President George W. Bush
Oral History Project

BRIEFING MATERIALS

Michael Chertoff

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Presidential Oral History Program

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Michael Chertoff News Timeline
Prepared by Bryan Craig
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2001

March  Chertoff begins service as assistant attorney general, leading the Justice Department’s criminal division. ([http://www.chertoffgroup.com](http://www.chertoffgroup.com))

June  Chertoff announces the breakup of a large Mexican drug ring when American and Mexican officials arrest 268 people. (*The New York Times*, 06/21/2001)

September  Ana Belen Montes, a Defense Department intelligence analyst, is arrested for reportedly delivering classified national defense documents to Cuba. (*The Washington Times*, 09/22/2001)

November  On the 9th, as part of a broad anti-terror investigation, Attorney General John Ashcroft writes a memorandum to federal prosecutors and anti-terror task forces outlining a plan to conduct interviews of approximately 5,000—mostly Middle Eastern—young men who have entered the country since 2000. In response to the plan’s critics, Chertoff states, “This is the least intrusive type of investigative technique that one can image.” (*The New York Times*, 11/21/2001, 02/16/2002)

Bush signs a directive on the 13th authorizing the use of military tribunals for trying non-U.S. citizens charged with terrorist-related crimes. Critics allege that the order could authorize the indefinite detention of foreign-born citizens within the United States, but White House Counsel Alberto Gonzales and other officials argue that the standards for detention are written to apprehend enemy combatants, rather than individuals living within the United States. (*The Dallas Morning News*, 12/01/2001; *The Washington Post*, 12/03/2003)
On the 28th, Chertoff testifies before the Senate Judiciary Committee on how the Justice Department is investigating detainees and the use of military tribunals. *(The Washington Post, 11/29/2001)*

**December**

Chertoff supervises the Zacarias Moussaoui case when Moussaoui is charged with conspiracy to commit murder and terrorism in the 9/11 attacks. Chertoff supports a trial in a civilian court rather than a military tribunal. Moussaoui’s motion to use classified documents is denied due to national security issues, but he uses other detainees to testify in his defense. *(The Washington Post, 12/31/2001)*

Chertoff’s criminal division begins to investigate Enron Corporation’s bankruptcy. *(The Washington Post, 01/09/2002)*

**2002**

**March**

The accounting firm, Arthur Anderson, LLP, is indicted on federal charges of obstruction for destroying accounting documents related to its client, Enron. The company is later found guilty. *(The Washington Post, 03/15/2002)*

**July**

On the 15th, American John Lindh agrees to serve 20 years in prison for fighting as a Taliban recruit in Afghanistan. *(USA Today, 07/16/2002)*

**August**

Jay Bybee, head of the Justice Department’s Office of Legal Counsel (OLC), writes a memo to John Rizzo, the acting general counsel of the CIA. Bybee’s memo details ten coercive techniques and explains why they are all legal to use on Abu Zubaida. Reportedly, Chertoff and Deputy Attorney General Larry Thompson review the memo. *(The Washington Post, 07/03/2004)*

**September**

On the 14th, the FBI announces the arrest of six Yemeni-Americans in the Buffalo, New York area for their ties to al-Qaeda. It is reported that Chertoff, National Security Adviser Condoleezza Rice, John Bellinger, legal adviser to the National Security Council, and FBI Director Robert Mueller reportedly did not support sending in troops to arrest them. Bush agrees to send the FBI instead. *(The New York Times, 07/25/2009)*

On the 26th, Chertoff’s aide, Alice Fisher, travels to Guantanamo Bay with Gonzales, William Haynes II, the general counsel for the Department of Defense, and other Administration lawyers. On their return flight, they also visit the naval brig in South Carolina where alleged enemy combatant José Padilla is being held, and Norfolk, Virginia, where captured American Taliban member Yaser Hamdi is being held. *(Jane Mayer, The Dark Side: The Inside Story of How the War on Terror Turned into a War on American Ideals, New York: Doubleday, 2008, pp. 198-199)*

**November**

The Department of Homeland Security (DHS) is formed.
December  On the 19th, Chertoff announces six people are arrested for funneling $12 million in cash and goods to Iraq in violation of U.S. sanctions.  (The New York Times, 12/20/2002)

2003


On the 14th, John Yoo completes an analysis for a Defense Department working group on legal forms of interrogation. This analysis recapitulates the conclusions from the August 2002 opinion. It finds that harming an enemy combatant during interrogation would be defensible during wartime. He states that the Criminal Division concurs with this.  (John Yoo, “Memorandum for William J. Haynes II, re: Military Interrogation of Alien Unlawful Combatants Held Outside the United States,” Office of the Deputy Assistant Attorney General, 03/14/2003; Mayer, p. 230)

