

**U.S. Department of Homeland Security
Homeland Security Advisory Council In Person Meeting
Transportation Security Administration Headquarters
East Bldg. 601 12th Street South, Arlington, Virginia, 20598
Thursday, November 14, 2019
Meeting Minutes
1:00 pm – 3:30 pm ET**

The open session of the Homeland Security Advisory Council (HSAC) meeting was convened on November 14, 2019 from 1:00 p.m. to 3:30 p.m. The meeting was open to members of the public under the provisions of the Federal Advisory Committee Act (FACA), P.L. 92-463 and 5 U.S.C. § 552b.

The following individual attended the meeting:

HSAC Members:

William H. Webster (Chair)
Steve Adegbite
Jayson Ahern
Stewart Baker
Frank Cilluffo
Paul Goldenberg
Donald P. Dunbar
Leon Fresco
Jim Jones
Carie A. Lemack
John Magaw
Jeffrey Miller
Jeff Moss
Wendy Smith-Reeve
Robert Rose
Chad Sweet
Karen Tandy
William Bratton, Vice Chair (by conference call)
John R. Allen (by conference call)
Thad W. Allen (by conference call)
Robert Bonner (by conference call)
Cathy Lanier (by conference call)

DHS Participants

Chad Wolf, Acting Secretary DHS
John H. Hill, Assistant Secretary, Office of Partnership and Engagement

Matt Hayden, Executive Director, Homeland Security Advisory Council
Mike Miron, Deputy Executive Director, Homeland Security Advisory Council
Catherine Fraser, Supervisory CBP Officer, Homeland Security Advisory Council
Evan Hughes, Associate Director, Homeland Security Advisory Council

Operator:

Greetings and welcome to the Homeland Security Advisory Council conference call. During the presentation, all participants will be in a listen-only mode. If at any time during the conference you need to reach an operator, please press Star 0. As a reminder, this conference is being recorded, Thursday, November 14, 2019. I will now turn the call over to Mike Miron. Please go ahead.

Matt Hayden:

Good afternoon everyone and thank you for joining us today. For those of you who don't know me, my name is Matt Hayden, the Executive Director of the Homeland Security Advisory Council. I'd like to welcome the acting Secretary of DHS at this time. This is the public meeting of the Homeland Security Advisory Council and we do appreciate the members of the public, the government and the media that have joined us.

As a way of background, the Homeland Security Advisory Council, also known as the HSAC, is a federal advisory committee at the Department of Homeland Security. Under the Federal Advisory Committee Act, or FACA, these meetings are open to the public. The executive summary of meeting minutes will be posted at the DHS Web site at DHS.gov and the public FACA database within 90 days of today's meeting. Today's meeting will also be taped for the public record. This Council has the task to provide the Secretary and senior leadership with findings and recommendations on the following topics: prevention of targeted violence against faith-based communities, CBP Family and Children Care, emerging technologies, state, local and tribal and territorial cybersecurity. We look forward to hearing from these subcommittees today. I'd like to turn it over to the Chair of HSAC, Judge William Webster.

William Webster:

Thank you, thank you very much. Good afternoon and thank you, Matt. My name is William Webster and I am Chairman of the HSAC. I hereby convene this meeting.

I'd also like to welcome the acting Secretary Chad Wolf, members of the Council, and subcommittee members. I appreciate all the hard work that the subcommittees have invested in their taskings.

Matt Hayden:

At this time, we're going to go ahead and introduce the acting Secretary, Mr. Chad Wolf, for some opening remarks.

Acting Secretary Chad Wolf:

Good afternoon. Before I dig in, I'd like to address the tragedy this morning at Saugus High School in California. As a parent, I know this is a nightmare situation, and as a government official leading some of the finest law enforcement officials in the country I commit to doing everything the Department can to support the families and the community.

The Department takes the matter of violence at schools and other soft targets very seriously. Just last week, the US Secret Service released a new report on targeted school violence in the US and in the coming weeks, DHS along with the Departments of Education, Justice and Health and Human Services will roll out a federal clearinghouse full of resources for schools and communities to prepare for, respond to, and hopefully prevent these types of threats in the future. As we noted in our recent Strategic Framework for Countering Terrorism and Targeted Violence, combating targeted violence, including the protection of our schools, requires a whole of society approach. DHS continues to support our federal, state, local and law enforcement partners to develop training and the resources to improve response capabilities and better protect soft targets and crowded places. My heart is with the community at this time and DHS will be monitoring the situation closely and are standing by to ably support local law enforcement and the FBI in any way possible. Again, thank you for being here this morning.

I want to thank Judge Webster, and Commissioner Bratton for your continued leadership of HSAC and each Council member for your service. I see many former colleagues from DHS, TSA, the Department of Transportation and the White House. We also have several private sector and law enforcement officials here with us today and again, I want to thank each and every one of you for lending us your talents, your time to confront some of the most complex challenges to our homeland security mission.

I also want to thank the members of the public who have joined us here today. Our Department is committed to being the most transparent in the US government and it's encouraging to see so many of you here to participate in this important dialogue. Lastly, thank you to the Transportation Security Administration for hosting us at your headquarters. It's a fitting venue for my first engagement with HSAC as the acting Secretary. As some of you may know, my DHS tenure began at TSA, I mentioned that to the group earlier, in the wake of the 9-11 attacks and I had the privilege of joining TSA initially when it was part of the Department of Transportation. Also had the privilege of working in the private sector on a variety of public policy issues confronting homeland security and national security and then, of course, rejoined DHS in January of '17.

I've served in several positions, both as Chief of Staff, Deputy Chief of Staff, Undersecretary for Policy, Assistant Secretary for Policy and the like and during this time, I've stayed closely involved in TSA's efforts to raise the global baseline on aviation security as well as the Department and TSA's efforts to implement Real ID ahead of the October 2020 deadline. All of that to say: I'm very familiar with these halls and those who walk them and it's really an honor to be back here today talking to the Council on a variety of different missions.

Everyone who operates in the Homeland Security environment understands that threats to the homeland continue to evolve, demanding the growth and agility of the department and its partners. I'm sure you've all heard the phrase but it's one that I repeat often, air, land, sea and

cyberspace - these are the domains where DHS professionals go to work each and every day. It's not a clean and simple business, it's a tough environment with complex issues, decision matrices and the like. DHS professionals are confronting evolving threats from our adversaries and enemies like never before, threats both within and beyond our borders but as always, they are up to the challenge. They've earned my respect and confidence as some of the most hardworking and mission-focused professionals that we have.

My priority is to ensure that all critical threats facing the homeland are aggressively pursued. Specifically, the Department will continue to focus on addressing threats from terrorism and targeted violence, foreign influence in American society and our democratic institutions, the illicit, irregular movement of people and goods into our country, malicious cyber-attacks, and the illicit use of emerging technologies. On this last point, I want to thank HSAC's Emerging Technologies Subcommittee for playing a critical role in DHS being poised to counter this threat. The work that they have done and continue to do with (UAS), (CUAS) and machine learning AI - it's critical work and it's work that the expertise that we have from the outside, from the private sector and from the Council is important.

As I look at the specific threats, I want to focus in on a few here this afternoon. First, we remain focused as a Department on securing our borders and restoring integrity to our outdated immigration system. Addressing the crisis at the southwest border has been and will be a top priority for the president and for this department. We have committed every available resource to address it and will continue to do everything we can within the existing law to strengthen our immigration and tighten our regulations.

I appreciate the role that HSAC has played thus far in providing DHS counsel on this challenging issue. I'm looking forward to reviewing the recommendations of CBP's Families and Children Care Panel soon and look forward to their work. The Department has also taken decisive action over the last several months, under the leadership of former Secretary McAleenan.

