

## Department of Homeland Security: Realizing the Vision

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## **Introduction**

The Department of Homeland Security (DHS) celebrated its fifth anniversary recently. Five years is a good time to take stock of the department and what adjustments the new President might make to improve its performance. The seminal question is was it worth it? Has the formation of DHS added value to the federal government by keeping the American people safer? Are we better off now than we were before 9/11?

There have been some Department successes and some failures over the past five years. Operation Liberty Shield, the first time the Federal Government put the United States homeland into a higher state of readiness in anticipation of possible terrorist attacks, came off without a hitch. DHS is getting a handle on the hundreds of millions of border crossings that occur each year into the United States. Air travel aboard U.S. carriers is safe and the Department is very close to achieving, if it has not already done so, its goal of screening and scanning every one of the seven million cargo containers that enter this country each year. Critical infrastructure protection has been straightened out and is working extremely well. These are not inconsequential achievements for a Department that has just turned five. There have also been failures. FEMA's infamous staged press conference, setbacks in the border surveillance system, contaminated trailers, extremely poor personnel and contracting systems, and the state of cyber security come to mind. Then there is Katrina, Katrina, Katrina. On balance, however, looking at the entire department the positives outweigh the negatives.

It is also worth noting the Department's experience in the federal interagency. In some respects, the entry of DHS into that arena was like introducing a foreign object into the human body. The existing members viewed DHS as a threat and like the human body they began producing antibodies to either kill or expel the intruder. The attacks started before DHS was even born. In January 2003, President Bush, at the urging of the CIA and other intelligence agencies, created the Terrorist Threat Integration Center to handle all terrorist related intelligence. He placed it under the CIA's direction, a move that effectively gutted DHS' intelligence authorities. The President's decision signaled the beginning of an interagency war that followed a predictable pattern. Other departments and agencies would move to strip away DHS authorities, a series of meetings and DHS objections would follow, White House homeland security staffers would side with whoever wished to profit at DHS' expense, and the Department would be left alone to plead its case to senior White House decision-makers. It almost always lost.

The interagency battle has not been all bad, however, because it forced DHS to demonstrate its value added. The fact that DHS has been able to perform exceptionally well in some cases despite being constantly under Congressional and bureaucratic fire is probably the strongest evidence of its value proposition and of its potential future contributions to the well-being of the American people.

There is also the issue of the Department's failures having received much more publicity than its successes. Its achievements have largely gone unheralded while its miscues have been held up to public ridicule by the administration's political opponents and by pundits who opine without a lick of operational experience. The public's perception is of an organization that is struggling to become marginally competent.

DHS has encountered considerable adversity in its first five years; some of it of its own making. Despite that, it has made considerable progress and the United States is much safer today than it was five years ago. It is not as safe as it could be, however. DHS is not as good as the White House claims, nor as bad as its critics suggest. It is a five year old organization that has had some significant successes and some significant failures. It has garnered some wins, suffered some losses, and has emerged from a five year interagency knife fight weakened but still moving forward. For DHS, a new administration cannot come soon enough. It is time turn the page and the challenge for the next administration is to provide DHS with guidance for change while preserving the good that has already been achieved.

## **The Strategic Four**

DHS operates in strategic, operational, and tactical environments. Its strategic realm is dominated by external forces; specifically by the threat, the White House, the Congress, and the interagency. Its operational and tactical realms are primarily internal. The operational level focuses on DHS activities as a department and the tactical level occurs at the point where DHS programs provide services to the American people.

There are important changes the next President can make in all three environments to improve DHS. Some of them will produce immediate results; others are long term. They are concentrated at the strategic and operational levels because at the tactical level DHS is functioning as well as any other federal department. There are four strategic changes that need to be made.

- The Homeland Security Council. The Homeland Security Council (HSC), particularly the HSC staff, needs to be reformed. It was created for a different environment in which there was no DHS and it has failed to adapt to the reality of the new Department. Between 9/11 and the Department's birth, the HSC staff served as a de facto White House operational staff that attempted to

exercise day to day control over the federal government's actions. After DHS came into being, the staff failed to transition its focus from operational control to policy development and oversight. It has resisted giving up its operational role and has continued to assert the authority to direct day to day DHS operations. The resulting tension has contributed to distrust between the White House and the Department, poor DHS performance, and the White House's failure to act as an honest broker in the interagency process. The problem is exacerbated by the relative inexperience of HSC staff members when compared with those of the National Security Council (NSC).