June  The Senate confirms Chertoff for a federal judgeship on the U.S. Court of Appeals for the Third Circuit.  (CQ Weekly, 06/09/2003)

2004


On the 16th, the National Memorial Institute for the Prevention of Terrorism, a panel of experts that includes Chertoff, recommends that torture should not be used and that coercive techniques should be used only if the president approves them. The panel also believes military tribunals are not the best way to protect due-process rights.  (The Philadelphia Inquirer, 11/17/2004)

2005

January  On the 11th, Bush nominates Chertoff to be secretary of homeland security.  (The Washington Post, 01/12/2005)

February  During his nomination hearing, senators ask Chertoff about civil right issues, including the post-9/11 investigation of hundreds of Muslims in the U.S. and whether he advised the CIA that some coercive methods could be legal.  Chertoff denies he advised the CIA on any specific interrogation and detention policies.  (The Washington Post, 02/02/2005; The New York Times, 02/11/2005)

March  Chertoff is sworn in by Bush on the 3rd.  (The Washington Post, 03/04/2005)
On the 16th, Chertoff begins a 60 to 90 day review of his department. He states, “Old categories, old jurisdictions and old turf will not define our objectives.” Chertoff says the department’s top priorities will focus on three factors: the specific kinds of threats terrorists pose, American vulnerabilities to attack, and which kinds of attacks would be most devastating. *(The Washington Post, 03/17/2005)*

**May**

Senators Edward Kennedy (D-MA) and John McCain (R-AZ) unveil their comprehensive immigration bill to tighten border patrols, establish a temporary visa program, and create a pathway for illegal aliens to become citizens. Kennedy and McCain had reportedly worked with the Bush White House to help build broad support for the bipartisan legislation. *(The Boston Globe, 05/13/2005)*

On the 4th, the Congressional Research Service issues a report criticizing the color-coded warning system. Chertoff considers making changes to this system as part of his review. *(The Washington Post, 05/04/2005)*

On the 11th, a Cessna 150 flies into restricted airspace over D.C. causing the evacuation of the White House, Capitol, and Supreme Court. A week later, Chertoff meets with the city mayor to review how local D.C. officials can receive faster notifications. *(The Washington Post, 05/18/2005)*

On the 11th, Congress passes the Real ID Act. It makes it more difficult for illegal immigrants to obtain identification. It also gives the DHS the authority to supersede environmental laws to complete fences on the Mexican border. *(The Washington Post, 05/11/2005)*

During a trip to Europe, Chertoff discusses a proposal that would require all airlines to turn in a passenger manifest 60 minutes before a flight, giving DHS officials time to examine the list before take-off. *(The Washington Post, 05/25/2005)*

**June**

Chertoff announces his support for mandatory requirements for heightened security at chemical plants. *(The Washington Post, 06/15/2005)*

**July**

A second immigration bill is introduced by Senators Jon Kyl (R-AZ) and John Cornyn (R-TX), which is a more conservative version of the Kennedy-McCain bill. The bill would allow foreign nationals to work in the U.S. for up to two years before returning to their home countries and would require illegal immigrants already here to return home before applying to join that program. The bill would also add 10,000 new Border Patrol officers, 1,250 customs officers, more jail space, and $5 billion for high-tech improvements to border control. *(The Houston Chronicle, 07/20/2005)*

On the 7th, four terrorists bomb the subway and a bus in London. Chertoff raises the threat level to orange (high-risk) for mass transit and enacts short-term
protection measures to stop any “copy-cat” attacks. *(The Washington Post, 07/08/2005)*

On the 13th, Chertoff announces major restructuring of the DHS. He will realign agencies, replace or reassign duties of three undersecretaries, create a new preparedness division, and increase the screening of people and cargo before they enter the U.S. Chertoff also plans to designate a chief intelligence officer. *(The Washington Post, 07/13/2005; USA Today, 07/13/2005)*

**August**

On the 9th, Chertoff states he plans to implement Secure Flight, a program where the TSA screens potential terrorists by examining passenger backgrounds. He urges people to provide full name and birth date when reserving a seat. Chertoff also wants to lift a one-year congressional ban that prevents the DHS from tapping into credit reports and other personal passenger information. *(USA Today, 08/10/2005, 08/23/2005)*

