



# Cultural Conflicts in the Department of Homeland Security

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  - Homeland Security Institute
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- Homeland Security Law and Policy
- Emergency Management and Recovery
- Criminal Justice Management and Organization Theory
- Former General Counsel
  - Indiana State Emergency Management Agency
  - Indiana Department of Fire and Building Services
  - Public Safety Training Institute
  - Indiana Emergency Response Commission
  - Indiana EMS Commission

# Richard T. Sylves, Ph.D.

- University of Delaware
  - Department of Political Science & IR
- *Disaster Management in the U.S. and Canada* (1996) (with Waugh)
- *Cities and Disaster* (1991) (with Waugh)
- The Nuclear Oracles
- Former member National Academy of Science Disaster Roundtable
- Public Entity Risk Institute Disaster Declaration web site
- [www.peripresdecusa.org](http://www.peripresdecusa.org)



James E. Shepard, Founder

# North Carolina Central University

- Historically Black Colleges and Universities
- First Homeland Security Institute in an HCBU: Goals
  - Increase diversity
  - Train students to highest standards
  - Provide high quality training for practitioners
- Part of Department of Criminal Justice



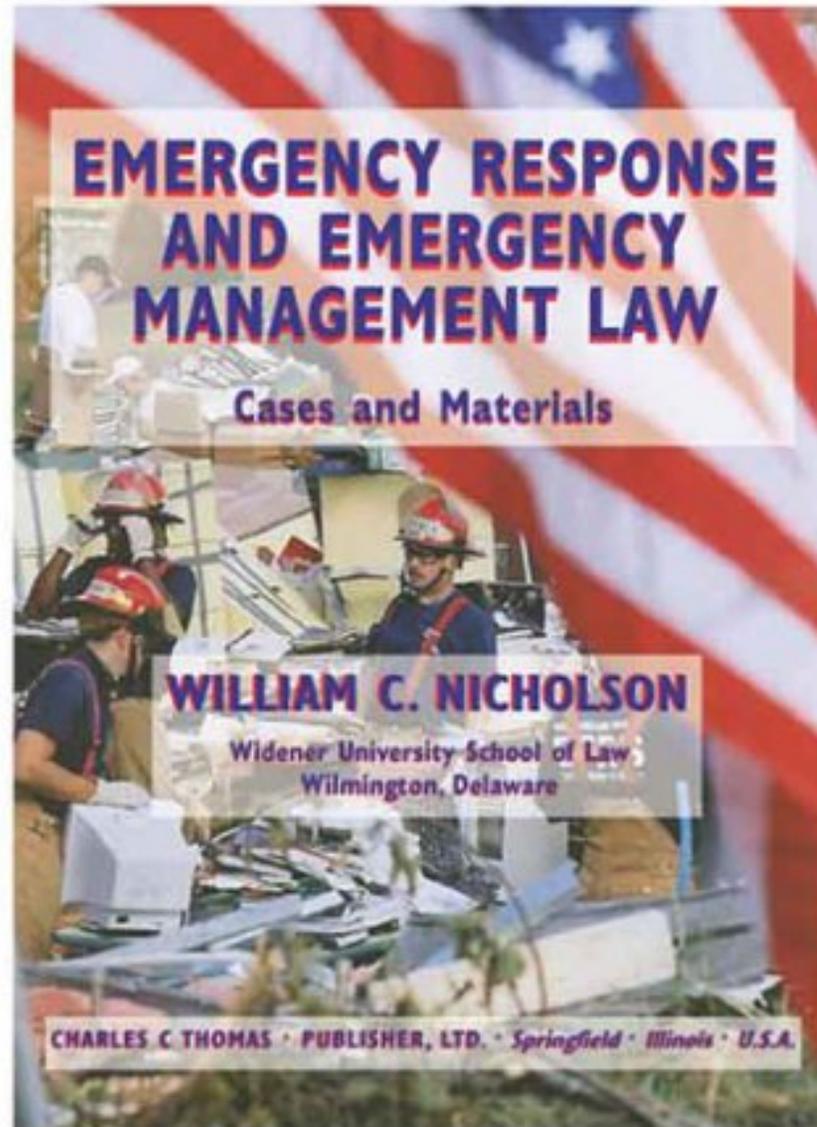
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# Information Only...