The importance of removing HSC staff involvement from DHS operations cannot be overstated. The Department of Defense (DoD) and DHS share the challenge of mounting operations that require them to synchronize the functions of large bureaucratic organizations. DHS operations, however, are much more complex than military operations because the synchronization must be done within a domestic political framework that requires the integration of federal, state, and local authorities and a governing environment that has overlapping and often conflicting jurisdictional authorities. They require large full time staffs manned by experienced professionals to execute. We have once again failed to learn the lessons of Iran-Contra. White House staffs are good at policy formulation and oversight, not operations. We do not allow them to meddle in the conduct of military campaigns yet we have looked the other way when it comes to more complex homeland security operations.

The Homeland Security Council Principals Committee and Deputies Committee should remain as they are because they provide important senior level policy input. The HSC staff, however, should be downsized and incorporated into the National Security Council staff. There should be a deputy National Security Advisor for Homeland Security who focuses on homeland security policy, a deputy National Security Advisor for Foreign Security who focuses on foreign diplomatic and military policy and the National Security Advisor who integrates both functions to form a seamless national security system. The President-elect needs to reaffirm that the HSC staff is responsible for policy development and oversight and that it has no operational authority over DHS activities.

- Congress. There are 86 committees and subcommittees of Congress that assert some form of jurisdiction or oversight over DHS. It is a mess. They divert untold numbers of man-years in staff time away from critical missions to answer requests for testimony, documentation and other information; and they unnecessarily involve the Department in partisan politics. Much of what they request is duplicative of what other committees request but the Department is forced to deal with them individually. Moreover, they have begun to make legislative proposals to transfer elements out of DHS and to force the co-sharing of DHS authorities with other departments. Much of this legislative action is

designed to gain committee jurisdictional advantages over competitor committees rather than to promote the good of the Department or of the nation.

The Bush Administration has taken a “hands off” policy and has left the Department to fend for itself with respect to Congress because the oversight issue involves the Congress’ internal organization. The new President needs to change that policy. DHS is in real danger of being further weakened by the internecine bickering of Congressional committees more intent on preserving their committee jurisdictional prerogatives than on helping the Department to protect the American people. Only the President can make the case that Congress is acting irresponsibly. A legislative priority of the new administration should be to address the number of Committees to which DHS must respond. Whether by Congressional action or by executive order, DHS should be required to respond to a single, principal point of oversight and review in the House and in the Senate. The new President and Congressional leaders must address this issue. Politically, it may be an undesirable discussion to have but it is necessary for the Department’s well-being.

- The Interagency and Homeland Security Presidential Directive 5. The position of DHS within the interagency needs to be strengthened and this requires both White House and Congressional support. Homeland Security Presidential Directive 5 (HSPD-5) issued on February 28, 2003, offers a case study in how the interagency has worked to weaken the Department’s ability to protect the American people. The administration heralded HSPD-5 as a giant step forward in integrating the federal response to terrorism. It wasn’t. It was really like an insurance policy that permitted the other federal agencies to maintain the status quo.

Before 9/11, Presidential Decision Directives 39 and 62 governed the federal government’s homeland security activities. They reflect the Clinton Administration’s effort in the face of squabbling federal agencies to create a compromise chain of command to manage major incidents. The FBI was responsible for preventing attacks and for capturing terrorists. FEMA was responsible for directing the federal government’s emergency response activities. The CIA was in charge of intelligence and information sharing. HHS worked the response to medical emergencies, and DoD had responsibility for defense of the nation’s airspace and for military support to civil authorities. The approach produced an uncoordinated and dysfunctional system. Following 9/11, the HSC was created to bring some order to that system but when that proved to be too difficult, DHS was born. The Department’s reason for being was to build integrated federal government prevention and response capabilities.