On the 23rd, Chertoff announces the DHS is drafting a plan to deal with illegal immigration and gang violence. The week before, Arizona and New Mexico’s governors declared a state of emergency to deal with the massive influx of illegal immigrants. Chertoff plans to add 534 new Border Patrol agents and new aircraft. *(The Washington Post, 08/24/2005; USA Today, 08/24/2005)*

On the 25th, Hurricane Katrina hits the Florida coast. On the 27th, Louisiana Governor Kathleen Blanco (D) declares a state of emergency, and Bush authorizes the DHS and FEMA to coordinate the disaster relief. On the 29th, Katrina hits the Gulf coast. On that day, Chertoff and FEMA Director Michael Brown talk on the phone and Brown sends a memo to Chertoff around 11:00 a.m. requesting an additional 1,000 rescue workers within 48 hours and 2,000 more within seven days. *(Douglas Brinkley, *The Deluge*, New York: William Morrow, 2006, p. 271; http://www.factcheck.org)*


**September**

On the 2nd, Chertoff travels with Bush to the Gulf coast on a one-day visit. They go to Mobile, Alabama, Biloxi, Mississippi, and then to New Orleans. Blanco still has not decided to ask for federalization of the National Guard, but she refused to do so the next day. *(George W. Bush, *Decision Points*, New York: Crown, 2010, pp. 321-323)*
On the 3rd, Chertoff publically supports Brown’s efforts to deal with Katrina, but admits that the government did not expect the levies in New Orleans to fail. (*The New York Times*, 09/04/2005)


On the 9th, Brown is replaced. According to Bush, Chertoff recommends making the change because he has lost confidence in Brown. (Bush, p. 326)

On the 20th, Bush asks Townsend to lead an internal White House inquiry into the government’s response to Hurricane Katrina and is placed in charge of coordinating the Bush Administration’s response to Hurricane Rita. (*Philadelphia Inquirer*, 09/21/2005; http://www.cnn.com)

On the 23rd, Hurricane Rita makes landfall on the Gulf coast.

**October**

On the 18th, Chertoff and Labor Secretary Elaine Chao outline Bush’s temporary work program to the Senate Judiciary Committee. Foreign workers could apply to work for three years with an option to renew for three more. Illegal immigrants would have to pay a fine before they could enter the work program, but they would go to the back of the employment line behind foreign nationals. Chertoff outlines some new measures that the new $32 billion domestic security bill will provide: 1,000 additional Border Patrol officers, new technology, and more beds in detention centers. (*The Washington Post*, 10/19/2005; *The New York Times*, 10/19/2005)

On the 19th, Chertoff tells a special House committee investigating the Hurricane Katrina relief effort that FEMA needs to be “re-engineered.” He also states that the federal government failed to plan adequately for such a disaster, and it was “overwhelmed.” (*The New York Times*, 10/20/2005)

On the 24th, Hurricane Wilma hits the Florida coast. It is the third hurricane in the 2005 season to reach category 5. (http://www.ncdc.noaa.gov)

**November**

On the 2nd, Chertoff announces the Secure Border Initiative. Because of this initiative, more Border Patrol agents are added, detention centers are expanded, technology along the border is improved, and certain legal impediments to completing the 14-mile border near San Diego are waived. (http://www.dhs.gov)


**December**

The House passes a more conservative immigration bill than the Kennedy-McCain bill. House GOP leaders particularly oppose any kind of amnesty program for illegal aliens. The House bill requires businesses to verify workers’
legal status and increases sentences for those smuggling immigrants across the U.S. border. It also expands the grounds on which immigrants can be deported and authorizes local police to enforce federal immigration laws. The legislation makes being in the U.S. illegally a felony. It also authorizes the building of a two-layer border fence, with surveillance cameras, lighting, and motion sensors. The business lobby expresses dissatisfaction with the lack of a temporary worker program, while Hispanic/Latino groups and the Catholic Church object to the punitive nature of the bill. *(The Atlanta Journal-Constitution, 12/17/2005)*

The DHS announces *Operation Streamline* for the Del Rio, Texas border as part of Chertoff’s Secure Border Initiative. Anyone who is caught crossing the border illegally will be charged with at least a misdemeanor, jailed until brought to court, and eventually deported if convicted. In the past, many illegals were fingerprinted and returned to Mexico without criminal charges. The program expands to Arizona in 2006. *(http://www.cbp.gov)*

