

# Disaster Preparedness

Groundbreaking Research on Emergency Management

Center for Defense and Security Policy Wilberforce University Summer 2006

Volume I, Issue I Summer 2006

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A U.S. Army National Guard air crewman directs Hurricane Katrina victims.

Disaster Preparedness seeks to publish the best thoughtful and authoritative prescriptions to many aspects of emergency management (natural, technological, industrial, and terrorism events). Its intent is to initiate a healthy dialogue amongst scholars from academia, government and private agencies to address the principles of emergency managements and their application during each phase of the emergency management cycle: preparedness, mitigation, response and recovery. The Journal was founded by Dr. Abhay Trivedi, Vice President for Academic Affairs and director of the NNSA funded grant ID DE-FG02-05 CH1131, Dr. Anouar Boukhars, the publication managing editor, and Dr. Floyd H. Flake, President of Wilberforce University and former member of Congress. The opinions expressed within are solely of the authors and do not necessarily reflect those of Wilberforce University.

## Director's Remarks



Abhay Trivedi

Wilberforce University is proud to be the recipient of the NNSA funded grant ID DE-FG02-05 CH11317. The grant is specifically targeted at modeling and simulation issues with respect to major disasters including hurricanes, tornadoes, floods and other man-made disasters. The first phase of the grant aims to look at hurricane Katrina from a combination of a multi-modal multi-dimensional disaster model and its realistic impact on the city of New Orleans.

The journal of NNSA Disaster Preparedness specifically looks at scholarly work around the subjects of technology engineering, psychology, policies, urban planning, communications and national agencies both profit and non-profit. My hope is that the journal on Disaster Preparedness will initiate a healthy dialogue amongst scholars from academia, government and private agencies and result in creating practical solutions to proactive disaster management initiatives.

Key Objectives of the NNSA funded grant DE-FG02-05CH11317:

- ▶ To create a simulation model depicting the impact/analysis of major disasters
- ▶ To create a model based on commercial and government data available on impact of major disasters on major commercial and non-commercial institutions
- ▶ To recreate a model depicting “Katrina” and its impact on the region by using actual data
- ▶ To provide all modeling using GOTS and COTS software
- ▶ To create innovative ways of reducing the impact of future disasters by proactive analysis
- ▶ To create a “life-like” laboratory environment where various disasters scenarios can be worked out
- ▶ Create curriculum to offer insight into technological and psychological impact of energy and nuclear disasters
- ▶ To help students get interested in top of the line DOE careers and research

*Abhay Trivedi is Vice President of Academic Affairs and Principal Investigator and Director.*

### Editor’s Welcome



Anouar Boukhars

The catastrophic impact of Hurricanes Katrina and Rita, the deadliest natural disasters in U.S history that claimed more than 1,300 lives, uprooted hundreds of thousands more and caused tens of billions in damage, made clear the inability of the government and private agencies at the local, state and federal levels to properly direct disaster-response teams and effectively prepare, mitigate, respond and recover in a timely and adequate manner from powerful natural disasters.

erly direct disaster-response teams and effectively prepare, mitigate, respond and recover in a timely and adequate manner from powerful natural disasters.

In response to this pressing challenge, Wilberforce University has created the journal of Disaster Preparedness to help improve the ability of government, corporate, and not-for-profit organizations to mitigate, respond to, and recover from natural disasters.

Disaster Preparedness seeks to publish the best thoughtful and authoritative prescriptions to many aspects of emergency management. Its intent is to provide a forum for the publication of innovative research and exchange of ideas by knowledgeable scholars, response personnel and other interested parties. Each issue of the journal provides insights on hazards mitigation, disaster preparedness, response, and recovery.

The journal supports research, education, and professional development in four areas:

1. Environmental hazard management
2. Disaster Psychology Preparedness
3. Economics of Natural Disasters
4. Information Technology

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### Military Role in Natural Disaster Response



James Lee Witt

The past year has been an extremely bad one for natural disasters. From Asia’s tsunami to Pakistan’s earthquake to mudslides and hurricanes in Central America and Mexico, the forces of nature have given us a jolting reminder of their potential to devastate and

destroy lives and livelihoods. This country's hurricanes Katrina and Rita will prove to be the costliest storms in U.S. history with an almost unimaginable impact on the people and the economy of Gulf region. Storms of such magnitude pose an equally enormous challenge to our emergency management systems and our country's ability to adequately respond and recover. Not surprising, they even cause us to question some of the most fundamental aspects of the system, such as the role of civilian and military agencies and the roles and authority of each.

These disasters certainly give us a reason to re-evaluate our ability to deal with the most catastrophic of disasters. They should not, however, cause us to question the supremacy of civilian agencies in coordinating and leading disaster response and recovery. Rather, we need to look seriously at what these storms indicate about the state of our country's emergency management system and take action to fix the real problems.

