

Protecting the Homeland from the Department of Homeland Security

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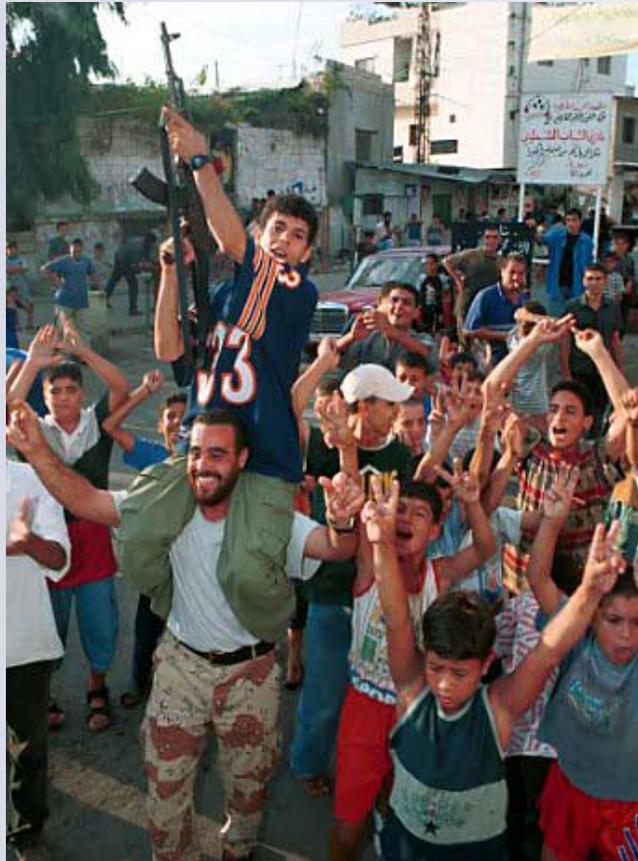
Fears - Terrorism

- *"If it is true that I have acquired [chemical or nuclear] weapons, I thank God who has made it possible. And if I seek to procure such weapons, it is a duty."*



- Osama Bin Laden

Fears - Terrorism



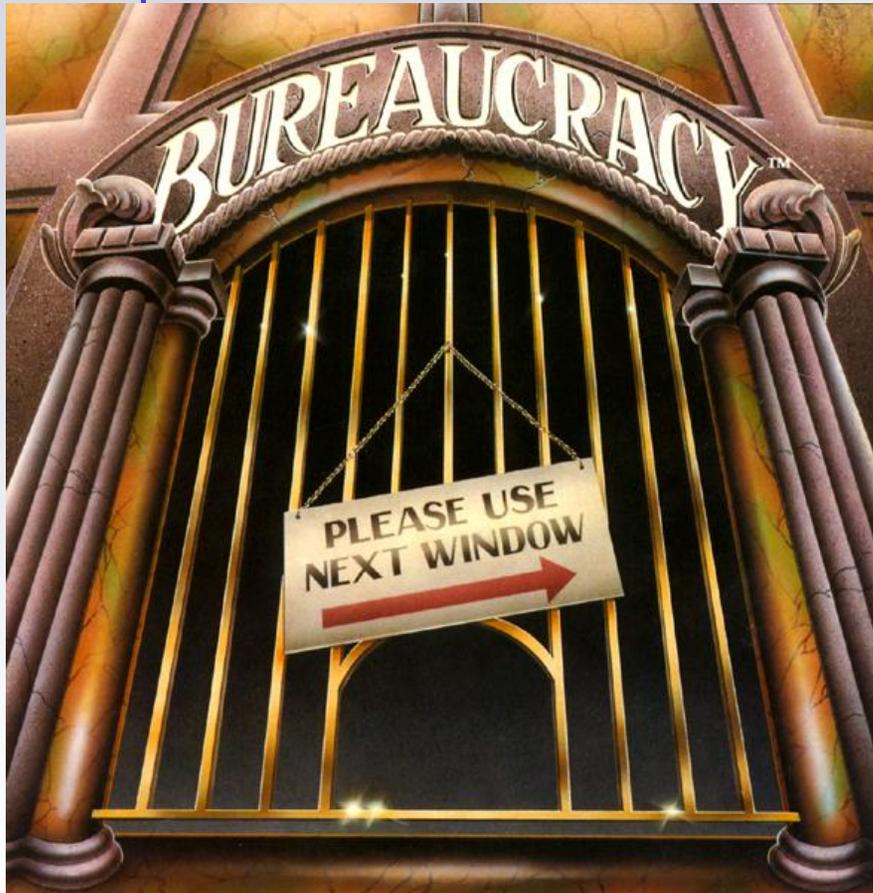
- WMD attacks and suicide bombings like those in Israel are “only a matter of time”
 - Secretary of Defense Rumsfeld
- “Inevitable”
 - FBI Director Robert S. Mueller III