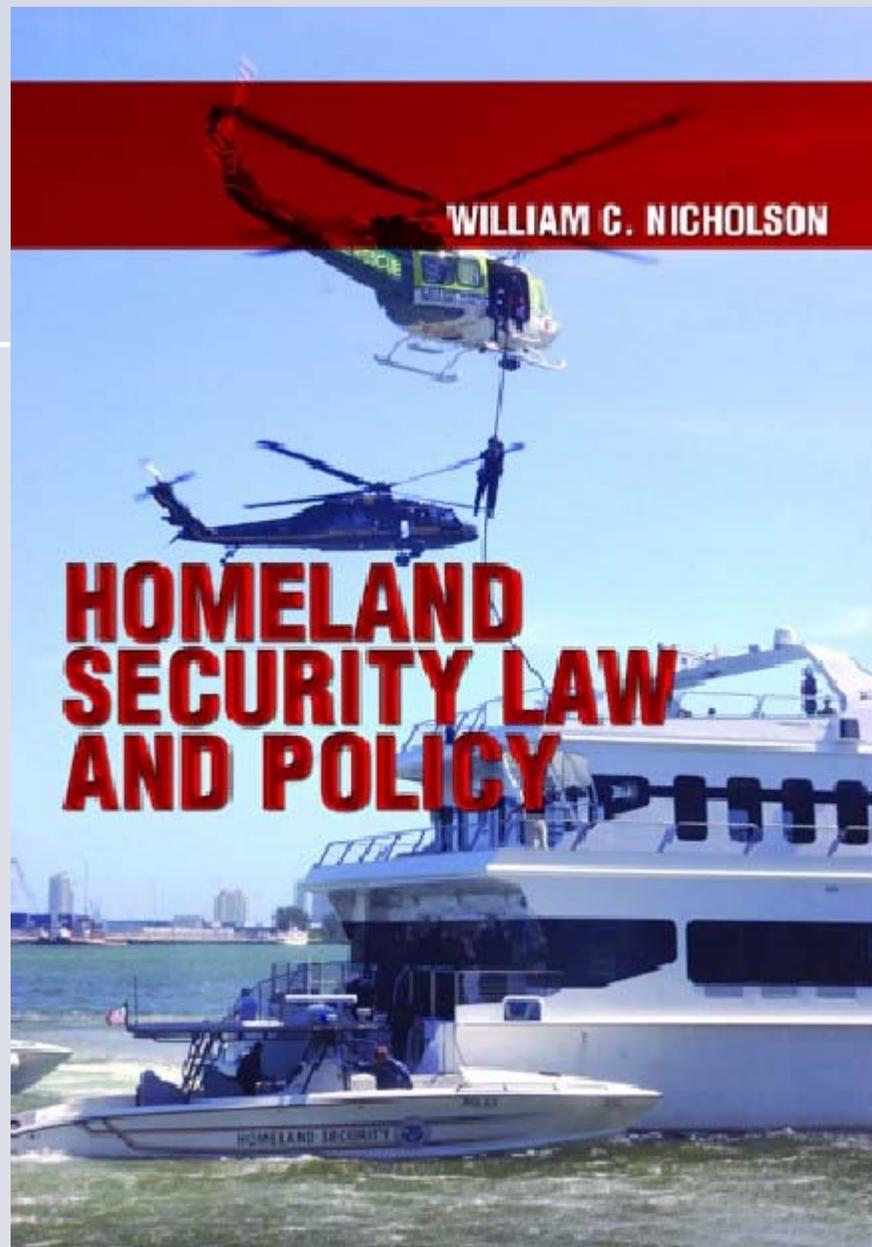
- The following is not legal advice.
- Consult your attorney for legal advice for your situation.



W.C. Nicholson and Richard T. Sylves



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# TOPIC TODAY



- Background of emergency management and DHS
- Post 9-11 expectations
- Legislated priorities
- Discussion of cultural differences
- Management and organizational conflicts
- Future evolution of relationship
- Ways to bridge differences

# Questions for Consideration



- Is emergency management subordinated to law enforcement at DHS ?
- If so, should this continue?
- Is top down approach right for emergency management?
- Future status of emergency management on federal, state, and local levels after problems with Hurricane Katrina response?

# Why was DHS Created?

- *"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*



# Why was DHS Created?



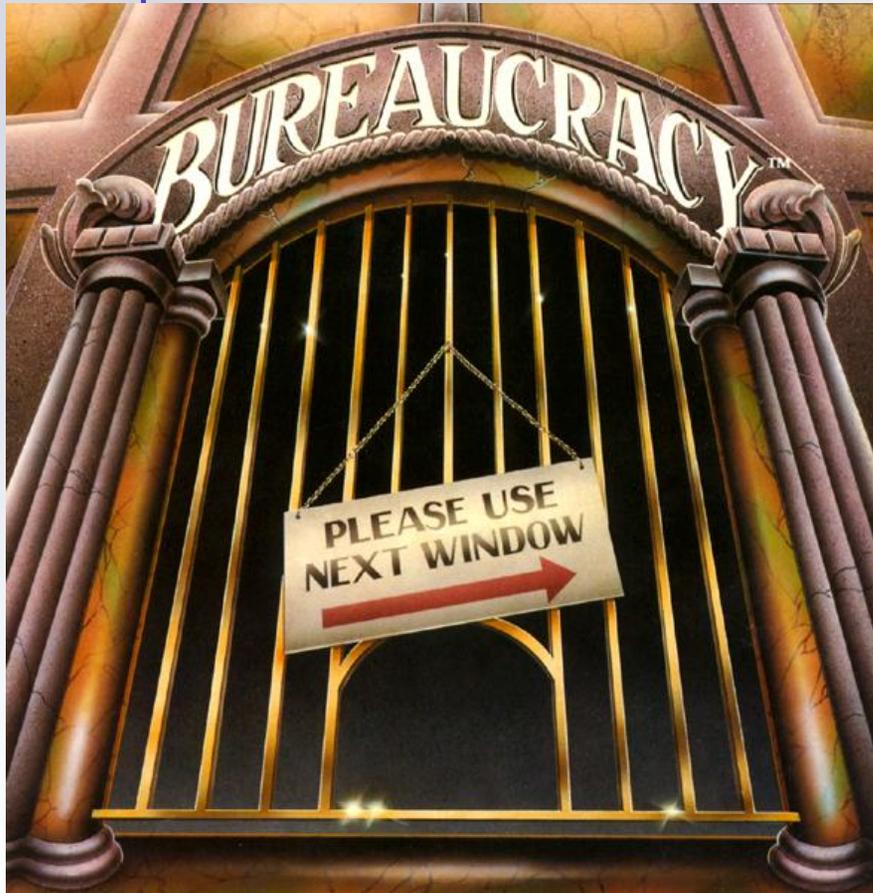
- WMD attacks and suicide bombings like those in Israel are “only a matter of time”
  - Secretary of Defense Rumsfeld
- “Inevitable”
  - FBI Director Robert S. Mueller III

# Emergency Management Concerns

- Ongoing natural hazards
- Man-made Hazards  
i.e. hazardous materials releases caused by non-terrorist events
- “All hazards” approach
- 30 years experience
- DHS focus solely on terrorism



# Common Concerns - Nature of DHS



- Bureaucratic nightmare
- Infighting
- Inflexible
- Sluggish in responding to events

