



May 2019

# COMBATING NUCLEAR TERRORISM

## DHS Should Address Limitations to Its Program to Secure Key Cities

## Why GAO Did This Study

Countering the threat that a terrorist could smuggle nuclear or radiological materials into the United States is a top national security priority. In fiscal year 2007, DHS initiated the STC program to reduce the risk of the deployment of a nuclear or radiological weapon by establishing capability in state and local agencies to detect and deter such threats. Since the program began, five participating cities have spent almost \$145 million in program funds.

GAO was asked to review the STC program. This report examines (1) the extent to which DHS tracks cities' use of program funds and assesses their performance; (2) what assurance DHS has that cities can sustain capabilities gained through the STC program and the challenges, if any, that cities face in sustaining such capabilities; and (3) potential changes to the STC program and how DHS plans to implement them, the basis for these changes, and the extent to which DHS has communicated with cities about the impact of making changes. GAO reviewed DHS documents, conducted site visits to all cities in the program, and interviewed DHS and city officials.

## What GAO Recommends

GAO is making four recommendations including that DHS regularly collect detailed information from cities on program expenditures; analyze risks related to sustainment, work with cities to address these risks, and enforce sustainment-planning requirements for cities in the program; and clearly communicate to cities how the existing program will operate until a new program is in effect. DHS concurred with GAO's recommendations.

View [GAO-19-327](#). For more information, contact David Trimble at (202) 512-3841 or [trimbled@gao.gov](mailto:trimbled@gao.gov)

# COMBATING NUCLEAR TERRORISM

## DHS Should Address Limitations to Its Program to Secure Key Cities

### What GAO Found

The Department of Homeland Security (DHS) does not collect information to fully track cities' use of Securing the Cities (STC) program funds for approved purposes and to assess their performance in the program. To reduce the risk of successful deployment of nuclear or radiological weapons in U.S. cities, the program establishes local threat detection and deterrence capabilities. DHS tracks cities' spending of program funds and some performance data through cities' quarterly reports but does not collect other data on itemized expenditures and to assess how effectively cities achieved performance metrics and program milestones or how they performed in drills that simulate a threat. For example, DHS does not compare information on expenditures to the purchase plans it approved for cities. As a result, DHS does not know the dollar amounts cities actually spent on program purchases. Expenditure data GAO requested show that cities spent most funds on detection equipment—that is, \$94.5 million of the \$144.8 million cities spent through June 30, 2018. By regularly collecting expenditure information from cities and comparing it to approved purchase plans, DHS could better ensure these funds were spent consistent with program goals.

DHS does not have assurance that cities can sustain threat detection and deterrence capabilities gained through the STC program. DHS has not enforced planning requirements for sustaining those capabilities and has taken limited action to help cities do so, although encouraging sustainment is one of its primary program goals. Officials from the five cities in the program told GAO that they anticipate funding challenges that will adversely impact their ability to sustain capabilities over time. For example, several city officials said they cannot rely on other DHS or federal grant programs or local sources of funding once STC funding ends. Unless DHS analyzes risks related to sustainment, works with cities to address these risks, and enforces sustainment-planning requirements for cities in the program in the future, program participants could see their radiological detection programs and related capabilities deteriorate.

DHS has not (1) fully developed potential changes or documented a plan for making changes to the STC program; (2) identified the basis for such changes; and (3) consistently communicated with cities, raising concerns about how the changes will impact them. DHS officials told GAO that the agency is considering several potential changes to the STC program that would broaden its geographic reach and scope and centralize acquisition of detection equipment, among other things, but it has not fully developed or documented these changes and does not have a strategy or plan for implementing them. A law enacted in December 2018 requires DHS to develop an implementation plan for the STC program. The law's requirements would provide DHS an opportunity to identify the basis for potential changes, and assessing such changes would provide more reasonable assurance that they would strengthen the program. Further, most city officials GAO interviewed said that in an August 2018 meeting, DHS provided a high-level overview of potential changes and little detail on how such changes would be implemented or affect city operations. If DHS does not clearly communicate to cities how the program will operate under potential changes, these cities could face difficulties planning for the future and achieving the program's detection and deterrence objectives.

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Figure 4: Excerpts from Securing the Cities (STC) Program Sustainment Plans Discussing Availability of Future Federal Funding

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**Abbreviations**

CWMD	Countering Weapons of Mass Destruction Office
DHS	Department of Homeland Security
DNDO	Domestic Nuclear Detection Office
FBI	Federal Bureau of Investigation
GFAD	Grants and Financial Assistance Division
GND	Global Nuclear Detection Architecture
NNSA	National Nuclear Security Administration
PRD	personal radiation detector
Program Management Plan	<i>Program Management Plan for the Securing the Cities Program</i>
STC	Securing the Cities
UASI	Urban Area Security Initiative

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May 13, 2019

The Honorable Ron Johnson  
Chairman  
The Honorable Gary Peters  
Ranking Member  
Committee on Homeland Security and Governmental Affairs  
United States Senate

The Honorable Peter T. King  
Ranking Member  
Subcommittee on Emergency Preparedness, Response, and Recovery  
Committee on Homeland Security  
House of Representatives

The United States faces an enduring threat that terrorists could smuggle in nuclear or radiological materials to use in a terrorist attack. U.S. efforts to counter such threats are considered a top national priority, according to the Department of Homeland Security (DHS). DHS is responsible for ensuring that equipment and technologies necessary to detect these materials are integrated, as appropriate, with other border security systems.<sup>1</sup>

According to DHS officials, in fiscal year 2007, DHS initiated the Securing the Cities (STC) program, which seeks to prevent the successful planning, movement, and deployment of a nuclear or radiological weapon and component materials within the United States by enhancing the nuclear detection capabilities of federal, state, local, tribal, and territorial agencies. DHS intends for this capability to be sustained even after cities are no longer eligible for STC funding. Accordingly, the STC program funds the purchase of commercial radiation detection devices and other detection equipment and provides detection training for up to 5 years, after which cities are expected to obtain alternative sources of support to sustain capabilities they developed under the program.

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<sup>1</sup>6 U.S.C. § 921a (a).

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Since the program began, the five cities participating in the program have spent almost \$145 million in program funds.<sup>2</sup> According to DHS officials, DHS launched the program in the New York City, Jersey City, and Newark area (New York—New Jersey) in fiscal year 2007,<sup>3</sup> then expanded the program to Los Angeles—Long Beach in fiscal year 2012; the National Capital Region in fiscal year 2014;<sup>4</sup> Houston in fiscal year 2015; and Chicago in fiscal year 2016. After New York—New Jersey, each city added to the program was eligible for up to \$30 million in STC funds over 5 years. The agency intends to expand the program to additional cities and geographic regions and make other changes to the scope and goals of the program in coming years, according to agency officials. The annual program budget for the STC program was \$40 million at the outset of the program in fiscal year 2008; over the past 4 years, the annual budget has been about \$22 million (see fig. 1).<sup>5</sup>

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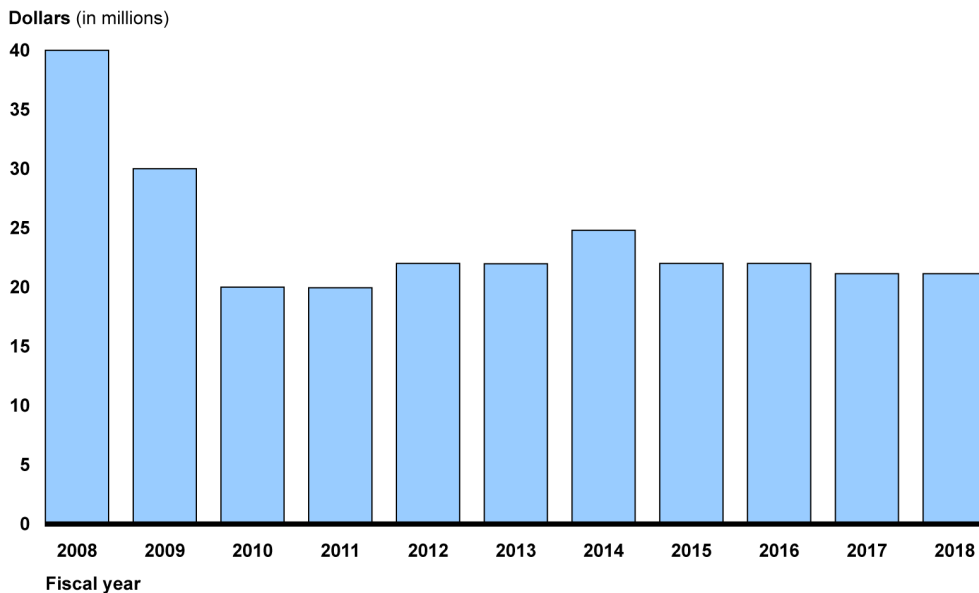
<sup>2</sup>We use the term cities to describe the metropolitan regions that participate or are eligible to participate in the STC program. DHS defines these regions based on criteria in its Urban Area Security Initiative—a grant program that is separate from the STC program.

