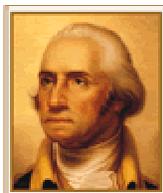


REGIONALIZING HOMELAND SECURITY:
Unifying National Preparedness and Response



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While consensus positions are sought and often achieved, the HSPI Regionalization Task Force takes full responsibility for the opinions and recommendations herein. This report presents the personal views of the authors and does not represent the views of the organizations and agencies with which they are affiliated.

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The George Washington University Homeland Security Policy Institute (HSPI) is a unique, nonpartisan “think and do tank” that builds bridges between theory and practice to advance homeland security, through a multi and interdisciplinary approach. By convening policymakers and practitioners at all levels of government and the private sector, HSPI creates innovative strategies and solutions to current and future threats to the nation.

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INTRODUCTION

On April 7, 2006, The Heritage Foundation and the George Washington University Medical Center Homeland Security Policy Institute (HSPI) issued a report, entitled *Empowering America: A Proposal for Enhancing Regional Preparedness*, that proposed building a regional preparedness structure led by the Department of Homeland Security (DHS), aimed at enabling local communities, states, and the federal government to prepare more effectively for responding to catastrophic disasters, such as the 9/11 terrorist attacks and Hurricane Katrina.

This HSPI report builds on the *Empowering America* study by proposing, in addition, that any regional preparedness structure led by DHS be fully integrated into an effective national preparedness and *response* system. It is by now cliché to say, but Hurricane Katrina obviously exposed serious flaws in our nation's capability for responding effectively to catastrophic disasters, whether natural or man made. In the age of terrorism and asymmetric warfare, fixing this problem must be an urgent national priority, for the flaws exposed by Hurricane Katrina were likely not lost on Al Qaeda or other enemies—indeed, left unrepaired, they provide a roadmap for adversaries seeking to cripple our economy, demoralize our citizens, and undermine our ability to project power throughout the world.

While building the regional preparedness structure proposed by the *Empowering America* task force will go a long way toward shoring up our ability to deal with mass disasters, it is only a first step. *We must go farther.* Preparedness—the realm of activities that must occur before an incident, such as planning, training, exercising, and resourcing—must be integrated at the regional level with *response*—those activities that must occur as an incident unfolds. This report does not address the role of regions in *recovery*—those activities that occur in the aftermath of an incident; the case for a regional approach to recovery is a straightforward extension of the analysis and recommendations in this report. In short, because preparedness and response go hand in hand, the DHS-led regional structure must work along the entire continuum of preparedness and response, integrating and coordinating the combined resources of the federal, state, and local governments, as well as the private sector, into a strengthened whole. This report presents specific recommendations outlining how this integration and coordination could be accomplished.

WHY REGIONS?

Hurricane Katrina revealed significant flaws in our nation's ability to deal with large-scale natural or man-made disasters impacting multiple jurisdictions. In addition to the various issues raised in the *Empowering America* report, two specific shortcomings stand out: inadequate incident management systems, including the lack of pre-existing coordination mechanisms among the varying federal, state, and local authorities, and (within the preparedness function) the lack of contingency planning.

While the national-level response capability can certainly be improved and the multitude of dysfunctions at the Washington end are by now well known, Hurricane Katrina demonstrated the urgent need to also address these issues at the regional and local level. The operational response to a fast-moving disaster such as Katrina or 9/11 simply cannot be managed from Washington. It must be done on the ground, and must be led by individuals intimately familiar with the affected region. This is aptly shown by the Katrina debacle, where the most deadly breakdowns and failures arguably took place in the affected areas along the Gulf Coast. Stories are legion of multiple disconnects among federal, state, and local authorities; turf warfare; indecision; lack of reliable situational awareness; the lack of a common operating picture on the ground; the lack of a comprehensive inventory of available resources; and a general lack of a coordinated game plan. In short, when Hurricane Katrina—a disaster that had been predicted for decades—struck, we “flew by the seat of our pants.” And the predictable result was greater misery and death on the Gulf Coast than that caused simply by the hurricane.

The establishment of a Joint Field Office (JFO) in each affected state in accordance with the National Response Plan (NRP) certainly helped matters as the Katrina disaster unfolded, but the spate of post-Katrina reports—including the White House after-action report (*The Federal Response to Hurricane Katrina: Lessons Learned*), the House Select Bipartisan Committee report (*A Failure of Initiative*), and the Senate Homeland Security and Governmental Affairs Committee report (*Hurricane Katrina: A Nation Still Unprepared*)—all point toward the advisability of establishing a permanent regional architecture to help coordinate federal, state, and local preparedness and response functions, and to ensure that each region is prepared to respond effectively to a catastrophic disaster.¹ The days when we can rely on ad hoc structures and improvise a response to each catastrophe are over; in every instance that we take time to “reinvent the wheel” to create one of these ad hoc structures, more people are likely to die, and more property is likely to be destroyed. That said, existing plans must build in the flexibility to adapt, if necessary, as an event unfolds and situational awareness evolves.

The response to the 9/11 attacks teaches this lesson. The 9/11 Commission's investigation revealed that, “While no emergency response is flawless, the response to the 9/11 terrorist attack on the Pentagon was mainly a success for three reasons: first, the strong professional relationships and trust established among emergency responders; second, the adoption of the Incident Command System; and third, the pursuit of a regional approach to response.”² Chapter 9 of the 9/11 Report also strongly reinforces the notion that the preparedness and response functions, including incident management, should be integrated.

A regional structure that marries preparedness, contingency planning, and incident management is all the more essential to confront catastrophic events that, like the attacks of 9/11 and unlike Hurricane Katrina, occur without warning. The response to such incidents unfolds, for better or worse, according to the relationships, procedures, and plans in place among the relevant jurisdictions at the time. Catastrophic disasters are generally regional, not national. For example, in the incident management phase, a hurricane in the Southeast does not require an immediate response in New England; an earthquake in the Southwest does not require an immediate response in the Midwest; a terrorist attack in Seattle does not require an immediate response, other than preventive and protective measures, in Miami. Moreover, such disasters are most often not exclusively local. In the overwhelming majority of scenarios, single catastrophic incidents straddle the jurisdictions of several localities or states.

To be most effective, the integration of the response effort to surprise events should occur at the lowest level at which the affected jurisdictions intersect, and a structure that helps cement the relationships, procedures, and plans at that level, before the event, will be most successful. It is worth noting that, not only are major disasters regional in character, but also, many of the challenges of critical infrastructure protection are regional in character, and thus are best addressed with a regional approach.

The Office of National Capitol Region Coordination (NCRC), in its first annual report to Congress, emphasizes infrastructure protection, in particular, as a key homeland security function that is not effectively addressed within the context of a single metropolitan area or within a single state. The report urges the Congress to authorize the NCRC to coordinate beyond its statutory boundaries.³ Nor is the federal component of the critical infrastructure challenge most effectively addressed from a purely national perspective. Again, regional offices designed with state and local input, working closely in coordination with the DHS officials with homeland security grant-making authority, would help bridge this gap.