# DHS Expectations - Law Enforcement

- Goal of safety from future terrorist attacks
- Increased law enforcement influence in preparedness
- Increased law enforcement funding
- More powerful legal enforcement authorities – USA PATRIOT Act



# DHS Expectations - Emergency Management



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

# DHS 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
- Hope for “super FEMA”



# DHS Legislated Priorities - 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.

# DHS Legislated Priorities

## - FEMA

- HS Act § 502 RESPONSIBILITIES Under Secretary for Emergency Preparedness and Response (EP&R)
  - help to ensure effectiveness of emergency response providers
  - to terrorist attacks, major disasters, and other emergencies
- HS Act § 503 FEMA transferred to EP&R

# DHS Legislated Priorities

## - FEMA

- HS Act § 507 ROLE OF FEDERAL EMERGENCY MANAGEMENT AGENCY

(a) IN GENERAL.—FEMA functions include:

(1) All functions and authorities prescribed by the Robert T. Stafford Disaster Relief and Emergency Assistance 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—**

# Terrorism Carved Out Despite “All Hazards” Language

- HS Act § 430 (c) RESPONSIBILITIES.— **Office of Domestic Preparedness “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”

# DHS Legislated Priorities - Law Enforcement

- HS Act § 430(a). IN GENERAL.—The **Office for Domestic Preparedness (ODP)** shall be within the **Directorate of Border and Transportation Security**
- § 340(c) RESPONSIBILITIES.— ODP
  - works with all State, local, tribal, parish, and private sector emergency response providers on **all matters pertaining to combating terrorism**
- Recent reorganization to create separate DHS Preparedness Division continues split

# Mission Conflicts

- Military/Law enforcement has clear mandate for counterterrorism – one hazard
- Emergency management has “all hazards” mandate
- Conflict exacerbated by cultural differences

# How Well is DHS Performing Emergency Management Tasks?



- Hurricane Andrew 1992 - many lessons learned
- Improvements to FEMA in 1990s
- Hurricane Katrina: what happened to Andrew lessons?
- Multiple bills introduced to change FEMA/DHS relationship

# Conflict of Cultures

- Military & to a lesser extent Law enforcement
- Emergency management
- Others as well (i.e. between law enforcement agencies)

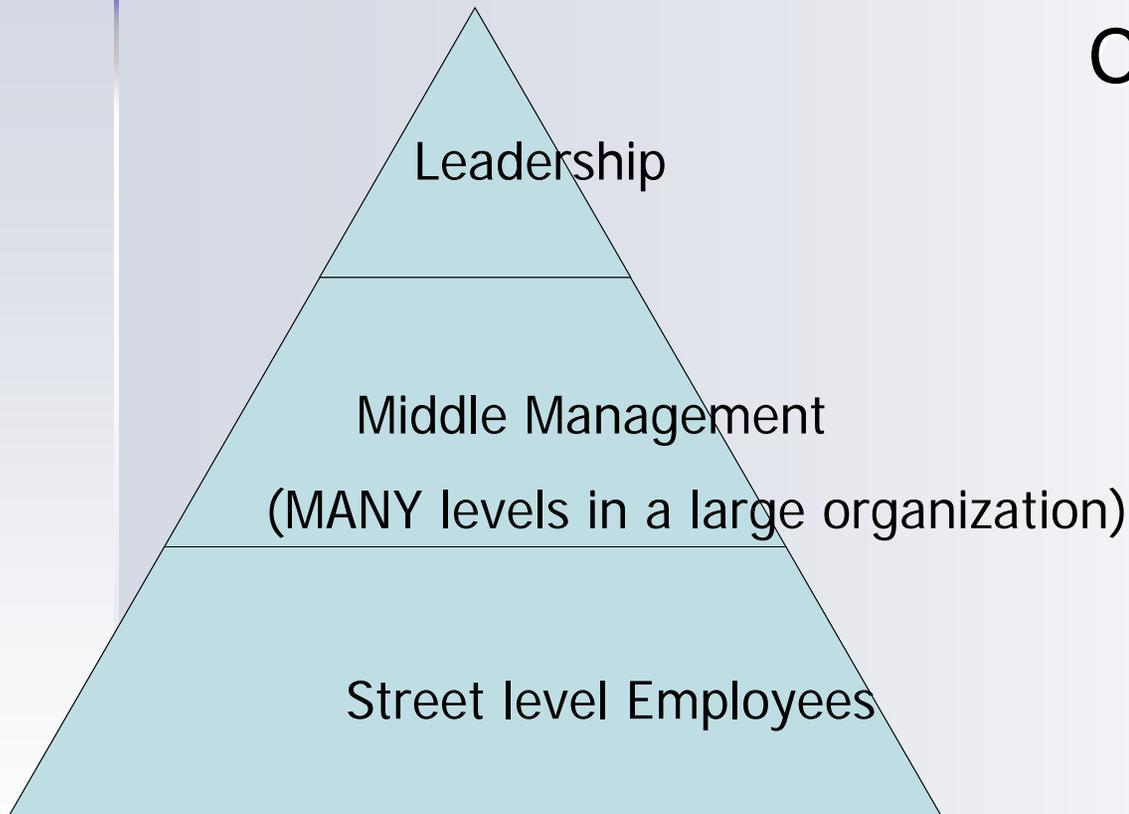


# Evolution of Pre-Existing Conflicts

- Law enforcement and other emergency responders, including emergency management
- History of conflict
- Who's in charge – egos
- Even after 9-11, NYPD and FDNY can't get along with each other or emergency management
- Still no interoperability