I'm pleased to report that today, October has marked the fifth consecutive month of declines in the illegal crossings at the southwest border. Total enforcement actions have declined 14% in October, further down from an already low in September. And importantly, family unit apprehensions have decreased 35% from September. Yet again these numbers affirm that our strategies to target illegal immigration are working. The president's engagement with the government of Mexico in particular has been central to the decline in migratory flows. Earlier this year, Mexico deployed 2,500 troops under the new Mexican National Guard to disrupt key transportation hubs and human smuggling routes and I can't emphasize the importance of this particular action.

Equally critical to these declines has been our engagement with regional partners. Our partners in the region understand well what is at stake and have stepped up tremendously. To stem the flow, Guatemala, Honduras and El Salvador have partnered with the US to improve border security and enhance information sharing to target transnational criminal organizations that run rampant in the region and critically expanding protection capacity in their respective countries through asylum cooperative agreements or what we call ACAs. We will begin implementation of our ACA with Guatemala in the coming days and we'll be doing the same with El Salvador and Honduras in the near future.

These are results to be proud of and the men and women on the front lines of border security have much to be proud of but there is still more work to be done. Our country is increasingly coming under threat from transnational criminal organizations and cartels. These TCOs and gangs bring crime, violence and corruption wherever they go. They are sophisticated criminal organizations. Ruthless killings, intimidations tactics mirror those of the world's most brutal terrorists. Sadly, this country has felt the effects of TCO and cartels all too often. Indeed, these groups are largely responsible for the scourge of illicit drugs killing and endangering thousands of American lives. As acting Secretary, I commit to bringing the full force of the Department down on these groups to put an end to their destructive criminal activity and to secure American communities. DHS is and will continue to leverage a multilayered strategy to dismantle these

organizations, both from inside and out, targeting them overseas, at sea, at the border and in the interior.

Shifting topics, domestic terrorism. We're leaning forward to address the threat from domestic terrorism and targeted prevention - targeted violence head-on. We continue to see increasing threats from terrorists and violent actors mobilized to violence by despicable, hateful ideologies, including violent white supremacy extremism. This threat is real, it's unpredictable, it's growing and it has catastrophic consequences on communities and our citizen's perception of safety but make no mistake, the Department is responding.

Acting Secretary McAleenan recognized this urgency of this threat, specifically to our faith-based communities and houses of worship and looked to the HSAC to improve our efforts to secure these organizations. Over the last four months, Co-Chairmen Allen and Goldenberg and members of the Subcommittee on the Prevention of Targeted Violence Against Faith-Based Communities have been working to provide the Department with critical, credible, actionable advice to increase our resilience and prevent these attacks. I look forward to receiving your report and diving into it.

We went a step further in confronting this threat in September, when the Department formally recognized the interplay between terrorism and targeted violence for the first time in a whole of DHS Counter Terrorism Strategic Document. The strategic framework for countering terrorism and targeted violence expanded DHS's counter terrorism efforts to better target and prioritize the threat within our borders, specifically singling out the threat posed by targeted violence of all sorts, including violent white supremacy ideologies. Ending these abhorrent attacks will continue to be a top priority of the Department under my leadership.

Third, we continue to be laser-focused on our efforts to secure the 2020 elections. Nation state adversaries are increasingly turning to the cyber environment as a means to target our democratic institutions and our American values, including the treasured national value of free and fair

elections. Director Krebs and the Cybersecurity and Infrastructure Security Agency are leading the charge with their Protect 2020 campaign, designed to increase the resilience of state and local election officials, campaigns, political organizations and the general public against foreign disinformation campaigns designed to meddle in our free and fair elections.

DHS will continue to make it a priority to build partnerships with each of these parties, which was a recommendation again of HSAC's State, Local, Tribal and Territorial Subcommittee in order to ensure the protection of our critical election systems come next November. In this and in all of what DHS does, the HSAC plays a critical role in meeting our mission and helping the Department meet its mission with success.

I look forward to relying on a bipartisan council's expertise, strategic, actionable advice in addressing these challenges as well as future challenges. This afternoon, we'll receive reports from four of HSAC's subcommittees: Prevention of Targeted Violence Against Faith-Based Communities, CBC's Families and Children Care Panel, Emerging Technologies, State, Local, Tribal, and Territorial Cybersecurity. I want to thank the subcommittee leadership, Karen Tandy, Jay Ahern, Thad Allen, Cathy Lanier, Bob Rose, Frank Cilluffo, John Allen and Paul Goldenberg along with all members of the subcommittee for your time and effort on these issues.

Several of you, including Karen and Jay along with several members of the CBC Families and Children Care Panel went on a site visit this past August to Guatemala and Honduras. I am a huge proponent of seeking the ground truth before making major policy or operational decisions so I applaud each of you for taking the time out of your busy day and schedules to do that, not an easy trip, I've done it before, so I appreciate that.

Also I had the opportunity to attend, in August, a forum in Jackson, Mississippi with another subcommittee, the Targeted Violence Against Faith-Based Communities, also attended by Chairman Bennie Thompson. It was a good dialogue and again, look forward to reading the report once issued. The continued work of each of these subcommittees is critical to the mission

of the Department and again, I thank you for all of the work that you continue to do. As I close, I encourage each of you to continue to apply your subject matter expertise and global networks to the work of your subcommittee.

Threats to the homeland are persistent and at times unpredictable and in our increasingly networked world, they are more prolific than ever before. The Homeland Security enterprise must constantly be fed with new and innovative solutions for us to maintain the strategic advantage over our adversaries. Groups like this, like the HSAC and meetings today, certainly give me the confidence that the Department will be best positioned to do that as we go into the future. Again, thank you all for your critical work to protect our country and to support the men and women of DHS. I look forward to your reports, diving into them and taking the actionable advice and it into reality at the Department. Thank you again for your time, appreciate it. Thank you.

William Webster:

Thank you very much, Mr. Secretary. It's been an honor having you join us today and we look forward to continuing work with you and the Department's senior leadership. I will now turn the meeting over to Matt.

Matt Hayden:

At this time, we will begin with the subcommittee briefings. At the end of the briefings, members of the public will have an opportunity for a one minute comment period and then we'll move into the Council deliberations and vote on the final reports. At this time, I'd ask John Allen and Paul Goldenberg, the Co-Chairs of the Prevention of Targeted Violence Against Faith-Based Communities to brief their subcommittee progress report. John and Paul, the floor is yours.

Paul Goldenberg:

Thank you. I'd like to first say that General John Allen would have liked to have been here today. He had a very critical meeting that was scheduled, and he could not miss. We have been

on the phone no less than a half a dozen times in just the last couple of days, so he is here with us and I will be reporting back to him myself when this is over.

I also wanted to take a moment to thank former Acting Secretary McAleenan for really pursuing this topic. He's someone that understood these issues and took them straight on but not without the support of yourself, Matt, as the Executive Director and Michael Miron, and also Evan Hughes. Your group has been absolutely extraordinary in supporting this very diverse group of Americans who all have a common concern, that concern was protecting America's houses of worship.

Before I go into the actual report, some of you may have heard me say this in the past, I travel quite a bit abroad as a part of a transnational security initiative where we spend a lot of time with vulnerable communities and one of the things that I noted in the past decade is five, six years ago, I could be in Paris, I could be in Brussels Belgium, I could be in Stockholm or any other magical, beautiful place and enter any house of worship unimpeded, no obstruction and I will tell you that today, that is absolutely not the case.

Houses of worship in Europe are now protected by military troops with long rifles, machine guns and in some cases, there are armored carriers that are right next door. We literally met with rabbis and imams and others and just feet away were armed troops. It's a new paradigm - who would believe that houses of worship in these beautiful, democratic places, that survived World War II are now under military protection, unfortunately, in some cases, from their own civilian population.