A strong regional preparedness and response structure would not supplant the need for strong national leadership, of course. A major catastrophe will require strong national leadership, from the President down the chain of command. Moreover, the reality of *simultaneous* attacks in different regions—as seen on 9/11—demonstrates the fundamental need for robust national leadership, not only at the policy level, but also at the macro-operational level. Indeed, a strong regional structure would, in fact, *empower* national-level response, particularly in the simultaneous attack situation. DHS regional Directors would bear most of the burden of “consequence management” in the affected regions, would give the President and the Secretary of Homeland Security an official in each region who was directly accountable, and would allow the national government to stay focused on “crisis management,” i.e., the aspects of the attacks that may still be unfolding.⁴

ENVISIONING THE REGIONAL ROLE

The DHS regional structure should be built on the foundation of the current FEMA regional structure; while it is essential to abandon ineffective methods of operation, it is equally important to retain structures that work effectively and to minimize the turmoil of transition. The regional offices would include, but not be limited to, the following functions:

- Augmenting improved national level incident management systems;
- Coordinating and integrating, across all federal agencies and in full partnership with state and local authorities, the federal government's regional response to catastrophic incidents;
- Serving as the foundation to align (where necessary) the regional structures, plans, and procedures of other federal agencies with key emergency preparedness and response functions;
- Managing a continuous, disciplined federal interagency and intergovernmental strategic planning process to develop regional contingency plans that meet the same standards of specificity, coordination, commitment of assets, and resourcing as U.S. government warplans;
- Integrating this strategic planning process with requirements determination, programming and budgeting to meet regional emergency preparedness, critical infrastructure protection, and response needs. The regional offices would, thus, be critical to the work of the DHS Preparedness Directorate and the DHS homeland security grant program, and would provide a single interface for state and local governments in the region with regard to these matters;
- Facilitating and coordinating the exercise and evaluation of regional plans, procedures, and capabilities;
- Improving operational coordination between DHS and the Department of Defense (DoD) in carrying out emergency preparedness and response responsibilities;
- Enabling regional preparedness and the development of regional response networks;

Facilitating pre-incident interaction among emergency managers; emergency services leaders; elected and appointed officials at the federal, state, local, and tribal level; and the private sector, thus alleviating the problem of "first exchanging business cards during a disaster" or major incident/crisis;

Facilitating and encouraging the use of federal, regional, and interstate assistance during routine incidents that do not rise to the level of major disasters, emergencies, or other incidents of national significance, thus embedding the concepts of regional and multi-jurisdictional response into **day-to-day emergency response** operations and making regional and multi-jurisdictional response during catastrophic events much less of a foreign concept;

Enabling regionalization of preparedness and response functions among states, local governments, Indian tribes, and the private sector, which serves to leverage scarce governmental preparedness funds, reduce duplication of effort and expenditure, and tap into the significant resources of the private sector, which, in many instances, are more substantial than those of governmental agencies; and

Closing the current “72-hour gap” between the onset of a major disaster, emergency, or other incident of national significance, and the arrival, in force, of federal emergency response assets.

Without question, this report envisions a significant role for the DHS regions. It is less a revolution than an evolution of the role of DHS. Indeed, regions would only strengthen the “Second Stage Review” reforms—most prominently the creation of the DHS Preparedness Directorate and the Federal Emergency Management Agency (FEMA). The DHS regions recommended here would not only serve as a regional structure for the federal government’s operational responsibilities in responding to a disaster, but also as a regional structure for the Preparedness Directorate and FEMA. The regions would enable the Under Secretaries for Preparedness and FEMA to more effectively carry out their roles in helping state and local governments, as well as the private sector, protect critical national infrastructure and prepare for and respond to catastrophic natural or man-made disasters.

Specifically, the regional offices should also coordinate critical infrastructure inventory, prioritization, vulnerability assessment, and protection efforts across the region. Each headquarters would play a role, under the overall coordination of DHS headquarters, in managing federal grants, and would oversee a homeland security training infrastructure and training programs jointly developed, funded, and administered, in partnership, by the federal government and the participating state and local governments. The regions would also provide a useful geographic basis for setting threat conditions under the Homeland Security Advisory System (HSAS), improving the degree to which the HSAS reflects the actual threat to the country. DHS would function as the federal government’s lead agency to ensure standardization and harmonization of the respective regions.⁵

Each regional office should also facilitate the development of regional mutual aid relationships within the geographic regions, including the development of intrastate regional response pacts, as well as interstate agreements under the auspices of the Emergency Management Assistance Compact (EMAC) and others. Successful regionalization must recognize that many effective efforts emanate from the bottom up. Therefore, regional offices will need take into account and build upon existing regional collaborations at the state and local levels. Each regional office should develop a network of mutual aid agreements with the states within the region, so that federal resources can be deployed from the regional offices in support of emergency response activities that do not rise to the level of major disasters, emergencies, or other incidents of national significance. The availability of federal response resources for state and local response activities has fostered “purple” thinking—interagency and cross-disciplinary coordination—in the wild land firefighting arena. Facilitating this approach for all response activities can institutionalize multi-jurisdictional coordination and federal-state-local-tribal cooperation. Making response assistance available whenever needed also avoids problems associated with reserving federal response support for only the most severe of incidents, which is no time to be figuring out how multi-agency coordination should work.

EMPOWERING FEDERALISM

A DHS-led regional structure would not supplant our federal system; it would empower that system. Under our constitutional system, state and local governments have the lead role in responding to disasters—and providing for the health, safety, and welfare of their citizens. The federal government was never intended to be, nor is it equipped to be a “first responder.” Local first responders and other governmental and nongovernmental officials will be the first on the scene, the first with immediate knowledge of the incident, and the first to make key decisions. Except in extreme cases, the federal government’s role would still generally be one of support for state and local authorities.

A permanent regional structure would be far more effective in enabling this support, consistent with both the National Response Plan (NRP) and the National Incident Management System (NIMS). The regional structure would provide state and local authorities with a single point of contact for federal support, both civilian and military, and, more importantly, a point of contact intimately familiar with the strengths and needs of the region. This information will have been gained through careful multi-jurisdictional contingency planning and training, as well as through personal relationships with the lead state and local agencies, and the critical private sector players. By knowing the “lay of the land” and how to work with key “players,” a strong DHS regional director would be able to quickly shift into gear, and thus enable a swifter, more robust federal, civilian, and military response, where necessary, in support of state and local efforts.

To gain multi-faceted perspectives and a working knowledge of preparedness and response, we envision that the regional DHS offices would incorporate, within the office’s assigned personnel, or have effective liaison with, representatives from state and local governments, non-governmental organizations, and the private sector. Ideally, these representatives would be thoroughly integrated into the management and operational structure of the regional office. The DHS role would be to provide leadership, coordination, and guidance, rather than to act alone or supplant the necessary role of the state and local governments. In essence, regional offices would be hubs for genuine coordination between and among entities with responsibility for planning and operations. Put another way, we seek to avoid inserting into the mix yet another independent actor. Rather than adding a functional layer between state and local entities and DHS and other agency headquarters in Washington, we would shift the contingency planning, preparedness, and regional incident management functions *from* Washington to the field.

This federal coordinating role could be critical, where multiple jurisdictions are involved in responding to a disaster. (We say “could,” rather than would, because in certain large states such as California, where a major disaster might be localized within the state, the Governor likely will serve the function of helping coordinate between, for example, the Los Angeles and Orange County Sheriffs.) While lack of interagency coordination at the federal level has dominated the attention of policymakers, the Congress, the media, and the public, the coordination problems at the local level are less well known. Agency rivalries and cultural differences exist at all levels of government and between and among agencies at each level. Obviously, a regional structure led by DHS will be no panacea, but it will provide a forum and a mechanism for helping bridge some of the gaps as the region organizes to prepare for a major disaster.

Moreover, the integration of effort across all jurisdictional lines is crucial, bringing to bear all *national* resources to address *national* needs. The federal government cannot and should not single handedly perform all preparedness and response functions; nor can the federal government effectively plan, train, exercise, or respond without close coordination with external partners. States must be recognized and treated as true partners in these efforts. State and local governments, non-governmental organizations, and the private sector will be able to more effectively prepare and respond if they are fully integrated into regional preparedness and response structures and if they participate in the contingency planning and operational readiness process.

In short, a DHS-led regional structure will strengthen our federal system, and better enable it to meet the challenges of the 21st Century.

DEMONSTRATING THE STRENGTH OF THE REGIONAL MODEL – CONTINGENCY PLANNING

In the interests of brevity, this report will not belabor every function in which a regional structure that integrates both preparedness and response functions would strengthen our nation's capacity to deal with major catastrophes. One example suffices—*contingency planning and its relevance to effective response*. The issue of contingency planning, standing alone, demonstrates all of the desirable capabilities of a DHS-led regional preparedness and response organization.