<sup>3</sup>DHS obligated 8 years of STC funds from fiscal years 2007 through 2014 to New York—New Jersey. As the first city in the program, New York—New Jersey was subject to different requirements than the other cities in the program.

<sup>4</sup>The National Capital Region includes the District of Columbia and surrounding areas in Maryland and Virginia.

<sup>5</sup>We refer to the amount of funding available for each fiscal year for the STC program, as reported to us by DHS officials, as the annual program budget.

**Figure 1: The Department of Homeland Security's (DHS) Annual Program Budget for the Securing the Cities (STC) Program, Fiscal Year 2008 to Fiscal Year 2018**



Source: DHS. | GAO-19-327

Notes: In fiscal year 2014, the STC program budget was originally \$22 million; however DHS provided the program an additional \$2.8 million in funding for sustainment in New York—New Jersey. DHS officials told us that the first STC award was made in September 2007, but this award was not called out in fiscal year 2007 appropriations like awards in the years that followed.

DHS's Domestic Nuclear Detection Office (DNDO) implemented the STC program for the program's first decade. During this time, DNDO was the primary entity in the U.S. government responsible for implementing domestic nuclear detection efforts to support a managed and coordinated strategy to counter nuclear or radiological threats. DHS designed the STC program to be part of the interior layer of the Global Nuclear Detection Architecture (GNDA). The GNDA is a multilayered framework encompassing many different federal programs, projects, and activities to detect and deter nuclear smuggling in foreign countries, at the U.S. border, and inside the United States.

In October 2017, DHS initiated an intradepartmental reorganization under which DNDO was consolidated with other offices, including the Office of Health Affairs, into a new office known as the Countering Weapons of Mass Destruction Office (CWMD). The Countering Weapons of Mass Destruction Act of 2018, signed into law on December 21, 2018, redesignates DNDO as CWMD and directs the establishment of the STC

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program under CWMD.<sup>6</sup> CWMD's mission includes additional priorities beyond detecting and deterring nuclear or radiological threats, such as defending against chemical and biological threats. To reflect current operations at DHS, we refer to CWMD throughout the remainder of this report as the entity that implements or has implemented the STC program.

You asked us to review the activities, results, and outcomes of the STC program. This report examines (1) the extent to which DHS tracks cities' use of funds and assesses their performance; (2) what assurance DHS has that cities can sustain capabilities gained through the STC program and the challenges, if any, that cities face in sustaining such capabilities; and (3) potential changes to the STC program and how DHS plans to implement them, the basis for these changes, and the extent to which DHS has communicated with current cities about the impact of making changes.

To determine the extent to which DHS tracks cities' use of funds and performance, we reviewed relevant laws, DHS documents, and data and information that the cities provided to DHS at our request. Specifically, we requested that DHS ask for data from all five cities participating in the program on expenditures made with program funds, and analyzed these data. We also reviewed documents related to program operations such as notices of funding opportunities and financial assistance awards, quarterly financial reports from cities participating in the program, and audits of the STC program. We did not specifically evaluate whether cities' purchases with program funds aligned with CWMD's approved purchase plans for cities because some data were not available and because of reporting lags in data that were available.<sup>7</sup> However, we assessed available data's reliability by reviewing related documentation, interviewing knowledgeable officials, and tracing a selection of data from source documents. Through these steps, we determined that these data were sufficiently reliable for summarizing the amount of funds spent on program activities and equipment purchases by type.

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<sup>6</sup>See Pub. L. No. 115-387 (2018).

<sup>7</sup>CWMD issues notices of financial assistance awards to cities in the program, and these notices include approved budgets—which CWMD officials referred to as purchase plans—for equipment and other resources.



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In addition, we reviewed documents related to the STC program's performance, such as CWMD's *Program Management Plan for the Securing the Cities Program*<sup>8</sup> ("Program Management Plan") and quarterly performance reports that cities provide to CWMD. We also visited all five cities participating in the program to interview program managers and local officials and to observe facilities, equipment, and training exercises. Further, we compared DHS's implementation of the STC program with federal internal control standards for control activities and information and communication,<sup>9</sup> as well as with leading practices described in our prior work.

To examine what assurance DHS has that cities can sustain capabilities gained through the STC program and the challenges, if any, that cities face in sustaining such capabilities, we collected and reviewed cities' plans for sustaining capabilities once program funds are no longer available. We also reviewed DHS's guidance documents for preparing sustainment plans, such as CWMD's Project Management Plan and sustainment plan template. We also interviewed DHS and city officials about how they were preparing to sustain capabilities developed under the program and about any challenges they faced or expected to encounter in the future. For example, we asked the officials about other sources of funds cities could use for sustainment once STC funds are no longer available. In addition, we compared DHS's implementation of sustainment planning under the STC program with federal internal control standards for risk assessment.

To examine potential changes to the STC program and DHS's plan for implementing them, the basis for these changes, and the extent to which DHS has communicated the impact of these changes to cities in the program, we reviewed DHS's budget justifications and other agency documents. We also interviewed DHS and officials at other key agencies—the Federal Bureau of Investigation (FBI) and the Department of Energy's National Nuclear Security Administration (NNSA)—that coordinate with DHS on nuclear and radiological security issues. In addition, we interviewed city officials about their communications with DHS regarding making changes to the program, including during our site

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<sup>8</sup>U.S. Department of Homeland Security, Domestic Nuclear Detection Office, *Program Management Plan for the Securing the Cities Program* (updated May 2017).

<sup>9</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014).

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visits to these cities. Further, we compared DHS’s communication with cities about making program changes with federal internal control standards for information and communication, as well as with recommended practices that are described in our prior work.

We conducted this performance audit from November 2017 to May 2019 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## Background

This section provides an overview of (1) the impact of nuclear or radiological events, (2) U.S. efforts to combat nuclear or radiological smuggling, (3) STC program goals and phases, (4) how the STC program operates, and (5) STC program activities.

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## Impact of Nuclear or Radiological Events

We previously reported that a terrorist’s use of either an improvised nuclear device or a radiological dispersal device could have devastating consequences, including not only loss of life but also enormous psychological and economic impacts.<sup>10</sup> An improvised nuclear device is a crude nuclear bomb made with highly enriched uranium or plutonium. A radiological dispersal device —frequently referred to as a dirty bomb— would disperse radioactive materials into the environment through a conventional explosive or through other means. Depending on the type of radiological dispersal device, the area contaminated could be as small as part of a building or a city block or as large as several square miles. If either type of device were used in a populated area, hundreds of individuals might be killed or injured from the explosion or face the risk of later developing health effects because of exposure to radiation and radioactive contamination.

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<sup>10</sup>GAO, *Combatting Nuclear Smuggling: Risk-Informed Covert Assessments and Oversight of Corrective Actions Could Strengthen Capabilities at the Border*, [GAO-14-826](#) (Washington, D.C.: Sept. 22, 2014).

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## U.S. Efforts to Combat Nuclear or Radiological Smuggling

U.S. efforts to counter nuclear or radiological threats are considered a top national priority. Federal agencies that have a role in combating nuclear or radiological smuggling are responsible for implementing their own programs under the GNDA. The GNDA comprises programs run by U.S. agencies, including DHS, the FBI, and NNSA, as well as partnerships with local, state, tribal, and territorial governments; the private sector; and international partners. These programs are designed to encounter, detect, characterize, and report on nuclear or radiological materials that are “out of regulatory control”, such as those materials that have been smuggled or stolen.<sup>11</sup> Under DHS’s reorganization, there is no longer a specific directorate in charge of GNDA responsibilities, according to CWMD officials. However, CWMD officials said that GNDA responsibilities, such as identifying gaps in current nuclear detection capabilities, will be distributed throughout CWMD components.

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## STC Program Goals and Phases

CWMD initiated the STC program with three primary goals: (1) enhance regional capabilities to detect and interdict unregulated nuclear and other radiological materials, (2) guide the coordination of STC cities in their roles defined by the GNDA, and (3) encourage participants to sustain their nuclear or radiological detection programs over time.<sup>12</sup>

According to the Program Management Plan, for each city, the STC program consists of three phases that provide for the development, integration, and sustainment of nuclear or radiological detection capability by cities to support state, local, and tribal operations.

- **Phase 1: Development of initial operating capability.** CWMD provides a mechanism for cities to develop initial operating capability to detect and report the presence of nuclear or radiological materials that are out of regulatory control. During phase 1, efforts focus on satisfying the immediate needs of state and local agencies in developing detection and reporting capabilities. This phase of the implementation is expected to take 3 years.

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<sup>11</sup>The Program Management Plan defines “out of regulatory control” as materials that are being imported, possessed, stored, transported, developed, or used without authorization by the appropriate regulatory authority, either inadvertently or deliberately.

<sup>12</sup>U.S. Department of Homeland Security, Domestic Nuclear Detection Office, *Program Management Plan*.