Fears- All Hazards

- Ongoing natural hazards
- Man-made Hazards
i.e. hazardous materials releases
caused by non-terrorist events
- “All hazards”
approach



Fears -Nature of DHS



- Bureaucratic nightmare
- Infighting
- Inflexible
- Sluggish in responding to events
- From emergency managers – focus all on terrorism

Hopes - Law Enforcement



- Safety from future terrorist attacks
- Increased law enforcement influence in preparedness
- Increased law enforcement funding
- More powerful legal enforcement authorities

Hopes - Emergency Management



- Increased emergency management funding
- Continuing mitigation efforts
- Traditional emergency management concerns - greater influence

Expectations - Law Enforcement

- Leadership role in DHS
- HS Act of 2002 SEC. 101. EXECUTIVE DEPARTMENT; MISSION.
 - (b) Mission. (1) The **primary mission** of the **Department** is to--
 - (A) **prevent terrorist attacks** within the United States;
 - (B) reduce the vulnerability of the United States to **terrorism**; and
 - (C) minimize the damage, and assist in the recovery, from **terrorist attacks** that do occur within the United States.

Expectations - Emergency Management

- Continued emphasis on “all hazards”
- Terrorism nothing new
- Emphasized by FEMA since early 1990's
- Oklahoma City bombing 1995
- First World Trade Center bombing 1993



Realities at DHS - Primacy of Terrorism



“The department has two missions. One is to prevent terrorism. The other is to prepare the country for all hazards. My job is to convince and show and lead by example that the all-hazard approach fits into their terrorism prevention.”

EP&R Under Secretary
Michael Brown

Evolution of Pre-Existing Challenges



- Law enforcement and other emergency responders, including fire service and emergency management
- History of conflict
- Who's in charge – egos
- Example: even after 9-11, NYPD and FDNY can't get along

DHS Institutionalization of Division – ODP and FEMA

- HS Act § 340(c) RESPONSIBILITIES.— **ODP**
 - coordinates preparedness efforts at Federal level
 - **works with all State, local, tribal, parish, and private sector emergency response providers on all matters pertaining to combating terrorism**
 - including training, exercises, and equipment support
- HS Act § 507 (a) IN GENERAL.—**FEMA** functions include:
 - (1) All functions and authorities prescribed by **Stafford Act** (42 U.S.C. 5121 et seq.).
 - (2) Carrying out its mission to reduce the loss of life and property and protect the Nation from all hazards by leading and supporting the Nation in a **comprehensive, risk-based emergency management program**—

DHS Resolution - Play Nice?