On the 28th, a report by Homeland Security Inspector General Richard Skinner says the department has severe financial and management problems including in the immigration areas, and these problems also contributed to the flawed response to Katrina. *(The Washington Post, 12/29/2005)*

**2006**

*Jan.-Mar.* Assistant Secretary for Policy Stewart Baker agrees to a deal for a Dubai company to take over the management of six major U.S. ports. Reportedly, Chertoff was not aware of the deal because it never reached his level. By February, Bush is informed, but thinks the negative public response will dissipate. Congress blocks the deal, and a U.S. company takes over management. *(The Washington Post, 02/26/2006; http://www.npr.org)*

*February* On the 15th, the House releases its Katrina report entitled “A Failure of Initiative.” It cites failure at all levels of government and the private sector. *(The Washington Post, 02/16/2006)*

On the 15th, Chertoff testifies before the Senate Homeland Security and Governmental Affairs Committee. Senators question him on DHS’ ineffective response to Katrina. Chertoff states that the department failed to respond adequately and that he was wrong in placing his confidence in Brown. *(The New York Times, 02/16/2006)*

Townsend releases the report detailing the Administration’s response to Hurricane Katrina, *The Federal Response to Hurricane Katrina: Lessons Learned.* While the report does not suggest that FEMA be removed from the umbrella of the DHS—action advocated by some members of Congress—it does call for 125 other changes in how federal agencies respond to disasters and calls on the Department of Housing and Urban Development to play a more central role in

March
On the 2nd, Brown says on CNN that Chertoff should be fired for lacking any disaster management knowledge. Brown would later state in his book that because Chertoff told him to stay in his Baton Rouge office, Brown could not effectively make “on the ground” decisions during the Katrina recovery. (Brown and Schwarz, p. 162; http://www.cnn.com)

On the 21st, in a speech to the American Chemistry Council, Chertoff asserts that the federal government should regulate security at chemical plants, but it should let the industry devise its own way to meet targets, and the government should not “micromanage.” This speech is part of a public relations effort to close the security gap. Congress is considering a measure that has more specific guidelines that the Administration believes the industry could self-regulate. (The Washington Post, 03/22/2006)

April
On the 12th, Chertoff states he will assign federal disaster-management officials to vulnerable regions before the hurricane season starts in June. He also says the DHS will not usurp authority but work together with local and state authorities. (The New York Times, 04/13/2006)

On the 14th, a DHS audit is released that outlines the waste and misspent funds for the housing crisis caused by Hurricane Katrina. FEMA suffers from over-regulation and a lack of planning: many homeless families stay on ocean liners, hotel rooms, or in unsafe modular homes that cost more than renting apartments. (The Washington Post, 04/14/2006)

On the 20th, Chertoff announces the arrest of 1,187 illegal workers at IFCO Systems, a pallet supply company. Over the year, the convictions against employers hiring illegals rose from 46 to 127. (The New York Times, 04/21/2006)

On the 25th, Chertoff states the government will conduct background checks on 400,000 seaport workers and be given tamper-proof ID cards. (USA Today, 04/26/2006)

The Senate releases its report on Hurricane Katrina disaster relief. It includes 86 recommendations, including dismantling FEMA and creating a National Preparedness and Response Authority that would report to Chertoff, but advise the president. It would reunify disaster preparedness and response activities that Chertoff divides. The White House rejects this plan. (The Washington Post, 04/27/2006, 04/28/2006)

May
On the 15th, Bush pledges 6,000 National Guard troops to help secure the Mexican border. They will ultimately be replaced by Border Patrol agents and military contractors. In a press conference that day, Chertoff supports a guest-
worker program. He states that without one, “It’s going to be extraordinarily difficult to ask our Border Patrol agents...to stem the tide that is driven by a huge economic engine of employers looking for people to do work that won’t be done by Americans.” (The Washington Post, 05/17/2006; The New York Times, 05/18/2006)

The Senate passes the Kennedy-McCain immigration bill, containing provisions to tighten border security, such as ordering the deportation of illegal immigrants convicted of a felony or three misdemeanors, building a 370-mile triple-layer fence between the U.S. and Mexico, and declaring English the U.S. national language. It also contains a guest-worker program and a path for illegal immigrants to become citizens. The guest-worker program would admit 200,000 foreign workers for U.S. employers who cannot find U.S. workers to fill positions. The bill also creates a second guest worker program for immigrant farm workers who can earn permanent legal residency, and a worker verification system. (The New York Times, 05/26/2006; Milwaukee Journal Sentinel, 05/26/2006)