A significant, if not principal, factor in the federal government's failure to respond adequately to Hurricane Katrina was the lack of a credible federal process for developing and coordinating national contingency plans for specific domestic incident scenarios. Effective response requires contingency planning in advance of crisis, more than any other factor. Contingency planning drives the requirements determination process, programming and budgeting, training, exercises and evaluation, and enables rapid decentralized execution. Having capability matters, but the nation currently possesses a significant amount of capability, including robust domestic military capability, as well as effective first responder organizations at state and local levels. The most effective way to rapidly and significantly improve preparedness is to figure out how to bring to bear existing capabilities now. That must be our first priority.

The nation currently lacks credible national or regional contingency plans for domestic incidents. The NRP is a foundation for organizing federal resources. The NIMS is a doctrine, a way of doing business. The NRP describes how the federal government will marshal its own resources; the NIMS describes how different levels of government will operate to manage crisis, and gives a common vocabulary for all responders. Neither the NRP nor the NIMS is a plan, and neither is supported by continuously evolving planning processes; hence, our preparedness and response architecture is incomplete.

The federal government must develop, on an urgent basis and in partnership with state and local authorities, contingency plans for specific domestic incident scenarios that meet the same standards of specificity, coordination, commitment of assets, and resourcing as current U.S. Government contingency plans for major theater wars overseas.⁶ While this requirement applies to all federal agencies with significant emergency preparedness and response responsibilities (to include HHS, VA, EPA, etc.), the existing critical weakness is between DHS and the Department of Defense (DoD), and therefore we should understand that building a capability for contingency planning requires vastly improved DHS-DoD coordination mechanisms at both the national and regional level. Improving DHS-DoD coordination will incorporate the preponderance of federal capability for effective response to a catastrophic emergency—perhaps no other step is as important for improving near-term nationwide preparedness for such events.

Currently, national contingency plans to ensure the protection of American citizens on American soil are subordinate, as a matter of planning, to the protection of citizens—our own and others'—on foreign soil. Remarkably, there are no plans for integrating federal activities, particularly those of DHS and the DoD, and state and local activities, in the event of simultaneous catastrophic attacks on the homeland, and major theater war overseas. While overseas warplans serve to protect U.S. vital interests, there is no interest more vital than the protection of our own citizens within our own territory. The dominant fact underlying DOD's homeland mission must be predicated upon whether or not a catastrophic event—be it terrorist attack or natural disaster—occurs on U.S. soil, regardless of from where the threat emanates.⁷

In spite of several days of warning of imminent landfall, the vast majority of resources the federal government (and perhaps state and local governments) eventually deployed post-Katrina did not mobilize until after the storm hit, and required many days to prepare. Many of the assets eventually deployed, particularly DoD assets, would likely have been identified before the storm had there been a coordinated interagency and intergovernmental contingency plan for a catastrophic event in the Southeast United States. Not to mention a specific plan for New Orleans itself, the vulnerability of which was well understood. And, while it's possible that federal agencies themselves, particularly DoD, had already identified such assets as a result of their own internal processes, such facts weren't known by or shared with other agencies, and certainly weren't coordinated pre-crisis with DHS, the State of Louisiana, the State of Mississippi, and the City of New Orleans.⁸ Most of the military elements that eventually deployed apparently did not receive warning orders, and necessary movement did not begin, even though a worst-case and previously anticipated and modeled scenario was developing with three full days of warning (August 26, 27, and 28, after Katrina had already made landfall in Florida as a Category 1 hurricane on the evening of August 25).⁹

There is no way to know for sure, but it can be speculated that, had the assets which were eventually deployed been previously identified in a contingency plan and mobilized during the three-day interval from August 26-28 (or before), and had a plan been in place to integrate those assets, federal, state, and local governments likely could have helped save many lives, and helped prevent, or at least significantly curtail, the lawlessness and suffering that unfolded in the first several days after the storm. **The United States doesn't fight wars without such preparation and planning. There is no logical reason why we should respond to domestic disasters without such preparation.**

In short, a key problem with Hurricane Katrina was a lack of planning and coordination between federal agencies—principally DHS and DoD—and between the federal government and state and local authorities. The nexus for such planning should be at the regional level, with regional contingency plans integrated at the federal level to resolve conflicts, establish priorities, identify shortfalls in resources, and allow for an objective assessment of acceptable risk.

An analogy to the military's geographic Unified Combatant Commands, and how they fit into the DoD's joint strategic planning system, is useful and applicable here. The military's joint strategic planning system rests not only on a disciplined and continuous set of planning processes at the Pentagon, but also on parallel processes within the headquarters of each Combatant Command. The Combatant Commanders, not the Joint Staff, are directly responsible to the Secretary of Defense and the President for executing their war plans. The Joint Staff, on behalf of the Secretary, shares a role in the development of such plans, but has the unique and demanding responsibility of integrating and resourcing assets across the Department of Defense to meet the plans of the multiple Combatant Commanders. The orientation of assets in contingency plans is the critical strategic question for guiding the long-term process of training, manning, and equipping elements for specific missions. The Combatant Commanders are responsible for identifying the resources and assets they require, the manner by which they will bring those resources and assets to bear, the command and control of those assets during execution, and the means for dealing with risk and shortfalls when the stated requirements for

resources and assets cannot be fulfilled or are otherwise unavailable (e.g., due to operations in other theaters).

The Combatant Commander is familiar with the unique operational demands in his or her theater, as well as the relevant “players” in that region. Thus, the military’s strategic planning process rests fundamentally on a continuous process of give and take between headquarters and the Combatant Commanders—both are essential. Only in this manner can the Secretary of Defense ensure that our regional plans are sufficiently specific and operationally sound, and that the Department writ large has enough of the right capabilities to meet those plans. **It is critical to the success of this system that the Combatant Commanders are responsible for preparedness and readiness (e.g., training, procedures, coordination mechanisms with outside entities) but also for the development and execution of plans.** That lesson is central to our recommendation that the Directors of regional offices have responsibility for both preparedness and incident management. It is not difficult to apply this analogy to the situation of Hurricane Katrina, and to see how an analogous approach would go a long way toward vastly improving future response at all levels of government in other catastrophic scenarios.

Regional contingency plans will be challenging to develop. Unlike U.S. warplans, the majority of assets will not be concentrated in a single agency at a single level of government, will not be subject to the uniquely broad military command authority enjoyed by Combatant Commanders, and will not enjoy the situation of military units, which have few, if any, day-to-day roles other than to prepare for crisis. Regional contingency plans will need to be coordinated across a far broader array of federal agencies (e.g., the Veterans’ Administration, Health and Human Services, the Environmental Protection Agency), state and local authorities, and non-governmental organizations and private sector entities. Domestic contingency planning will intersect with a fluid domestic political environment with which traditional warplanning rarely, if ever, intersects. Yet these realities, and the complexity of federalism, all strengthen the argument to bring together the disparate authorities—federal, state, and local—at a regional, not federal, level, in order to cement the relationships and effect the increased coordination that is required for all entities to achieve unity of effort.

A domestic incident contingency planning system in which regional offices play a significant role is also the most effective system for identifying assets and requirements that become unavailable and for making appropriate adjustments to existing plans. For example, not all (in fact, probably very few) federal resources should be dedicated solely to one region. Rather, they will be slated to support incidents in several regions, though not all at once, based on a prudent assessment of acceptable risk and likely scenarios involving multiple events. The task of cross-walking and orienting these federal assets across all of the nation’s regional contingency plans, and the process of determining acceptable risk, is a strategic task for DHS headquarters in Washington. As situations change, the regional office becomes the focal point for the operational task of identifying shortfalls and adjusting plans to account for those shortfalls. DHS headquarters in Washington (in close coordination with state and local authorities and the private sector, as represented in other regional headquarters) would then play an important coordinating role in identifying, diverting, and/or facilitating the provision of federal, state, local, and private sector assets from other regions that could meet those shortfalls.