- HS Act § 430 (c) RESPONSIBILITIES.— **ODP**
“primary responsibility within the executive branch of Government for the preparedness of the United States for **acts of terrorism**”, including—
(6) lead executive branch agency for preparedness of the United States for acts of terrorism, cooperating closely with **FEMA, which has “primary responsibility** within the executive branch to **prepare for and mitigate the effects of nonterrorist-related disasters** in the United States”

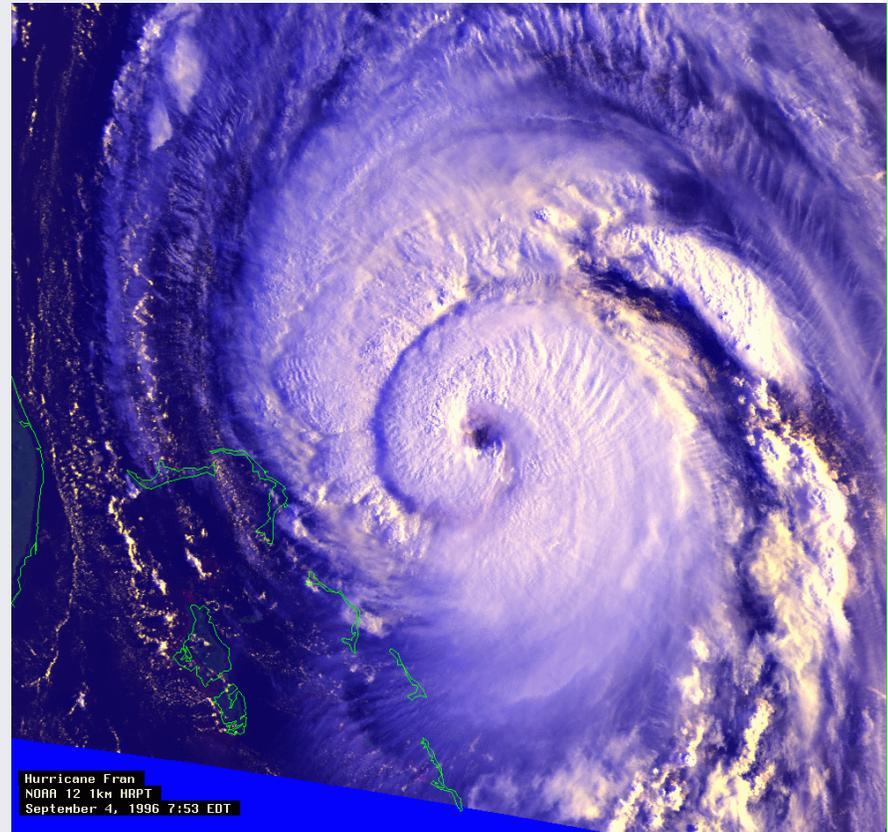
Two Chances to Unite ODP and FEMA

- Founding of ODP 1998
 - originally to be in FEMA – FEMA refused
- Original HS Act of 2002
 - ODP to be transferred to EP&R – changed to TSA
- The two reportedly cooperate pretty well



Post-DHS FEMA: 2004 Hurricane Aftermath

- Different organization
- New supervisory personnel
- DHS IG criticism – too fast
- In Florida, “FEMA is a 4 letter word” – too slow
- Senate accusations of fraud
- Miami-Dade residents –no hurricanes - get \$31mm
- Martin County –2 hurricanes landfall – not reimbursed \$20mm debris removal



Post-DHS FEMA: Calls for Reorganization



- Recent Chertoff review of DHS: result either
 - Preparedness moved to Office of State and Local Government Coordination and Preparedness (OSLGCP) or
 - OSLGCP merged into FEMA
- Result: heavier focus on terrorism preparedness and emergency response
- All hazards future?