On the 31st, the DHS cuts anti-terrorist funds to larger cities like New York and Washington and sends the money to mid-size cities, all based on a new funding formula for the Urban Areas Security Initiative. By September, the DHS awards more money to major urban areas to offset the cuts. (The Washington Post, 06/01/2006, 09/26/2006)

**August**

British Prime Minister Tony Blair contacts Bush on the 6th warning him of a plot to detonate liquid explosives on US Airways planes heading to U.S. cities from Heathrow airport. Chertoff, Gonzales, and Mueller make a public statement on the 10th. Chertoff states, “There is currently no indication of any plotting within the United States; nevertheless, as a precaution, the federal government is taking immediate steps to increase security measures, with respect to aviation.” (http://www.dhs.gov; The Guardian, 08/11/2006)

On the 24th, Chertoff tours the Texas-Mexico border with Senator Kay Bailey Hutchison (R-TX) and Rep. Mike Pence (R-IN), who support securing the border first before implementing any guest-worker program. It is seen as a boost for a Hutchison-Pence compromise, although the DHS states it is not an endorsement. (The Washington Post, 08/24/2006)

**September**

Efforts to reach compromise legislation between the House and Senate immigration bills collapse, as Senate leaders turn from comprehensive legislation to building a border fence. The collapse comes after House GOP leaders have spent much of the summer holding field hearings, which backers of the bipartisan plan label as delay tactics meant to drum up anti-immigration sentiments. (The Washington Post, 09/30/2006)
**October**  
Bush signs the Secure Fence Act of 2006 on the 26th. It authorizes the construction of hundreds of miles of fence on the southern border, more checkpoints and barriers, and allows the DHS to use advance technology, like satellites and unmanned aerial vehicles.  
(georgewbush-whitehouse.archives.gov)

On the 4th, Bush signs the DHS Security Appropriations Act of 2007. It includes the Chemical Facility Anti-Terrorism Standards that regulate the security of high-risk chemical facilities in the U.S.  
(www.dhs.gov)

**December**  
Chertoff, Legislative Affairs Director Candi Wolff, Commerce Secretary Carlos M. Guiterrez, and Domestic Policy Advisor Karl Zinmeister begin to hold small-group sessions with members of Congress on immigration reform. They would do so for the next few months, while McCain and Kennedy continued to work on an immigration reform bill.  

2007  
The DHS begins the Critical Foreign Dependencies Initiative (CFDI) to identify overseas infrastructure that would impact the U.S. if attacked. A redacted copy of the infrastructure list is later posted on the WikiLeaks website in 2010.  
(www.dhs.gov)

**January**  
On the 5th, Chertoff announces that DHS will set aside $100 million for six large cities for anti-terrorism measures after big city mayors complain about the lack of funds.  
(The Washington Post, 01/06/2007)

On the 23rd, as part of the Western Hemisphere Travel Initiative, the DHS requires all U.S. citizens to present a passport when they fly into the U.S. By 2008, the U.S. stops the practice of accepting oral declarations of citizenship at land and sea ports.  

**February**  
On the 6th, Chertoff publically discusses FEMA’s fiscal future for 2008. The president requests $100 million for staffing, equipment, and technology for FEMA’s overhaul. FEMA Director R. David Paulison will conduct 18 studies to strengthen the agency.  
(The Washington Post, 02/07/2007)

On the 13th, Chertoff testifies before the Senate Homeland Security Committee on identification cards related to the Real ID law. The Bush Administration is trying to implement new rules for ID cards to make the information more uniform and the cards harder to forge. New rules for states to store additional applicant data, background checks, citizen status, etc. would also go into effect. Critics have delayed the process, fearing its costs and the negative impact on privacy and travel. By the end of the month, Chertoff postpones the project by up to 19 months.  
(The Washington Post, 02/25/2007, 03/01/2007)
On the 23rd, Chertoff, Rice, and Gutierrez meet with Canadian and Mexican officials about border restrictions, especially the new law starting in 2008 that requires travelers to have passports to cross the border. (The New York Times, 02/24/2007)

March  

The Bush Administration announces its plan for immigration reform. Illegal immigrants would pay a fine and return home, then re-enter the country to gain permanent U.S. residency. The plan also includes additional Border Patrol agents, more electronic sensors along the border, and money for more vehicle barriers. (The Washington Post, 03/30/2007, 04/09/2007)