Since Desert Storm, the U.S. Government has known exactly what forces would flow, in what order, on what timeline, under what command arrangements, in coordination with what other

agencies, should war break out in Southwest Asia first, or Northeast Asia first. The U.S. Government has known exactly what resources we would divert from one theater to the other should both wars break out nearly simultaneously. Disciplined judgments of where risk could be assumed in either eventuality were made and applied systematically to adjust war plans, force structure, modernization requirements, and funding. Similarly, the U.S. Government today should know exactly how federal, state, and local governments will respond to likely and/or high-consequence domestic incidents which occur as a single event, or which occur nearly simultaneously with other domestic incidents and/or with overseas wars in one or more theaters.¹⁰ We should continue to adjust our plans as circumstances change. A regionally based system is the only one that could meet the challenge of identifying and adjusting requirements and capabilities with the specificity required to meet the U.S. Government's obligations during a domestic catastrophe.

Finally, regional contingency plans will offer an objective yardstick to measure the preparedness not only of the federal government, but also of the different states and municipalities in a particular region. The validation of regional contingency plans provides an objective metric which would help highlight those communities that are prepared versus those that are not. No such comparative metric currently exists.

Creating the Regional Offices

As stated above, we would envision the DHS regional offices being built on the foundation of the existing FEMA regions. Each would be headed by a Director, authorized in statute, appointed by the President, and confirmed by the Senate. The Director would serve as the senior federal official responsible for federal preparedness and response activities within the region, and the regional headquarters would serve as the focal point for federal efforts to facilitate regional preparedness—including the initial evaluation of homeland security grant funding requests. The Director would also serve as the focal point for federal collaboration with states and local governments, and the private sector, on issues of preparedness and response. It is essential that the Director have robust statutory authority, particularly with respect to other federal agencies and personnel, to ensure that he or she can carry out the responsibilities of the job. The President should direct that the Director's authorities be codified in interagency memoranda of agreement, signed at the cabinet secretary level, and/or the Congress should vest the Director with sufficient authority.

Ideally, state and local officials would also hold top leadership and management positions within the regional headquarters, although this may raise complex political issues within states concerning state versus local representation, and among the various local jurisdictions. The architecture might include an Assistant Director for each state, appointed by the respective Governors, and detailed for minimum two-year terms under the authority of the Intergovernmental Personnel Act. Consistent with our federal system and constitutional requirements, state-assigned Assistant Directors might be "dual-hatted," fulfilling their roles in the regional headquarters, and also reporting directly to their respective Governors or cabinet-level state homeland security advisors. The regional Deputy Director might also be a state official, appointed by the state Governors on a rotating basis every two or three years; however, the Deputy Director should formally report only to the Director, not to the Governor, subject to the state's legal consent under the Constitution. Similarly, assignees from the major metropolitan

areas within each region should hold positions within the management structure of the headquarters.

We also envision that the integration of assignees, detailees, and representatives from state and local government, non-governmental organizations, and the private sector extend beyond top management positions into staff positions throughout the organization in all functions—operations, planning, logistics, administration, and finance. Already, the Intergovernmental Personnel Act provides a vehicle for detailing officials from state and local government and non-profit non-governmental organizations to the DHS regional offices. Similar authorities should be implemented by Congress to permit such detailing from the private sector (particularly a representative from each critical infrastructure sector), without disqualifying the private sector representative's employer from competition for federal contracts. Alternately, private industry could develop a competitive selection process by which top professionals are detailed to work for non-profit organizations, similar to those programs created by the Business Executives for National Security or the Business Roundtable, and detailed to DHS regional offices from there. It is through this blending of staff that the true integrative strength of the regional structure will be realized. This is not to underestimate the challenge at hand, however. We recognize that significant cultural issues, for instance, may arise as public officials and private sector representatives come together to address planning and resource matters. Potential cross-sectoral challenges should be taken in context, though. Achieving effective intra-governmental cooperation at the federal level alone will likewise pose a challenge.

Given the degree to which we have emphasized the importance of full state and local participation in a regional initiative, we strongly recommend that the Congress and the Administration consult extensively with state and local leaders in drafting any legislation or policy to implement a regional initiative. While all regional headquarters will have the same mission and functions, and should have the same basic design (particularly the federal component), our approach should be flexible enough to accommodate differing circumstances among regions and states, as well as to recognize regional efforts already underway. Not every regional headquarters need look exactly the same.

Bringing together assignees, detailees, or representatives from federal agencies will also help foster unity of effort among these agencies—a good result, standing alone. While DHS will be the lead agency and DHS employees will form the core of the regional offices, employees from other relevant federal agencies should be assigned or detailed to the regional offices for fixed terms. These federal assignees and detailees would represent their agencies' interests, and, most importantly, serve as their agencies' representatives in all functions carried-out in the regional offices, particularly in the contingency planning and incident management realms. Senior agency representatives will be responsible for committing to regional initiatives, plans, and procedures on behalf of their department secretaries or agency heads. Likewise, promotion to certain senior management positions within DHS, and to critical emergency management positions at other federal agencies, should be conditioned on a fixed-term rotation to a regional office. This requirement should apply initially to preparedness and response professionals, but ultimately, DHS prevention and protection professionals might also be required or encouraged to rotate into preparedness and response positions in the regional offices as well, to encourage them to “think purple” about coordination among all DHS operational agencies that might have a role in responding to a disaster, and between DHS and other federal departments and agencies.

We must be wary of the pitfalls likely to arise in implementing an organization that relies heavily on assignees and detailees, particularly in the short-term. The difficulties experienced by the National Counterterrorism Center, the Terrorist Screening Center and other newly-established interagency entities are instructive. In the short-term, federal departments and agencies, and possibly state and local government entities, may view the requirement to assign personnel or detailees as a drain on their resources and degradation in their own ability to carry out their missions. Though this phenomenon is understandably more pronounced in the intelligence community, it is likely to be an issue with a regional initiative as well. Departments and agencies will be unwilling to give up their best people, and will likely detail personnel for only short periods of time. Thus, great care should be exercised in tailoring statutory requirements and policies concerning personnel to ensure that regional offices have the talent and manpower to rapidly achieve operational capability, and overcome the inevitable inertia that will set in as implementation proceeds. This would include giving DHS statutory authority from the outset to immediately hire a reasonable number of full-time employees to help stand-up the regional offices; firm fixed-term tenures for assignees and detailees; an organizational design in which officials from other agencies have management responsibilities in the new organization; and career incentives and disincentives.

As part of this system, assignees and detailees from other federal agencies and from outside the federal government should be given the training and education needed to serve effectively. This may include standardized training through the proposed National Homeland Security University, or more regional training developed by the regional offices. In either event, other federal agencies and non-federal entities must be seen as partners for success in regional preparedness and response.

Through these types of promotion requirements and fixed-term assignments and details, a qualification system akin to the military's can be developed for homeland security. Within DHS, promotion becomes contingent on interservice assignments, and across other federal agencies, service in DHS regions can be required for homeland security and homeland defense-related positions. For state and local government and non-governmental organization officials, service in a DHS region can become a distinguishing mark on an official's record, giving him or her preference for further promotion within his or her home agency. For private sector officials, service in DHS regions should be seen in the same light as prior government or military service—a unique credential and an asset for the institution.

A Model: The Office of National Capitol Region Coordination

Section 882 of the Homeland Security Act established within the Office of the Secretary of Homeland Security the Office of National Capitol Region Coordination (NCRC), vesting it with important responsibilities for coordinating “the activities of the Federal Government for the enhancement of domestic preparedness against the consequences of terrorist attacks.” The office has functioned effectively in helping forge cooperation with the Mayor of Washington, DC, the Governors of Maryland and Virginia, and other regional, state, and local officials. As such, much of what has been learned in establishing the NCRC can be applied in establishing other regional offices. While Washington, DC is unique as the seat of our nation’s capitol and hence the density of critical infrastructure, it is important to note that, while circumstances differ, the principal factors that prompted Congress to establish this office exist with respect to many regions throughout the country.

We believe that aspects of the NCRC model should guide development of regional offices based on a strong partnership with state and local governments, and full integration across federal agencies.