# Military/Law Enforcement Culture: Organization



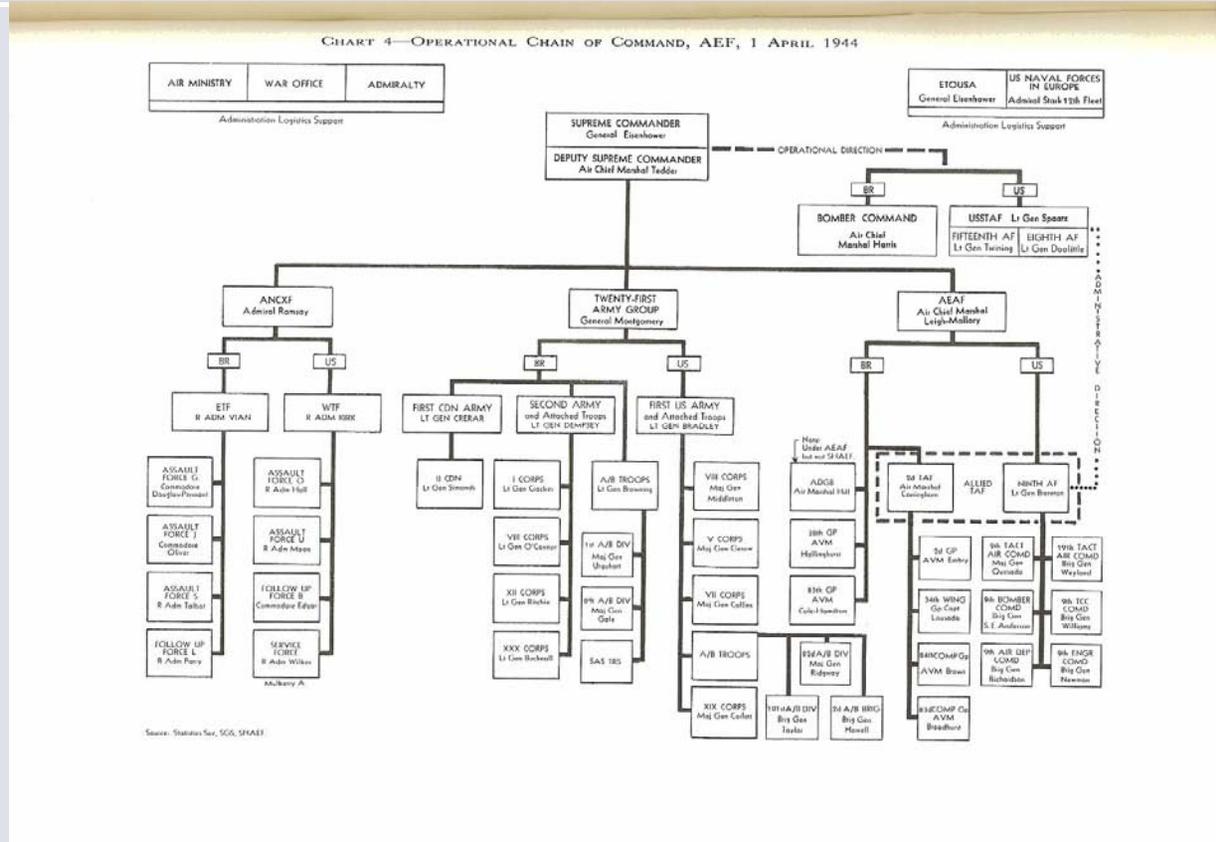
## Classic closed system

- Hierarchical (bureaucratic)
- Management is top down
- Paramilitary
- Emphasizes means over ends

# Military/Law Enforcement Culture: Organization

## Classic closed system

- Employees as units of production
- If all perform tasks correctly, desired final product will inevitably result
- Planning, conflict resolution, decision making done at top level
- Does this describe DHS?



# Military/Law Enforcement Culture: Leadership



- Leadership in large part from military
- Reinforces bureaucratic organizational tendency
- For example, Admiral Loy from US Coast Guard
- Started at Transportation Security Agency, moved up to be 2<sup>nd</sup> in command at DHS
- Moved on to private sector

# Emergency Management Culture: Organization

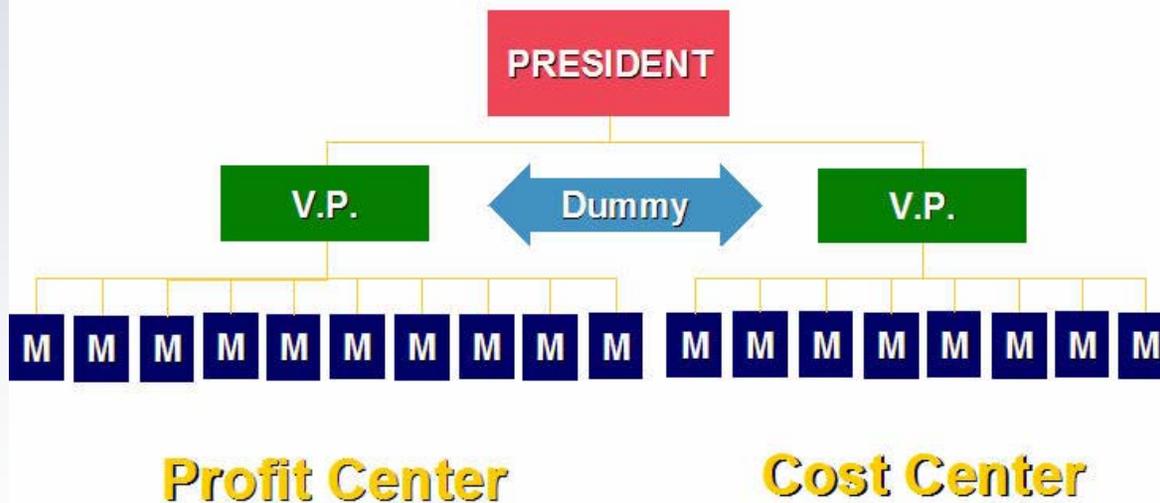
## Organistic structure

- open system
- Ideally suited to unstable environment
- Outcomes that require nonroutine tasks
- Emphasizes ends over means



