an unarmed teenager in a physical altercation with a Ferguson policeman. Andrew Becker and G.W. Schulz of the Center for Investigative Reporting noted in a December 2011 report in the online Daily Beast that Homeland Security had spent \$8 million to arm police in Fargo, North Dakota, with military-style assault rifles, Kevlar helmets to withstand battle-grade ammunition, and an armored vehicle complete with rotating turret. The “menacing truck,” they reported, was being used “mostly for training and appearances at the annual city picnic, where it’s been parked near the children’s bounce house.”

“Most people are so fascinated by it, because nothing happens here,” Carol Archbold, a Fargo resident and criminal justice professor at North Dakota State University, told the reporters. “There’s no terrorism here.”

In Keene, New Hampshire, a BEARCAT purchased with a \$286,000 Homeland Security grant has drawn verbal opposition from some local residents as well as ridicule from TV comedians, due in part to the fact that the biggest event each year in the relatively peaceful city of 23,000 is a display of some of the world’s largest Jack O’ Lanterns in the annual Pumpkin Festival. When the city council decided to apply for the grant, it appeared to have little-to-nothing to do with a terrorist threat. “The discussion centered mainly around how the vehicle would be deployed during routine law enforcement procedures, such as evacuating residents during a flood or policing the campus of Keene State College,” the *Telegraph* of Nashua noted. Keene Police Chief Kenneth Meola defended the purchase in an interview with the *Telegraph*. “Do I think al-Qaeda is going to target [the] Pumpkin Fest? No, but are there fringe groups that want to make a statement? Yes, and we should prepare for that,” Meola said. “It is a target in the New Hampshire region.”

Concord, New Hampshire, the state capital, also received a BEARCAT, thanks to a \$258,024 grant from Homeland Security. To get it, Police Chief John Duval wrote that while New Hampshire has been spared the scourge of international terrorism, “on the domestic front, the threat is real and here. Groups such as Sovereign Citizens, Free Staters and Occupy New Hampshire are active and present daily challenges.” The biggest challenge, one Chief Duval was unable to meet, was to show evidence that any of the organizations he cited had posed any threat, let alone a terrorist threat, to the peace and safety of the Granite State. The accusation brought a sharp response and a demand for a retraction from Free Staters, a group of citizens organizing a migration to New Hampshire of Americans from other states interested in preserving and expanding an environment of social, political, and economic liberty in the state that has no general sales or income tax, no seat belt or helmet law, and “Live Free Or Die” as its motto. The New Hampshire Civil Liberties Union also voiced its concern over the police characterization of the groups as terrorist threats.

In an interview on New Hampshire Public Radio, Chief Duval said, “I attempted to state a case, it was interpreted that I was calling certain groups terrorist groups.... I do not believe they are terrorist organizations.... I accept responsibility.... I missed the mark in what I was trying to communicate.”



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The “Touch and Squeeze” Agency

Perhaps none of the Homeland Security activities has generated as much controversy as the use of full-body scanners and pat-downs at airports by the Transportation Security Administration. The practice was adopted after the botched attempt of the “underwear bomber” to set off an explosion aboard an airliner landing in Detroit on Christmas Day, 2009, but the intrusiveness of the airport searches have left countless travelers feeling not safer, but increasingly angry over the invasion of privacy. In his 2012 book, *Government Bullies*, Senator Rand Paul (R-Ky.) quoted an ABC News producer who received a “pat down” after she had opted out of the body scanner.

“The woman who checked me put her hands inside my underwear and felt her way around,” she said. “It was basically worse than going to the gynecologist.” A 95-year-old leukemia patient and an eight-month-old baby were among those subjected to the pat-downs, wrote Paul, who was himself detained at an airport in Nashville for refusing to submit to a pat-down after failing the body scan. He noted that Michael Chertoff, after serving as secretary of Homeland Security, left government and became a lobbyist for Rapiscan, the company that makes the body scanners. After the attempted bombing over Detroit, Chertoff turned up repeatedly in media interviews. “You could barely read or watch a report about the failed underwear bomber without also hearing from Michael about the need for naked body scanners,” Paul wrote.

The invasions of privacy might be tolerable if they actually made passengers safer by preventing bombings or hijackings. Rafi Sela, the former head of airport security in Israel, a nation with considerable experience in dealing with terrorist attacks, has called the scanners “useless.” “I can overcome the body scanners with enough explosives to bring down a Boeing 747,” he said. “That’s why we haven’t put them in our airport.”

A Standing Army

The public reaction to news about the fusion centers, the widespread unpopularity of the TSA procedures, and the lack of focus by the DHS on what its mission really is might all be contributing factors to the low morale that has been reported among its 240,000 employees. A survey last December found DHS ranked lowest in morale among “large agencies,” and Immigration and Customs Enforcement and two other DHS agencies were in the bottom three slots among all 314 agencies.

Representative Mica, who chairs a House subcommittee overseeing government operations, said Congress should change the hiring and firing authority within the department to create greater flexibility in managing the workforce. “If you don’t have the ability to hire and fire and set the standard for qualifications and if you don’t have the ability to get the best management in place then you can’t operate,” Mica said.

But Congress need not get bogged down in management and labor issues within the department, nor should it heed the frequently heard calls for greater congressional oversight at DHS. If anything the department is suffering from too much oversight from senators and representatives eager to get some of those Homeland Security grants for their states and districts. As of last fall, there were more than 90 congressional committees and subcommittees with some level of oversight responsibility for the department. For Congress to try and correct the waste, redundancies, and bureaucratic mismanagement at DHS would truly be a case of the blind leading the blind.



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Yet despite its fumbling overreach and ham-handed procedures, Homeland Security is, writes John Whitehead of the civil-libertarian Rutherford Institute, “ruthlessly efficient when it comes to building what the Founders feared most — a standing army on American soil.” Before that “army” grows any larger and Congress wastes more money on it, it should be abolished, with its legitimate responsibilities returned to the parent agencies that make up the DHS. America’s safety will not be diminished and our freedom will be more secure with Homeland Security gone.

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