#### The Role of the Military: A Partner in Civilian Response

The arguments for involving the military more intimately in disaster response abound. Some point out that the military's command and control structure would provide the kind of framework and efficiency that was missing in the recent hurricanes. Others underscore the usefulness of military resources such as helicopters for rescue and tents and other shelter facilities. Still others argue that the military's most important role could be in providing security following the most catastrophic and destabilizing events. The most extreme arguments advocate taking away the responsibility for emergency response from the civilian agencies and giving the Department of Defense the lead role.

This would be a mistake. The civilian nature of our emergency management system is one of the underpinnings of its success in the past. While I was director of FEMA from 1993-2001, I never had a problem getting the resources needed from

the Department of Defense. Under the Federal Response Plan, I had the authority to task the Department of Defense and any other federal agency to marshal the resources that were required. The difference might have been, that we put possible items in the pipeline before a hurricane hit, not after it hit. If some of the problems that have surfaced in the emergency management system over the last four years are addressed, a civilian lead emergency management system can prosper again in the future.

Emergency response for a catastrophic event is an enormous responsibility involving the full coordination of nearly all of the government's agencies. During the 1990s, FEMA director was cabinet-level appointment and FEMA was an independent agency and as such, reported directly to the President. Under the Federal Response Plan, FEMA had the authority to coordinate emergency response. This meant that the FEMA Director had the ability to task other federal agencies, including the Department of Defense, with specific actions and request their assistance and resources. This changed with the establishment of the Department of Homeland Security (DHS) in 2003 which FEMA was folded into DHS and then dismantled. Shortly thereafter, the Federal Government adopted the National Response Plan (NRP) which superseded the Federal Response Plan (FRP) and gave ultimate authority in "incidents of national importance" to DHS.

The effect of this change will be discussed below, but the point remains that whether FEMA or DHS has the lead in emergency response, the government already has the ability to tap in to the military's resources through the mutual aid agreements that are the backbone of the FRP and the NRP.

Under this arrangement, the military is a key supporter and partner in emergency response, but the overall tasks of assessing needs, inter-agency coordination, search and rescue, and overall management of the disaster response has always fallen to FEMA and now to FEMA within DHS.

The majority of the tasks and skills that are the key functions for emergency management fall outside the scope and mission of the military whose primary functions are to provide military forces to deter war and provide security for the United States. These responsibilities are best left to civilian institutions.

Although the military's role in emergency response does not need to be dramatically changed, its partnership and coordination with FEMA and DHS can certainly be strengthened. This partnership cannot be meaningful, however, if FEMA and DHS cannot properly carry out their emergency missions. To do this, a number of problems which have arisen over the past several years need to be rectified.

#### What Went Wrong? Homeland Security and the Erosion of Emergency Management

The failures of Katrina and Rita were at all levels of government. And, while these "perfect storms" brought the problems of local, state, and federal coordination in to sharp focus, the cracks in the system existed well before these two storms pummeled the Gulf Coast.

Over the past four years, our nation's ability to prepare and respond to emergencies has been seriously eroded. While this erosion is not exclusively a federal, nor does it have a federal solution, the federal government has taken a lead in shifting the focus of our emergency management system over the past four years away from all-hazard preparedness and toward a more narrow emphasis on homeland security. This shift in focus was not new; the Federal Emergency Management Agency's priorities had shifted back and forth from natural disaster preparedness to civil defense several times over the course of the nearly twenty-five years it served as the federal government's lead emergency response agency.

Nor was the shift surprising given the terror attacks of 2001; the administration rightly emphasized strengthening our domestic terrorism preparedness. However, gains in homeland security have had a cost to our all-hazard preparedness. The wholesale incorporation of FEMA into DHS has seriously hampered FEMA's ability to carry out its mission.

During the 1990s, when FEMA was an independent agency I reported directly to the President. Its incorporation into DHS has had a dramatic and negative effect on FEMA's ability to maneuver effectively and agilely. The FEMA Director no longer had direct access to the President, but instead has to go through an extra layer of bureaucracy to get what is needed. Even one extra layer has proved one too many in the critical moments.

Much has been said and written about FEMA's neglect in the hands of political appointees and its crisis of leadership. But these criticisms often miss the point that the leadership failures were only partially to blame for FEMA's fumbings. In fact, the appointment of individuals without emergency management experience and the attrition of many of the agency's most experienced and competent civil servants were symptomatic of the larger problem of FEMA's diminished status. The institution as a whole has suffered from a crisis of morale and mission.

The establishment of DHS has also adversely affected the key partnerships which make the emergency management system function properly. Responsibility for the immediate response to any natural disaster flows up from the local to the state and on to the federal level as it becomes evident that it will overcome the capacity and resources of the previous level of government. Even when the federal government takes over responsibility for a disaster response, however, state and local responders and emergency managers continue to work along side their colleagues at the federal level.

During the 1990s, the relationships between FEMA regional offices and their state and local counterparts were fostered through participation in joint exercises and because the relationship was supported by a flow of resources. FEMA had an understanding of the needs of the state and local emergency managers because we administered a number of other programs. These funding programs served as a way of aligning the policies of the local, state, and federal emergency management community and fostering a strong relationship.