April  

Chertoff stops plans to build a screening facility on the U.S.-Canadian border. Bush Administration and Canadian officials fail to reach a compromise on fingerprinting travelers on Canadian soil. Canada has a law that does not allow fingerprinting unless criminal charges have been filed, while the U.S. wants a suspect’s fingerprints available in a database. (The Washington Post, 05/24/2007)

On the 2nd, the DHS announces the implementation of the new chemical facility anti-terrorism standards. Plants will be required to develop detailed studies and plans to secure their perimeters and avoid theft and sabotage. They will also be subject to audits and penalties. Critics state these requirements undercut strong state laws already in place. (The Washington Post, 04/03/2007)

May  

Senate leaders from both parties announce they have reached an agreement on immigration that would tighten border security and create guest worker and path-to-citizenship programs. As a concession to conservatives, the plan would shift the U.S. visa system from family to merit-based, in which a point system would evaluate visa candidates on the basis of job skills, education, and English language proficiency. However, foreign-born spouses and minor children would continue to receive preference for visas. (The New York Times, 05/18/2007)

June  

Facing bipartisan opposition, the Kennedy-Kyl-Bush Administration-backed immigration compromise collapses when the Senate is unable to break a filibuster and move to a final vote. Senate Majority Leader Harry Reid (D-NV) pulls the bill from the Senate floor for the second time this month. Chertoff asserts: “The president has been very actively engaged in this process.” (The Washington Post, 06/09/2007, 06/29/2007)

On the 20th, the Bush Administration postpones for six months the passport rule when crossing U.S. borders. Chertoff announces the delay is due to controversies surrounding the cost and disruptions at the border. (The Washington Post, 06/21/2007)

July  

Bush creates the Interagency Working Group on Import Safety after Mattel recalled millions of lead-based paint toys made in China. Chertoff is a member of
this panel along with EPA Administrator Stephen L. Johnson. They recommend giving the government power to outlaw the sale of voluntarily recalled items, making federal agencies focus on risky imports rather than random testing, and sharing agencies’ information more effectively. (*The Washington Post*, 09/11/2007)

**August**

On the 31st, a federal judge temporarily bars the DHS from carrying out its crackdown on employers hiring illegal immigrants. The DHS planned to send 140,000 letters to employers advising that some of their employees’ Social Security information did not match the agency’s records. This is in the wake of an AFL-CIO lawsuit against the mailing arguing that the Social Security Administration’s database has errors, discriminating against Hispanic workers. (*The New York Times*, 09/01/2007)

**September**

The Government Accountability Office releases a report stating that the DHS is underfunded, and has unclear priorities and no over-arching strategy. Chertoff responds that the Bush Administration has in fact made the nation safer since 9/11. (*The Washington Post*, 09/06/2007)

On the 19th, Rice and Chertoff hire immigration and refugee experts to manage the backlog of Iraqi war refugees. (*The New York Times*, 09/20/2007)

**Oct.-Nov.**

Two organizations, Defenders of Wildlife and the Sierra Club, name Chertoff in their lawsuit (*Defenders of Wildlife v. Chertoff*) against using the Real ID Act to waive animal protection and environmental laws to build a wall and roads within the San Pedro Riparian National Conservation Area in Arizona. The U.S. District Court for D.C. upholds the law, and the U.S. Supreme Court later denies an appeal. (http://www.defenders.org)

**2008**

**January**

The National Propane Gas Association (NGPA) files a lawsuit against the DHS for its chemical facility standards. It claims the “new regulations and the processes DHS requires are flawed, inconsistent with the law, and change frequently without adequate public notice and the opportunity for public comment.” (http://www.npga.org) The NGPA would later drop the suit because most if its clients are not affected; the DHS had raised the threshold that would activate a top-risk tier screening. (*LP Gas Magazine*, 10/01/2008)

On the 8th, Bush signs the Comprehensive National Cybersecurity Initiative. Its purpose is to prevent immediate attacks and make people aware of vulnerabilities, enhance counterintelligence and improve security for information technologies, and expand future cyber education. The DHS also creates a National Cyber Security Center. (Chertoff, p. 99; http://www.fas.org)
On the 11th, Chertoff announces states now have until May 2011 to issue new driver licenses that meet the department’s guidelines and 2014 to replace current ones. He warns that residents of states who refuse to comply with the Real ID program like Georgia and Washington could face additional security checks or be prevented from boarding flights. (*The Washington Post, 01/12/2008*)

On the 23rd, Chertoff announces a new FEMA blueprint. It delineates the role of states and FEMA on the question of who is in charge, and it allows FEMA to have operational control during a crisis, rather than the DHS secretary. (*The Washington Post, 01/20/2008*)