Extremism has become many things to many people but unfortunately, extremists from all sides seem to want to focus on houses of worship, knowing how precious they are, how special they are to the American people and we also know that if the American people begin to question when they can pray, where they can pray, where they can worship and what they wear to worship, we're going to be in a very tough place. So that's why I was extremely pleased to hear

that the Department wanted to take this straight on and I personally appreciate that, thank them as well as the subcommittee that was put together to work with us and I will introduce those members in just a moment.

Our tasking was on May 20th, the acting Secretary asked us, the HSAC, to create a faith-based subcommittee that really was diverse, that represented who we are as an American public. For tasking one, we needed to look at how two-way information flows between DHS and faith-based organizations. Who would ever believe or think that faith-based organizations would become critical infrastructure? They are. I'm not saying that the Department is naming them as critical infrastructure, but they're critical infrastructure and they're critical infrastructure that have come under some of the most heinous attacks that we've seen in the history of this country in just the past 12 months. I mean, I could rattle off five or six or more. Two, we needed to evaluate the preparedness and protective efforts for the faith-based community and do these organizations have the resources and the training that they need to remain safe?

Three was evaluating the role the faith-based community should or could have with regard to local based prevention efforts. Everything starts locally in this country. The US Department of Homeland Security I know personally has created amazing products, excellent products and has pushed these products down to better protect houses of worship. We have to make sure that we build real collaborative partnerships so there are people on the other side that are there to understand how to use these resources, what to do with these resources, training and you'll hear me talk about that.

Lastly, tasking four was interesting. Tasking four came about a little later on but evaluating the adverse impacts of violent extremists and domestic terrorists, including those inspired by violent white supremacy ideologies have on faith-based communities. These people are networking, they're talking amongst themselves, it is absolutely extraordinary and in some cases, they're advertising and even in other cases, when they don't have enough kills, people tell them, online, you didn't kill enough people this round.

So, the subcommittee membership, it has been absolutely an honor and a privilege to work with General John Allen, his leadership has been absolutely remarkable, extraordinary and as someone who has been in law enforcement for several decades, I learned a great amount from this man.

My Co-Chair, Vice Chair, Salam Al-Marayati, Founder and President, The Muslim Public Affairs Council, remarkable, remarkable man from the West Coast that has remained dedicated and has really helped us better understand the needs of many communities. Our other Co-Chair, Mary Marr, Founder and President of Christian Emergency Network, remarkable person that has been working with us for nearly a decade in this regard and has - these two have been guiding lights in addition to many others that have - will be posted - you can see they're posted up there and you can see the organizations that they represent, but we do have Nathan here in the audience, he wanted to be to support us. So we really had a pretty much a vast array of representation and I want to thank each and every one of them for that.

Subcommittee efforts to date. We have had two in-person meetings in July and September, we held more than ten conference calls with subject matter experts. We met with more than 100 subject matter experts from local law enforcement and faith-based communities across the country. What we did and what the Department wanted us to do was to go into the field. So, we went into the field.

One public forum in Jackson, Mississippi that you heard Acting Secretary Wolf refer to, where we met with members of the public and extremely important subcommittee members participated in the September 25th White House Faith-Based Community, where we shared best practices and lessons learned. It is quite extraordinary as we went - we visited seven site visits. We went out to places where these incidents were reported, occurred and unfortunately, where people died.

We were in Salt Lake City where we met with members of the Mormon Church who do a spectacular job with securing their facilities and their churches and their people, where we have a lot to learn. We visited some painful locations, although Whitefish, Montana is one of the most remarkable, pristine places in the United States, it has a population of 7,000 with a population of 100 plus Jewish families and unfortunately, there were some pretty horrific events that went out there to terrorize these Jewish families.

The individuals that are affiliated with some of the most - and I'll say dangerous and concerning neo-Nazi and white supremacist Web sites - decided to target not only members of that community but they targeted the children of that community. Imagine 13-year-old children that come from Americans who happen to be of Jewish faith who were placed on Web sites with the Star of David, Jew across it and in many cases were threatened. That's something that would absolutely, after 23 plus years of law enforcement, keep me up at night.

We were on the ground there, we met with the communities, we meet with the police, we walked away with lessons learned, best practices and what kind of changes do we have to make to ensure that communities such as this stay safe. I will tell you and I want to note that the city government and the police in Whitefish did an extraordinary job, so that was not the case.

We were in Minneapolis, we visited Jackson and Louisiana. We were in San Diego at the Poway Synagogue, meeting with the leaders and police and this one was kind of special and I'll tell you why, we were in Oak Creek, Wisconsin, where we visited the Sikh Temple of Wisconsin, where in 2012, members of that community were gunned down by a white supremacist, including police officers, an officer shot nearly a dozen times, he almost lost his life. There were a lot of heroes made that day but let me tell you why it was kind of an extraordinary day and the impact on why we needed to be on site visit.

Just as we were leaving, phones started to ring and we learned that a Harris County deputy by the name of Sandeep Dhaliwal was summarily executed, shot in the back of the head. This is a (fore-

thinking), there wasn't a member of the community that didn't adore or love this man, he was one of the first Sikh officers in the United States to wear a turban, he was loved through and through and although he was from Harris County, Texas, he travelled up to Oak Creek to work with the community in Oak Creek so he could provide them with his experiences and his lessons learned. The day that we were there is the day that he was executed.

We visited New Jersey, Rutgers - the New Jersey Office of Homeland Security and the New Jersey State Police, which bar none are considered one of the best models for how a government and the police and state agencies can be building capacity and working collaboratively with their communities.

I'll go into the subcommittee key findings for just another few minutes but I will state to you that there were similar reports made in 2012 and in 2016 at different - with different administrations and the subcommittee key findings and recommendations and those reports, we have included them in the wider report that we're going to share in December, which will be much more comprehensive than what you're going to see here but these are the primary subcommittee key findings and recommendations..

One, the US Department of Homeland Security needs, we believe, a central point of contact designated within DHS for matters associated with faith-based organizations. This is focused on security. It's focused on security, I want to be clear. DHS designate a position at the Assistant Secretary Level, we're not random with that, we felt that it needed to be someone pretty senior that could move across the Department, we'll use the term ombudsman to oversee and lead all the Department's faith-based programs. DHS recommend to the Assistant to the President for National Security Affairs the creation of a FBO working group, a permanent working group which is made up of people from across the United States, from various faiths, that will continue the works from the lay side, from the lay side and be a sounding board and act as those that can collaborate with all law enforcement agencies to be convened at the (NSE) level to work on policy matters across the agency.

I was just starting to hear a breaking news about a horrific shooting that took place in California, if you hear what people had to say in Poway and at the Tree of Life Synagogue in Pittsburgh, there were interviews and there were people that didn't die that day. There were people that died but there were people, many more that did not die. Training became a topic. Training became a matter of discussion. People were trained and that training kept people alive. So the Department, we are - we know that the Department has created some really extraordinary training, I've been through it myself, I've been involved with developing some of it from years ago. That needs to be standardized and that really needs to be pushed out in a much more standardized fashion so we are going to be much more detailed in our report as to exactly what types of training we're talking about .

FBI coordination with law enforcement, relationships between state and local law enforcement and FBOs, which are faith-based organizations, there (on a level) across the country, particularly in outside urban areas. There are a lot of folks that want to do the right thing, they need more lessons learned, best practices. We need to set some more standards for collaboration and there needs to be training for as many if not every house of worship across the country, that tells people how to live, if they - how to stay alive and survive if an active shooter comes in the building, how to understand what a suspicious incident is.

I will note that at the AME Church in Charleston, those unbelievably wonderful people sat with the shooter for some time before he decided to pick up that gun and strike at these people. Training could potentially really save lives. We're not asking people to all be security guards or police, we're asking them to understand if they see something, they need to say it and we need to operationalize what that means.