Under the DHS system, FEMA's grant making authority has been sharply eroded. Taking away this function and instead giving it to other divisions within DHS has also contributed to the nations slip away from all-hazard preparedness. While homeland security is an important aspect of our nation's readiness, we have seen all too clearly the price that can be paid in not striking an adequate balance between natural and man-made hazard preparedness.

### Conclusions and Recommendations

The time is right to seriously evaluate the state of our country's emergency management system and put it back on track. A thorough evaluation of the lessons learned from the Hurricane Katrina response will know doubt underscore a variety of needs in the areas of mitigation, preparedness and recovery as well. The National Emergency Management Association has already outlined a thoughtful list of areas for concern in a recent whitepaper. As NEMA underscores, the problem is not just a federal one. But changes at the federal level have certainly not helped strengthen our emergency management capacity. And so, the process of renewal and strengthening should start by re-establishing FEMA as an independent, cabinet-level and fully funded federal agency. The military involvement should remain that of a partner as established in the National Response Plan and not be expanded to take a lead role in any size of disaster, whether it be one of a catastrophic nature or not.

The mechanisms to run an effective and efficient disaster response agency were in place, we need to just put them back into practice.

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### Catastrophic Disaster and the Future of the Military Response



James Jay Carafano

Withering criticism of the federal response to Hurricane Katrina has prompted a close examination of what happened and why—as it should. When one of the most destructive storms in U.S. history struck the Gulf Coast in the summer of 2005, it threatened millions of Americans in an area over 10,000 square miles. At the heart of the disaster, the city of New Orleans was virtually destroyed by the flooding that followed in the storm's aftermath. It was, to put it mildly, a bad day for America. As one veteran responder put it, getting aid into New Orleans and other devastated areas after Hurricane Katrina hit was like “landing an army at Normandy with a little less shooting.” And when Americans needed America most, we let them down.

### Assessing the Response

President George W. Bush was absolutely correct in labeling the national response “inadequate.”

When national catastrophes occur, the nation's resources need to be mobilized to respond immediately. Equally important, Americans must remain confident that their leaders, at all levels of government, are in charge and doing the right things to make all Americans safer. On both counts, the nation fell short, and Americans have a right to understand why and what can be done better.

An analysis of what went wrong has to focus on the nation's capacity to respond to a catastrophic disaster. The current national response system is built on "tiered response," a methodical employment of emergency responder assets very appropriate for dealing with disasters on a "normal" scale.

In a tiered-response, local leaders turn to state resources when they are exhausted. In turn, states turn to Washington when their means are exceeded. Both must communicate their requirements to federal officials and manage the response effectively.

In most disasters, local resources handle things in the first hours and days until national resources can be requested, marshaled, and rushed to the scene. Deploying national resources usually takes days. And usually that's all right, because local and state responders are capable of both providing aid and instilling confidence until reinforcements arrive.

Catastrophic disasters are of a completely different character. State and local resources may well be exhausted from the onset, and government leaders may well be unable to determine or communicate their priority needs. In such a situation, national resources need to show up in hours, not days, in unprecedented amounts, regardless of the difficulties. The United States lacks the means and capabilities to do this. This is something that the nation still needs to build.

Even years after September 11, 2001, the U.S. has

only begun to build the needed system. In part, this is because Congress, states, and cities wanted it this way. All of them insisted on doling out grants with scant regard to national priorities. Katrina shows why this piece-meal approach is wrong. Many of the New Orleans fire stations were buried under water, along with much of the equipment bought with federal dollars. Only a national system—capable of mustering the whole nation—can respond to catastrophic disasters.

### The Military Response

Part of knowing what to fix, however, is knowing what not to fix in the national response system. And there were things that went right. America's military was a case in point.

When local and state assets are overwhelmed during a disaster, it is appropriate for military assets to be brought in to bridge the gap until civilian responders can handle the situation. And that did happen. The U.S. Coast Guard, a uniformed military service that is now part of the Department of Homeland Security, rescued more than 33,000 people during and after the storm, often under harrowing conditions. And the Pentagon pitched in as well. By August 31, the Defense Department had started medical airlifts, and the USS Bataan had arrived off New Orleans. Almost 50,000 National Guard forces deployed to support hurricane relief, and active duty troops from the 82d Airborne and 1st Cavalry, more than 17,000, pitched in as well.

A second amphibious assault ship and an aircraft carrier arrived on September 6. Twenty ships, 360 helicopters and 93 fixed-wing aircraft were in the affected area by September 7. It was the largest and fastest deployment of U.S. military forces in support of a natural disaster in the nation's history. Few in the media seemed to notice the difference they made. If the nation had really responded as ineptly as the press suggested, then the death toll would have been catastrophic. But it wasn't. Hundreds of thousands were evacuated before the storm, tens of thousands were rescued after it hit, and millions received aid, shelter and

comfort in the storm's wake. There are lessons to be learned from Katrina. At the outset of a disaster, when state and local governments are overwhelmed, and before the vast resources in the private sector can be brought to bear, there is an important role for "military" responders. They must, however, be organized, trained and equipped properly for the task, so that in cases like Katrina they can get there and make a difference in hours instead of days.