The Office’s statutory functions heavily emphasize preparedness, and most of the progress highlighted in the Office’s first annual report is in the preparedness realm. However, it is significant that the Governors of Virginia and Maryland, and the Mayor of Washington, DC, in August 2002, listed first among their *Eight Commitments to Action* the commitment to “develop a coordinated process for significant incidents or emergency situations...including methods for coordinating between operational entities and senior decision-makers...” The three leaders also committed to “develop a virtual Joint Information System for the NCR during response to a major emergency or disaster event...” In short, the leaders of the NCR jurisdictions have found it necessary, from the outset, to adopt a regional approach to incident management—entirely consistent with the incident management approach we propose in this report.

Among the NCRC’s goals for FY2006 is a strengthened capacity to respond and recover (see page 13 of the report), to include unified command structures and protocols, and “common, event-specific, NCR-wide contingency plans and policies to facilitate integrated response and recovery efforts”—entirely consistent with the contingency planning approach we propose in this report

It is also important to note how critical the NCRC’s regional assessment of homeland security needs has been in developing their regional strategy—such a detailed assessment would not have been possible without the working relationships that the Office makes possible (see the description of the assessment on page 4 of the NCRC’s first annual report). Again, we find this process entirely consistent with the degree of specificity and detail necessary to support the contingency planning process described in this report.

We strongly recommend that the NCRC and key elected and appointed officials in Virginia, Maryland, and Washington, DC, be consulted in the development of legislation or policy concerning the design of DHS regional offices.

A Regional Concept of Operations

Certain modifications would need to be made to align and simplify federal response doctrine within the context of DHS regionalization. We recommend that each regional Director be designated as the Federal Coordinating Officer (FCO) under the Stafford Act for each region, and to designate each regional headquarters as the standing Joint Field Office (JFO) for each region.

During a domestic incident, the Regional Director would report directly to the Secretary of Homeland Security, who would report directly to the President. The Department of Justice would, of course, retain its lead role in investigating terrorist incidents. Regional headquarters will require the capability to forward deploy command, control, and coordination elements as necessary to support regional contingency plans. In general, it is not anticipated that the FEMA Director, or the Undersecretary for Preparedness, or the Federal Preparedness Coordinator would play an operational role in managing domestic incidents.

The yardstick for dividing functions between DHS headquarters and the regional headquarters with regard to responding to a major incident is straightforward (though not necessarily easy): DHS headquarters sets policy; regional headquarters implement and help develop policy based on experience and lessons learned. DHS headquarters is responsible for national strategy and policy, strategic direction, national standards, resourcing, and building federal capabilities. Regional headquarters are responsible for the functions (largely operational) described in this report and the Heritage-HSPI *Empowering America Report*. As stated previously, the regional initiative can be implemented as an evolution of the “Second Stage Review.” Thus, FEMA would remain a DHS operational component and would manage recovery and mitigation issues nationally—a policy unchanged from that which exists today. FEMA would retain, and indeed expand, its emergency *response* functions, though these would largely be decentralized to regional Directors. Functionally, FEMA would set national policy and provide national support for response functions, but the regional Directors would be responsible for carrying out the majority of FEMA’s operational activities. Similarly, the Preparedness Directorate could retain the national policymaking role for federal preparedness efforts (for example, the continuing development of the Target Capabilities List and the Universal Task List). However, implementation of these policies would be decentralized to the regional Directors, and the new Federal Preparedness Coordinators would report to the regional Directors. As the regional headquarters achieve operating capability over the short-, mid-, and long-term, it will be necessary to continually evaluate the division of tasks between DHS headquarters and the regional headquarters. Regardless of the approach adopted, we once again caution against taking the easy path of simply making superficial adjustments to organizations as they currently exist (e.g., re-naming), to include DHS writ large, FEMA, or the Preparedness Directorate.

INTEGRATING OTHER FEDERAL AGENCIES

It is essential that federal agencies conform their relevant operations to the DHS regional architecture. We simply state the obvious: the nation should have a single regional architecture for responding to domestic incidents.

This is particularly important with respect to DoD and its relevant Unified Combatant Command, U.S. Northern Command (NORTHCOM). It is essential that legislation not impede unnecessarily on the President’s and Secretary of Defense’s authority to structure military commands as they deem fit. However, it is also essential that DoD’s and NORTHCOM’s architecture and DoD-DHS coordination mechanisms form a tight operational fit with the DHS regional architecture, perhaps through the establishment of subordinate Joint Task Forces or Joint Force Headquarters that align with each region or with several regions. We suggest that DoD’s footprint in each regional office fall under the military command authority of NORTHCOM, although it may be advisable that the senior DoD representative be a civilian official accountable to the Assistant Secretary of Defense for Homeland Defense. In either case, the Secretary of

Defense should allow for continuous, day-to-day operational coordination among NORTHCOM, the DHS regional headquarters, and state and local entities, particularly with respect to contingency planning and exercises.

Senior Defense Coordinating Officers, and appropriate support elements, should be permanently assigned to each regional headquarters—we are encouraged that DoD is already moving along these lines. DoD, through NORTHCOM, should provide resources, assets, and expertise, within appropriate limits, to rapidly assist DHS in building a credible contingency planning apparatus, both at DHS headquarters in Washington and within each regional headquarters. DHS and DoD (NORTHCOM) should seize every opportunity to combine or marry, to the extent permitted by law, both their contingency planning and command, control, and coordination facilities and processes at the regional level.

DoD should consider apportioning organic forces under NORTHCOM, but at a minimum, should orient existing forces and assets toward specific missions as determined in the contingency planning processes described earlier in this report. Representatives from the National Guard Bureau and each state National Guard command should also be assigned to the headquarters, to help coordinate the appropriate integration of National Guard Forces, either under the Title 32 command of the Governors, or Title 10 command of the President if federalized. DoD and the states should coordinate, with respect to specific domestic incident contingency plans, the factors, anticipated conditions, and procedures that will govern decisions to federalize National Guard elements under Title 10.

Other departments and agencies with critical response roles (such as HHS and the VA), should conform their operational plans and procedures to align with the regional structure, and should transition to the same structure over a reasonable period of time. Departments and agencies with counterterrorism responsibilities (such as the FBI) should appoint responsible officials for each region. DHS and the FBI should establish appropriate coordination between the regional offices and the Joint Terrorism Task Forces (JTTFs) within each region, particularly in the contingency planning, exercising, and incident management functions.

The yardstick for measuring how effectively agencies have integrated their relevant functions to the regional architecture should be the regional contingency plans—in particular, the continuous validation of those plans through exercises and simulations.

Resources

While it might be politically difficult to admit, we should not entertain the illusion that implementing a regional architecture can be accomplished as a zero-sum game within existing resources—financial or human. This approach impeded the establishment of DHS, which continues to feel the effects. This paper has already argued that each regional headquarters have a robust infrastructure, built from the ground up, if necessary; that regional headquarters be authorized from the outset to hire full-time employees; that regional headquarters carry out missions and functions not currently being performed at a regional level; and that the initiative be implemented rapidly and aggressively. This paper has also alluded to the need for cabinet departments and agencies other than DHS to make investments to support a regional initiative. This will require resources.

That said, we should understand that, in a very real sense, the issue is one of making a down payment today versus the consequences of paying later in terms of lives and property. The continued lack of regional preparedness for catastrophic domestic incidents clearly carries a high, even unacceptable, potential cost—a cost that we will undoubtedly absorb in the inevitable event of future catastrophes. Some of those costs can be quantified; some—the loss of lives and suffering—cannot. We will only pay later for not making the necessary investments, or not investing aggressively enough, now. Katrina is example enough.

For a regional initiative to succeed, the regional Directors must wield, from the outset, true authority and credibility – it is impossible for this to occur unless Directors command resources. Directors should play a significant role in DHS’ planning, programming, and budgeting functions, in the development of the Future Years Homeland Security Program mandated by the Homeland Security Act, and in Congress’ annual appropriations process.