Lobbying Effectiveness

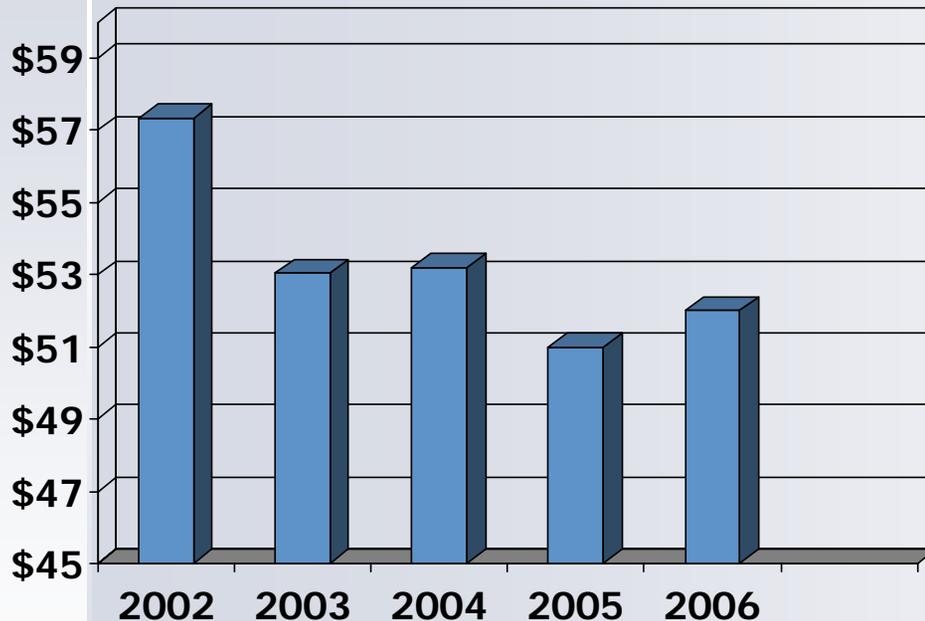


- Emergency Management vs. Fire Service and Law Enforcement
- FS & LE have more lobbying experience
- Many more firefighters, LE officers than emergency managers
- FS & LE have clout and use it very well

USFA and EMI Funding History (dollars in thousands) [from Paulison briefing]

Activity	2002 Actual	2003 Actual	2004 Actual	2005 Estimated	2006 Proposed
NETC Mgmt Ops & Student Support	13,265	12,580	13,172	13,103	
National Fire Data	7,648	8,041	7,224	6,474	
Support for Olney		25	35	37	
National Fire Academy	10,738	10,433	9,586	9,646	
NFA - Supplemental (17)		250	250	0	
National Fire Programs 1/	12,308	6,323	6,162	6,369	
Emergency Management Institute	13,267	11,207	12,564	10,989	
Mt WEOC	3,136	2,229	3,363	0	
Counter Terrorism (EMI)	829	777	0	0	
Agency-wide Training	1,136	1,176	826	903	
Anti-Terrorism (NFA) 2/	4,940	0	0	0	
DHS Working Capital Fund				1,736	
Noble (Fund 62)			0	2,037	
Noble (Fund 63) 3/		1,645	4,227	4,621	
Total USFA 4/	67,267	54,686	57,409	55,915	
Less Noble/Anti-terrorism/\$-5M FY 2003	57,327	53,041	53,182	51,294	52,600
Disaster Funding					
Emergency Management Institute	4,682	3,448	5,889	5,891	
1/ FY '03 eliminated a \$5,000,000 one-time fire safety awareness campaign.					
2/ FY '03 - transferred anti-terrorism grant funds to National Preparedness for First Responder Grants.					
3/ FY '03 - reimbursable agreement					
4/ FY '05 - includes \$1,736,000 for DHS Working Capital Fund					