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- **Phase 2: Integration.** CWMD provides additional resources to cities to allow them to develop enhanced detection, analysis, communication, and coordination functionality. These resources build on the integration of state and local capabilities with U.S. government activities and the GNDA that existed prior to cities' participation in the STC program or were established during phase 1. This phase is expected to take about 2 years.
  - **Phase 3: Sustainment.** CWMD provides indirect support to cities to sustain their capabilities. CWMD maintains a relationship with local program operators through assistance with alarm response and subject matter expertise. For example, it provides advice to cities on training, practice exercises, and questions as they arise.

As of March 2019, Chicago and Houston are in phase 1 of the program, the National Capital Region is in phase 2, and New York—New Jersey and Los Angeles—Long Beach are in phase 3.

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## How the STC Program Operates

The STC program operates as a cooperative agreement between CWMD and eligible cities.<sup>13</sup> Accordingly, a substantial amount of interaction is expected between CWMD and program participants. A full cooperative agreement package for the STC program includes a notice of funding opportunity, notice of financial assistance award (assistance award), and general guidance documents for the program. It also includes requirements for cities to develop performance metrics for achieving key program tasks, such as purchasing equipment and conducting training, and to submit quarterly financial and performance reports.

CWMD seeks applications for the program through a notice of funding opportunity, which lays out eligibility criteria and other requirements. According to CWMD officials, after New York—New Jersey was accepted into the STC program, CWMD opened up eligibility for the program to

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<sup>13</sup>A cooperative agreement is a legal instrument of financial assistance between a federal agency and a nonfederal entity that is used to enter into a relationship with the principal purpose to transfer anything of value, such as money, to a nonfederal entity to carry out a public purpose authorized by law. The distinction between a cooperative agreement and a grant agreement is that substantial involvement is expected between the executive agency and the nonfederal entity when carrying out the activity contemplated by the federal award, whereas such involvement is not expected in carrying out a grant agreement. See 31 U.S.C. §§ 6304, 6305; 2 C.F.R. § 200.24.

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cities in DHS's Urban Area Security Initiative (UASI)<sup>14</sup> identified as having the highest risk for a terrorist attack.<sup>15</sup> In the application process, one local government entity applies as the principal partner for the city (e.g., the New York Police Department is the principal partner for New York—New Jersey).

Once CWMD accepts a city into the program, the city receives an assistance award, which details the approved budget for the year and may include an approved purchase plan.<sup>16</sup> DHS prefers that a lead agency within the city distributes funds or any equipment purchased with program funds to the other state and local partners, such as police departments of neighboring jurisdictions, fire departments, or public health officials, among others. According to CWMD officials, every year cities in the program must apply for the next increment of funding from the program; if a city's application is approved, it receives an amendment to its assistance award. There is a 5-year period of performance<sup>17</sup>—corresponding to phases 1 and 2—under which the cities are eligible to receive and obligate funding. CWMD officials told us that they can grant an extension to cities to obligate the funds if they have not been able to do so within the original 5-year period. In phase 3 of the program, CWMD may provide technical assistance or subject matter expertise to cities but no further funding.

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<sup>14</sup>UASI grants provide federal assistance to address the unique needs of high-threat, high-density urban areas and assist the areas in building an enhanced and sustainable capacity to prevent, prepare for, protect against, and respond to acts of terrorism. The Administrator of the Federal Emergency Management Agency is required to ensure that no less than 25 percent of grant funding is for law enforcement terrorism prevention activities.

<sup>15</sup>According to CWMD officials, eligible UASI cities not currently in the STC program are San Diego, the Bay Area, Dallas—Fort Worth—Arlington, Philadelphia, and Boston.

<sup>16</sup>According to DHS officials, when the award is made the purchase plan may be approved. However, the funds may also be restricted until further details or justification are received and approved.

<sup>17</sup>The period of performance means the time during which the nonfederal entity may incur new obligations to carry out the work authorized under the federal award. See 2 C.F.R. § 200.77. The federal agency must include start and end dates of the period of performance in the federal award. *Id.* Since New York—New Jersey was the pilot city it was not subject to the 5-year period of performance.

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## STC Program Activities

Cities in the STC program may spend their funds on nuclear and radiological detection equipment, training, and administrative program costs, among other things. Several types of detection equipment may be approved for purchase.

- **Personal radiation detectors (PRD)** are wearable radiation detectors, approximately the size of a cell phone. When exposed to elevated radiation levels, the devices alarm with flashing lights, tones, vibrations, or combinations of these. Most PRDs numerically display the detected radiation intensity (on a scale of 0 to 9) and thus can be used to alert the officer of a nearby radiation source. However, they typically are not as sensitive as more advanced detectors and cannot identify the type of radioactive source.
- **Radiation detection backpacks** are used for primary screening and for conducting wide area searches, according to CWMD officials. These officials said the size of the detector contained within the backpack allows the operator greater detection sensitivity as compared to a PRD. CWMD officials also said these devices are especially useful for screening a large venue for radiological materials prior to occupancy by the public.
- **Radiation isotope identification devices** are radiation detectors that can analyze the energy spectrum of radiation, which enables them to identify the specific radioactive material emitting the radiation. Such devices are used to determine if detected radiation is coming from a potential threat or from naturally occurring radioactive material, such as granite.
- **Mobile detection systems** contain larger detectors. Typically, mobile detection systems interface with a laptop computer to display alarms and analysis, and are capable of both detection and identification. This type of system may be mounted on vehicle platforms, such as cars, trucks, vans, boats, or helicopters.

Figure 2 shows examples of such equipment.

**Figure 2: Photos of Types of Nuclear and Radiological Detection Equipment**

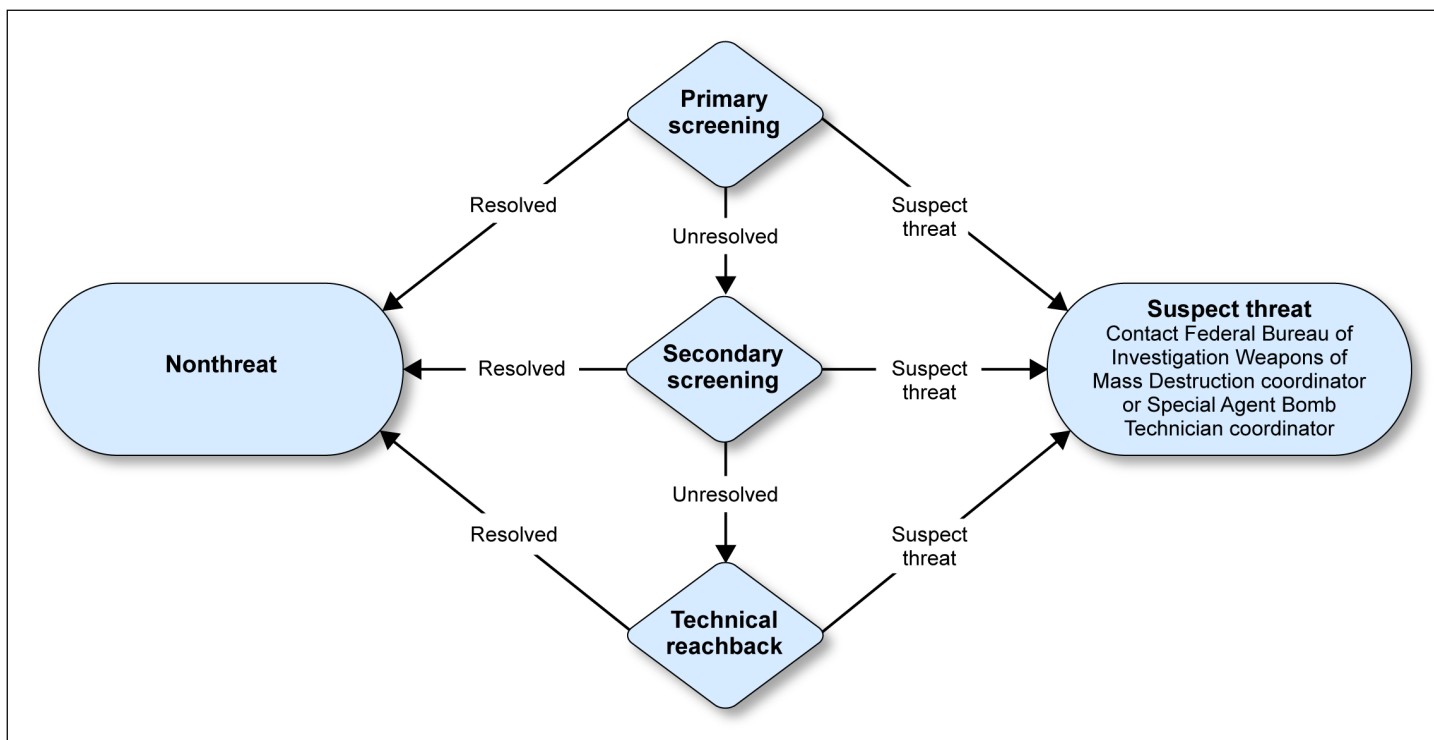


Sources: Department of Homeland Security (top left, top right, and lower right photos); GAO (lower left photo). | GAO-19-327

Such equipment and associated training are the basis for the capability provided through the STC program. Officials we interviewed in one STC city told us that in order to operate the equipment, law enforcement, fire, health, and other state and local personnel must take training on the process for screening and for resolving alarms related to suspected nuclear or radiological material. As shown in figure 3, primary screening is the first step of the process: if an officer is able to determine the source of the alarm and deems it a nonthreat, then the case is resolved. According to CWMD officials, PRDs often detect nuclear or radiological materials that do not actually pose threats, such as radiation from medical

treatments and from naturally occurring substances such as granite. An officer who is not able to determine the source of the alarm should initiate a secondary screening process; according to CWMD officials, secondary screening varies by locality. Officers with advanced training conduct secondary screening by using equipment such as radiological isotope identification devices to identify the type of source material detected.