# Emergency Management Culture: Organization

## Flat Organization



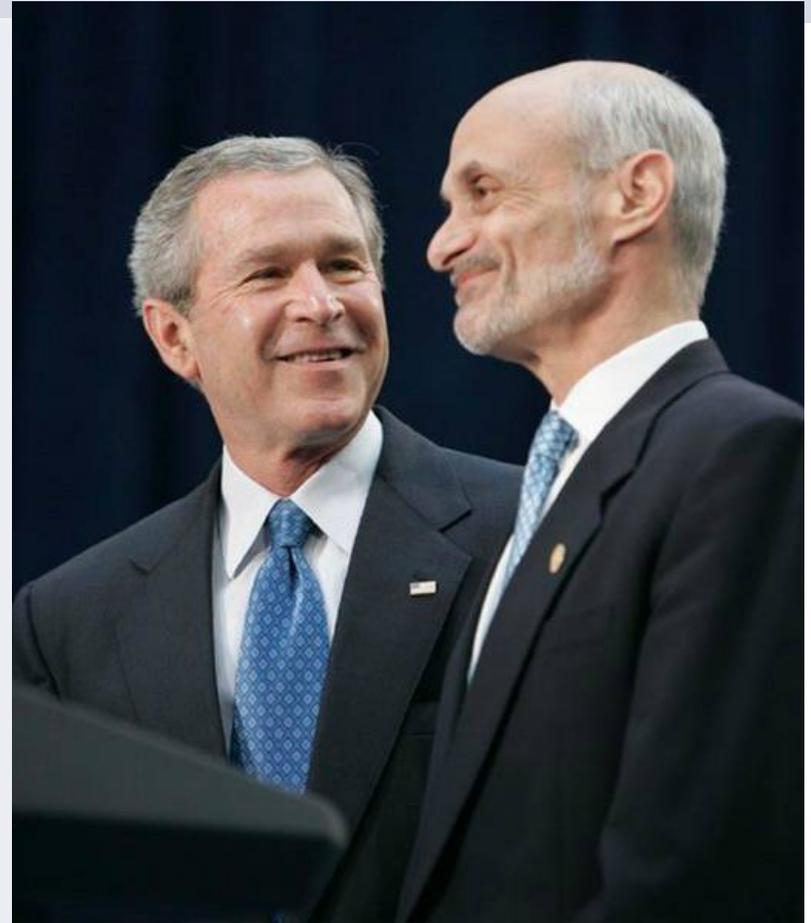
- Organistic structure
- flat structure/open system
- Independence of thought and action encouraged
- Emphasis on ends – accomplish the goal in the best way you can

# Differing Cultures: Emergency Management

- Nature of organistic structure
  - Decision making by groups or individuals with knowledge
  - Expertise in task area is assumed
  - Line personnel empowered
  - Atmosphere of mutual trust
- Local emergency management part of local government, local sovereignty
- Federalism promotes organistic, decentralized structure

# Environmental Factors

- No system completely open or closed
- Useful analytical tool
- Environmental influences include:
  - Law/cultural norms
  - Technology
  - Economic factors
  - Politics
- Law and politics reinforce hierarchical structure
- “You’re either with us or against us.”
  - GW Bush



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# Environmental Factor: Management Issues



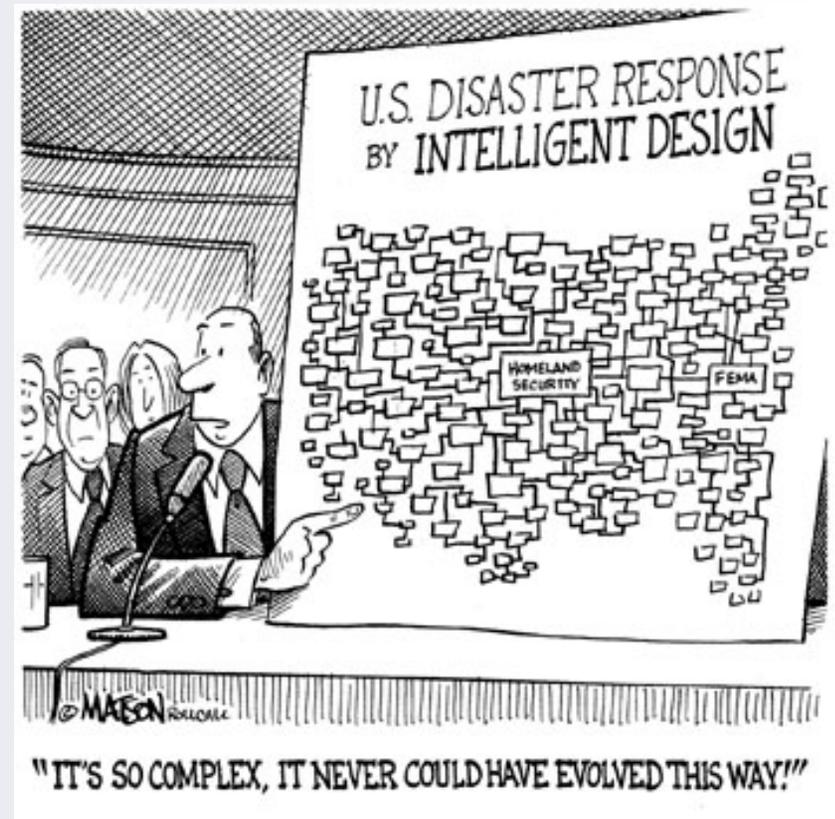
- Management challenges at DHS
- New personnel system blocked - lawsuit by federal unions blocks new rules to curtail union rights
- Appeals court ruling coming
- Latest:
  - Undersecretary for Management Janet Hale left May 26, 2006 (left)
  - Chief Human Capital Officer K. Gregg Prillaman left June 9, 2006
- Reports: The two “clashed over policy and operational issues.”
- **Huge turnover in executive ranks at DHS**

# Environmental Factor: Morale

- "The merger of 22 agencies into Homeland Security, although three years old, continues to drain employee morale."