A good place to start would be to consider modernizing the Coast Guard. Today, young Coast Guard men and women are busier than ever. But they are heading into harm's way with a fleet of ships, planes and helicopters that are rapidly wearing out. Coast Guardsmen were deployed into the teeth of Katrina on ships old enough to collect Social Security. There's no excuse for that.

Before Katrina, the House voted to cut the Coast Guard's budget for new equipment. There's no excuse for that, either. Congress should double the amount given to the Coast Guard for new ships and aircraft, equipment that could have saved even more lives.

Congress and the administration also need to ensure that we have a robust, fully manned and well-equipped National Guard. And the Guard should have units organized and equipped to meet contingencies exactly like Katrina or any other large-scale disaster whether it is caused by a terrorist or a natural disaster. In achieving that end there are some things they should—and should not do.

#### The Military and the Law

The government response to Hurricane Katrina also renewed debate over the efficacy of the Posse Comitatus Act, which prohibits the Pentagon from conducting domestic law enforcement. Amending the law to grant federal troops greater authority in restoring order in the wake of a domestic emergency is a bad idea. Establishing ways to ensure that the military is better prepared to respond

to disasters makes sense, but changing Posse Comitatus would be a mistake. Under the Posse Comitatus Act, the armed services are generally prohibited from engaging in law enforcement activities inside the United States, such as investigating, arresting, or incarcerating individuals, except as authorized by federal law. The National Guard, however, enjoys a unique legal status. Guard troops are frequently referred to as citizen soldiers, part of the military's substantial Reserve components.

Reserve forces are called to active service only for limited periods, such as for annual training or overseas deployments. When not on active duty, National Guard units remain on call to support the governors of their respective states. Posse Comitatus does not apply to National Guard forces unless they are mobilized as federal troops. As a result, the Guard plays the primary role in augmenting state and local law enforcement under state control, while the Defense Department plays a supporting role, providing resources and logistical support.

Furthermore, the Posse Comitatus Act has never been a serious obstacle to using federal forces to support domestic operations. For example, federal forces helped to quell riots by miners in Idaho in 1899; protected James Meredith, the University of Mississippi's first black student, in 1961; assisted in controlling the 1992 Los Angeles riots; and helped to reestablish order in the aftermath of Hurricane Katrina. In fact, federal forces have been used to enforce laws over 175 times in the past 200 years under the authority of laws such as the Insurrection Act. In short, the federal troops can be there when they are needed.

Undercutting or supplanting the authority of mayors and governors in a moment of national crisis would be a monumental mistake. Rather than tinkering with constitutional relationships, Congress and the administration should focus on creating mechanisms to get them the forces they will need to get the job done.

The greatest obstacle to overcome is not the legal barriers, but the tyranny of time and distance and the destroyed infrastructure, such as downed bridges and flooded roads, which might limit access.

Deploying the military faster—making it a more agile and flexible instrument to respond to all kinds of domestic security needs—is a question of force structure and policy. It does not require tampering with the sovereign responsibilities outlined in the Constitution. There are better solutions. Specifically, Congress could:

- Mix National Guard and Reserve forces. The Army Reserves, like the National Guard, are citizen soldiers. However, the Reserves are federal forces, meaning that they do not belong to the states in which they are based. Since assets indispensable to disaster relief are scattered throughout the Reserve components (both the Reserves and the Guard), disaster relief efforts should integrate both components' resources and clarify lines of authority in a manner that preserves states' autonomy in accordance with *Posse Comitatus*. Rather than amend the law to expand federal authority, Congress could consider adding a provision that would allow federal Reserve units to function under state control during a natural disaster or other emergency situation. Under such a provision, states could draft their own emergency response plans and submit them to the Department of Defense (DOD) and Department of Homeland Security (DHS). In an emergency, the DOD could then marshal the resources and logistical support necessary to support state authorities. Such an arrangement allows states to tailor plans to their individual needs, to maintain unity and continuity of command, and to allow for coordinating the needs and costs of responding to disasters and other contingencies before the event.
- Create a Navy National Guard. The emerging potential for maritime threats and low-altitude attacks augurs the need for an organizational structure that better utilizes the Navy's capacity to support homeland security. Several states with maritime interests already have state naval militias. In fact, the New York Naval Militia assisted in the response to the terrorist attacks of September 11, 2001. Creating a Navy Guard to include all coastal states would offer several advantages. A Navy Guard would provide coastal states with more resources to address their state maritime security and public safety requirements. Unlike the Coast Guard, the Navy Guard would focus on state needs when not on active federal service. It would also provide an organization within the National Guard and the Navy that treats homeland security missions as an inherent responsibility and would work to develop the requisite competencies and capabilities to fully support these tasks. Finally, a Navy Guard would provide a suitable partner for the U.S. Coast Guard to ensure seamless integration of daily DOD and DHS maritime operations.

#### The National Guard and Homeland Security

The most important innovation that could be made to improve the military response to catastrophic disaster would be reorganize and equip a significant portion of the National Guard so that they are well prepared to perform "consequence management" missions both at home and overseas.