**Figure 3: Typical Nuclear or Radiological Device Screening and Alarm Resolution Process**



Source: GAO, based on a Securing the Cities Houston graphic. | GAO-19-327

If, after secondary screening, officers still suspect a threat, they can contact technical “reachback,” which is a system that puts officers on the ground in communication with off-site specialists and resources. This technical reachback can provide greater expertise, including the ability to analyze the energy spectrum detected during screening and improve identification of the source and nature of the potential threat. CWMD officials said that the technical reachback may occur at the state and local or national level. State and local technical reachback procedures may vary, but national level technical reachback is standardized with 24-hour



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call centers run by the Department of Energy or U.S. Customs and Border Protection.

According to CWMD officials, at any point in the screening process, if a secondary screening device is utilized, it is standard protocol for the officer to alert the FBI of the incident. If a threat is suspected, the FBI can deploy a team that is trained to respond to such a threat.

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## DHS Does Not Collect Information to Fully Track Cities' Use of STC Funds for Approved Purposes and Assess Cities' Performance

DHS's CWMD does not collect information to fully track cities' use of STC funds for approved purposes and to assess the cities' performance in the program. Specifically, CWMD tracks cities' spending<sup>18</sup> using program funds and some performance data through quarterly reports that it collects from cities, but does not collect other key data to track itemized expenditures and to assess how effectively cities achieved key performance metrics and program milestones or how they performed in exercises or drills that simulate a nuclear or radiological threat.

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## CWMD Tracks Some Spending Data but Does Not Collect Data to Ensure That Funds Are Spent as Approved

CWMD tracks cities' spending using program funds through quarterly financial reports it collects from cities, according to CWMD officials, but does not collect other key data to ensure that funds are spent for approved purposes and not spent on unrelated program activities. Specifically, CWMD provides each city eligible for additional funding an assistance award every year that includes an approved budget for spending categories such as program staff and equipment, but CWMD officials told us that CWMD does not track itemized expenditures to ensure that program funds were spent according to this budget. According to CWMD's program agreements with cities,<sup>19</sup> cities must have written approval from DHS in advance of spending obligated program funds for all equipment purchases in the amount of \$5,000 or more per unit cost.<sup>20</sup> However, CWMD officials told us that because of time and

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<sup>18</sup>We use the term "spending" interchangeably with "expenditures" to mean charges made by a nonfederal entity to a project or program for which a federal award was received. 2 C.F.R. § 200.34.

<sup>19</sup>We refer to CWMD's cooperative agreements and associated documents with cities as program agreements.

<sup>20</sup>This requirement is contained in CWMD's notices of funding opportunity.

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resource constraints, they do not collect data that cities maintain in their internal systems on the expenditures they actually made with program funds, even though CWMD's program agreements with cities typically specify that CWMD or DHS's Grants and Financial Assistance Division (GFAD) may access these data at any time.<sup>21</sup>

Furthermore, although GFAD officials told us that CWMD, in conjunction with the Grants Officer at GFAD, has the authority to conduct programmatic and financial audits and site visits to cities, these audits are infrequent and limited in their ability to ensure that cities' expenditures were in accordance with CWMD's approved purchase plans, which take into account program goals and objectives. According to these officials, in the program's history, GFAD has conducted a total of two desk audits in two STC cities—New York—New Jersey and Los Angeles—Long Beach. GFAD initiated these two audits in 2015 and, according to GFAD officials, examined a small random sample of purchases. GFAD officials said they do not currently plan to conduct any additional audits in STC cities because of resource constraints.

The extent of CWMD's tracking of cities use of STC program funds is not consistent with federal internal control standards, which state that program management should design control activities to achieve objectives, such as comparing actual performance to planned or expected results and analyzing significant differences. However, according to CWMD officials, CWMD does not compare information on expenditures to cities' approved purchase plans. As a result, DHS does not know the dollar amounts cities actually spent on program purchases. By regularly collecting detailed information from cities on expenditures made using program funds and comparing that information to approved purchase plans, CWMD would have greater assurance that cities spent funds as approved and that the expenditures are in keeping with program goals and objectives.

Because CWMD does not regularly collect or maintain data on how cities spent program funds, we requested that it ask cities for these data and provide them for our review. Table 1 summarizes STC program funds obligated to and spent by each city and shows that New York—New Jersey spent about three-quarters of all STC funds—about \$110 million of

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<sup>21</sup>According to CWMD officials, GFAD is responsible for executing CWMD's cooperative agreements with the cities.

the \$145 million cities spent as of June 30, 2018. As discussed above, New York—New Jersey was the pilot city for the program and was not subject to the \$30 million limit on program funding. In addition to program funds, CWMD provided cities with nonmonetary assistance in the form of training, among other things.

**Table 1: Securing the Cities Program Obligations and Expenditures, Fiscal Year 2007 through June 30, 2018**

Dollars in millions

City	Program funds obligated by DHS (dollars)	Program funds spent by cities (dollars)	Program funds remaining <sup>a</sup> (dollars)	Percentage of obligated funds spent	Value of nonmonetary assistance from DHS <sup>b</sup> (dollars)
New York—New Jersey	122.8	110.3	12.5	90	1.3
Los Angeles— Long Beach	24.5	15.9	8.6	65	3.1
National Capital Region	22.4	14.4	8.0	65	2.7
Houston	18.1	3.9	14.2	21	1.9
Chicago	10.2	0.3	9.9	2	0
<b>Total</b>	<b>197.9</b>	<b>144.8</b>	<b>53.1</b>	<b>73</b>	<b>9.0</b>

Source: Department of Homeland Security (DHS). | GAO-19-327

Note: Numbers may not add to totals because of rounding.

<sup>a</sup>According to Countering Weapons of Mass Destruction Office officials, cities may spend obligated funds in future years; DHS's Grants and Financial Assistance Division communicates to cities individually how long they have to expend funding based upon appropriation language and the authority of awarded funding.

<sup>b</sup>Countering Weapons of Mass Destruction Office officials told us that training funds for the National Capital Region and Houston are reflected in nonmonetary assistance.

These data also show that cities spent most STC funds on equipment purchases. Specifically, about two-thirds of STC funds spent were for equipment to detect nuclear or radiological threats—about \$95 million of the \$145 million spent. Among the four cities that have purchased equipment,<sup>22</sup> the largest equipment purchase category was PRDs, at over \$40 million. Cities also reported purchasing equipment such as backpacks that contain radiation detectors; radiation isotope identification devices, which identify the type of radiation that is emitted from a source; and mobile systems that detect radiation from a vehicle on the ground or

<sup>22</sup>According to city officials, Chicago began purchasing equipment after June 30, 2018, the cutoff date for our data collection effort.

in the air. In addition, cities spent STC funds on training, staff, and contracts for training and other services, according to the data. Collectively, cities spent about 6 percent of program funds on training, 3 percent on staff, and 14 percent on contracts for training and other services. (See table 2.)

**Table 2: Securing the Cities Program Expenditures by Type, Fiscal Year 2007 through June 30, 2018**

Dollars in millions

City	Equipment (dollars)	Training (dollars)	Staff <sup>a</sup> (dollars)	Contracts <sup>b</sup> (dollars)	Other (dollars)	Total (dollars)
New York—New Jersey	65.7	7.0	3.5	18.8	15.2	110.3
Los Angeles—Long Beach	12.9	1.6	0.8	0.2	0.4	15.9
National Capital Region	12.8	0	0.1	1.1	0.5	14.4
Houston	3.2	0	0.4	0	0.3	3.9
Chicago	0	0	0.2	0	0.1	0.3
<b>Total</b>	<b>94.5</b>	<b>8.6</b>	<b>5.0</b>	<b>20.2</b>	<b>16.5</b>	<b>144.8</b>

Source: Department of Homeland Security (DHS). | GAO-19-327

Notes: Numbers may not add to totals because of rounding. Cities provided information to DHS based on GAO's request.