On the 21st, Chertoff states that DHS is pushing ahead with the January 31st deadline for travelers to use a passport to cross U.S. land borders. (*The Washington Post, 01/22/2008*)

**February**

On the 27th, the Bush Administration postpones plans to build a 100-mile “virtual fence” along the Mexican border in at least three years. Technical problems were discovered in a 28-mile project near Tucson, Arizona. Chertoff reports elements of that project will be used on other parts of the border. (*The Washington Post, 02/28/2008*)

**March**

A new study is released by DHS on advanced spectroscopic portal radiation (ASP) monitors. It states that the results that they could detect dangerous objects are inconclusive. The previous summer, Chertoff called for an independent review to see if the monitors worked, and he had put the project on hold by the fall. The plan was to use ASP monitors along borders and ports. (*The Washington Post, 03/05/2008*)

Rod A. Beckstrom is named to head an interagency group based in the DHS to coordinate information on cyberattacks aimed at government networks. (*The Washington Post, 03/20/2008*)

On the 23rd, Chertoff states that the Administration has made some technical changes to the No Match Rule in the hope of sending out the 140,000 letters to employers about hiring illegal immigrants. The ACLU still maintains that the changes are not enough to satisfy a recent court ruling last September that stopped the mailing. (*The Washington Post, 03/22/2008*)

**May**

The Immigration and Customs Enforcement Agency (ICE) raids the Agriprocessors, Inc.’s meat-packing plant in Iowa, arresting 380 illegal workers. Chertoff had re-enforced this agency. (Chertoff, p. 45)

On the 22nd, Chertoff goes to Capitol Hill, as Congressional Democrats criticize the DHS for failing to provide adequate medical care to detained immigrants who are held in ICE detention. They also claim medical spending has not kept pace with the increase in the detainee population. (*The Washington Post, 05/22/2008*)
June The airline industry and 34 countries urge the U.S. government to withdraw a plan that would require airlines and cruise lines to collect digital fingerprints for all foreigners before they leave the U.S. The airlines claim it will cost them over $12 billion in the next ten years, while nations reportedly raise privacy concerns over private companies collecting the fingerprints. (*The Washington Post*, 06/22/2008)

On the 3rd, Chertoff states that residents of 27 friendly nations who travel to the U.S. without a visa will be required to register online with the U.S. government at least 72 hours before departure. (*The Washington Post*, 06/04/2008)

August Chertoff and FEMA Director Dave Paulison relocate to Baton Rouge in preparation for Hurricane Gustav making landfall on the 31st. (Bush, p. 329)

On the 5th, Chertoff announces the indictment of 11 individuals in the sale of more than 40 million credit and debit card numbers from eight major U.S. retailers. (Chertoff, p. 114)


On the 30th, the DHS opens the National Biosurveillance Integration Center to coordinate bioweapon threats, and serve as a clearinghouse for information on pathogens. (Chertoff, p. 139)

December On the 3rd, Chertoff states the need to strengthen the U.S. Coast Guard and the emergency response system after terrorists used a small boat and rubber dinghies to kill 171 people in Mumbai, India. (*The Washington Post*, 12/04/2008)

On the 23rd, Chertoff meets with the governors of Maryland and Virginia and the mayor of D.C. to finalize the transportation and security plans for the presidential inauguration of Barack Obama. (*The Washington Post*, 12/24/2008)

2009

January On the 8th, Chertoff announces a contingency plan for any ramifications of border violence in Mexico as the drug wars escalate. It includes increasing civil law enforcement, aircraft, and armored vehicles for hot spots. He also states that the drug war is another reason to build a 700-mile fence and increase the Border Patrol. (*The New York Times*, 01/08/2009)

Chertoff leaves office. He joins the law firm of Covington & Burling and starts his own consulting firm, the Chertoff Group. (http://www.cov.com; http://chertoffgroup.com/cgroup/)
TIMELINES

- Michael Chertoff News Timeline, prepared by Bryan Craig, Miller Center, University of Virginia, 12/21/2011.

- Timeline of the Bush Presidency, prepared by Justin Peck and Bryan Craig, Miller Center, University of Virginia, 04/30/2010.