*Washington Post* 5/20/06

- White House and Congress created DHS
- Employees must live with it



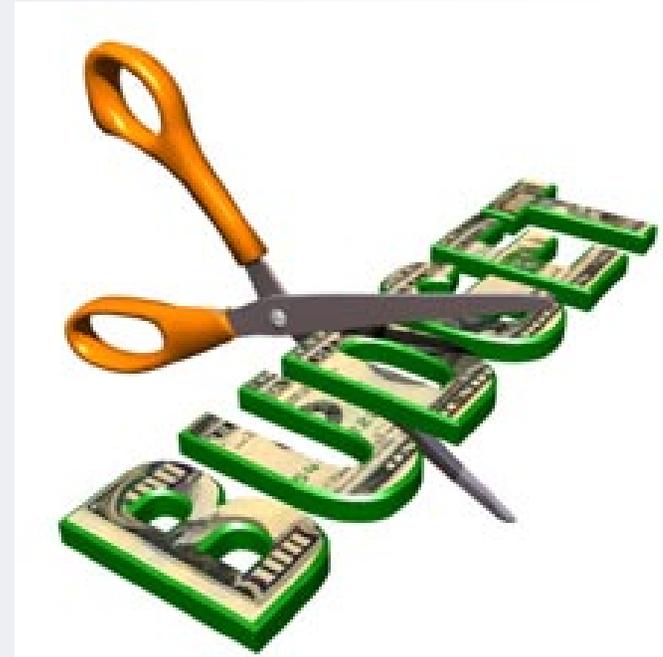
# Environmental Factor: Separation of Preparedness from FEMA

- Secretary Chertoff "Second Stage Review"
- July 13, 2005 – reorganization
- FEMA preparedness functions to new Preparedness Directorate - includes
  - USFA
  - Office of State and Local Coordination and Preparedness - grants
  - Infrastructure Protection
  - HAZMAT training
  - CSEPP
  - REPP

# Environmental Factor: Funding Pressures (Economic)

- “[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

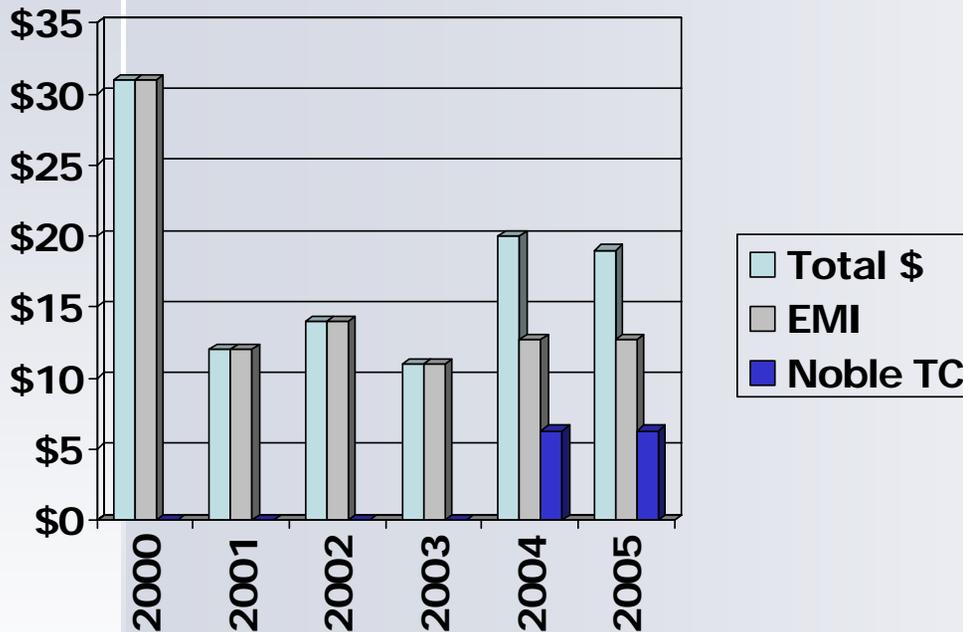
- Bush administration 2004 budget proposals:
  - Cut EMPG from \$180 to \$170 million
  - Limit amount for personnel costs to 25% of grants
  - James Lee Witt prediction: half of all emergency management jobs would vanish
- Congress refused

# Funding Challenges – Security at Any Price?

- FY 2000 feds spend \$13 billion on homeland security
- FY 2004 \$9 billion in contracts with private sector
- FY 2005 \$11 billion in contracts with private sector
- What security does emergency management provide?



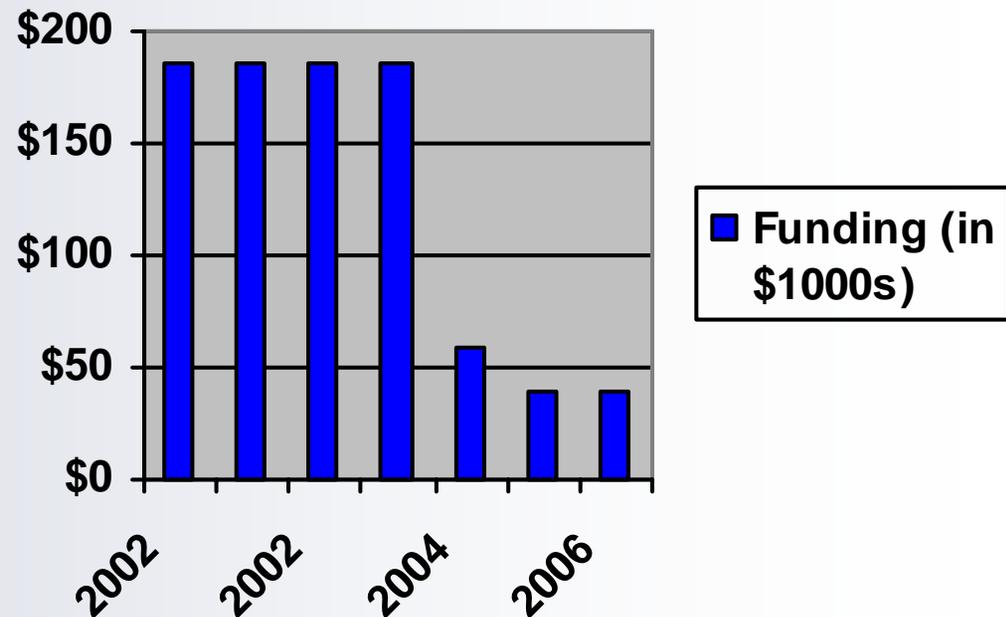
# Funding Challenges – Emergency Management Institute – Funding in Millions