Most disasters, including terrorist attacks, can be handled by emergency responders. Only catastrophic disasters—events that overwhelm the capacity of state and local governments—require a large-scale military response. Assigning this mission to the military makes sense.

It would be counterproductive and ruinously expensive for other federal agencies, local governments, or the private sector to maintain the excess capacity and resources needed for immediate catastrophic response. On the other hand, maintaining this capacity would have real utility for the military. The Pentagon could use response forces for tasks directly related to its primary warfighting jobs—such as theater support to civilian governments during a conflict, counterinsurgency missions, and postwar occupation—as well as homeland security.

Furthermore, using military forces for catastrophic response would be in accordance with constitutional principles and would not require changing existing laws.

These forces would be National Guard soldiers, which are the troops that have the flexibility to work equally well under state or federal control. The force needs to be large enough to maintain some units on active duty at all times for rapid response and sufficient to support missions at home and abroad. For catastrophic response, three components would need to be particularly robust: medical, security, and critical infrastructure response. In addition, the force must be self-deployable by air and logistically self-sustaining.

#### State Response Forces

States should also remember that they have other military assets available to them besides the National Guard and active duty military forces. U.S. law allows states to raise and maintain state defense forces (SDF). As the emergency response to Hurricane Katrina demonstrated, these groups can be an important supplement to the National Guard, particularly during catastrophic disasters. When trained, disciplined, and well organized, local responders are essential for providing immediate aid and security. Congress and the Bush Administration should encourage states to better organize, train, and equip these volunteer units.

The U.S. Constitution and United States Code Title 32, Section 309, authorize state defense forces. An SDF is under the command of the governor and reports to the state's Adjutant General. The state's constitution and laws prescribe the SDF's duties and responsibilities. These forces are state troops and are not funded by the federal government. In order to use armories, train on military installations, and receive in-kind support, states have to comply with federal standards for the National Guard in matters of accession, training, uniforms, and discipline. SDF personnel receive no pay for training but may be paid for active duty under state control.

Several states formed SDF units during World War I to replace their National Guard, which had been called into federal active duty. About 100,000 armed SDF personnel guarded key infrastructure and secured the coastlines and land frontiers. During World War II, about 200,000 state guardsmen, with War Department support, replaced the mobilized National Guard. The SDF program was revived in 1980 during the Cold War under the premise that SDF personnel would have to replace the National Guard on the home front if troops were mobilized to fight in Europe. Currently, 23 states maintain state defense forces of some kind, for a nationwide total of about 14,000 personnel.

Thousands of SDF personnel from at least eight states participated in the response to Hurricane Katrina. Louisiana activated all of its SDF. About 150 of these personnel were used in the response operation in support of the Louisiana National Guard. Mississippi also activated all of its State Guard personnel, principally in support of the Army National Guard, to provide security and operate shelters. Under the direction of the Adjutant General, Alabama SDF personnel assisted in providing security and supported the operations of the Alabama National Guard.

Although most SDF personnel were used in their own states, some were also deployed to the Gulf Coast.

The Texas State Guard activated over 1,000 members on paid active duty. Medical and military police units received evacuees at Kelly Air Force Base and supported operations at the Houston Astrodome and at shelters in four other locations within Texas. Georgia SDF personnel were activated in unpaid status to process evacuees through Dobbins Air Reserve Base and to provide medical and administrative support and security for shelters. Virginia used about 100 unpaid volunteers as part of the Katrina response operation. This allowed additional members of the Virginia National Guard to deploy to the Gulf Coast. Members of the Virginia defense force assisted in the deployment of National Guard units and provided security for armories.

The Maryland defense force sent an 81-person medical team to Louisiana. The Tennessee State Guard was alerted on September 1 and activated 150 volunteers to secure and support shelter operations at several locations.

Although governors have great responsibility for preparedness and response in catastrophic emergencies, they have few resources other than their National Guard available to them. SDF provide a low-cost way for states to increase the resources available. However, they have received little attention. Some state Adjutants General want strong and effective SDF under their command as part of their state military departments. Others resist having SDF, in some cases because of the additional work necessary to administer them. Historically, the Pentagon has offered little support or advice to the states. Additionally, while the Department of Homeland Security promotes volunteer participation in national preparedness and response programs, it has paid scant attention to SDF.

Neglecting SDF is a mistake. With National Guard forces being called to active duty more frequently than at any time since the Korean War, the need for SDF to provide some measure of backup support to the states should be readily apparent. SDF should be a core part of the volunteer assets available to states in time of crisis.

Congress can help by establishing a legislative framework to require appropriate cooperation between the Departments of Defense and Homeland Security and the state governments on SDF matters.

### A Better Way

Congress and the Administration can do better than changing laws like Posse Comitatus that safeguard the liberties of U.S. citizens, the principles of federalism, and the balance of civil-military relations. Rather, our leaders in Washington should improve integration of the Guard Reserve, create a Navy Guard, reorganize part of the National Guard for new missions, and encourage governors to improve their State Defense Forces.