While we should not overestimate the impact, it is possible the regional structure would help improve the basis for distributing federal homeland security funding among participating states according to some rational and legitimate calculation of need, potentially tempering efforts of individual Congresspersons to secure appropriations earmarked for their state or district.¹¹

A PLAN FOR ACTION

Implementation will be complex, and, given our experience with other post-9-11 institutional reforms, difficult. We should not underestimate the challenges. For this reason, implementation should begin as soon as possible, be aggressive, be sufficiently resourced, and, perhaps most importantly, fully involve and harness the energy of the states. The President should direct, and the Congress should mandate, the compliance and cooperation of all federal agencies.

We envision implementation in three phases: short-term (initial operating capability), mid-term (full operating capability), and long-term (maturity).

SHORT-TERM (INITIAL OPERATING CAPABILITY) – NOW UNTIL THE 2007 HURRICANE SEASON

- Enact authorizing legislation, amend the Stafford Act, modify the National Response Plan, and appropriate funds. In the absence of Congressional action, the President should use his full executive authority to direct implementation of a regional initiative to the maximum extent permitted by law.
- Rapidly establish each regional leadership team – the Director, the Deputy Director, the senior state and local representatives, and the senior representatives from each relevant federal agency. The President should nominate, and the Senate should approve, the regional Directors as soon as possible (PAS).
- Establish a provisional regional headquarters capable of supporting key participants.
- Develop and build infrastructure and capacity (particularly for contingency planning and incident management).
- Conduct initial assessment of regional homeland security needs, and initiate action to fill those needs.
- Develop a regional homeland security strategy, drawing from the lessons learned to date by the National Capital Region and other collaborative regional efforts.
- Develop the first regional contingency plan, reflecting the full coordination of DHS, DoD, and other federal agencies, and state and local authorities, and incorporating appropriate input from private sector entities, in identifying and orienting federal, state, local, and private sector emergency response assets.
- Establish procedures and mechanisms to ensure joint situational awareness and coordinate decision-making during incidents.
- Conclude mutual aid agreements, and examine and adjust existing agreements, to ensure maximum integration of response activities and capabilities.
- Complete regional inventory and prioritization of critical infrastructure, and harmonize infrastructure protection guidelines and measures.

- Establish coordination with private sector entities, with priority to entities with significant emergency response roles or capabilities, and to operators of prioritized critical infrastructure.
- Synchronize training and exercise schedules, and harmonize standards, to develop an initial regional training, exercise and evaluation plan.
- At the end state of the first phase, each region has a functional headquarters prepared to act as a Joint Field Office with a Director prepared to act as a Principal Federal Official; is fully staffed by all relevant entities; has full connectivity between state EOCs, regional operations centers, and the National Operations Center; and is ready to exercise and validate its first regional contingency plan. Initial identification and coordination of regional homeland security needs has occurred, and appropriate action (grant requests, exercise scheduling) has been initiated. Coordination with the private sector has been initiated. Construction or outfitting of fully operational headquarters has begun.

MID-TERM (FULL OPERATING CAPABILITY) – FROM START OF 2007 HURRICANE SEASON UNTIL END OF FISCAL YEAR 2008 OR MID-FISCAL YEAR 2009

- Continue implementation of all previous tasks.
- Exercise and validate regional contingency plans.
- Conform regional structure, policies, and procedures of relevant federal agencies to the DHS regional architecture.
- Finalize a coordinated budget and program for fiscal year 2008, prepare the program for 2009, and establish mechanisms necessary to execute programming and budget responsibilities consistent with the Future Years Homeland Security Program.
- Establish a cyclical regional contingency planning system, integrated with exercise, evaluation, and resource management systems, and develop second-generation regional contingency plans.
- Stand-up fully operational headquarters.
- Stand-up fully operational operations center, physically and procedurally integrated with state, local, and other federal operations centers, and the National Operations Center.
- Refine and test all incident management functions, to include operations, planning, logistics, finance and administration, and public communications.
- Execute and refine regional training, exercises, and evaluations, and develop regional performance measures.
- Full private sector participation and integration as appropriate.

- At the end state of the second phase, each region is fully operational, fully staffed, occupies its new headquarters and facilities, and is carrying-out all of the functions described in this report. The first evaluations of the region's contingency plans and incident management procedures have occurred, and necessary adjustments initiated. Implementation of a regional exercise plan has begun. Critical systems (planning, programming, budgeting, requirements, etc.) are in place and operating. Other federal agencies have conformed to the regional architecture, as appropriate. Significant progress has been made in harmonizing and strengthening regional preparedness efforts.

LONG-TERM (MATURITY)

- Continue implementation of all previous tasks
- Maturity is reached when the nation has a single regional preparedness and response architecture that conforms to the vision articulated in this report, and when regions have demonstrated significant and measurable improvement in their preparedness to prevent, respond to, and recover from catastrophic incidents. The center of gravity for preparedness and response activities has shifted from Washington to the regional headquarters. The authority of regional Directors as the principal federal officials for such activities is recognized throughout the federal government. State and local governments are fully participating. The focus of DHS headquarters has shifted to the setting and coordination of national strategy and policy, resourcing, and fielding national capabilities capable of supporting national and regional contingency plans for domestic incidents.

CONCLUSION

There is a surprising consensus as to the need for a regional DHS structure, shared by the drafters of the Homeland Security Act of 2002, the first Secretary of Homeland Security, the White House, the House of Representatives Select Bipartisan Committee, the Senate Committee for Homeland Security and Governmental Affairs, and scholars and policy experts from across the political and intellectual spectrum, as well as state, local, and private sector leaders. Katrina has strengthened that consensus. The start of the 2006 hurricane season heightens the sense of urgency. We urge that the nation commit to making these reforms as a package, without dilution or a piecemeal approach, since the opportunity to make such needed reforms is unlikely to arise again absent crisis.

¹ U. S. White House, *The Federal Response to Hurricane Katrina: Lessons Learned* (Washington, DC: 2006), <http://www.whitehouse.gov/reports/katrina-lessons-learned.pdf>. U.S. House of Representatives, Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, *A Failure of Initiative: The Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina*. 109th Cong., 2nd sess. February 15, 2006. U.S. Senate, Homeland Security and Governmental Affairs Committee, *Hurricane Katrina: A Nation Still Unprepared* (Washington, DC: May 2006).

² National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report*, p. 314.

³ The Office of National Capitol Region Coordination, *First Annual Report to Congress*, September 2005.

⁴ This report accepts how *Homeland Security Presidential Directive-5: Management of Domestic Incidents*, February 2003, implicitly defines the term “incident management.” Incident management incorporates “crisis management” and “consequence management” (first codified as national policy in *Presidential Decision Directive-39: US Policy on Counterterrorism*, June 1995) as a “single, integrated function, rather than as two separate functions.” Incidents, particularly terrorist incidents, almost always require simultaneous management by officials at all levels of an ongoing crisis (in particular, the possibility that attacks are imminent or underway) as well as the management of consequences (in particular, the emergency response efforts carried out after an attack has occurred). No clear line separates these activities – they occur on a continuum. But consistent with the principles of emergency management, most of the burden of consequence management falls on officials at the lowest levels. Conversely, most of the burden for crisis management falls on federal officials, since the federal government possesses unique authorities and capabilities for counterterrorism – for example, intelligence, specialized law enforcement, and military capabilities. Again, this dichotomy, while not absolute, becomes clearer when considering the real possibility of multiple, large-scale, near-simultaneous events in disparate parts of the country. A structure in which DHS regional offices play a significant incident management role for their regions best accommodates these important realities

⁵ Hornbarger, *Enabling State and Local Preparedness: Establishing a Regional Structure for the Department of Homeland Security*.

⁶ The majority of the following discussion on domestic contingency planning is drawn from recommendations one and two on pp. 296-298 of Chris Hornbarger, *National Strategy: Building Capability for the Long Haul*, in Russell Howard, James Forest, and Joanne Moore, *Homeland Security and Terrorism* (New York, NY: McGraw-Hill), 2005, p. 272-322, and Chris Hornbarger, *Katrina Lessons-Learned: National Contingency Planning for Domestic Incidents*, September 23, 2005, http://www.dean.usma.edu/sosh/Academic%20Program/Courses/ss493/LESSONS/Military%20Role%20in%20Homeland%20Security/Memo_DoD-DHS_Cooperation.pdf

⁷ Testimony of Frank J. Cilluffo before the Commission on National Guard and Reserves, May 4, 2006.