PSAs, for those of you that don't know what a PSA is, they are wonderful men and women, 100 plus across the country that are the faces of DHS. They do a phenomenal job, an excellent job out there. We're asking for an increase in number because when people think of Homeland

Security, they're not going to call 1-800-Homeland Security, there's 250,000 people, these PSAs and others in the states, they actually act as a face, they're trained, they're quite remarkable, they know the terrain and they have been working with their FBO communities, we just need more of them.

Fusion Centers, for those of you that don't know what Fusion Centers are and I'll be winding down, Fusion Centers are really aggregators of information that are shared with state and local that comes from federal or other sources. They do an excellent job out there but we do have some real refined recommendations for what we think that they should be doing in the future and you can see the four or five point recommendations there. I'm going to wind down, I don't want to go through every one of them but you can read them.

Last but not least, this I will tell you, we spent a tremendous amount of time on it, for the lawyers in the room, defining domestic terrorism. Here's our finding. Members of law enforcement have cited the absence of a domestic terrorism state as hampering their efforts to track and prosecute. We all know in the business and the business I come from, you don't always get the resources unless there are laws that will support your activities out in the field. So you have to have something codified, you have to have something that says, here is a law.

At this stage in time, when individuals are arrested for these types of offenses or an attack on a house of worship because of ideology, there are a lot of different laws that come to bear. That doesn't mean that they're not going to do jail time and in some cases, or some states, it may be even more severe than that but recommendation - Congress, working with DHS and the Department of Justice, they have a serious play here, should encourage cooperation between federal, state and local and tribal to monitor, understand, investigate and prosecute acts of domestic terrorism through intelligence sharing requirements.

Last but not least, it is extremely important and one of the gentlemen in the room literally was one of the pioneers to help develop this, which is Nathan Diament in the back of the room, the

FEMA grants, they have been absolutely extraordinary. They have provided funding to houses of worship that are putting all their money into social services and day care and providing things to their communities and their constituencies. The last thing that they were thinking about were locks, were cameras or additional security measures, unfortunately. Unfortunately, the world has changed and this really helped a lot of those institutions out there that did not have the resources to better protect themselves.

And I believe that that is it, yes. I want to thank you all and thank the Department again and thank the good work and men and women of the HSAC group. Thank you.

Matt Hayden:

Thank you very much. At this time, we're going to switch to Karen Tandy and Jay Ahern for their presentation.

Karen Tandy:

Thank you, Matt. I'm Karen Tandy and I'm the Chair of the CBP Care of Families and Children at the border subcommittee along with the Vice Chair, Jay Ahern. Seven of the ten committee members on this panel are members of the HSAC and we were particularly fortunate to have among our ten members, extraordinary experts in their own right across this field and each of them brought to the table their past leadership that collectively spanned every branch of this government, from the legislative branch to the judicial branch to the executive, administrative branch so we started out as a very strong unit and finished that way.

In April, you will recall we issued emergency recommendations and that was prompted by our view, based on our work, that it was an emergency. There was clearly both a humanitarian and national security crisis at the border. Within a month, after that emergency report and recommendations, the border collapsed. It was, as you have heard, the peak in May, of more than 80,000 illegal crossings, illegal immigrant crossings across our border, our southern southwestern border and that was the peak.

The principle reason why that collapse happened, if you look at the OIG reports as we did during that time, OIG reports in May and June of this year, reflected that the conditions in 14 facilities, border patrol facilities, in the Rio Grande Valley and the El Paso sectors were dangerously overcrowded, over capacity and a finding that they were - that there was an immediate risk to the health and safety of migrant detainees.

The pictures that we saw in this country were disturbing, the conditions that we saw as a committee were horrid, for families and children, in particular, which was our tasking. The work of this committee as you'll see in the report was a part of almost 200 interviews of subject matter experts, multiple in-person meetings, multiple references to NGO and other expert bodies of work as well as a site visit to every key location of migration, illegal migration stress along the southwest border in every state along the southwest border, that included seven of the nine border patrol sectors on the southwest border.

As you heard from the Acting Secretary, we also traveled outside of the US. We went to Guatemala and Honduras to examine push factors as well as the pull factors that we had identified in our April report. The April report and the seven recommendations in that report are integral to each other and combined with the recommendations in our current report, which are an additional 11.

I won't cover all 11 but we heard discussion this morning about what is the current state of play. We know the border collapsed in May, with reaching the high water mark, the high water mark on family units happened this past year at an increase of 400% beyond what we've ever seen and of those family units, that's a parent, an adult with a child. So, when you look at the numbers, 400 and seventy-some odd thousand family units, that's what that 400% increase represents in real numbers, more than 470,000 people as family units, half of those were children and they were in these conditions.

So one of the emergency recommendations that we made in April was for supplemental funding. That was not new, the leaders of the Department of Homeland Security and of the agencies involved have been seeing emergency funding for some time. Why did it collapse in May and June? Because the emergency funding, supplemental funding did not come, for several more months, in June was when the emergency supplemental funding came and there was not enough of that. We recommended that there be an increase of 300 immigration judges, there was funding for 30. We recommended substantial additional funding to stand up regional processing centers along the southwest border in key areas, those are still not standing.

There were other recommendations, but the committee found that it was the delayed supplemental funding, combined with the surge in family units that created the collapse of our border. Now the numbers have dropped, and we are not seeing those high-water marks that we saw when it collapsed. The numbers are substantially down from 80,000 plus in May to 15,000 in September and the concern of this committee is that there will be a complacency and a lack of impetus to fix what still needs to be fixed, that needed to be fixed in April, before April, years ago and has not been.

So the conclusion of this committee is that there is a high risk of resurgence of this crisis, humanitarian and border crisis unless action is taken to address the underlying causes of the crisis and action to prepare for the resurgence and that is what still critically needs to be done and that is why this is still a crisis even though you don't see that in the numbers, because the funding and the actions have yet to be taken to fix those underlying causes of the crisis.

I'll highlight a few of those, it is a long report and it is both the April and the report that we filed today taken together. The April report was unanimous, this report represents a consensus of the committee and there were two recommendations of the committee that - there - it was still a majority recommendation but in two places, there were dissenting views, non-concurring view of four members in each of those two areas and I'll cover those as we get to them.

The first key area that I'd like to highlight is the Stafford Act, which is an act that enables the government to get access to emergency funding when there is a disaster, a crisis, a natural disaster. The Department of Homeland Security does not have access to that same kind of emergency funding, hence it begged for supplemental funding and saw the border collapse because action was not timely taken on that request for supplemental funding. To that end, we recommend that DHS be given Stafford Act-like funding for emergency purposes for a border crisis and a border crisis, in our view, is every bit the same as a natural disaster.

Secondly, coordination. It is no surprise that when the border collapses with the numbers that we had and with the lack of staffing and capabilities and funding at the border, it became chaotic. Coordination was never more needed than it was during that time yet the coordination structure was there, but the situation was such that it was not capable of being followed at that time. Our recommendation that in a border emergency crisis such as we have just gone through, that we rely on as much, we found, that the local communities did on their own, relied on the management structure, the national incident management structure and the incident command structure that the Department of Homeland Security founded in the wake of 9-11. That needs to kick in and it needs to be a coordinated command from NGOs and communities through state and federal government and this DHS agency.

The unaccompanied minors were not addressed in our April report. Those are addressed in this report and in sum, when you're talking about children, I never want to talk about them in something as sterile as numbers but in sum, the crisis at the border was not unaccompanied minors. There were about 76,000 unaccompanied minors and if you look at the charts and the report, you will see, visually, that's a very small percentage of that border crisis. We had 76,000 unaccompanied children, three-quarters of them were at the age of above - teenage and above age 15. So only a quarter of them were at tender age, below age 12.