These steps will make the nation better prepared for the next Katrina.

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## Home Security and Local Hazard and Disaster Management



William L. Waugh, Jr

Local emergency responders and emergency managers are the foundation upon which the nation's system to deal with hazards and disasters rests. Local fire brigades and other volunteer organizations were the earliest of our emergency response and emergency management programs. Today, local governments still have primary responsibility for managing natural and technological hazards and local first responders still handle small and large disasters. Local officials are responsible for land-use regulation,

building code adoption and enforcement, and emergency planning and training. The effectiveness of national efforts to deal with threats ranging from hurricanes to terrorist attacks is dependent upon the capacities of local governments to exercise their responsibilities well.

When disasters do occur, the assumptions are that state governments will provide assistance when the resources of local governments are overwhelmed and that the federal government will provide assistance when the resources of state and local governments are overwhelmed. State officials can intervene if it is clear that local officials need assistance, but federal officials are required to wait for state officials to request assistance. In practice, state resources are mobilized when the threat to life and property is substantial and federal resources are mobilized when it is apparent that local and state resources will be overwhelmed.

State officials seldom take over responsibility for disaster response from local officials and federal officials generally defer to local and state officials who have legal and political responsibility for managing hazards and disasters. This is the system that operated before the World Trade Center and Pentagon were attacked on September 11, 2001, and the system that operated until around 2004. Since that time, federal responses to major disasters like Hurricanes Katrina and Rita have been more ad hoc, less proactive, and slower.

The assumptions upon which major disaster responses were based in the 1990s are less certain since the creation of the Department of Homeland Security (DHS) in 2003. The support roles for federal agencies, including the Federal Emergency Management Agency (FEMA), that were defined in the Federal Response Plan and the Stafford Act have been changed under the new department. The new National Response Plan (NRP) is more oriented toward dealing with terrorist attacks and less oriented toward dealing with the more certain natural and technological disasters,

more oriented toward preventing terrorist attacks and less oriented toward mitigating the hazard and dealing with the disasters that might result from such attacks, and more oriented toward disasters in which there is a lead federal role and less oriented toward disasters in which state and local agencies are the lead or there is shared governance. All of these changes have affected local government roles in managing hazards and dealing with disasters.

Indeed, the Katrina and Rita disasters have raised serious questions about Homeland Security priorities and capabilities and the connections between and among Homeland Security programs and their local and state counterparts. The capacities of local officials in Louisiana, Mississippi, Alabama, and Texas to manage hazards and to deal with disasters were found wanting, as were the capacities of state and federal agencies to provide adequate and timely support.

In some measure, the causes of the problems were the centralization of federal decision making which slowed the deployment of resources, the loss of communication within the disaster areas and between the disaster areas and state and federal emergency management agencies, and poor planning and poor plan execution at all levels.

#### Local Emergency Management

Local emergency management utilizes an all-hazards approach. The underlying principle is that agencies can develop generic disaster programs that can be adapted to a variety of circumstances. Mass evacuation programs, for example, can be used to move populations away from flood, wildfire, hazardous materials spills, nuclear accidents, and terrorist attacks. Similarly, temporary shelter programs can be used in any circumstances in which people are evacuated from their communities or their homes are severely damaged. The assumption is that there are enough similarities in the responses to most disasters to justify some commonalities in the response programs. Disaster

response almost always requires adaptation, innovation, and improvisation. The all-hazards approach is also linked to the comprehensive emergency management model. The model divides emergency management activities, policies and programs into four functional areas: mitigation, preparedness, response, and recovery. Mitigation is the prevention of or reduction in losses from disaster, preparedness is planning and training and the development of response capabilities, response is the immediate reaction to disaster before or after it occurs, and recovery is the restoration of lifelines and other essential activities. The functions overlap. For example, measures taken during disaster response can mitigate the effects of disaster, such as covering damaged roofs with plastic tarps very quickly to minimize damage from rain or shutting off natural gas lines to prevent fires.

The biggest dilemma for local emergency management is the unevenness of capabilities. Some local agencies have few resources and may only have a part-time, unpaid emergency manager, while others may have large professional staffs and state-of-the-art capabilities. Some local agencies are well-supported by their state governments and some are not. For example, California's "standardized emergency management system" (SEMS) framework provides a common all-hazards approach with comprehensive planning processes, communication networks, and mechanisms for state-local and local-local coordination. There are regional coordinating bodies to assure effective delivery of resources to local agencies. Perhaps most importantly, SEMS assures that emergency agencies have a common technical language [1]. The State of Florida's Division of Emergency Management provides a number of services to local and regional emergency management organizations, including developing and maintaining geographic information system (GIS) databases to facilitate local disaster operations and training local officials.

Local emergency responders include the American Red Cross, the Salvation Army, and other

nongovernmental voluntary organizations, as well as fire, police, emergency medical services, and public works departments. Volunteers provide essential resources to deal with large disasters, i.e., the surge capacity. Volunteers provide critical manpower and technical expertise. The overwhelming majority of fire departments in the U.S. are volunteer. In the State of North Carolina, for example, 79 percent of fire departments are unpaid volunteers, 19 percent are mixes of volunteers and paid professionals, and only 6 percent are paid professionals [2].