The DHS enabling legislation gave the new Department the authority it needed to coordinate the federal homeland security effort. Almost immediately, however, efforts commenced to “clarify” how it was supposed to carry out its

assigned tasks. The result was HSPD-5. It begins by stating that “To prevent, prepare for, respond to, and recover from terrorist attacks, major disasters and other emergencies, the United States Government shall establish a single comprehensive approach to domestic incident management...” The words are quite lofty and they reflect what DHS was supposed to achieve. They are like the preamble in a general liability insurance policy, however. The real coverage is defined by the policy’s exceptions and exclusions. Although the DHS Secretary is designated as the principal Federal official for incident management, he is not responsible for preventing attacks on the homeland. That responsibility was excepted and assigned to the Attorney General. Responsibility for assessment of threat intelligence was returned to the intelligence community and the Department of Health and Human Services recaptured its responsibility for emergency medical management. The Secretary of Defense was given exclusive authority to control and direct all military operations to defend or support the homeland. The President’s Homeland Security Advisor reserved for itself the responsibility for coordinating interagency decision-making for foreign and domestic incident management.

What is left after the exceptions are enumerated is a document which leaves the DHS Secretary with responsibility for integrating the actions of the agencies that make up his own department. Even that, however, was taken away from him following Hurricane Katrina. Now the FEMA director reports directly to the White House during emergencies as he did before 9/11. Far from establishing a single comprehensive approach to domestic incident management, HSPD-5 returned the situation to what it was before the 9/11 attack. It is a case study in status quo ante policy shifting in the name of progress. As a result we have continued to witness miscommunications, turf fights, and poor coordination of the federal effort.

The fix is easy to describe, hard to do because it requires returning to the original legislative intent. Policy formulation and prioritization must remain with the White House and the Congress, but the DHS Secretary needs to be in charge of coordinating the federal government’s homeland security prevention and response operations. It is important to emphasize that this is a coordinating function not an operational control function. What that means is that the Secretary is entitled to be kept informed of all activities by any Federal agency that affect homeland security and to recommend steps that will enable each agency to carry out its homeland related duties in a manner that complements the efforts of other agencies and helps to unify the effort. In cases where the Secretary disagrees with what the other agencies are doing, he may raise his concerns with the Homeland Security Council and/or with the President. It is a function that the Secretary and the Department are well suited to perform.

- Presidential Personnel. In the final analysis, good operations are about good leaders. Good leaders can take a flawed organization and do great things. Poor leaders cannot achieve much with the best of organizations. The Bush Administration has a penchant for naming young and/or inexperienced people to positions that either direct or influence homeland security operations. To be fair, at the beginning there were not many people with operational experience in the field. That number, however, has increased over the past five years but without much effect on the quality of Presidential appointments. The willingness of the White House to appoint unqualified people to senior staff positions on the HSC and to senior operational positions within the Department creates significant risk for the Department and for the American people, as was clearly shown during Hurricane Katrina.

Professional personnel are critical to the future of DHS because it is unlike any other federal department for two very important reasons. First, you can take a competent but inexperienced person and place him or her into senior positions in most other federal departments and agencies because such organizations have seasoned, professional civil service executives and employees who understand the organization's mission, roles, and functions; its operating procedures and constraints; and, most importantly, how to employ the levers of federal power to make the organization work. They have institutional memory and they both educate appointees without experience and serve as a check on their actions should they stray too far from the norm or otherwise jeopardize the enterprise. Not so with DHS. While it has many seasoned civil servants within its sub-agencies, it has very few departmental level senior officials who understand the Department's broad charter, how to operationalize the strategic guidance coming from the White House and the Congress, or how to integrate its disparate functions into unified homeland security operations. In short, the Department currently lacks a mature professional staff at the enterprise level to minimize the mistakes of novice political appointees.

Second, the mission of the department, protecting the homeland, is both extremely complex and extremely important. Failure to perform it competently results in the loss of life. The selection of personnel for senior DHS positions requires the same attention to relevant knowledge, experience, and professionalism as exists with respect to senior appointments in DoD. We cannot afford to allow DHS to become what FEMA once was, a dumping ground for party loyalists or failed political candidates. Being "a good guy" is not a qualification for managing large scale security and response operations.