The unaccompanied 76,000 are contrasted against the almost half a million family units that I described earlier but with those unaccompanied minors, we did recommend an amendment to the

Trafficking Victims Protection Reauthorization Act to allow those unaccompanied minors at the ages of 15 to 17 to be treated in the same manner as those aged children from Mexico and Canada, which enables their expedited return under a given process. Four members of the panel, this is one of those two, four members of the panel did not concur in this recommendation because they are children. And that's in the reflected in the footnote to that recommendation.

The other key recommendations, Federal investigative efforts, the committee was very concerned about the fraudulent claims of parentage and the rental of recycling of children from Central America. And then with regard to the fraudulent claims of parentage, one tool that was used to was rapid DNA testing. Which we had recommended in April.

That was deployed around in certain places around the border. And the rapid DNA testing resulted in the discovery of a number of fraudulently claimed parentage of children who were brought across the border. With that DNA testing I can tell you the funding is running out. And those were only pilots. That's a critical need. Fifteen percent were fraudulent. And one of those were a 55-year-old male Honduran who purchased a newborn infant from its mother in Honduras for \$84. This 55-year-old man was not related to this infant. But for \$84 obtained an infant to - as that ticket for the adult ticket into the US. The focus on Federal investigations in coordination of those is critical in our view.

One of our key recommendations. And for push factors I would just note that the crime rate, murder rates, in Guatemala and Honduras where the principal numbers of Central American immigrants are coming from illegally have gone down. There is no explanation for this illegal immigration from Guatemala and Honduras when it goes to - comes to crime and murder if you just look at those rates. We did find corruption that was a significant issue. Crime was used as an excuse. We were told in Guatemala we certainly saw significant sexual exploitation, assault, and crime and violence from Honduras in our examination of the push factors.

The last piece on the push factors is that it is our view that funding should not be thrown at Central America but funding should be resumed for aid, and technical assistance in programs that are proven to support the interest of the United States and strengthening the criminal justice system and other Government systems especially in the face of corruption. And in our view that will inure to both the benefit of those countries as well as our own. The other area that was a recommendation that there was non-concurrence by 4 members of the panel was a recommendation regarding reform of the asylum system and in one part it included the cross-training of customs and boarder protection agents and officers to conduct credible fear examinations.

Those credible examinations are the responsibility of USCIS and the recommendation was in an emergency, there should be expanded training so that CDP could also conduct those credible fear examinations. The non-concurring view of 4 was that CBP should not take on the responsibilities of another component. Those need to be met head on, and CBP should not be taking on of any other responsibilities other than its National Security and Enforcement Mission and Trade Related Missions. Those are the key recommendations. There are many others beyond that.

I'd like to before I turn it over to Jay. I would like to call out that one of the key issues we heard about consistently as did this HSAC today, and that is not just the amendment of TTPRA, not just the reform of our asylum system which is completely broken. But also fixing a 20-year-old Constance that was extended to apply to a family unit of a child with a parent. When it was designed to apply only to an Unaccompanied minor. That 20-year Constance is a - certainly a significant piece of why we saw the surge in family units. Why we heard consistently that human smuggling organizations were urging people to bring a child with them, and this is not to say that there weren't legitimate asylum seekers. It is not to say that there weren't legitimate families. It is not to say that there weren't legitimate children and parents seeking asylum. But it is to say that it become the proving ground if you wanted to get into this country. It became the proving ground to do it rapidly. And that combined with the lack of founding for housing

and capacity is what brought us the emergency conditions we were in, and it will bring it to us again if we don't fix this. And when I say we that is legislation. I know that I express the appreciation of the entire committee for the support of HSAC. Matt and (Mike) but I really want to single out (Catherine Frazier) who's sitting at the table. (Catherine) moved on or tried to move on.

Karen Tandy:

She took other assignments and kept this one. And stayed with us. And we would never have completed this assignment but for her constant help and guidance and leadership. So (Catherine) on behalf of the entire committee thank you very much. I know we have Judge (Varner). I'm sure we have (Teresa Cardinal Brown) on the phone. (John Clark) and Dr. (Cooper) who are all Committee members and in this room Jay who I'll turn to we also have just great people on the phone and in this room.

In the room Ambassador (Jim Jones). (Leo Fresco) who is here after working all night. (Whitney Smith-Reeves) who's flown in from Arizona and all of the emergency management issues she tends to there. And (Stewart Baker) who I guess is the mentor and predecessor of the new acting Secretary. So thank you all. Jay.

Jay Ahern:

No thank you Karen. I think a couple of things just to add to what (Karen's) stated already. And not to repeat anything that's already in the report or the recommendations or the statements already made. But I think first thing is an acknowledgement. If you take a look at the title of the report and our tasking, I think we have to confess we went a little bit far field. As we started to take a look at this initially and how could the families and children could be cared for better at our boarder. And I think we quickly saw that there was a much larger issue that needed to have attention in some level of study by the panel. That's the contributing factors that are happening down in the tri-border area in Central America. What's happening in Mexico?

Certainly what's happening at the border. But also looking at the entire continuum. What happens in the interior of the country? And often times as we take a look and heard this narrative over the last year as we've been working this, this has been a failure on the CBP or the Border Patrols fault or DHHS fault. And it's a manufactured crisis. Well a couple of corrections from over 30 years of experience and a year working with this panel. It's not a manufactured crisis, it's not just a DHS or CBP problem. It's a whole of government problem. There are challenges on every part of our Government from the Legislative Branch to the Executive Branch that all contributed to the crisis that we were dealing with.

Certainly has subsided over the last few months. But I think everyone needs to be informed that this could quickly resurge as some of the factors that are put in place to mitigate some of the flow. It could happen again. And I think taking a look at what needs to be done certainly in those three Central American countries. The capacity building very encouraged to hear that the ACAs or have been signed and begin to go into effect in the next day or two on some of them. I think it's Guatemala that comes first.

Those will be important to build some of the capacity in these countries. Because in our interviews with Government, Industry individuals, and some of the families who actually came to the United States, listening and hearing the reasons why directly from them. Kind of peels away some of the narrative you have filtered through whether it be congressional testimony or in some of the media reports. Hearing it firsthand really is the best way to go ahead and ground truth.

I'm sure you saw this when you did some of your reviews. And hearing it from the families of why they came here and how they came here and what happened along the way it was horrifying. And I think that's something that the public unfortunately doesn't have a chance to hear as much as we did. That is factors that need to be fixed in those countries. And I'm glad to see that the cooperative agreement and the capacity agreements that are being put in place. But that needs to continue. Not just for DHS. Department of State, and also USAID. Because we certainly had a

lot of respect for some of the programs they had in place trying to build some of the capacity for agriculture crops that have had significant challenges with the drought over the last few years. Mexico. Mexico is not without its challenges as well.

With sustainability of their ability to continue to go at it and have their newly formed National Guard control and patrol that southern border so the flow doesn't come up as easily from the Guatemalan border, into Mexico, and on its way to the United States. We all saw caravans on the news last year. Certainly that should not be able to happen in a country that's supposed to looking to monitor and manage its borders better going forth. And certainly Mexico has made some steps to go ahead and take care of that. But I think sustainability is going to be a big question going forward. We get to our own borders

Certainly Karen talked eloquently about some of the fixes that need to be done on the Legislative side. Certainly there's some procedural things as well. But that Legislative fix is going to have to be very importantly addressed by our Congress to take a look at what is needed to go ahead and take away some of the incentives that are out there and the pull factors that are coming here. I think those will be very important things to see how we're able to deal with this on a more sustained basis going forward. I'll end, the supplemental funding was important. But it shouldn't just be for building more border fence or adding more border patrol agents. It's building the capacity of the entire continuum. Interior enforcement, housing, Department of Justice with the EOIR folks. The administrative Judges don't have the capacity to handle the current flow of people or even the 700,000 backlog of cases they're currently having to deal with. So those things are also front and center on this issue. And I know we were given a task by the Secretary going back over a year ago to look at what's just happening at the border. But I care and I feel as though we had to mention some of those things as well because it did open the aperture on some of the challenges beyond just what we were tasked to take a look at.