<sup>a</sup>Staff expenditures may include part-time salaries.

<sup>b</sup>Contracts are for training and other services from third parties.

### CWMD Tracks Some Performance Data but Does Not Collect Data to Ensure That Performance Metrics and Program Milestones Are Achieved

CWMD tracks some performance data in quarterly reports it collects from cities, but it does not collect data to ensure that key performance metrics and program milestones identified in the Program Management Plan are achieved. For example, the quarterly reports CWMD collects from cities show the quantities of equipment, by type, that cities purchased with STC funds over the course of the program (see table 3), but these reports do not show whether the quantities of equipment met cities' targets for equipment purchases. In addition, these reports do not show how much cities spent to purchase equipment for the program.

**Table 3: Quantities of Each Equipment by Type Purchased by Cities in the Securing the Cities Program, as of January 2018**

Equipment type	Personal radiation detectors	Backpacks	Mobile systems	Radiation isotope identification devices
<b>Total</b>	<b>23,297</b>	<b>278</b>	<b>64</b>	<b>356</b>

Sources: Quarterly performance reports to the Department of Homeland Security from cities in the Securing the Cities program. | GAO-19-327

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CWMD's notices of funding opportunity require cities to identify and submit key performance metrics for measuring progress against their objectives and a schedule of program milestones as part of their application to the STC program. According to the CWMD officials, each STC city submitted a Gantt chart—which plots planned activities over time—as part of its initial application. However, over the course of the program, CWMD found this tool had limited value and later gave each city the latitude to manage its program timeline as it deemed appropriate.

In addition to the Gantt charts, CWMD officials said they provided cities with templates to develop checklists to document their progress against their objectives and compare their progress to planned actions. However, CWMD officials told us that they view this checklist as a guide to help cities plan rather than a firm program requirement, and cities have not submitted these checklists. Until CWMD requires cities to submit checklists or equivalent information on their progress in the STC program, it will not have complete information on how cities are performing compared to the key performance metrics and program milestones they identified for themselves.

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### CWMD Does Not Consistently Collect Information on How Cities Performed during Drills and Exercises

CWMD does not consistently collect information on how cities performed during STC program-funded exercises and drills that test cities' ability to detect a simulated nuclear or radiological threat. CWMD's notices of funding opportunity entered into after 2007 generally state under program performance reporting requirements that cities must submit operational reports, such as exercise after-action summaries. CWMD officials told us that they have provided STC cities with a template for preparing after-action reports—which assess a city's performance during an exercise and include improvement plans following exercises that the program funded. These reports and plans could provide greater insight than quarterly performance reports on the effectiveness of cities' capabilities. Nonetheless, available performance data show that CWMD did not enforce this requirement and that cities have submitted very few after-action reports. In their quarterly performance reports, the four cities other than New York—New Jersey reported completing 231 drills and exercises but only five after-action reports and one improvement plan. Officials from New York—New Jersey, whose performance reporting requirements differ from those of other cities according to CWMD officials, said that they complete over 100 drills and exercises per year but do not complete after-action reports because of the amount of paperwork that would be required.

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CWMD officials said that they did not enforce the requirement to submit after-action reports and improvement plans because they felt they could not force cities to report this information. Officials also told us that even though cities are aware of requirements in CWMD's notices of funding opportunity to provide these reports and plans, cities may be reluctant to complete them because they could highlight weaknesses in their capabilities.

We have previously found that a leading practice to promote successful data-driven performance reviews includes participants engaging in rigorous and sustained follow-up on issues identified during reviews.<sup>23</sup> Until CWMD more fully assesses cities' performance by consistently enforcing reporting requirements on how cities performed during exercises, it cannot assess the extent to which cities could effectively detect or deter a nuclear or radiological threat.

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## DHS Does Not Have Assurance That Cities Can Sustain Capabilities Gained through the Program, and Cities Face Funding Challenges

DHS's CWMD does not have assurance that cities can sustain threat detection and deterrence capabilities gained through the STC program, and cities anticipate funding challenges once STC program funding ends. Specifically, CWMD has not enforced sustainment planning requirements and has taken limited action to help cities sustain their capabilities, even though encouraging sustainment is one of its primary program goals. Cities anticipate funding challenges that will adversely affect their ability to sustain capabilities after the program.

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<sup>23</sup>GAO, *Managing for Results: Data-Driven Performance Reviews Show Promise But Agencies Should Explore How to Involve Other Relevant Agencies*, [GAO-13-228](#) (Washington, D.C.: Feb. 27, 2013).

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**CWMD Has Not Enforced Sustainment Planning Requirements and Has Taken Limited Action to Help Cities Sustain Capabilities**

CWMD identified a key goal related to sustainment of cities' nuclear or radiological detection program overtime in its Project Management Plan and requires cities to plan for sustainment.<sup>24</sup> However, CWMD has not enforced sustainment planning requirements and has taken limited action to help cities sustain capabilities. CWMD's program agreements generally require cities to submit plans describing how they will sustain capabilities gained through the program. For example, some of CWMD's program agreements state that these sustainment plans must (1) explain how the city will support and sustain STC capabilities after completing the program, (2) describe potential sources of future financial support, and (3) commit to obtaining future financial assistance beyond CWMD support.

However, CWMD accepted sustainment plans from four cities that did not identify how they will sustain capabilities once program funding ended.<sup>25</sup> Each of the cities' plans clearly state that they will have difficulty sustaining the program without additional federal funds. (See fig.4.) We also found that three of the four sustainment plans submitted to CWMD provide little detail about the specific equipment or training cities expect they will need after program funding ends. CWMD, however, did not take steps to address these concerns because CWMD officials said that they viewed finding alternative sources of funding to sustain capabilities as the cities' responsibility.

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<sup>24</sup>U.S. Department of Homeland Security, Domestic Nuclear Detection Office, *Program Management Plan*.

<sup>25</sup>According to CWMD officials, Chicago, which was accepted into the STC program in fiscal year 2016, has not yet submitted a sustainment plan.

**Figure 4: Excerpts from Securing the Cities (STC) Program Sustainment Plans Discussing Availability of Future Federal Funding**

City 1	City 2	City 3
<p>“The city has used STC funds to build the framework for an effective preventative radiological and nuclear detection (PRND) effort. Lack of available federal funding will make it extremely difficult for the city and its Regional Partners to continue effective PRND programs. Without the continued coordinated efforts of the Domestic Nuclear Detection Office to subsidize the STC Program in this city, efforts to sustain the Program could evolve into Partners competing with each other for funding sources that do not require regional coordination.”</p>	<p>“The city has used STC funds to build the framework for an effective PRND effort. Lack of available federal funding will make it extremely difficult for the city and its regional partners to continue effective PRND programs. Without the continued coordinated efforts of the Domestic Nuclear Detection Office to subsidize the STC program in the city, efforts to sustain the program could evolve into partners competing with each other for funding sources that do not require regional coordination.”</p>	<p>“While the region does receive other federal grant funding to support various counterterrorism programs, there is no other program that could support the PRND efforts for the region. STC funds are being used to build the framework for an effective PRND effort. Future lack of available federal funding would make it extremely difficult for the city and its regional partners to continue effective PRND programs.”</p>

Source: GAO analysis of sustainment plans from various cities in the STC program. | GAO-19-327

CWMD officials told us that they provide some ongoing technical assistance to cities in the sustainment phase of the program, but this assistance does not include additional funding. Thus far, New York—New Jersey is the only city of the two cities in the sustainment phase<sup>26</sup> that has received technical assistance.<sup>27</sup>

Furthermore, CWMD did not consistently take steps to ensure that cities planned for sustainment when making purchasing decisions. As previously noted, program agreements generally require sustainment plans. Under CWMD’s Project Management Plan, CWMD expects cities

<sup>26</sup>According to CWMD officials, New York—New Jersey and Los Angeles—Long Beach are currently the only two cities in the sustainment phase of the program in that they are no longer eligible for new funding from DHS; however, both cities are still spending funds that DHS obligated and later released to them in previous years.

<sup>27</sup>CWMD officials told us that in 2016—2 years after New York—New Jersey entered the sustainment phase—CWMD provided support to the New York Police Department for a full-scale test exercise of radiological equipment. It has also provided support to the department through its Testing and Acquisitions Directorate, which can give cities data regarding the capabilities and performance of different types of equipment to inform purchasing decisions.



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to submit those sustainment plans to CWMD within 24 months of their initial award date. However, New York—New Jersey and Los Angeles—Long Beach did not submit their sustainment plans until many years after they began to receive STC funding. New York—New Jersey, for example, did not submit a draft sustainment plan until 2015, nearly 8 years after the city initially received funding because CWMD did not include a sustainment plan requirement for the city until its award for fiscal year 2011 and allowed 36 months to complete a sustainment plan. Similarly, Los Angeles—Long Beach did not submit a draft sustainment plan until 2017—5 years after the city initially received funding. In its program agreement with Los Angeles—Long Beach, CWMD required that a sustainment plan be submitted within 18 months of the award date, but CWMD did not enforce this requirement and accepted a sustainment plan from Los Angeles—Long Beach that was significantly delayed. It is unclear whether New York—New Jersey and Los Angeles—Long Beach ever finalized their draft sustainment plans.