The personnel challenge has been made more difficult by the belief that senior state emergency management officials can migrate to Washington and fix what is wrong with DHS. It is a false premise because the current problem at DHS isn't a lack of knowing how to conduct state emergency management

operations. It is a lack of knowing how to make the federal levers of bureaucratic power move to do what needs to be done. There is no one more qualified than senior state officials in setting requirements during an emergency situation. They are more familiar with the incident site, the people involved, and they know what personnel and equipment are necessary to address whatever the problem might be. They are not familiar, however, with the federal bureaucratic system and they know very little about how to make it respond to senior policy direction. That is done by federal professionals, particularly members of the senior executive service, and their knowledge of what to do comes from years of experience and service in the trenches. DHS presently does not have the benefit of this critical population of senior civilian cadre at the enterprise level. Attempting to provide that expertise with political appointees who have no operational experience or state officials who have never worked in the federal system simply does not work.

The new President obviously cannot become personally involved in the selection of every political appointee in DHS, but there can be clear direction given to the officials charged with appointing the people who will oversee and run DHS. The Department needs senior political appointees with the knowledge, experience, and ability to do the job and experienced career senior executives at the enterprise level to support them.

### **The Operational Four**

There are a number of changes that should be made at the operational level to improve the Department's ability to implement the national strategic guidance emanating from the White House and the statutory and budgetary guidance coming from the Congress. There are four important operational changes.

- Integration. During the decade immediately preceding 9/11, various boards and commissions examined the question of homeland security and the federal government's inability to mount an effective response to the threat. They concluded, without exception, that much of the problem was attributable to the unwillingness of federal agencies to voluntarily cooperate with each other to get the job done and that reliance upon a single individual – even the President – to force such cooperation was unrealistic.

Following 9/11, the HSC and its staff were created to assist the President integrate federal operations and when that proved inadequate, DHS was created. The Department's greatest potential is the integration of the federal homeland security effort and its greatest threat is tribalism. The Department will succeed if it creates unified federal operations; it will fail if the interagency and/or its own subordinate units act in an independent and uncoordinated manner. Integration should be the new President's number one mandate to the Department.

A major obstacle to the achievement of this goal is the Department's original design because it failed to provide for an entity with enterprise-wide authority to coordinate with the interagency and to compel the operational integration of its own subordinate units. Without such a staff, the Department will be unable to perform a government-wide coordination role and is itself in danger of becoming Balkanized. Unfortunately, the Department has made decisions that reinforce the present trend toward uncoordinated activity.

Secretary Chertoff's signature initiative upon becoming Secretary was to conduct a "second stage" review to reorganize the department. The only document that ever emerged publicly from this "2SR" effort was an organization diagram that increased the number of direct operational reports to the Secretary from six to fourteen. There are no publicly available written assessments regarding the perceived impact of this decision, no analysis of the pros and cons, no statement of principles governing unity of command, not even a description of how the elements of the new structure were intended to work together. This organizational "flattening" appears to reflect a commitment to business management practices that promote organizational flexibility and a networked structure of profit centers that deliver services to customers. The problem with that approach, as DoD learned so well during the McNamara years, is that security organizations do not exist to produce profits and the latest corporate management techniques do not always fit their cultures. The move to flatten the Department's organization and increase the number of direct reports when it is still threatened by tribalism and has yet to establish an overarching organizational culture is somewhat problematic because it makes the internal and external coordination of operations exponentially more difficult.

As an enterprise, DHS must do two things. It must integrate federal homeland security operations and it must build a department-wide culture of selfless service to the nation. There are seven homeland security functions that must be brought together within the Department, and across the Federal Government, to create a unified national effort: information (intelligence), critical infrastructure (targets), transportation security (avenues of approach to the targets), borders (defense in depth), law enforcement (interdiction and defense forces), response (emergency management and mitigation), and command and control. The original organizational structure envisioned coordinating these seven functions through three operational directorates: Borders and Transportation Security, Intelligence and Infrastructure Protection, and Emergency Preparedness and Response; and an Integration Staff. The "2SR" effort disbanded the existing enterprise-wide integration staff and fractured the three directorates into seven independent organizations. The resulting structure depresses rather than promotes department-wide synchronization, integration, and unity of effort.