States support local efforts by providing material and technical expertise. National Guard units, state police, state natural resources personnel, state fish and wildlife personnel and other state personnel can be deployed to support local responders.

The request includes a damage assessment and the kinds of aid that are needed. If warranted, a presidential disaster declaration is issued and makes available individual and public assistance, ranging from grants to state and local governments for the repair of infrastructure, public facilities, and debris removal to low interest disaster loans to private citizens for damage to residences and property.

#### The National Emergency Management and Homeland Security System

A series of major natural disasters during the 1960s and 1970s encouraged state and local government officials to ask for changes in national policy. In 1978, at the request of the National Governors' Association, President Carter initiated the reorganization of federal preparedness programs and the Federal Emergency Management Agency (FEMA) was created. There were organizational and political problems within the FEMA from the beginning. Most of the problems resulted from the appointment of administrators lacking emergency management experience. The very poor federal

responses to Hurricanes Hugo, Andrew, and Iniki were serious embarrassments to President George G.W. Bush and Congress considered abolishing the agency in 1992. However, in 1993, President Clinton appointed James Lee Witt, the former head of the Arkansas emergency management agency and a former local government official, as director of FEMA. Witt reinvented the agency, building strong working relationships with the agency's state and local counterparts. While the agency was not without its critics, its reputation benefited tremendously from a change in focus from national security to natural and technological disasters. The agency's effectiveness in supporting state and local disaster efforts, building partnerships with state and local agencies and the private sector, and increasing public awareness of hazards and appropriate self-help measures gave it a high public profile and a positive image.

The agency's approach became much more collaborative and cooperative and much more consistent with the legal and political realities of the American federal system [3].

The creation of the Department of Homeland Security in 2003 fundamentally rearranged federal emergency management structures and, consequently, has had considerable impact upon state and local emergency management programs. FEMA retained its role in coordinating federal responses to natural and technological disasters, but some programs were shifted elsewhere within DHS. Decision processes within DHS were centralized and altered FEMA's decentralized, regional office-oriented processes. The DHS' organizational culture is also much less collaborative and cooperative than the culture within FEMA and relationships with state and local partners have suffered. The secretary of DHS has assumed many of the functions previously the responsibility of the director of FEMA, including making recommendations to the president concerning Presidential disaster declarations. The new National Response Plan was approved late in 2004 and reorganized the

federal response to large-scale disasters. The National Incident Management System (NIMS) was adopted early in 2005 and has not been fully implemented. Many local agencies, in particular, are not NIMS compliant and most nongovernmental agencies are still trying to figure out what NIMS means. In short, there is considerable confusion at the local level and among nongovernmental organizations concerning expectations.

FEMA's mission has included capacity-building at the local and state levels and programs to define minimum and desired capabilities, but, under DHS, funding for local capacity-building has been slowed and/or diverted to counterterrorism programs. Little guidance has been provided for equipment choices and priority setting. Monies funneled through state agencies have tended to be allocated more broadly, reducing allocations to large central cities. State officials have often ignored local needs and allocations, until recently, were not based upon an assessment of risk.

The movement toward national standards has been progressing. The National Fire Protection Association began to develop a set of standards for public and private emergency management programs in the early 1990s. The standards, NFPA 1600, have been endorsed by professional organizations, government agencies, Congress, and the 9-11 Commission. Because NFPA 1600 is designed for both governmental and nongovernmental organizations, the Emergency Management Accreditation Program (EMAP) was created to adapt the standards for state and local government programs. EMAP is a voluntary accreditation process to encourage the adoption of effective practices. As of November 2005, the emergency management programs of the District of Columbia, Florida, Arizona, North Dakota, Virginia, Pennsylvania, and Jacksonville/Duval County (FL) are fully accredited and Illinois, Montana, and East Baton Rouge Parish (LA) are conditionally accredited. The standards include program attributes, such as program management,

finance and administration, and direction, control, and coordination. More importantly, the standards are for whole programs, rather than for single agencies. EMAP defines emergency management “programs” in very broad terms that include all the public, private, and nonprofit organizations that might be involved in hazard management and disaster operations. Rather than simply accrediting agencies, EMAP focuses on all the actors and stakeholders necessary to assure that the functions are carried out. EMAP is expanding to include Homeland Security functions and there are several bills before the U.S. Congress to require the adoption of standards for Homeland Security programs to assure the effective allocation of resources.

### Conclusions

During the 1990s, there was a paradigm shift in American emergency management from government action in response to crises and disasters to community action with government assistance. Local self-reliance was encouraged. The focus was on hazard mitigation, rather than disaster response and recovery.

Investments were made in programs to make communities “disaster-resistant” and “disaster-resilient.” Mitigation was also linked to sustainable development. Government programs became more cooperative and collaborative. FEMA and other agencies helped build consensus on the need to reduce hazards and offered incentives to adopt mitigation programs, rather than simply trying to force compliance through regulation.