Lastly I'll underscore all your thanks to the people on the panel member many of that are here. But you were the Chair of all Chairs. You were the Co-Chair, the Vice-Chair, the whole Chair, and whole room of Chairs. And you did a great job Karen. So thank you for that.

Matt Hayden:

Thank you both to Karen and Jay. At this time we have Thad Allen and Cathy Lanier joining us by conference call. We also have Bob Rose in the room. At this time we'll switch over for our emerging technologies report. And I'll start with you (Thad), the floor is yours.

Thad Allen:

Thank you very much. And I apologize that Cathy and I are both deployed right now. Cathy's in Mexico City handling security issues in advance of the NFL game this coming Sunday. And I'm at a previous commitment in Houston, Texas. Today if we could go to Slide 2 Emerging Technologies Sub-Committee Tasking. We're going to give you an update on the original tasking of the 6 technologies that are listed on the slide.

But today, if you go to Slide 3, we're going to talk about unmanned autonomous systems, and Artificial Intelligence. We continue to work on the issues. But given the current threat and the risk to the Department we are focusing on UAS and Artificial Intelligence for today's brief. In advance of submitting a report by the end of the calendar year on both of those. Normally we would submit a final report, but we're going to propose that we continue to monitor these technologies and provide updates to the Committee as we go forward. So at this point I'm going to turn it over to (Kathy) to brief the remainder of the UAIS slides followed by Bob Rose. And if there's time I'll make the closing comment when we're done. (Kathy) over to you.

Cathy Lanier:

Thank you (Thad). I'm just start off just by saying, you know, over the past year we've had an incredible opportunity to meet with literally dozens of subject matter experts, Government and military personal that are working feverishly on solutions to the growing challenges I should say

and opportunities around the emerging technologies that we were tasked with looking at. And in my case in particular the rapid growth of the UAIS, counter-UAIS situation. All though we're presenting final recommendations in this report as (Thad) mentioned, this is not final. There's much more to be done. In our case the technologies that we're talking about there are rapidly changing. And so are the threats and the challenges that are contained to present themselves in countering those threats. So going forward it's maybe critical that we continue to push forward and that legislation and regulation keep up with the pace of change. And that funding remains dedicated to this effort.

So I want to thank (Thad) and Bob Rose who have both been amazing to work with on going through these highly technical briefings that we've been through. And I could have proposed a whole other set of recommendations on the technical side. But to date I'll kind of start with a short recap of what we've submitted at our last briefing and the interim. And then give you highlights of our recommendations that are be forthcoming in the report. So the sub-committee has been continued to work since the interim report that was submitted. We have requested some additional technical subject matter experts in particularly for UAIS, counter-UAIS.

I also had the privilege of serving on a blue ribbon task force on UAS mitigation at airports. It's a task force sponsored by the Association for Unmanned Vehicle Assistance International along with the Airports Council International North America. Some of the recommendations that you will hear later in my presentation later overlap what the Blue Ribbon Task Force recommendations just because they are the obvious priorities across the board for the most vulnerable things that we are trying to protect here. So I just wanted to make note of that. And that will be noted in the slides as we go forward. Next slide please.

So in the interim we talked a lot about most of recommendations for policy phasing. Policy and implementation following the reauthorization act. So in our interim report we talked about putting a high priority on that implementation of the new authorizes that we granted under the

2018 FAA reauthorization act. There has been some progress there. So I'm happy to report that. Still has a ways to go but some progress there.

We also ask that there be counter UAI be a permanent program of record in appropriations. We can't make progress with Science and Technology and research and development and countering any of threats if there's no money set aside to carry those task out. And the interim report there - we proposed legislative changes that identifies the role of TSA and the authority - their role and authority related to countering UAS. This is an area that was also recognized by the Blue Ribbon Task Force and will be in our final recommendations as well. As in the Blue Ribbon Task Force's recommendations. The development of the capabilities matrix really was - we discussed in our last brief-out.

Kind of - following a Super Bowl and implementation and the first role out of deployment of some of the authorized activity of the Reauthorization Act. There's a realization that policy and doctrine don't just automatically work well together. There really needs to be a capabilities matrix that kind of aligns all of those and synchronizes those efforts. So that was in the - also in the interim recommendations. And then rapidly sharing a test and evaluation information involving these things. And again I would say in this area we've seen some progress.

Next slide please. Engaging state and local law enforcement. Authorities to identify operational and legal issues. This is something that continues to be in our recommendation only with a little bit more maturity from where we were. The interim report this is also a very important topic across multiple other committees that are currently ongoing and the Task Force - Blue Ribbon Task Force as well. The test sites proposed test sites we've seen that actually come to fruition. They've been multiple test now. Information sharing around those testing's is a little slower. But we're happy to see that all of those test sites now been enrolled into the operations and there's really some pretty good progress there.

Unity of effort again is a little bit repetitive. But I think you'll hear a little bit more about that in our final report. And then lastly on the interim report consider current wide variations of technologies being used currently by the Federal Government and state and local authorities is a huge safety issue that requires attention. So, we raised this in our interim report because of the absence of guidance has created an additional safety issue. So, the absence of clear guidance as to what state and local law enforcement and others can actually do and not do in terms of counter UAS efforts is creating a safety issue. And then everyone is trying to figure out on their own what they are and not allowed to do. And it's bring in some pretty dangerous situation in particularly around airports with some of these countering technologies. Next slide please. So, for this - the next slides we'll address our final recommendations that will be in the final report or the ongoing portions report.

So dedicated funding again I mean we focused our first set of recommendations on policy and implementation. These recommendations are focusing largely on resources, policy, and authorities. There's still a huge gap in authorities that is creating a little bit of a safety issue across multiple agencies. So, the dedicating and reoccurring funding again needed to make sure those proper program office staff. And that there's the ability for procurement of approved technology and the testing and evaluation of those technologies in research and development. Next support for funding in the FAA to support counter-UAS operations.

This is almost identical to a recommendation from the Blue-Ribbon Task Force. In recognizing that the FAA has to have the ability to have adequate testing, acquisition deployment, staffing and maintenance of detection technology. This is detection tracking and identifying technology in the airport environment. A lot of lessons learned post-Keathro but this is a critical component that we recognize. And the Blue-Ribbon Task Force recognize as well. The urgent need for the FAA to establish, and this is one that again that causes both our committee and the Blue-Ribbon Task Force to establish UAS detection and mitigation system standards. Provides straight forward of guidance to those that are seeking to deploy it.

It applies to our interim report recommendations, a little bit broader now. As well as with the Blue-Ribbon Task Force. There has to be some guidance that's developed and put forth so that the various different safety elements or components that are trying to provide safety and security around critical places, the critical infrastructure by state and local law enforcement.

There has to be some standards that can be followed, and someone has to get the -make that a priority going forward. Next slide please. This is actually an identical recommendation from the Blue-Ribbon Task Force as well. This is a request again. We also made it in our interim recommendations. Congress expanding authority to engage in UAS interdiction, to train State and local law enforcement. Elaborating beyond this task force is recommendation. Deputization of counter UAS authority to state and local law enforcement is consistent with existing task forces. And can be overseen by DOJ for some - to ensure legal protections and privacy and liability. There is a precedent for this.