In addition to the problems created by the "2SR", it is also important to recognize that despite FEMA's repeated missteps and the hoopla about homeland security grants, DHS, first and foremost, is a security service that has the Federal Government's largest concentration of sworn police officers. The convergence of multiple police organizations into the Department has not been without its challenges because each organization came with its own distinct culture and its own way of doing business. The U.S. Secret Service, CPB, ICE, TSA, the Federal Protective Service, and even the U.S. Coast Guard when it is exercising its police powers are simply not used to working together. Integrating DHS operations requires a mechanism that is able to overcome the inherent reluctance of all police organizations to share information and find ways to coordinate their activities into a unified effort.

That is a hard thing to do because in the absence of an integration staff, the only positions within the Department that can collect the information and make the decisions that are necessary to unify its efforts are the Secretary and the Deputy Secretary. Neither of them, however, has the time nor the staff to do so. Operations integration requires significant interaction on a day to day basis between the integrating authority and subordinate agencies whose actions are being coordinated. There are literally hundreds, sometimes thousands, of details involved in the execution of large, homeland security operations. It is a complex business that requires expertise, experience, and attention to detail. The disastrous response to Hurricane Katrina occurred in part because of the White House and the Department's failure to understand the role that integration staffs play in large operations. Under Secretary Ridge, an integration staff was created by drafting personnel from subordinate agencies. It was given responsibility, among other things, for maintaining situational awareness for the Secretary during crisis operations. This new staff had planned for large scale Department operations and had been trained and exercised to collect information and to provide the necessary Department level oversight during emergency response operations. It was never used during Hurricane Katrina. Instead, the Department's senior leadership chose to permit FEMA to operate independently and without adequate Department oversight during the first few days following the storm. It was not until the U.S. Coast Guard, an organization with operational staffs that understand large operations, was placed in charge that things in New Orleans began to turn around.

Finally, the existence of sixteen direct operational reports represents a span of control that is too large for the Secretary, or even the Secretary and the Deputy Secretary, to properly manage. The effort to adopt a flattened organizational structure favored by private enterprise fails to recognize that government organizations do not exist to make profits and that they operate within constraints that do not exist in the corporate world. Senior leadership,

particularly in a government security service, needs to be kept informed and its involvement in critical operational decisions is often required. During rapidly evolving crisis operations, a span of control that is too large inevitably creates miscues and poor coordination among subordinate units. During routine operations, it produces a backlog of decisions that robs the Department of the very flexibility a flattened organizational structure is designed to create. DHS is currently operating with an organizational structure that produces both of these results.

Unfortunately, DHS must undergo yet another reorganization to reduce the Secretary's span of control and to bring its command structure into line with the operational functions that it must integrate. It is imperative that the Department create an enterprise wide operations staff that has authority to act on behalf of the Secretary to synchronize and to integrate the activities of its subordinate agencies. The Department may want to leave the seven operating agencies that originally made up its three directorates as they are to minimize the impact of yet another organization on Department personnel. However, the creation of a staff with authority to act on behalf of the Secretary to integrate their operations is a must. This staff's authority should include the ability to direct the resources of component agencies toward the execution of common operations.

- A Common Culture of Selfless Service. The Department is awash in organizational cultures. Its challenge is to build a common culture of selfless service to the nation while preserving the best of the existing cultures. There are three things it must do to achieve this goal: create a Department level structure of professional, career operations personnel; centralize responsibility at the Department for all professional education; and create a Department-wide central promotion system.

The standard promotion pyramid exists within each of the Department's agencies. It enables individuals to compete for a decreasing number of available positions of ever greater responsibility as they move up the career ladder. There is very little upward mobility for career employees at the enterprise level, however. There is no organized structure of enterprise positions to which career employees can aspire. This has two important ramifications. First, because there is little opportunity for advancement to enterprise-wide positions and what opportunity that does exist is poorly understood by the workforce, top performers tend to focus on the priorities of their own agencies as opposed to those of the Department. Second, as the number of available senior level positions constrict within each agency, there are very talented career people with the capability to perform critical enterprise-wide tasks who have no organized career path to do so. Both of these factors tend to strengthen the component agencies at the expense of the Department as an enterprise. The result

once again retards rather than promotes Department-wide integration and unity of effort.