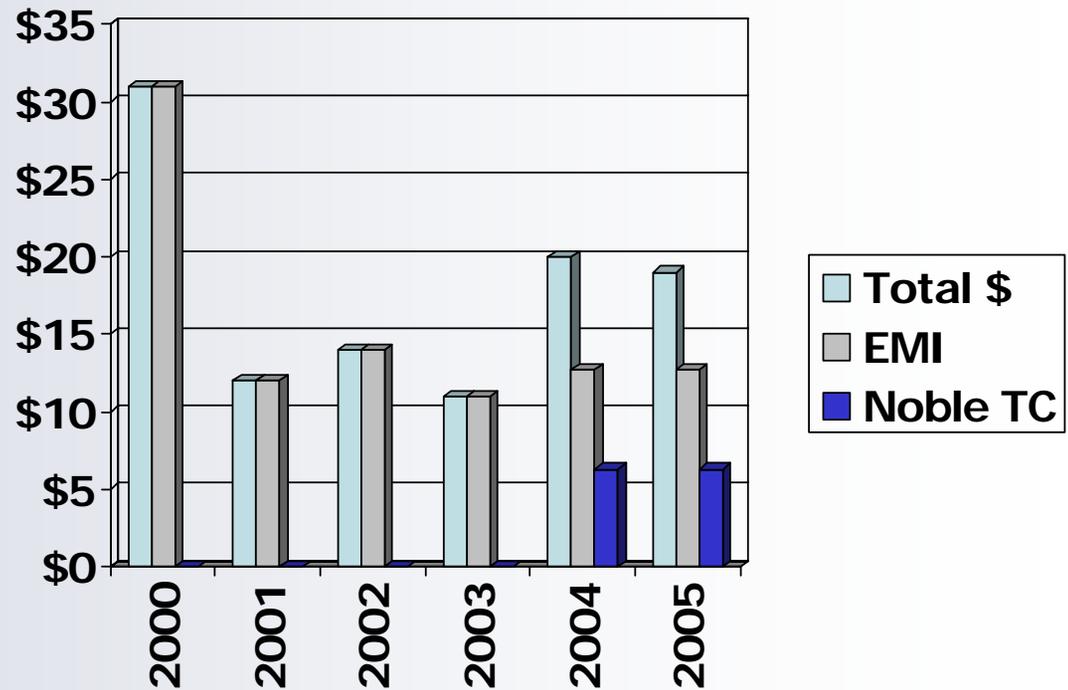
Funding National Fire Academy (in \$millions)



- 2002 \$57,327,000
- 2003 \$53,041,000
- 2004 \$53,182,000
- 2005 \$51,294,000
- 2006 \$52,600,000

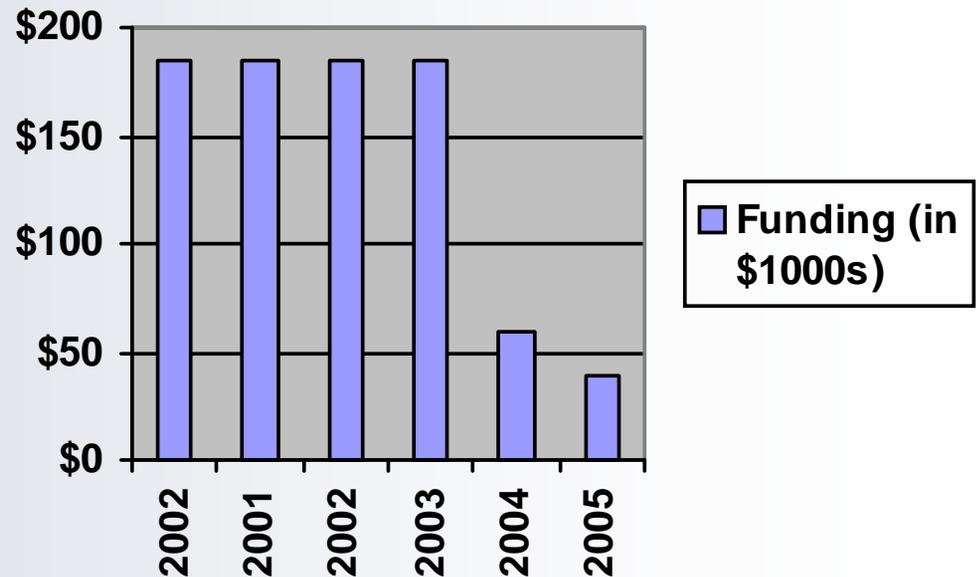
Funding Challenges – Emergency Management Institute – Funding in Millions

FFY 2000 \$31mm
 FFY 2001 \$12mm
 FFY 2002 \$14mm
 FFY 2003 \$11mm
 FFY 2004 \$20mm
 less Noble \$7.3mm
 = \$12.7mm
 FFY 2005 \$19mm
 less Noble \$6.3mm
 = \$12.7mm



Funding Challenges: FEMA Higher Education Project

- 2000 \$184,500
- 2001 \$184,500
- 2002 \$184,500
- 2003 \$184,500
- 2004 \$ 59,000
- 2005 \$ 39,000
- 2006 ?
- 2007 ?