CWMD identified sustainment as a program goal but has not enforced its own requirements related to this goal or taken steps to analyze the risks sustainment challenges pose to its program's success. Federal internal control standards state that program management should identify, analyze, and respond to risks related to achieving the defined objectives. Unless CWMD analyzes risks related to sustainment, works with cities to address these risks, and enforces sustainment planning requirements for cities that join the program in the future, program participants could see their radiological detection programs and related capabilities deteriorate over time.

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### Cities Anticipate Funding Challenges to Sustaining Capabilities

Officials from all five cities raised concerns to us about their ability to maintain capabilities over time without a dedicated source of funding once STC program funding ends. For example, New York—New Jersey officials told us that they informed CWMD they would not be able to maintain capabilities past 2021 without additional funds. Houston conducted an analysis of the funds needed to sustain the program and estimated that it would generally need over \$1 million per year, primarily to replace equipment. City officials also said that they are already experiencing challenges that will have implications for funding and sustainment of the program. For example, Chicago officials said they are facing challenges regarding funding for training. These officials said CWMD told them that the company that conducted training in the other STC cities—at no cost to those cities—will no longer be the designated training entity. But a new training company has not been put in place.

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CWMD has not communicated a new plan for training Chicago's officers on equipment that has already been purchased, and Chicago officials told us that they do not have additional funds to purchase training. Chicago officials said that if they do not receive future years of funding to conduct training on the already-purchased equipment, their planned capabilities could go to waste.

According to several city officials, cities cannot rely on other DHS grant programs or federal grant programs or local sources of funding to sustain the STC program. Specifically, the officials said that cities' ability to obtain funds from DHS's UASI for sustainment may be limited,<sup>28</sup> in part because of ineligibility by some partner agencies within an STC city. For example, law enforcement agencies in Santa Ana, California, received support from the STC program as part the Los Angeles—Long Beach city region, but they would not be eligible for UASI funds because Santa Ana is not in the Los Angeles—Long Beach UASI region. Moreover, UASI funds may not be sufficient to meet demand from cities. Houston city officials said that in fiscal year 2017, the city had requested \$40 million in UASI funds from the UASI Committee, which distributes UASI funds in each city. But the committee had only \$23 million to disperse to Houston. According to CWMD officials, other DHS grant programs within the Federal Emergency Management Agency—such as the Homeland Security Grant Program—may not provide a guaranteed source of consistent funding. Further, CWMD, NNSA, FBI, and city officials that we interviewed said they were not aware of any other federal grant program that cities could utilize to sustain nuclear or radiological detection capabilities. At a local level, several city officials said that there are competing funding priorities, such as preventing school shootings and addressing the opioid crisis, that require more money and attention because they affect the local community more directly every day.

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<sup>28</sup>UASI is a DHS grant program run by the Federal Emergency Management Agency. UASI provides grants to urban areas to address the unique multidisciplinary planning, operations, equipment, and training and exercise needs of high-threat, high-density urban areas and to assist in building and sustaining capabilities related to terrorism prevention, protection, mitigation, response, and recovery. Cities can use UASI funds for a variety of initiatives, ranging from community resiliency and recovery to public health to cybersecurity.

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**DHS Has Not Fully Developed or Documented Potential Program Changes, Including the Basis for Making Changes, or Communicated Their Impact on Current STC Cities**

DHS has not (1) fully developed potential changes or documented a plan for making changes to the STC program; (2) identified the basis for such changes; and (3) clearly communicated with the cities, raising concerns about how the changes will impact them.

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**CWMD Has Not Fully Developed or Documented Potential Changes to the STC Program and Does Not Have a Strategy or Plan for Implementing Them**

CWMD officials told us that the agency is considering several potential changes to the STC program that would broaden its geographic reach and scope, but it has not fully developed or documented these changes and does not have a strategy or plan for implementing them. According to these officials, CWMD has not made any final decisions about potential changes and therefore has not developed any formal strategic documents. Based on our interviews with CWMD and city officials and some limited information in DHS's fiscal year 2019 budget justification, we found that CWMD is considering making the following changes to the STC program:

- **New program goals.** CWMD officials told us that the STC program's new goals would be to (1) enhance regional capabilities to detect, analyze, report, and interdict nuclear and other radioactive threats; (2) provide defense in large geographic regions; and (3) maximize deployment of detection equipment to nonfederal agencies to support federal nuclear detection priorities. The first program goal is one of the original program goals. However, CWMD officials said that under this proposal, CWMD would no longer include encouraging cities to sustain capabilities over time as a program goal because CWMD has discussed centralizing acquisition of detection equipment.
- **Expansion of the program's geographic coverage.** Although legacy cities would still receive support under the new version of the STC program, CWMD officials said that the new program would provide national coverage and would include detection and deterrence activities in regions well outside of cities that UASI identified as having

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the highest level of threat and risk for a terrorist attack.<sup>29</sup> Prior to proposing this change, CWMD had included in DHS's fiscal year 2018 budget justification its intent to select a sixth and seventh city to participate in the program by the end of fiscal year 2018, which CWMD officials told us did not occur. In DHS's fiscal year 2019 budget justification, CWMD stated its intent to support the development of nuclear or radiological detection capability for broader regions.

- **Centralized acquisition of detection equipment.** Instead of providing funding to STC cities to purchase detection equipment directly, CWMD officials told us that they would plan to centralize the acquisition process and purchase equipment on behalf of cities and regions. CWMD officials told us that they expect most of this equipment to be PRDs.
- **A greater role for other agencies.** CWMD officials said that although the STC program would remain a CWMD-only program, CWMD expects to work closely with the FBI, NNSA, and other DHS components, such as the U.S. Coast Guard and U.S. Customs and Border Protection, to detect and deter nuclear or radiological threats. Currently, according to CWMD officials, CWMD is working with the FBI and NNSA on a Domestic Detection Concept of Operations to coordinate their capabilities and functions. In addition, CWMD officials said that they plan to align the STC program with the existing FBI stabilization program, which responds to nuclear or radiological threats that have been detected.<sup>30</sup> According to CWMD officials, CWMD would rely on FBI-led stabilization teams for guidance on selecting and distributing detection equipment for the STC program. Each stabilization team would have a partner STC program office to test, calibrate, and distribute detection equipment and to train operators, and the STC program would provide funding to cities to maintain these offices.
- **Inclusion of chemical and biological weapon detection and deterrence within the program's scope.** The Countering Weapons

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<sup>29</sup>The Countering Weapons of Mass Destruction Act of 2018 requires the Secretary of Homeland Security to designate jurisdictions eligible for STC funds among UASI program cities.

<sup>30</sup>Among other things, the FBI stabilization program consists of stabilization teams composed of FBI officials and state and local bomb technicians in more than a dozen locations, according to FBI officials. NNSA officials said NNSA also invests in these teams by providing training and equipment.

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of Mass Destruction Act of 2018 includes chemical and biological weapon detection and deterrence under the scope of CWMD but limits the STC program to detecting and deterring nuclear or radiological threats. CWMD officials told us that they had planned to add chemical and biological detection and deterrence efforts to the STC program, but such a change would now require a statutory change.

The changes that CWMD is considering making to the STC program would be significant in scope. However, CWMD officials confirmed that CWMD has not documented these potential changes for key stakeholders, such as cities or partner agencies or provided strategic documents to describe how it plans to implement any changes. FBI officials we interviewed said that although the FBI supports greater coordination between CWMD and FBI-led stabilization teams, these programs will remain distinct and independent, with separate and dedicated lines of funding and personnel. These officials also said that CWMD and the FBI will not share equipment or technicians. According to NNSA officials, there is no new role defined for NNSA in the STC program, although NNSA leadership has asked its Radiological Assistance Program<sup>31</sup> to contribute to the STC program where possible.<sup>32</sup> NNSA officials also said that NNSA and CWMD will continue to coordinate on how information flows at a federal level if a nuclear or radiological threat has been detected.

CWMD officials told us that they first introduced potential program changes to five STC cities at a meeting in February 2018 and met with leadership from these cities in August 2018 to discuss these changes further. In November 2018, we contacted officials from the STC cities to determine whether they understood how the STC program would continue. Officials from the STC cities made statements that indicated confusion and uncertainty about the future of the program. For example:

- Officials from one city told us they believed that changes to the STC program would apply only to new cities joining the program, even

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<sup>31</sup>NNSA's Radiological Assistance Program provides advice and radiological assistance for incidents involving radioactive materials that pose a threat to the public or the environment.

<sup>32</sup>For example, NNSA officials said that NNSA would help inform equipment options for state and local partners in the STC program.