A structure of senior career positions should be established at the enterprise level and focused on four areas: policy, operations, professional education, and promotions. The result would promote enterprise integration and help to build a common culture. Policy is self explanatory. It sets broad Department goals and promotes programs to achieve them. Operations refers to the integration staff or to some similar entity that is charged with synchronizing and integrating the operations of the Department's subordinate elements. It is the Secretary's integration staff.

With respect to professional education, DHS currently has no Department-wide professional education system to train its employees. The professional development opportunities that do exist, for the most part, mirror its upward mobility paths. They are sponsored and delivered by the subordinate agencies and are designed to develop the skill sets needed by those agencies to do a sub-set of enterprise tasks. There are virtually no educational courses that teach employees about the mission of the Department as a whole and about the contributions of each subordinate agency to the achievement of that mission. Thus the Department's education system, like its promotion system, focuses employees not on the collective enterprise but rather on its component parts. The result is career professionals who do not understand the Department's wider mission or what is required to achieve it.

What is needed is a system that provides entry, intermediate, and senior level professional education that in addition to the unique skill sets resident in the subordinate organizations also begins to teach Department employees about the enterprise's wider mission. As employees rise in their respective agencies, the emphasis upon intra-department teamwork, values, and operational integration should increase and culminate in a war college like educational experience for those employees selected to work in senior positions at the Department level. The path to senior Department leadership should concentrate increasingly on the enterprise mission and on the need for unity of effort to achieve it as employees rise toward top management positions.

In every organization, promotions reflect what is valued. That is the seminal lesson of DoD under Goldwater-Nichols. For years, the Congress struggled to promote joint operations by creating a culture of cooperation among the military services. It just didn't happen. Then in 1986, Congress simply mandated that as a matter of law joint service was a prerequisite for officers to be selected for promotion to the senior grades. Suddenly the best and brightest officers in each service began competing for available joint service billets. The result was the creation of integrated operations, a joint service culture of cooperation, and the greatest joint warfighting capability the world has ever seen.

That is what needs to be done at DHS with a modification that qualifications and selection of individuals for promotion to the DHS Senior Executive Service should be controlled by senior Department professionals as opposed to officials resident in the subordinate agencies. This will help to build a common culture of selfless service by reinforcing Department values, policies, goals and operating procedures.

- Regions. At the outset, it is worth stating briefly the obvious because it is easy to lose sight of it in a discussion about regions. DHS was created because five years ago the way existing agencies were being operated failed to protect the American people. The Department's critics argue that there is nothing to be gained by combining twenty-two separate agencies into one except to create additional bureaucratic overhead. There is merit to their argument if the Department continues to do business as its individual agencies did five years ago. If marginal improvement of the existing capabilities of the subordinate agencies is the Department's strategic objective, then its critics are probably right and its future is – at best – to become yet another mediocre Washington bureaucracy.

It is important to emphasize that DHS was designed and built around an architecture composed of seven homeland security functions – information, critical infrastructure, transportation security, borders, law enforcement, response and command and control - precisely because this architecture is scalable and applies equally well to the states and to the nation's communities. Each state and locality has a wealth of information about the people, organizations, infrastructure, transportation systems, law enforcement, response capabilities, and the threats within its geographic boundaries. Each has critical infrastructure that is essential to the welfare of its citizens. Each has transportation systems that serve as potential avenues of approach for those who would do their residents harm. Each has borders which permit them to concentrate and focus their attention on a specific, defined area of interest. Within their geographic jurisdictions, each has law enforcement and response assets that help them to protect their citizens and each has a command and control system for employing those forces. In short, the Department's architecture is scalable and it enables the federal government to complement and to support the actions of state and local jurisdictions.

From the Department's perspective, the problem of trying to manage a major incident within the complexity of our federal system of government is one of horizontal and vertical integration. Synchronization and integration of federal prevention and response operations must occur horizontally between federal departments and agencies. That is what DHS was created to do. It must also occur vertically between the federal government and the governments of the states and localities where the incident occurs. That is the critical issue in federal incident management operations because the smooth synchronization and

integration of federal, state, and local government efforts is what permits Federal capabilities to be applied effectively at the state and local levels.

