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March 29, 2007

Michael Chertoff  
Secretary of Homeland Security  
Mail Stop 3000  
Washington, DC 20528

Dear Secretary Chertoff,

More than 25 months ago, prior to your confirmation to head the Department of Homeland Security, you told me in my office that if confirmed you would move expeditiously to implement the National Emergency Technology Guard program (NET Guard). Regrettably, on your watch, very little has been done to honor this pledge.

As you know, Congress authorized the establishment of NET Guard in the Homeland Security Act of 2002. These teams of local volunteers with science and technology expertise would be of great benefit in assisting our communities in responding to attacks on communications networks. When I met with you more than two years ago, you said you agreed with me. You stated that while your predecessor, Tom Ridge, had failed to implement the program, you would move rapidly to put the program in place.

Since our meeting in 2005, my staff and I have been given one excuse after another for delaying implementation of NET Guard. At the outset, I was willing to accept some delay. Further delay is unacceptable and a breach of your pledge to me.

The idea of NET Guard was born in the aftermath of 9-11, when a number of communications and technology companies told me they wanted to help New York City when it was attacked -- and there was no system for using their volunteers. Then Senator George Allen and I moved on a bipartisan basis to support a program that would ensure that in the face of future crises volunteers with technology expertise could be fully utilized.

Had your department followed through and created NET Guard, I believe it could have played a constructive role in alleviating the chaos, confusion and suffering of Hurricane Katrina. Had NET Guard been properly implemented, there would have been teams of volunteers with expertise ready to mobilize instantly to tackle technical challenges in the wake of the storm. Indeed, on an ad hoc basis, companies and individuals with technology expertise did forward to assist the suffering. I can only imagine how effective these efforts might have been had NET Guard been in place.

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Like you, I know there will be other crises that will put American communities and their communication networks at risk. Out of options and out of patience, I wish to inform you today that I am putting a hold on the nomination of Julie Myers, who has been nominated by President Bush to serve as Assistant Secretary of Homeland Security for Immigration and Customs Enforcement, until the Net Guard program is up and running nationwide.

It gives me no pleasure to place this hold and I do so reluctantly. Unfortunately, I see no evidence that what you told me in my office more than two years ago is going to be acted on, and until it is, I will keep my hold on her nomination.

Sincerely,

A handwritten signature in black ink that reads "Ron Wyden". The signature is written in a cursive, slightly slanted style.

Senator Ron Wyden