You have Deputization Task Forces out there similar to the Joint Terrorism Task Force where a limited number of state and local law enforcement under very strict conditions are involved in counter terrorism cases along with the FBI. So limited number of personal, limited authority working under the authority of DOJ in a deputized capacity. I think this is a reasonable next step for our progress for the counter-UAS efforts. Also the - again this is a reiteration but a little bit broader. The clear direction that has to be issued by FAA and DOJ. So two sides of that for state and local law enforcement regarding their current role and the current legal statutory and regulatory limitations. Lack of clear guidance of what can and cannot be done.

Lack of clear guidance on the legality of certain types of mitigation technologies. It's been a little bit of a political football back and forth as to who's going to say what different technologies are or are not legal to use. Has left vulnerabilities as vendors are filling that void by creating their own definitions. In their sales pitches of what is or is not legal absent the clear guidance that has been put out. So I think that again is putting us in a more dangerous position. So this again is another recommendation that was made both by our committee and our - the task force.

Next slide please. So lastly the requests for incremental expansion of the authority for state and local law enforcement, certainly in the area of detection for law enforcement, airports, and certain critical infrastructures. They have to have the ability to procure and operate essential detection equipment. So limitations to DOJ, DHS, DOD doesn't allow for the level of detection that is needed currently in the - our environment. Detection equipment can help so that identify - that critical infrastructure securing personal can identify and locate operators and begin to start increasing the level of security that we can provide at mass gatherings and other critical infrastructure if that detection equipment procurement was allowed and clear standards were developed. So last two recommendations is really a consideration for what is also - has been done and has precedent in our existing authorities is identify whether DHS can provide counter UAS services.

So, cost-sharing. It's not unusual for there to be cost sharing opportunities as we move forward with the counter UAS efforts because of the large need across a variety of different environments. And currently the limited ability for only a couple of agencies to deploy. So, sagging whether it's with a private entity, airports, provide teams to procure and store equipment that would be used by DOJ or DHS. Or a cost-sharing charge or fee for providing those services. And before I turn it over to Bob to talk through the Artificial Intelligence and our progress on that, I just want to close by reiterating that as our reporting goes forward on technical challenges and recommendations, on the counter UAS side, that all of these technologies are rapidly moving forward.

We have to find a way to ensure that our legislation and regulation keep pace with that change. And that funding remains dedicated for the size and technology to do the research development. And to continue to keep pace with the innovations that are begin used ultimately or could be used again us. With that I will turn it over to you Bob so you can talk about your work on AI.

Bob Rose:

Thank you (Thad). Thank you (Kathy) very much. I've had excellent Chairman to work with on this. They've been wonderful. And this is been certainly not a small task. As (Thad) had mentioned in his opening comments we were the Emerging Technologies Sub-Committee with the tasking of looking at Unmanned Autonomous Systems, Artificial Intelligence, 3D Printing, Biotechnology, Quantum Computing, and Advance Robotics.

So - and this has been a major effort as you heard last May when we did our initial discussion of it, we chose to highlight two of those four. And those were not done at random. I just wanted to highlight that the reasons or the thoughts behind the two that we are presenting today. One that (Kathy) just in UAS. And what I'm about to do in Artificial Intelligence machine learning was because we considered those the most significant. And having the greatest near term impact on DHS and the national security of the company.

So I'm going to talk about - I want to also reiterate something (Kathy) said both at the beginning of her comments and then again concluded on it. Because it certainly highlights what I want to say and that is this is work in progress. That there needs to be continued and dedicated funding for these efforts.

These are technologies that could do or result in significant harm to the country. And they require ongoing research and development in this regard. And again (Kathy) had started with those comments and concluded with them. And again I want to highlight those same comments for my brief discussion highlighting our thoughts on our additional intelligence machine learning. It is technology that can mislead and can seamlessly map target images, video, audio content, and other media content to create realistic depictions of situations that never took place. You can - recent techniques are more powerful and can capture integrated head positions, rotation of movement, facial expressions, including eyebrow movement and blinks. And they are virtually indiscernible from what is really taking place.

Furthermore, the increase in voice technology can be used to simulate commands or instructions delivered over the phone that could generate artificial crisis. Evacuate a building, send emergency resources where they're not needed. Or perhaps even divert them from a planned attack.

The Artificial Intelligence machine learning threat is a real one and it's getting worse every day as technology expands. Our recommendations would be as follows, new capability for homeland security for DHS. Special units within DHS could be provided with the latest tools to combat Deep-Fake technology. Such as DARP (BARBAs) metaphor tool kit. Along with (AIs) need of verification to combat a rising fake videos. Images and audio are set to a standards agency such as NIST, National Institute of Standards and Technology. Could certify organizations that could detect fake media. It is therefore imperative that DHS in combination with the private sector and under research and development efforts, to invest in workforce development for an AI ready workplace. Additionally, capabilities such as Artificial Intelligence test fence, and Artificial Intelligence Forensic teams can be established through the combination of public, private partnerships.

As well as federally funded mono-agency, mono-use infrastructure to ensure DHS prepared to deter potential threats that may arise from malicious Artificial Intelligence systems. So two recommendations kind of that summarize that would be provide mechanisms or standards for validating user identity across platforms. Currently some social media platforms have mechanisms for identifying validation. But widespread real world validation of user identify using Government identification or similar means remains rare. Nor are there industry standards for identification for social media. Widespread identity validation for regular users.

As well as open industry standards for - and identity validation across social media platforms would both reduce costs and any perception of user endorsement. Secondly encourage standards for commercial providers of imagery technology to include water marking and other anti-fraud measures to help combat Deep-Fake. To help combat Deep-Fake technology it may be possible

to embed water marks for other digital signatures to label known as true images or videos. Or as part of image manipulation software to mark images or videos as ledgers using black-train technologies. Its' done by camera app True Pic. So as (Kathy) ended I will say the same as she said.

Which is this is a top priority. It is work in progress. And there needs to be dedicated funding both by the DHS and the private sector to stay abreast of this, to stay on top of it. And to meet the rising challenges. So thank the committee, thank you (Thad). Thank you (Kathy). I turn it back it to you (Thad).

Thad Allen:

Thank you Bob. Thank Bob and (Kathy) for their efforts. Let me just make a general comment that crosses off all technologies we've been looking at. And it won't surprise anybody in the room. Or surprise anybody that's working in Government right now. The rapid advance of technology is causing several problems to the entire Government. And more accurately with DHS. One is the ability to acquire, ingest, and deploy technology in support of mission execution.

We won't be able to recognize the threat presented by the technology. The second is to try and understand how to create a policy doctrine, course of action, training tactics, and procedures to allow more effective execution. This currently already is a challenge in the department. With the individual components operating and the video challenging of unity of effort and operation planning and coordination. And in some of these technologies it's resident in a component in the lead or the component that uses it most extensively in our mission execution.

In my view there needs to be - and the view of the people working on this committee, there needs to be a rationalization of the Governance process and how we're actually going to manage this technology. The third area is in regulatory oversight. And we're faced whether it's cyber security measures or Coast Guard dealing with ballast water management. The ability to put out

regulations, or guiding principles, best practices. Or work with the private sector on how to move these things forward is going to continue to be a challenge. I would submit to you we will be providing some ideas going forward and we'll look for any conversation here shortly regarding how we create a more unified approach to these emerging technologies and how to advance them.

In the same manner we need to conduct unified operations across the department. It's - the challenges we encounter looking at these individual technologies are twofold. One is the technology itself. But one is where that technology resident now it's actually managed in the governance process inside the department. And this part of the evolution of the department, many of us in the room have been around since the Department was created. Probably time to readdress this and confront it moving forward actually how we want to address the issue with technology. And thank you for allowing us to brief today. We're happy to answer any questions you may have.

Matt Hayden:

All right at this time - thank you Thad, thank you Cathy, and Bob. We're going to have one last report of the day. It's currently and it's going to be an update on an existing report that we had submitted. We will hear from Paul Goldenberg, Frank Cilluffo, and Bob Rose.