Vertical integration between federal and state, and local governments is a function that cannot be performed effectively from Washington. Neither DHS, nor any other federal bureaucracy, receives timely first-hand knowledge about rapidly changing requirements at an incident site. They also lack understanding of the complex mix of state and local laws, customs, personal relationships, and operational capabilities with which the incident must be managed. For example, in the event of a major disaster how will Washington assess what critical infrastructure or transportation systems or border issues, or first responder assets, or even information is important to the State of Oregon, or to the State of Vermont; or to the City of El Paso or to the City of Duluth? A bureaucracy capable of addressing these issues for each of the 54 states and territories and the multiple thousands of municipalities in the United States would be huge, ponderous and cost prohibitive. Although military metaphors are not always appropriate for civilian incident management operations, in this case at least one is. The closer people are to the site of the action, the better qualified they are to make decisions concerning what needs to be done and how to do it. That observation is true for military operations and it is true for homeland security operations, particularly when it comes to disaster management. The closer federal authorities are to the incident site the greater the likelihood that federal assistance will be delivered effectively to incident managers on the ground. In its current configuration, DHS is too centralized to support the states effectively. It needs to decentralize and to professionalize its operations.

DHS should decentralize the operations of all subordinate agencies into no more than ten uniformly aligned regions. A professional member of the Senior Executive Service should be appointed for each region, given a staff that reflects the Department's operating elements in the region, and made responsible for the coordination and integration of all regional operations. His mission is to carry out DHS operations in the region in a manner that maximizes the capabilities of its subordinate agencies and to support state and local governments and to help them build homeland security capabilities, prepare for catastrophic events, and bring Federal resources to bear as needed. Regional directors should not be political appointees but rather career civil servants who have significant homeland security experience and who meet defined educational and job performance requirements for SES level service. Regional directors report directly to the Secretary and they are accountable for what does or does not happen within their territories. They should be given the resources to accomplish their missions and the freedom to manage them.

The role of DHS headquarters in a decentralized, region based structure is to manage enterprise wide systems. It must set the objectives, devise the

strategy to achieve them, and obtain the resources to ensure success. It deals with budget, congressional authority, public and legal affairs, manpower, training, equipment, doctrine and the interagency. It establishes Department policy and provides oversight to ensure that its programs are being properly executed. It manages national level incidents and directs programs that are national in scope. In short, it operates at the strategic level, provides oversight for on-going programs, and positions the enterprise for future success.

- FEMA. The role of FEMA in the Department will no doubt surface again following the election. The position of the President-elect will likely decide whether it remains as part of DHS or returns to its former status as a separate agency. FEMA has been the number one tribe in DHS and has worked since the beginning to act independently of higher headquarters oversight and to remove itself entirely from the Department. It succeeded in acting independently during Hurricane Katrina with disastrous consequences for everyone involved. There is something to be said for simply excising this troublesome, historically ineffective agency from the Department but the better course of action for the American people is for FEMA to remain a part of DHS.

It is important to understand what FEMA is and what it is not. It is a very small agency, approximately 2,500 people, which was originally created to perform two functions: 1) coordinate the emergency response support of other Federal agencies to state and local governments, and 2) reimburse such agencies and the state and local governments they help for the expenses incurred in connection with a major disaster. It is important to emphasize that the federal muscle which FEMA uses to get things done does not reside in FEMA itself. It belongs to the other federal departments such as Transportation, HHS, Energy, and as a last resort in DoD. As presently constituted, the entire FEMA organization is less than the size of one Army brigade. When it finishes incorporating its part-time responders into the structure, it will be about the size of one Army brigade plus one battalion. Somehow the public has gained the impression that this small structure, a goodly portion of which is devoted to its banking function, is the expert at managing disasters throughout the United States and its territories stretching from Maine to Guam.

The reality is that FEMA operates best when it cedes operational authority to state and local emergency management authorities and concentrates on creating a stream of logistics support from the federal government to the incident site. Since its creation in 1979, FEMA has been faced on two occasions with situations that have required it to act independently of state and local authorities and itself manage large scale operations to save lives and protect property; Hurricane Andrew and Hurricane Katrina. On both occasions, it failed spectacularly. This is because FEMA simply does not have the operational capabilities to meet the public expectations that, by design or by accident, have

arisen around it. Its poor performance in both cases was also exacerbated by unqualified leadership.