Contrast Appropriations for Higher Education

- “Centers of Excellence”
- Supports specific academic institutions
- Selected due to political clout
- Funding levels very generous



IAEM Reaction

February 27, 2005

- International Association of Emergency Managers mid year meeting
- IAEM Training & Education Committee adopted resolution
- Calling for reversal of budget cuts
- Additional \$1 million appropriation for FEMA Higher Education Project

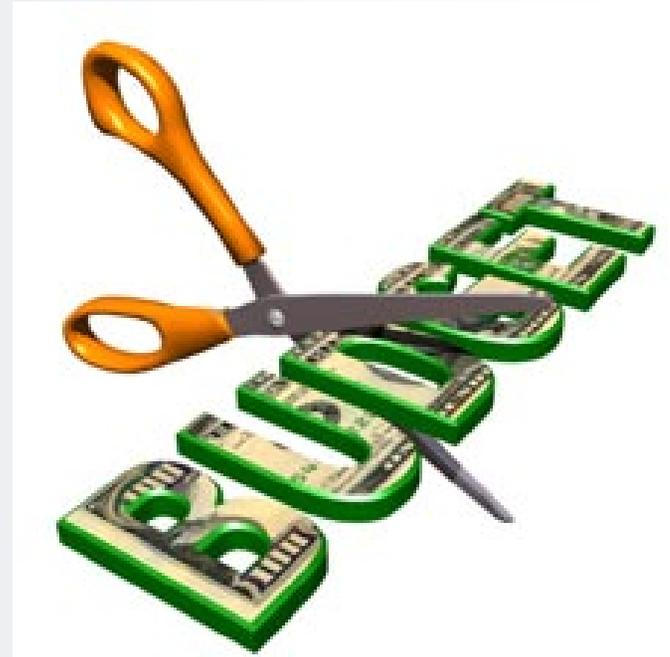


How Will Emergency Management Institutions of Higher Learning React?

Funding Pressures

- “[E]mergency managers ... in state and local governments ... feel their budgets and ... their very existence ... squeezed by ... a myopic focus on terrorism.”

Shaun Waterman, *Analysis: Fear of Being Eclipsed by Terror*, UPI (March 19, 2004)



Funding Pressures

Demonstrate Administration

Priorities

- Bush administration 2004 budget proposals:
 - Cut EMPG from \$180 to \$170 million
 - Limit amount for personnel costs to 25% of grants
 - Witt prediction: half of all EM jobs would vanish
- Congress refused



Contrast Lots of Money at ODP.... 2004 Grants



Counterterrorism grants

\$ 2,206,902,000

State and Urban Area Security Initiative (UASI) grants

\$ 671,017,498

UASI Transit Security grants

\$ 49,705,002

IAEM Reaction

February 27, 2005



- International Association of Emergency Managers mid year meeting
- Resolution to increase EMPG funding from \$180 million to \$280 million
- Keep as separate account
- Not commingle with antiterrorism funds

How Will Emergency Management Institutions of Higher Learning React?

The Revolving Door - Cashing In

- Unprecedented turnover at DHS
- FEMA particularly hard hit
- New hires based on contacts, politics
- NOT experience or expertise
- Result – many old time FEMITES are leaving
- Today's FEMA employee is tomorrow's contractor
- But this pales compared to.....

The Revolving Door - Conflicts of Interest?

- **TOM RIDGE** (just one of many senior leaders gone to private sector)
- **Former title:** Secretary of DHS, January 2003-February 2005
- **Current affiliation:** Board member, Home Depot; board member, Savi Technology; board member, Exelon Corp.
- *Savi's technology is being used in prototypes of secure shipping containers, which could be widely adopted by business. Officials plan to embed radio frequency identification tags--Savi's specialty--in U.S. passports.*

Mini Department of Defense?