Paul Goldenberg:

Yes we're just going to - this is going to be a very quick brief. Because we reported out on this. So we're going to turn it over to (Frank) and then Bob to just give you a quick update. A lot of what you heard today is what we really responded to. So I want to thank the Committee – Jeff Moss, Steve Adegbite, Keith Alexander, and General Don Dunbar.

Frank:

Just to be very brief because our findings were already briefed out. And anything we added is insubstantial. It's mostly in terms of wording. But I just do want to underscore the fact that the Department of Homeland Security SISA in particular has embraced some of these findings. And

are actually implementing and acting on some of the recommendations we've had. And dare I say the other end of Pennsylvania Avenue Congress has also followed through on some of these initiatives.

And depending upon where spending bills go may actually follow up their nouns with verbs in terms of some of the funds to make some of this happen. So long-wind - very short way of saying I think we are starting to see some momentum. Not necessarily because of the findings of the report of itself, but also the reality is the epidemic, the ransom ware in particular has almost hit epidemic proportions for our state, local, tribal, territorial partners. And I think that we're trying to get as much ahead of the curve as we can. So Bob anything you want to add?

Bob Rose:

Thank you (Frank). Thank you (Paul). Thank the other members of the Committee. General (Alexander), General (Dunbar), (Jeff Moss) via the input. As both (Paul) and (Frank) had said, we briefed this paper back in May as it was designated interim. Which I understand more recently that interim is really a category. We have finalized the paper. And we wanted to share with the Committee that we had update it. Much of it was editorial. But I'm just going to highlight the 6 recommendations that we had.

And then we'll vote on this as a final report as I understand it. And submit it as our final paper to the Secretary and the Senior Staff. So the 6 recommendations that we had come up with or we propose in our May briefing, subject to some, you know, nuances changes which we have shared with the rest of the HSAC Board and to the general public. And that was highlighted so they could see the changes that were actually made. And again much of them were editorial. But again since it was - this is going to be our final report we wanted to make sure that full transparency that they saw how the difference was between the report that we submitted in May and our final reported today.

The 6 recommendations that we had made is DHS can empower cyber mutual assistance for state and local, and tribal entities. State FLDD stakeholders can benefit from strong, mutual assistant agreement, plan and exercises. Those with greater capabilities can help the robust FLDD stakeholders.

Secondly DHS can create a dedicated grant program for state cyber security. And support raising the defined baseline through bulk purchase vehicles for commonly used cyber essentials. The community can achieve a higher baseline of cyber security in a more efficient manner. And the can be readily accessed pre-negotiated, cost effective, body of basic hygiene, and other essential offerings. Third DHS can strengthen regional resilience and situational awareness and preparedness. Disasters do not respect state lines.

Cyber compromise can halt functionality without head for geography and natural disasters tend to have regional impacts. States and localities are stronger when they share awareness and resources. Thereby fostering resilience beyond any individual, legal jurisdiction.

Number four DHS can empower existing fusion centers to become centers of cyber situational awareness. And security operations center stocks for the SLTP. While some states have sophisticated cyber programs, many still need a focal point for understanding and assessing the cyber threat. Number 5 DHS can unify efforts to empower SLTCT- SLTP election officials more comprehensively to protect the nation's infrastructure.

And lastly DHS can lead the nation towards managing risk introduced by smart cities. Many cities are adopting technology without understand and manage the risk that these new technologies to public safety and critical infrastructure functions. And kind of in conclusion what (Frank) said that from our report that we had submitted in May, we designated as interim.

That was circulated and put up on the Web site of DHS. DHS internally has already been acting on some of these recommendations that are moving forward with it. And like the other report I

briefed this is all a work in progress. And we continue to kind of improve and keep up as things change. So again thank my two Chairman (Paul) and (Frank). And other members of the Committee General (Alexander), General (Dunbar), (Jeff Moss), thank you very much for your participation. And I turn this back to (Paul). Or no I said to Matt. We're on time, if not a little bit early.

Matt Hayden:

Thank you for that. And thank you all. What I'd like to do now is open up the meeting for public comment. Comments will be limited to one minute each. Your comments will be reflected in today's meeting's minutes. Do we have any here that would like to make public comment? Hearing no public comments, we'll move forward with the council's deliberations on the two reports.

William Webster:

All right. Thank you, Matt, I'd like to thank all of the sub-Committee members for their excellent work on the Secretary's tasking. This has been challenging. I now open it up to members of the HSAC for comments.

Matt Hayden:

Thank you sir. At this time do we have any comments from the HSAC from the findings of the sub-Committees? All right at this time we'll move to vote on the two final reports. Is there a motion for the HSAC to approve the two final reports to the secretary?

Bob Rose:

So moved.

General Don Dunbar:

I second the motion.

Matt Hayden:

For the minutes to reflect who was the first? Bob Rose. And second. General Don Dunbar. Thank you sir. At this time all those in favor of approving CDP Families and Children's Care Panel please report Aye.

HSAC Members:

Aye.

Matt Hayden:

Those opposed nay.

HSAC Members:

There are no Nays

Matt Hayden:

The CBP Family and Children Care Panel report has been approved and will be sent to the acting secretary. For the record this report by passed by acclamation. Vote number two the committee. At this time please those in favor of the State, Local, Tribal, and Territorial Cyber Security final report please vote aye.

HSAC Members:

Aye.

Matt Hayden:

Those opposed Nay.

HSAC Members:

There are no nays

Matt Hayden:

The State, Local, Tribal, and Territorial Cyber Security report has been approved. And will be sent also to the acting Secretary. For the record the report passed by acclamation. Before turning this over to (George Web) excuse me (George), Judge (Webster) to close, I'd like to see if we have Mr. (Bratton) on the line. I'd like to give him an opportunity to speak. Okay.

I'd like to point out to members of the public who would like to provide or additional comments that will include the media may do so via the email address HSAC or HSAC@hq.dhs.gov.

HSAC information and meeting minutes may be found at www.dhs.gov/hasac. At this time I'd like to turn it over to Judge (Webster) for closing remarks.

William Webster:

Thank you again for all our sub-Committees for your leadership and for some great work. Want to thank the HSAC members and presenters for attending today. And give special thanks the HSAC staff for organizing today's meeting. Not easy but well done. We're now going to bring this public session to a close. I would like to thank everyone for their participation today. This meeting is now adjourned.

Matt Hayden:

Thank you and have a great afternoon.

**U.S. Department of Homeland Security
Homeland Security Advisory Council Meeting**

November 14, 2019 Closed Meeting
Closed Meeting Minutes

Closed Session: 9:30 a.m. to 1:00 p.m.

HSAC Chairman Judge William Webster called to order the closed morning session at 9:30 a.m.

Brian Murphy, Deputy Under Secretary for the Office of Intelligence and Analysis provided an intelligence update.

Elizabeth Neumann, Assistant Secretary, Threat Prevention and Security Policy, Office of Strategy, Policy, and Plans provided the members with a domestic terrorism update.

Christopher C. Krebs, Director, Cybersecurity and Infrastructure Security provided the members with a cybersecurity update.

Chad Wolf, Acting Secretary of Homeland Security provided an update on the Department.

Mark A. Morgan, Acting Commissioner for the U.S. Customs and Border Protection, Timothy Robbins, Acting Executive Associate Director for Enforcement and Removals, U.S. Immigration and Customs Enforcement, Kenneth Cuccinelli, Acting Director for the U.S. Citizenship and Immigration Services provided an update on border security and an immigration update.

Daniel B. Abel, Vice Admiral and Deputy Commandant for Operations, U.S. Coast Guard provided the members with an Arctic Strategy update.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

Judge Webster signed document on November 22, 2019

Signed and Dated
Judge William H. Webster, Chairman, Homeland Security Advisory Council