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though CWMD officials told us that the changes would affect all cities going forward.

- Officials in another city told us that they left the August meeting with the impression that the changes presented were only preliminary proposals up for discussion and that the program could evolve in any number of directions. However, documents CWMD provided to us during interviews show CWMD's intention to make several of the specific changes described above, even though the agency's proposals for the STC program have not yet been finalized.
- Officials in most cities told us they believed that CWMD may provide them separate funding under the new program for sustaining capabilities developed to date, but CWMD officials told us that no final decisions had been made regarding future support for legacy cities.

Most city officials we interviewed said that the August meeting provided a high-level overview of potential changes and little detail on how such changes would be implemented or affect city operations.

Our past work has discussed the importance of strategic planning.<sup>33</sup> We have reported that, among other things, strategic plans should clearly define objectives to be accomplished and identify the roles and responsibilities for meeting each objective. By developing a written strategic plan (or implementation plan) for any potential changes to the STC program, CWMD would provide clarity on what specific changes are planned and how CWMD plans to implement them. For example, given the uncertainty around the future direction of the program, a written strategy would help shed light on the exact role that CWMD envisions for partner federal agencies and how it plans to utilize these partnerships to acquire and distribute equipment.

In October 2018, we briefed staff on the Senate Committee on Homeland Security and Governmental Affairs and House Committee on Homeland Security on our ongoing work, including our preliminary findings on the benefits of (1) developing an implementation plan for potential changes to

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<sup>33</sup>GAO, *Managing for Results: Enhancing Agency Use of Performance Information for Management Decision Making*, [GAO-05-927](#) (Washington, D.C.: Sept. 9, 2005); *Results-Oriented Government: Practices That Can Help Enhance and Sustain Collaboration among Federal Agencies*, [GAO-06-15](#) (Washington, D.C.: Oct. 21, 2005); *Combating Terrorism: Observations on National Strategies Related to Terrorism*, [GAO-03-519T](#) (Washington, D.C.: Mar. 3, 2003); and *Executive Guide: Effectively Implementing the Government Performance and Results Act*, [GAO/GGD-96-118](#) (Washington, D.C.: June 1996).

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the STC program and (2) assessing the effect of changes on the program. The recent Countering Weapons of Mass Destruction Act of 2018, signed into law on December 21, 2018, requires that CWMD develop an implementation plan that among other things, identifies the goals of the program and provides a strategy for achieving those goals. The act requires CWMD to submit this implementation plan to Congress by December 21, 2019. In addition, the law requires a subsequent report assessing effectiveness and proposing changes for the program, which could provide clarity on how proposed changes would align with STC program strategy and how CWMD plans to implement them. CWMD is also required to consult with and provide information to appropriate congressional committees before making any changes to the STC program, including an assessment of the effect of the changes on the capabilities of the STC program.

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### CWMD Has Not Identified a Clear Basis for Program Changes

CWMD has not identified a clear basis for making program changes, and the extent to which these changes can be attributed to new priorities under DHS's reorganization is unclear. CWMD officials told us that they have not conducted any studies or analyses that would justify making changes to the program. In DHS's fiscal year 2019 budget justification, CWMD discussed the importance of using the STC program to build capabilities far outside the immediate target areas, (i.e., cities) and the need to detect threats along the air, land, or sea pathways into and within the country that terrorists could potentially use to reach their targets. However, according to CWMD officials, CWMD has not identified a change in the nature or level of nuclear or radiological threats to explain its intent to move from its original city-focused model for the STC program to a more national approach. In addition, as stated above, CWMD does not collect information to fully assess the performance of cities currently in the program and therefore does not have a performance-based rationale for changing its program goals. CWMD officials said that the uncertainty surrounding making changes reflect a program under transition within an agency under transition—that is, the reorganization from DNDO to CWMD.

The Countering Weapons of Mass Destruction Act of 2018 requires that before making changes to the STC program, the Assistant Secretary of CWMD brief appropriate congressional committees about the justification for proposed changes. This briefing is to include, among other things, an assessment of the effect of changes, taking into consideration previous resource allocations and stakeholder input. This new requirement would provide DHS an opportunity to identify the basis for potential changes.

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Assessing such changes could provide more reasonable assurance that they would strengthen the program and not result in unintended consequences, such as reducing capabilities in current cities.

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### CWMD Has Not Clearly Communicated with the Cities, Raising Concerns about How Potential Program Changes Will Impact Them

CWMD has not clearly communicated with the cities currently in the STC program about the status of potential program changes, raising concerns among these cities about how the changes will impact them. Although CWMD officials told us that the STC program would still support cities currently in the program, CWMD has not communicated to cities the levels of funding or other resources they can expect to receive going forward under the new version of the program. Notably, CWMD has not explained how expanding the program's geographical coverage would affect cities currently in the program, including any effect on the availability of resources for these cities.

City officials told us that they had several concerns, including the following, about CWMD's potential changes for the STC program:

- **Ability to choose equipment that meets a city's needs.** Some city officials we interviewed expressed concerns that the potential changes could detract from their ability to decide which types of equipment and support would best meet their needs. For example, officials in one city expressed concern that their planned calibration laboratory, which is used to maintain equipment, could become obsolete if CWMD chose to distribute PRDs that differ from the type the city currently uses. Furthermore, some city officials questioned whether CWMD and local FBI-led stabilization teams could adequately assess the specific equipment needs of state and local partner agencies within current STC cities. FBI officials told us that they do not assess the equipment needs of state and local partner agencies, but instead share information with those partners should they wish to acquire similar resources in order to maintain state, local, and federal capabilities.
- **Scope of the program.** Several city officials said concerns arose when CWMD requested that STC cities test toxic compound meters in 2018, raising questions about the scope of the program. These devices are designed to detect the presence of certain chemical weapons, but the STC program does not include detecting or deterring chemical weapons. Therefore, several officials felt that the request to test the devices was outside the scope of their mission. CWMD officials said that although the meters were not connected with the STC program, it made sense to reach out to the STC cities as



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CWMD already had a relationship with the cities and they were deemed appropriate locations.

- **Role of the FBI.** Some city officials told us that they had heard from CWMD that the FBI could play an expanded role in secondary screening in the future, which they felt could be problematic because of the FBI's limited staff presence in field locations. FBI officials we interviewed said that they did not plan to conduct additional secondary screening in the future; instead they plan to formalize the secondary screening process that is already in place in STC cities. According to FBI officials, the bureau would always respond to situations requiring a threat assessment.
- **Effect on future funding, including for sustainment activities.** CWMD recently informed National Capitol Region officials that they would not receive an expected fifth year of funding because of planned program changes. City officials said that this change came as a surprise to them and now they will only be able to buy approximately 90 percent of the equipment they had originally planned to purchase. In addition, these officials said that they planned to use much of the fifth year funding for sustainment activities, such as training classes, and that this loss would adversely affect their current sustainment plans. CWMD officials said that under the new program, CWMD will take responsibility for sustaining the nuclear or radiological detection equipment distributed to cities, but, as described above, these officials said that no final decisions have been made regarding future support for legacy cities.

Several city officials said that CWMD had not adequately responded to their concerns and that there has been less communication from CWMD about the STC program since 2017 as a result of the DHS reorganization. Further, several city officials said that they expected CWMD to set up quarterly meetings with STC city leadership following the August meeting, but they had not received any notifications about additional meetings. CWMD officials told us that they intend to have more frequent meetings with STC city leadership in the future but were unable to schedule a meeting during the first quarter of fiscal year 2019. Federal internal control standards state that management should externally communicate the necessary quality information to achieve the entity's objectives. If CWMD does not clearly communicate to the cities how the existing program will operate until a new program is developed and implemented, these cities could face difficulties planning for the future and achieving the program's detection and deterrence objectives.

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## Conclusions

DHS's STC program has taken steps to address a top-priority threat to national security by providing high-risk cities with resources to develop nuclear or radiological detection capabilities. However, in implementing the program, CWMD does not collect key data to track itemized expenditures and to assess how effectively cities achieved key performance metrics and program milestones or how well they performed in exercises or drills that simulate a nuclear or radiological threat. By regularly collecting detailed information from cities on expenditures made using program funds and comparing that information to approved purchase plans, CWMD would have greater assurance that cities spent funds as approved, and consistent with program goals, and that the expenditures are in keeping with program objectives. In addition, until CWMD requires cities to submit checklists or equivalent information on their progress in the STC program, it will not have complete information on how cities are performing compared to the key performance metrics and program milestones they identified for themselves. Further, until CWMD more fully assesses cities' performance by consistently enforcing requirements, as applicable, that cities report on how they performed during exercises, it cannot assess the extent to which cities could effectively detect or deter a nuclear or radiological threat.

CWMD identified sustainment as a program goal but has not enforced its own requirements related to this goal or taken steps to analyze the risks sustainment challenges pose to its program's success. Unless CWMD analyzes these risks, works with cities to address them, and enforces sustainment planning requirements for future cities, program participants could see their radiological detection capabilities deteriorate over time.