⁸ According to the testimony of Assistant Secretary of Defense for Homeland Defense Paul McHale to the House Select Bipartisan Committee, October 27, 2005, DoD conducted “[on Tuesday, August 23rd, as Tropical Storm Katrina approached,] an inventory of available capabilities (e.g., meals ready-to-eat, deployable hospitals, and health care providers), in anticipation of potential requests for assistance from other Federal, State, and local agencies.” This paper argues that conducting such inventories of capability and readiness must be conducted *long before* a

disaster is imminent, in *full coordination with other relevant agencies* at all levels of government, and that the availability and/or commitment of such assets be *codified in plans that are developed and validated on an ongoing basis*. Continuous updating of such assessments is required and contingency plans adjusted accordingly as assets become unavailable (e.g. deployed overseas, training to deploy, or recovering from deployment overseas) and as actual incidents occur, but that does not obviate the requirement to conduct rigorous planning in advance of crisis. See discussion in Hornbarger, *Katrina Lessons-Learned: National Contingency Planning for Domestic Incidents*, (September 23, 2005): “DoD has done significant internal planning and made significant adaptations over the last decade to ensure DoD has organic capability to deal with domestic incidents. ... But those [processes] are internal DoD processes designed to identify capabilities and generate requirements, not plans to bring specific capabilities to bear in concert with other agencies.”

⁹ An analysis of public DoD press releases and transcripts reveals the incremental and piecemeal alerting and deployment of assets, the requirements for which (medical evacuation, search and rescue, command and control, hospital ships and mobile medical capabilities, water purification, military police, etc.) could reasonably have been anticipated for a catastrophic New Orleans hurricane. It could also have been reasonably predicted that National Guard and other state and local resources would be insufficient to fill those requirements for such a catastrophe. Indeed, scenario ten, “Major Hurricane,” of fifteen incident scenarios coordinated by the White House Homeland Security Council in July 2004 to guide interagency and intergovernmental emergency planning, predicted 1,000 fatalities, evacuations of one million people, and serious damage to 100,000 homes – remarkably accurate to the destruction actually wrought by Katrina. For example, the USNS Comfort, one of two US Navy hospital ships and one of the largest trauma facilities in the United States, did not begin preparations to embark from Norfolk, Virginia until August 31, did not embark until September 2, stopped in Mayport, Florida enroute to pick-up additional personnel and medical supplies, and did not arrive in Pascagoula, Mississippi until September 9, later moving-on to New Orleans on September 28. The first mention in DoD press releases of DoD working with HHS and establishing field medical services is September 3. DoD press releases on September 1 (three days after Katrina’s second landfall in Mississippi; seven days after first landfall in Florida) make a point of highlighting that only 21 DoD helicopters (six from the USS Bataan; five from the Army’s 3rd Corps in Fort Hood, TX; and five from the Air Force’s 920th Rescue Wing at Patrick AFB, FL and the 347th Rescue Wing at Moody AFB, GA) were conducting search-and-rescue, medical evacuation, and damage assessment operations in Louisiana and Mississippi. Six days later, on September 7, DoD press releases highlight that 360 helicopters (half active-duty and half National Guard), and 93 airplanes (70 active duty and 23 National Guard) were supporting the operation. The point is not that DoD failed to provide support – it provided support consistent with US Government policies in effect at the time, which required DoD to consider specific requests from FEMA or other federal agencies on a reactive, case-by-case basis (though DoD played the dominant role in shaping those policies). The point is that the responsible federal (DoD included), state, and local agencies did not jointly plan in advance for the timely provision of critical requirements that would have easily been identified in a deliberate planning process. See also Congressional Research Service, *Hurricane Katrina: DoD Disaster Response* (September 19, 2005), particularly pages 13-14. See also White House, *The Federal Response to Hurricane Katrina: Lessons Learned*, pages 54-55 and 94.

¹⁰ Hornbarger, *Katrina Lessons-Learned: National Contingency Planning for Domestic Incidents*, p. 6.

¹¹ Hornbarger, *Enabling State and Local Preparedness: Establishing a Regional Structure for the Department of Homeland Security*.

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Her publications include *Combating CBRN Terrorism: A Comprehensive Strategy*, and *Cyber Threats and Information Security: Meeting the 21st Century Challenge*, both co-authored works published by The CSIS Press in 2001. She holds a degree in Law (J.D.) from the University of Toronto and a Master's degree in International Relations from the University of Cambridge. She has also completed ten seminar courses towards a Ph.D. in Politics at Princeton University.

Frank Cilluffo

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As Associate Vice President for Homeland Security at The George Washington University, Frank J. Cilluffo leads the University's policy, research, and training efforts related to homeland security [<http://www.homelandsecurity.gwu.edu>]. He also directs the multi-disciplinary Homeland Security Policy Institute and teaches a graduate level course on counterterrorism and homeland security at the Elliott School of International Affairs.

Cilluffo joined GW from the White House where he served as Special Assistant to the President for Homeland Security. Shortly following the September 11, 2001 terrorist attacks on the United States, Cilluffo was appointed by President George W. Bush to the newly created Office of Homeland Security. In his capacity as Special Assistant to the President for External Affairs, Cilluffo was responsible for engaging and building partnerships with the private sector, academic, and state and local officials and emergency responders on homeland security policies and initiatives. He was a principal advisor to Governor Tom Ridge and directed the President's Homeland Security Advisory Council and its four Senior Advisory Committees.

Prior to his White House appointment, Cilluffo spent eight years in senior policy positions with the Center for Strategic & International Studies (CSIS), a Washington based "think tank." At CSIS he chaired or directed numerous committees and task forces on homeland defense, counterterrorism, transnational crime, and information warfare and information assurance.

In addition to publishing extensively in academic, law, business, and policy journals, and magazines and newspapers worldwide, Cilluffo is co-author and editor of *Combating Chemical, Biological, Radiological, and Nuclear Terrorism: A Comprehensive Strategy* (2001); *Cyber Threats and Information Security: Meeting the 21st Century Challenge* (2001); *Russian Organized Crime & Corruption: Putin's Challenge* (2000); *Cybercrime, Cyberterrorism, Cyberwarfare* (1998); *Russian Organized Crime* (1997); and *Global Organized Crime: The New Empire of Evil* (1994).

He has testified before the United States Congress on a number of occasions and has been a regular guest on major television and radio networks worldwide. Cilluffo presently serves and has served on various national security-related committees sponsored by the U.S. government and non-profit organizations, including the Homeland Security Advisory Council.

<http://www.dhs.gov/dhspublic/display?content=3029>.

Cilluffo continues to remain active in the non-profit and think tank communities. His current leadership positions include: Counselor to the Center for the Study of the Presidency; member of the board of directors of the ComCARE Alliance; member of the University of Virginia's Critical Incident Analysis Group's Steering Committee; he served as a Fellow at the World Economic Forum; and was a term member at the Council on Foreign Relations. He also is a principal with the Pennant Group and was elected to the board of directors of VitalSpring Technologies, Saflink Corporation, and appointed to the board of advisors of Prepared Response.