|            |          |
|------------|----------|
| 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 \$ 39,000
- 2007 ?



# 2006 DHS Budget – FEMA



- EMPG: \$185,000,000
  - Admin. costs capped at 3%
- Preparedness, mitigation, response, and recovery activities, \$204,058,000
- Includes \$20,000,000 for Urban Search and Rescue Teams

# EM View: Hierarchy Enforces Discipline on Disobedient Element

- Secretary Chertoff reorganizes DHS
- "Second Stage Review" – removes preparedness – no comprehensive federal emergency management
- 2007 budget: Emergency Management Performance Grant cut by \$ 13 million
- EMPG is key funding for local emergency management "They want us to vanish"

# House Select Committee Katrina Report “A Failure of Initiative” 2/15/2006

- For years, emergency management professionals have been warning that FEMA’s preparedness has eroded due to
  - separation of preparedness function from FEMA,
  - drain of long term staff with institutional knowledge and expertise,
  - inadequate readiness on national emergency response teams.
- Combination of factors made FEMA inadequate performance after Katrina “**Inevitable**”
- What blame for these developments attaches to cultural conflicts?



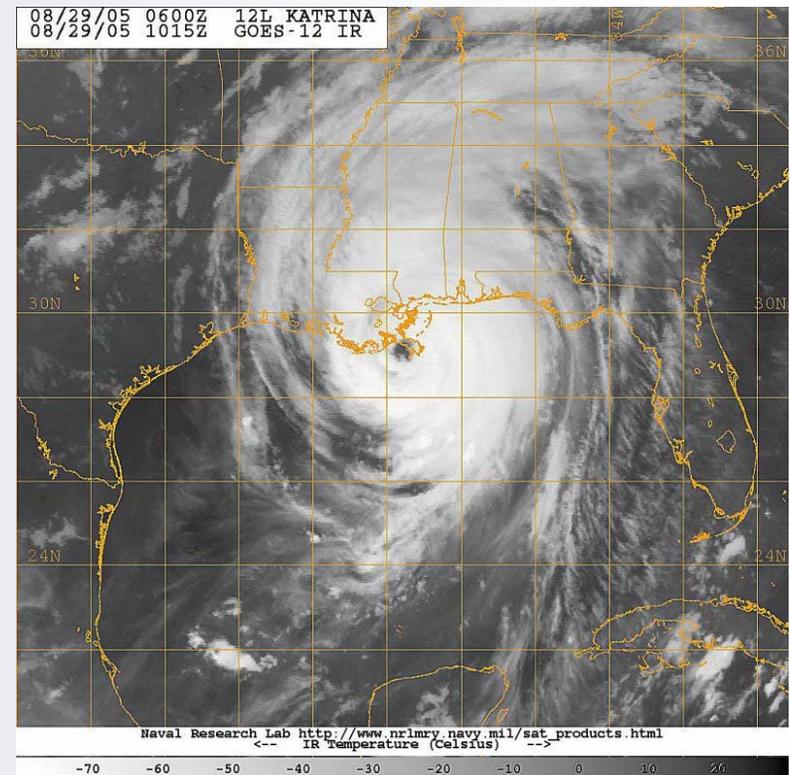
# White House “Lessons Learned” Report on Katrina 2/23/2006



- Assumed continuation of Secretary Chertoff “Second Stage Review” organizational changes
- Largely minor adjustments suggested
- Move NDMS from FEMA to HSS

# Future Developments – Legislative Proposals

- 9 bills introduced after Hurricane Katrina
- 7 would reestablish FEMA as an independent agency
- 4 bills introduced just a week after Hurricane Katrina hit



# Future Developments – Legislative Proposals

- HR 3656 “National Emergency Management Restoration and Improvement Act”
- S 1615 “Federal Emergency Management Restoration Act of 2005”
- HR 3685 “Federal Disaster Response Improvement Act of 2005”
- HR 3816 “Reestablish FEMA as an independent agency and require that its Director be adequately qualified”
- HR 4493 “FEMA Restoration Act”
- S 3302 “FEMA Improvement Act of 2006”
  - Transfer all preparedness responsibilities to independent FEMA, some specify FEMA as Cabinet level
  - Director confirmed by Senate, paid at Cabinet level, must be EM professional
- HR 4009 “DHS Reform Act of 2005”
- HR 4840 “Plan to Restore Excellence and Professional Accountability in Responding to Emergencies” Act
  - keep FEMA in DHS

# Future Developments – Cultural Conflicts

- Cultural conflicts not cited as reason for Katrina response failure by House Select Committee, White House Report
- Creation of DHS in fact led to organizational cultural conflicts
- Hierarchy vs. flat paradigm
- Separation of FEMA from DHS would greatly lessen conflicts as between those agencies
- Other internal conflicts would remain in DHS

# Understanding Cultural Conflicts

- Congress and White House created DHS in its current form
- Imposed structure creates feelings of loss of control
- Exacerbates conflicts
- Conflicts result of cultural collision
- Environmental factors like low morale exacerbate situation
- Conflicts are not, at base, personal