CWMD officials told us that the agency is considering several potential changes to the STC program that would broaden its geographic reach and scope, but it has not fully developed or documented these changes and does not have a strategy or plan for implementing them. The Countering Weapons of Mass Destruction Act of 2018 requires that the Secretary of Homeland Security develop a strategy and implementation plan for the STC program and a subsequent report assessing effectiveness and proposing changes for the program, which could provide clarity on how proposed changes would align with STC program strategy and how CWMD plans to implement them. CWMD also has not provided a clear basis for proposed program changes. The act further requires that, before making changes, the Assistant Secretary of CWMD brief appropriate congressional committees about the justification for proposed changes, which should include an assessment of the effect of

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changes. This new requirement could help ensure that changes will strengthen the program and not result in unintended consequences, such as reducing capabilities in current cities. In the meantime, CWMD has not clearly communicated how its proposed changes will impact cities currently in the STC program, raising concerns among these cities about how the changes will impact them. If CWMD does not clearly communicate to the cities how the existing program will operate until a new program is developed and implemented, these cities could face difficulties planning for the future and achieving the program's detection and deterrence objectives.

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## Recommendations for Executive Action

We are making the following four recommendations to CWMD:

- The Assistant Secretary of CWMD should ensure that the office regularly collects detailed information from cities on expenditures made using program funds and compares that information to approved purchase plans to ensure that these funds were spent as approved, consistent with program goals, and that the expenditures are in keeping with the objectives of the program. (Recommendation 1)
- The Assistant Secretary of CWMD should more fully assess cities' performance by collecting information from cities on achieving key performance metrics and program milestones and enforcing reporting requirements on performance during exercises. (Recommendation 2)
- The Assistant Secretary of CWMD should analyze risks related to sustaining detection capabilities, work with cities to address these risks, and enforce sustainment planning requirements for future cities. (Recommendation 3)
- The Assistant Secretary of CWMD should clearly communicate to cities how the existing program will operate until a new program is developed and implemented. (Recommendation 4)

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## Agency Comments

We provided a draft of this product to DHS, the FBI, and NNSA for review and comment. In its comments, reproduced in appendix I, DHS concurred with our recommendations in the draft report. DHS identified actions it would take to address these recommendations, including revising quarterly reporting requirements to include detailed information on expended funds, performance metrics, program milestones, and exercise activities. In addition, DHS said it would engage with cities to procure and distribute equipment and to refurbish or replace it when appropriate, and

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would conduct on-site senior-level meetings with all current STC cities to continue discussions about new procedures, partnerships, and sustainment of capability. We believe these actions, if implemented as described, would address the intent of our recommendations. DHS also provided technical comments, which we incorporated as appropriate. The FBI and NNSA told us that they had no comments on the draft report.

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We are sending copies of this report to the appropriate congressional committees, the Secretary of Homeland Security, the Secretary of Energy, the Assistant Attorney General for Administration of the Department of Justice, and other interested parties. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff members have any questions about this report, please contact me at (202) 512-3841 or [trimbled@gao.gov](mailto:trimbled@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix II.



David Trimble  
Director, Natural Resources and Environment

# Appendix I: Comments from the Department of Homeland Security

U.S. Department of Homeland Security  
Washington, DC 20528



**Homeland  
Security**

April 22, 2019

David Trimble  
Director, Natural Resources and Environment  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Re: Management Response to Draft Report GAO-19-327, "COMBATING NUCLEAR  
TERRORISM: DHS Should Address Limitations to Its Program to Secure Key Cities"

Dear Mr. Trimble:

Thank you for the opportunity to review and comment on this draft report. The U.S. Department of Homeland Security (DHS) appreciates the U.S. Government Accountability Office's (GAO) work in planning and conducting its review and issuing this report.

The Department is pleased to note GAO's recognition of steps taken by DHS's Securing the Cities (STC) program to address a top-priority threat to national security by providing high-risk cities with resources to counter the threat of smuggling nuclear or radiological materials for use in a terrorist attack. Since 2007, the STC program has assisted state and local partner agencies as they develop and enhance nuclear detection capabilities. DHS, through its Countering Weapons of Mass Destruction (CWMD) Office, will continue to provide subject matter expertise in the areas of training, exercises, and technical support to help ensure these capabilities remain viable.

The draft report contained four recommendations with which the Department concurs. Attached find our detailed response to each recommendation. Technical comments were previously provided under separate cover.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions. We look forward to working with you again in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Crumpacker".

for JIM H. CRUMPACKER, CIA, CFE  
Director  
Departmental GAO-OIG Liaison Office

Attachment

**Attachment: Management Response to Recommendations  
Contained in GAO-19-327**

GAO recommended that the Assistant Secretary of CWMD:

**Recommendation 1:** Ensure that the office regularly collects detailed information from cities on expenditures made using program funds and compare that information to approved purchase plans to ensure that these funds were spent as approved, consistent with program goals, and that the expenditures are in keeping with the objectives of the program.

**Response:** Concur. CWMD Operations Support Directorate (OSD), in coordination with the DHS Office of the Chief Financial Officer (OCFO), Financial Assistance Policy and Oversight (FAPO) office and current STC partners, will review existing procedures and revise quarterly reporting requirements to include detailed information on all expended funds. Detailed reports will not be required for previous quarters. Legacy cities will be asked to follow the new reporting model in their next reporting cycle. These new requirements will be incorporated in all new STC model Notice of Funding Opportunity announcements (NOFOs) beginning in fiscal year (FY) 2019. Cities will be required to report on all applicable budget category spending information. Under the new program structure, equipment will be procured by CWMD OSD, which will provide direct information on equipment that is deployed to STC partners. Quarterly reports will be reviewed to ensure that equipment is received and deployed consistent with program objectives. Estimated Completion Date (ECD): September 30, 2019.

**Recommendation 2:** More fully assess cities' performance by collecting information from cities on achieving key performance metrics and program milestones and enforcing reporting requirements on performance during exercises.

**Response:** Concur. CWMD OSD, in coordination with the DHS OCFO FAPO office and current STC partners, will review existing procedures and revise quarterly reporting requirements to include detailed information on performance metrics, program milestones, and exercise activities. Detailed reports will not be required for previous quarters. Legacy cities will be asked to follow the new reporting model in their next reporting cycle. These new requirements will be incorporated in all new STC model NOFOs beginning in FY 2019. ECD: September 30, 2019.

**Recommendation 3:** Analyze risks related to sustaining detection capabilities, work with cities to address these risks, and enforce sustainment planning requirements for future cities.

**Response:** Concur. The Department is cognizant of the challenges associated with sustaining capability. Recently, adjustments were made to alleviate the sustainment issues that cities face. The financial burden is being taken off the cities by CWMD OSD directly providing resources and training to sustain and replenish detection capability over time. Under the new program model, CWMD OSD will engage with the cities to determine equipment needs, procure and distribute the equipment, and refurbish or replace when appropriate. All new STC

model NOFOs beginning in FY 2019 will detail requirements for a Sustainment Plan based upon the new program path forward. CWMD OSD will work with legacy cities to reconcile their previous Sustainment Plans to the new program approach. CWMD OSD seeks to assist the cities with alleviating the sustainment burden and will continue to reassess its practices to advance and improve capability in the regions. These new procedures will be put in place and in effect under the new model and be applicable to all future cities. ECD: September 30, 2019.

**Recommendation 4:** Clearly communicate to cities how the existing program will operate until a new program is developed and implemented.

**Response:** Concur. CWMD OSD recently reviewed the STC program in an effort to strengthen capability and identify potential solutions for alleviating sustainment burden from the cities. CWMD OSD will continue on-site, senior-level meetings with all the current STC cities, the Federal Bureau of Investigation (FBI), and the Department of Energy/National Nuclear Security Administration (DOE/NNSA) on a regular basis to build upon discussions initiated in 2018. CWMD OSD hosted its third Senior Level Executive meeting on April 9, 2019, with all STC partners, the FBI, and DOE/NNSA representatives. Meeting attendees discussed the new procedures, partnerships, and sustainment of capability. The next meeting will occur no later than the end of FY 2019. CWMD leadership values the partnerships it has established and intends to leverage those relationships going forward. ECD: September 30, 2019.

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# Appendix II: GAO Contact and Staff Acknowledgments

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## GAO Contact

David Trimble, (202) 512-3841 or [trimbled@gao.gov](mailto:trimbled@gao.gov)

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## Staff Acknowledgments

In addition to the contact named above, Ned H. Woodward (Assistant Director), Keya Cain (Analyst in Charge), and Alexandra Jeszeck made key contributions to this report. Chris P. Currie, Pamela Davidson, R. Scott Fletcher, Juan Garay, Tom James, Benjamin Licht, Greg Marchand, Cynthia Norris, and Kiki Theodoropoulos also contributed to this report.



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