FEMA is of sufficient size and has sufficient capability to support state emergency management organizations that are functioning effectively at an incident site. It does not, however, have the operational planning and execution capabilities to provide independent emergency management in catastrophic situations where state and local response efforts are failing. It can be a great organization that performs a terrific service for the vast majority of emergencies likely to befall the nation but it is simply too small to manage independently large, complex response operations. It should stay within DHS because in the absence of other more robust operational capabilities that exist within the Department to help it, specifically within the U.S. Coast Guard, FEMA will fail again the next time it is confronted with a truly catastrophic event that requires independent action.

There are two viable alternatives with respect to FEMA. The first strengthens FEMA's operational capabilities to support state and local governments to manage routine events, but recognizes that it has neither the size nor the expertise to independently support truly catastrophic events where state and local efforts are insufficient. In such cases, the Secretary should designate FEMA as the supported DHS agency with responsibility for providing strategic direction for management of the incident and the U.S. Coast Guard as the supporting DHS agency with responsibility for executing support operations at the incident site. This approach simply formalizes what occurred during Hurricane Katrina when the U.S. Coast Guard took over and managed events on the ground.

The second alternative removes incident management and support operations from FEMA and assigns them to the U.S. Coast Guard, which has the planning and operations expertise to carry them out. FEMA becomes the Department's preparedness directorate and continues to serve as the Federal bank to reimburse other Federal agencies and state and local governments for the work they do in times of crisis. This approach has two advantages. First, FEMA already manages the Department's Homeland Security Grants Program as well as several other grants programs. Making FEMA responsible for preparedness would marry preparedness policy formulation, prioritization, and administration with program management. Second, the skill sets for the program management of grants and reimbursement programs are quite different from what is required for operations planning and execution. This approach would enable FEMA to concentrate on developing expertise in an area that is critical to Federal support of state preparedness and emergency management while leaving the management of operational and tactical operations to those better equipped to do so.

## **The Tactical Good News**

Apart from occasional mistakes and the routine adjustments that characterize the operations of all Federal departments and agencies, there is nothing wrong with DHS tactical level operations and the employees who work to implement them. Except perhaps in times of war, DHS delivers more services directly to the American people every day on a greater scale than any other federal agency. Every day, DHS employees handle, more or less, sixty thousand trucks and containers at its ports of entry, six hundred fifty ships at its seaports, three thousand commercial aircraft landings, and three hundred fifty thousand vehicles crossing its borders. Its officers will arrest about three hundred fifty people; seize thousands of pounds of illegal drugs; confiscate currency, arms, ammunition, agricultural products, and other merchandise; screen about two million air passengers; save at least ten lives and assist about two hundred others in distress; conduct in excess of one hundred search and rescue operations; interdict illegal migrants at sea; and maintain over ninety security zones around key infrastructure in major ports or coastal zones. They deploy somewhere near four hundred thousand vehicles, over one hundred aircraft, and even about a hundred horses each day. They are proud, they work hard, they do it all every day to protect the American people and they deserve the same respect as our soldiers. They are not getting it.

DHS has been the whipping boy for the administration's political opponents and for the pundit class for too long. The criticism has been overdone; it is affecting morale and causing capable employees to go elsewhere in the federal government or to simply leave altogether. The Department needs champions; in the White House, in the Congress, and in the Department itself. Note the word is champions, not cheerleaders. The fact is that if given the chance to meet clearly defined standards, a White House and Congress disposed to help instead of meddle, and a dose of good leadership DHS employees will achieve remarkable results for the nation.

## **Conclusion**

Ultimately these recommendations involve a question of will. They will require the new President to leave the familiar safety of Washington business as usual in favor of striking out to create a new 21<sup>st</sup> century agency that exists to serve the nation's states and localities. The challenge is more than just opting for change. It will entail the requisite political will to move forward in the face of those who will call for a safe consensus that drifts back toward the status quo. DHS was the product of a bold vision and bold visions do not become a reality by the consensus approval from the status quo. That status quo has failed the American

people and it will do so again. DHS has the mission and the requisite capabilities to succeed. Now it is time for the new President to lead.