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Major Chris Hornbarger is Assistant Professor of American Politics, and Associate in the Combating Terrorism Center at the United States Military Academy, West Point, New York. From November 2001 until March 2004, Major Hornbarger served as Director for Policy and Plans and later Director for Military Programs in the Homeland Security Council at the White House, where he was a principal member of the policy team that developed the *National Strategy for Homeland Security* and the President's proposal for the Department of Homeland Security. Major Hornbarger was the architect of the Terrorist Screening Center and Homeland Security Presidential Directive-6, and helped develop the President's initiative to establish the Terrorist Threat Integration Center (now the National Counterterrorism Center). Major Hornbarger was also principally responsible for United States-Canada homeland security cooperation, helping develop the US-Canada Smart Border Declaration and Action Plan, and coordinating US agencies in its implementation. He led the US interagency team that negotiated with Canada and Mexico to develop the security component of the Security and Prosperity Partnership, a trilateral accord to build on the success of NAFTA to achieve greater economic and security integration in North America. Major Hornbarger's military assignments include service in the Pentagon in the Office of the Chief of Staff, Army and the Office of the Deputy Chief of Staff for Operations and Plans (G-3), as well as command and staff positions in attack helicopter units, both stateside and overseas, including operational deployments to Somalia and Haiti. Major Hornbarger graduated from Princeton University and holds a Masters in Public Administration from the John F. Kennedy School of Government at Harvard University, where he was awarded the Lucius N. Littauer Fellowship for outstanding academic achievement and community service. He is currently a 2006 Senior Fellow in George Washington University's Homeland Security Policy Institute, and a member of Pi Sigma Alpha, the National Political Science Honor Society. Major Hornbarger is the author of *National Strategy: Building Capability for the Long-Haul in Homeland Security and Terrorism: Readings and Interpretations*.

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Jan Lane serves as Deputy Director of The George Washington University Homeland Security Policy Institute (HSPI), and oversees HSPI's policy development and research efforts, and grant funded training, including programs for first responders and health care professionals. In her role as Deputy Director, she interacts with federal, state and local government officials, private sector partners and the NGO community in the accomplishment of the Institute's mission and goals.

From 1990 through 2005, Ms. Lane worked for the American Red Cross most recently serving as the Vice President of Public Policy and Strategic Partnerships at National Headquarters. She was responsible for the development and communication of Red Cross positions on public policy issues at all levels of government, and oversaw strategies to accomplish the Red Cross's legislative and regulatory goals in Congress, the Executive Branch and at the state level. A major focus of her work has been collaboration

with the White House, the Department of Homeland Security and the Department of Health and Human Services to engage nongovernmental organizations in support of emergency preparedness and response, and public health initiatives. As Vice President of Government Relations from 1999 through 2004, Ms. Lane led the development of policy positions in biomedical services; disaster preparedness and response; international relief and development; and work with the Department of Defense in support of Armed Services Emergency Communications. She joined the American Red Cross in 1990 serving as Director of State Relations in Illinois, one of the first state relations programs for the organization. In 1994, Ms. Lane moved to congressional affairs and represented Red Cross Biomedical Services on Capitol Hill.

Prior to joining the American Red Cross, Ms. Lane served in the Office of Majority Leader of the Pennsylvania Senate; the administration of Pennsylvania Governor Richard Thornburgh; and worked with the District Office of Congressman Bob Michel (R-IL).

Seth M.M. Stodder

Senior Counsel, Akin Gump Strauss Hauer & Feld LLP

Seth M.M. Stodder is Senior Counsel at Akin Gump Strauss Hauer & Feld LLP, and specializes in national/homeland security policy, immigration, supply chain security, and customs law and policy issues, as well as appellate and constitutional litigation. Among other things, Mr. Stodder has advised companies on national/homeland security legal issues and business development strategy, DHS procurements (such as the Secure Border Initiative), and advocated for them in the Administration and on Capitol Hill.

Prior to joining Akin Gump, Mr. Stodder served in the U.S. Department of Homeland Security (DHS) as Director of Policy and Planning for U.S. Customs and Border Protection (CBP) and Counselor / Senior Policy Advisor to Commissioner Robert C. Bonner. In that role, Mr. Stodder helped create and implement such key post-9/11 homeland security initiatives as the Container Security Initiative (CSI), the Customs-Trade Partnership Against Terrorism (C-TPAT), the Arizona Border Control Initiative, the National Border Patrol Strategy, and other efforts to secure the borders, seaports, and airports of the United States, as well as to secure and facilitate the international movement of people and commerce. He was also deeply involved in working to create DHS.

Mr. Stodder is a Senior Associate with the Center for Strategic and International Studies (CSIS), and a Senior Fellow with the George Washington University Homeland Security Policy Institute. Mr. Stodder served on the CSIS-Heritage Foundation task force that wrote *DHS 2.0: Rethinking the Department of Homeland Security*, which substantially influenced DHS Secretary Chertoff's reorganization of DHS through his "Second Stage Review." In Fall 2006, Mr. Stodder will be an Adjunct Professor of Law at the University of Southern California Law School, teaching a class on homeland security law and policy issues.

Mr. Stodder is also a frequent writer and media commentator on homeland security, immigration, and border security issues. Most recently, he published pieces in the *New Republic Online*, the *Washington Times*, and the *San Diego Union Tribune* on various homeland security and border related issues. Mr. Stodder has also presented congressional testimony on border security, most recently before the House Homeland Security Committee's Subcommittee on Management. Mr. Stodder is a 1991 graduate of Haverford College and a 1995 graduate of the University of Southern California Law School.

George Vradenburg

Chairman, Vradenburg Foundation

George Vradenburg is President of the Vradenburg Foundation.

Prior to December 2003, Mr. Vradenburg was Strategic Advisor, AOL Time Warner. Mr. Vradenburg joined America Online as Senior Vice President and General Counsel in early 1997 and in 1999 was named Senior Vice President for Global and Strategic Policy. In January 2001, Mr. Vradenburg was named Executive Vice President for Global and Strategic Policy for AOL Time Warner. In these roles, Mr. Vradenburg set the Company's strategy to create a policy framework for the Internet and media designed to cultivate the Internet's global economic, social and civic contribution.

Prior to joining America Online, Mr. Vradenburg served as Senior Vice President and General Counsel of CBS Inc., and as Executive Vice President of Fox, Inc. He also served as a senior partner in the Los Angeles office of Latham & Watkins and as co-chair of its Entertainment & Media Practice Group.

Mr. Vradenburg is a member of the Private Sector Senior Advisory Committee of the Department of Homeland Security's Homeland Security Advisory Council; and he has also chaired business and nonprofit Task Forces on Emergency Preparedness for the Greater Washington Region. Mr. Vradenburg serves as Chairman of The Phillips Collection (the nation's first modern art museum), The Potomac Conference (a regional leadership organization of the business, civic and public sectors) and the Alliance for Regional Stewardship (a national nonprofit committed to more effective regional decision-making). Mr. Vradenburg also serves as vice chair of the INOVA Health System Foundation and the DC Education Compact. He serves on the board of Human Rights First, The Greater Washington Board of Trade, The Community Foundation for the National Capitol Region, the Survivors' Fund (for the families of 9/11 victims at the Pentagon) and the Washington Scholarship Fund. With his wife Trish, Mr. Vradenburg co-chairs the National Alzheimer's Gala in Washington DC and publishes Tikkun Magazine (a Jewish and Interfaith Critique of Politics, Culture & Society).

In recognition of his community service, Mr. Vradenburg has received the Outstanding Community Leadership Award, the Golden Links Award from the Greater Washington Board of Trade and the Bridge Builders Award from the Partners for Livable Communities.

Mr. Vradenburg received his B.A. from Oberlin College magna cum laude, where he was elected to Phi Beta Kappa, and his J.D. from Harvard Law School. His wife Trish is a TV sitcom writer, a playwright, book author and magazine and newspaper columnist; his daughter Alissa is a Talent Manager in Los Angeles, and his son Tyler is a teacher and football coach in Chicago.

Christine E. Wormuth

Senior Fellow, Center for Strategic and International Studies

Christine E. Wormuth is a Senior Fellow in the International Security Program, where she is working on defense and homeland security issues. Ms. Wormuth is currently leading a study at CSIS looking at the role of the National Guard and Reserves in the 21st century, as part of the Center's Phase III Beyond Goldwater-Nichols effort. The study is examining future roles and missions of the reserve components, how they should be organized, trained and equipped, and how the social compact with citizen-soldiers may need to be adapted for the future. Ms. Wormuth also was one of the principal authors of the Center's Beyond Goldwater-Nichols Phase II project, writing the chapter on elevating and strengthening homeland security policy. She was a major contributor to the CSIS Steadfast Resolve project, a homeland security simulation exercise that explored how to help senior leaders manage risks during the response to a terrorist attack on U.S. soil.