SELECTED WRITINGS AND PUBLIC STATEMENTS BY MICHAEL CHERTOFF


SECRETARY OF HOMELAND SECURITY


KEY ISSUES AND EVENTS AS ASSISTANT ATTORNEY GENERAL

Antiterrorism Legislation
- Jeffrey Toobin, “Crackdown; Should We Be Worried About the New Antiterrorism Legislation?” The New Yorker, 11/05/2001.
- Benjamin Weiser, “A Nation Challenged: Justice; Antiterror Steps Aggressive but Balanced, U.S. Officials Says

Military Tribunals
KEY ISSUES AND EVENTS AS SECRETARY OF HOMELAND SECURITY

The Department of Homeland Security


- Mimi Hall, “Chertoff: Security Requires Sacrifice; Secretary Says He’s Frustrated by Opposition,” USA Today, 09/06/2007.

Hurricane Katrina and Impact


- Spencer S. Hsu, “Chertoff Vows to ‘Re-Engineer’ Preparedness; Secretary Recognizes Flaws in Hurricane Response but Defends Department,” The Washington Post, 10/20/2005.

- Spencer S. Hsu, “After the Storm, Chertoff Vows to Reshape DHS; Secretary Pledges to Learn From Mistakes of Katrina,” The Washington Post, 11/14/2005.


Illegal Immigration


Real ID Act


Chemical Plant Rules

Origins of Relationship with President Bush

- When did you first meet George W. Bush? What were your early impressions of him?

Assistant Attorney General

- Discuss your appointment as assistant attorney general. Did Attorney General John Ashcroft delineate his expectations from you and your office?
- Describe your experience on September 11, 2001.
- What role did you and your office play in the policy discussions that immediately followed the attacks? What issues preoccupied you in the days and weeks immediately following them?
- How difficult was it to readjust the administration’s operating methods and the nation’s legal framework to a war footing? In retrospect, where were you most successful and where least successful in making a swift and effective transition after 9/11?
- As the first suspected terrorists were captured, what was the process in your office—and in the larger national security bureaucracy—for determining how to investigate and prosecute them? What legal precedents did you rely on, and what other sources of guidance were instrumental?
- To what extent were you personally involved in the discussions regarding the legal treatment of detainees and terrorist suspects? Describe your position on military tribunals.
- Discuss the obstacles and challenges that the administration’s anti-terrorism policies faced. Did the greatest challenges come from Congress or from the Federal courts?
- What other major issues, apart from the War on Terror, occupied your time and attention as assistant attorney general. In retrospect, what do you consider your most notable legal or political successes and challenges during your time as assistant attorney general?
- Discuss your brief service on the U.S. Court of Appeals for the Third Circuit.

Secretary of Homeland Security

- Discuss your appointment as secretary of homeland security. Were there specific goals President Bush wanted you to accomplish in taking this job? Tell us how you managed your department differently than Secretary Tom Ridge. Describe your efforts to reform the department.
- How active was Bush in the policy-making process of the DHS? Describe the policy-making processes at the Department of Homeland Security.
- How important were cabinet meetings in helping Bush achieve his policy goals?
- Discuss your working relationship with other cabinet members. Whom did you work most closely with?
- Discuss your working relationship with the president. How did your relationship evolve during your four years in the Cabinet?
- Evaluate your working relationships with organized interest groups. Which groups were your main allies? Adversaries?
Issues

• Tell us about your efforts to restructure the DHS. What were the challenges and success in doing so?
• Describe the events of Hurricane Katrina. How involved was President Bush during the crisis and how did you keep him informed about the events? Discuss Michael Brown’s dismissal. Explain Katrina’s impact on FEMA, the Department of Homeland Security, and future natural disaster relief efforts.
• Tell us about your role in immigration reform. What was the White House’s strategy in drafting and passing reform legislation? How involved was President Bush in the process? Who were the key players in the White House and Congress you worked with on this issue? How did you respond to the “amnesty” program charge leveled by opponents? Why do you think immigration reform failed in Congress?
• Provide your account of the following: security for chemical plants; implementing Real ID; screening travelers and cargo; implementing the Secure Border Initiative & Secure Fence Act; grants to larger cities and the Urban Security Initiative; implementing the Western Hemisphere Travel Initiative; efforts in cybersecurity; prosecuting employers hiring illegal immigrants; the response to the Mexican drug war’s escalation.

The Bush Presidency in Retrospect

• What do you consider your greatest accomplishments as secretary of homeland security?
• What were the strengths and weaknesses of the Bush presidency? What features of the Bush presidency were overlooked or misunderstood by the press?
• How effective was Bush as a public leader, a legislative leader, and a party leader?
• How should the Bush presidency be viewed in history? What were its most significant achievements?
• What episodes or events are especially instructive or revealing for the historian trying to assess this presidency?