# Addressing Cultural Conflicts Absent Change



- Most important need: mutual respect
- Try to understand one another rather than react instinctively
- Terrorism and all hazards are both vital missions

# Addressing Cultural Conflicts Absent Change

- Law says terrorism is job one – emergency management needs to understand and live with this
- DHS is a team under the law
- All must join the team
- Hang together



# Persistent Issues

- Culture war between Feds, states, and locals re emergency management structure (2004, 2006 budgets for EMPG)
- In DHS, culture war between people with emergency management and military/law enforcement backgrounds – as well as other groups (i.e various law enforcement)
- **Need to understand where emergency management mission fits in the legislative pantheon**



# Commitment to Mission Defined by Congress: Both Groups Admirable

- Military/law enforcement side extremely committed to stopping terrorism – following legislative mandate
- Emergency management extremely committed to all hazards preparedness – following legislative mandate

# Characterizing the Mission

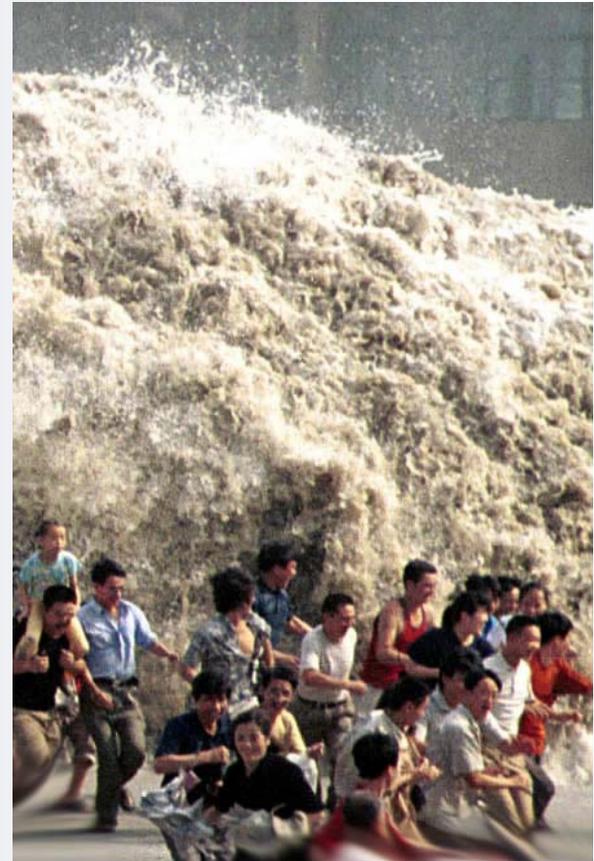


“We’re at war.”

254 hits on DHS web site

# Characterizing the Mission

“We’re on a collision course with Mother Nature – and Mother Nature **ALWAYS** wins.”



# Mission Conflicts

- Hierarchical solution: demand conformity with antiterrorism mission
- Demands resented by emergency management – focus too narrow
- Emergency management attitude viewed as not on team
- Emergency management needs to remember terrorism is the “primary mission” as defined by Congress

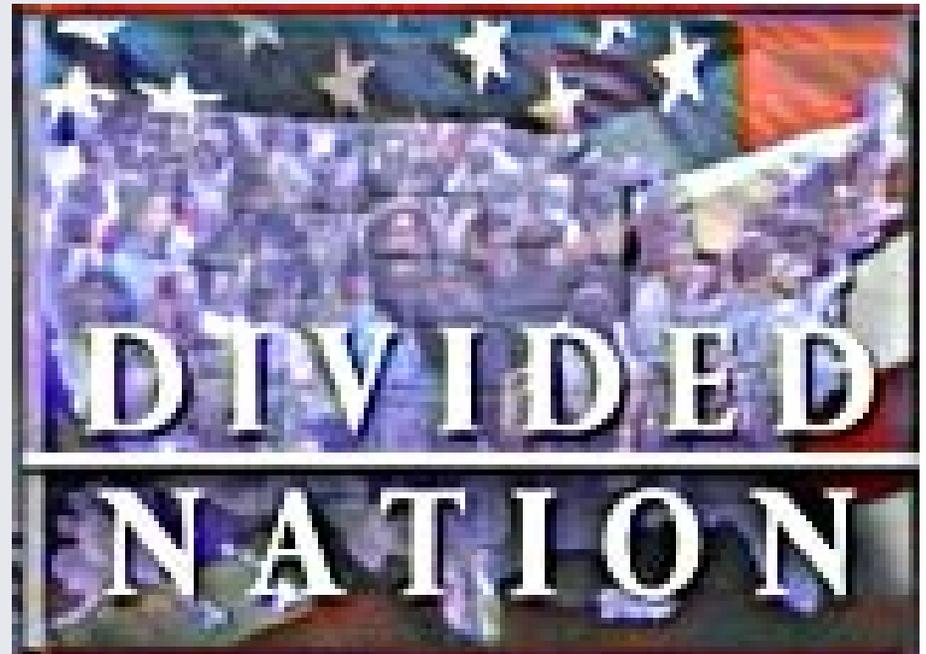
# Mission Conflicts – or Unity?

- Submitted that two Congressional mandates are both aspects of same mission
- The classic emergency management mission:

**“Save lives and protect property”**

# Conclusion

- Organizational conflicts have historic roots
- Cultural, environmental conflicts exacerbate difficulties
- Mission conflicts divide team



# Conclusion



- DHS & FEMA will evolve
- Is change the same as reform? (creation of DHS)
- Remember the emergency management mission:  
**Save lives and protect property**
- Does cultural conflict support or obstruct mission?
- If it obstructs, will proposed changes lessen conflict?
- Most importantly, will they benefit mission?

**Thank you !**

**Any questions?**