- Published reports: DHS wants to be contractor dominated mini-DOD
- DHS staff relegated to contract monitoring and signing
- Not following
 - Administrative law procedures required by Federal Register Act of 1935
 - Publication of internal delegations
 - Requirements of 1947 Admin. Procedure Act
 - FAIR Act – only “non-governemntal” functions may be outsourced

Mini Department of Defense?

- Huge grant making, contract making agency
- Little regulatory authority except in emergency response arena
- In latter over 60% of agency can retire in 20 as opposed to normal 30 years as civil servants due to being law enforcement
- Carry both guns and badges
- 28 CFR Part 65 et al. specifies who is in law enforcement community, “emergency law enforcement assistance” must come from DOJ

Cui bono?



- Who benefits from DHS?
- Contractors make more from selling things than training
- Lower overhead
- Training creates self sufficiency
- Self sufficiency means fewer contract opportunities
- GIS database example

Cui bono?

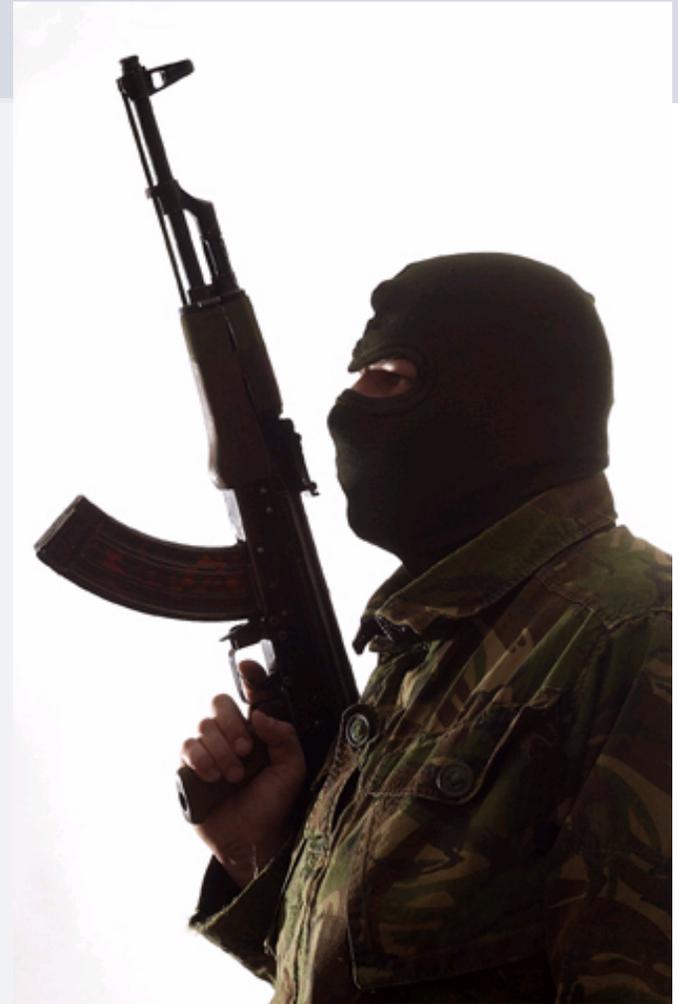


- Who benefits from DHS?
- Varies among emergency responders – law enforcement and fire service success
- Needs couched in terrorism terms
- Many more groups than emergency responders involved - \$\$\$
- **CONTRACTORS**

One Last Thing to Remember...

“We’re at war.”

254 hits on DHS web site



Conclusion

- Emergency preparedness is now big business
- Emergency management needs to get sophisticated or it will be steamrollered
- MUST play DC insider lobbying game
- Applies also to institutions of higher education



“We must all hang together, or assuredly we shall all hang separately.”

Benjamin Franklin

Thank you !
Any questions?