The creation of DHS altered the American emergency management system significantly and, in many respects, for the worst. Organizational structures became more hierarchical. Organizational processes were centralized. Financial and human resources were shifted to counter-terrorism programs. Some state and local governments set up their own Homeland Security offices, usually tied to their police departments and sometimes apart from their emergency management offices.

Intergovernmental and inter-agency coordination became an even more serious problem. Local needs and priorities were secondary to DHS priorities. In many respects, emergency management became a peripheral mission within Homeland Security, despite the fact that the same networks of disaster relief organizations are needed during natural and unnatural disasters [4].

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### Notes

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## The Role of DoD In Homeland Security



Michael O'Hanlon

There are two central questions for the Department of Defense in the homeland security debate today. First, what is its overall relationship with the rest of the government, and DHS in particular, in protecting the American homeland

from possible terrorist attack? This is largely a question about Northcom's role. Second, should its force structure, and in particular its Reserve and National Guard force structure, be significantly modified in light of the new threats facing the country? This article focuses on the first.

After September 11, 2001, the U.S. military added a major command to its operational structure--one focused on the American homeland. In previous decades, DoD had devoted attention to direct protection of this country's territory only through the NORAD air defense operation conducted jointly with Canada, as well as various ballistic missile defense programs. It had not created a broader organization similar to regional commands focused on the greater Middle East, the Pacific, Europe and Africa, or South America. But with the creation of Northern Command on October 1, 2002, the U.S. military added an organization designed to carry out the general defense of North America as well as oceans out to several hundred miles' distance from shore. [1]

Creation of this command reflected recognition of the fact that the military will sometimes now play a significant role in homeland security—specifically, in those aspects described as homeland defense. It will as noted above generally be a support role, since most counterterrorist efforts involve painstaking work to track or secure modest numbers of individuals and modest quantities of dangerous materials.

The FBI, DHS, and the intelligence agencies are better suited to such work, and DoD's recent strategy document on the subject explicitly rules out any Department of Defense jurisdiction over such matters. [2]

But there are times when DoD's capacity for providing large numbers of people and assets quickly is extremely important. For example, military reservists were mobilized to monitor traffic near bridges and tunnels and protect high-value infrastructure such as airports and nuclear power plants after 9/11. It has also deployed troops to events such as State of the Union addresses, national political conventions, the 2004 G-8 summit in Georgia, and the funeral of former President Ronald Reagan. (Sometimes troops were deployed under the formal authority of governors, as National Guard forces can be, in part so that they would not be restricted by posse comitatus legislation that severely restricts the use of federal troops in domestic law enforcement activities.) [3] Some describe such activities, including protection of key sites, as constituting homeland defense in contrast to the broader concept of homeland security.

The Hurricane Katrina experience showed that, even if DoD is usually in a support role in catastrophes (natural or man-made), that support role can be quite significant in scope. This requires two changes in policy. First, DoD must plan much more effectively for immediate response in such situations. The paradigm in the past has been rapid but not emergency response (that is, over days, not hours). But when lives are at risk, people and assets from the active force as well as the reserve component must move out to an afflicted site as it becomes obvious that a storm (or an attack) is severe. It is not acceptable to only then begin serious planning and mobilization. Second, in my view the posse comitatus legislation needs a fourth exemption to allow DoD to carry out any and all activities, including law enforcement, in the event of major national catastrophe.

Existing exemptions for insurrection, nuclear crime, or chemical/biological emergency need to be complemented with a fourth that would allow the president to order active-duty forces into response in a situation like that witnessed during the approach and immediate aftermath of Hurricane Katrina.

Like the other commands, Northcom is administratively modest in scale. Located at Peterson Air Force Base in Colorado, it has a dedicated staff of about 1,200, including about 800 military personnel and 400 contractors, and a budget of just under \$200 million. [4] But it has the ability to call on forces not normally devoted to its mission if and when a crisis occurs. It also has jurisdiction over NORAD (a command still jointly maintained with Canada, and now focused on missile as well as air threats) [5] as well as a subordinate command in the Washington, DC area, and a joint task force for civil support at Fort Monroe, Virginia. [6] NORAD might usefully be broadened to include maritime surveillance as well, and to coordinate use of combined multinational land forces in response to an emergency. It might also be extended to involve Mexico as well as Canada and the United States. [7]

Among DoD's activities focused most directly on protection of the North American continent, national ballistic missile has received the greatest amount of attention. It need not be analyzed in detail here because it receives substantial scrutiny elsewhere--and because it is most doubtful that terrorists could get their hands on large rockets (a SCUD launch from a modified ship is not entirely out of the question for a rogue state, but even this type of ballistic missile threat would likely be beyond the reach of a terrorist).

Less frequently discussed is defense against a type of threat that could also be launched at American targets from beyond its borders, but that is much more likely to be available to terrorists--the cruise missile.

Many variants weigh only a ton or so, a fifth to a tenth as much as a SCUD, and could be easily placed inside a shipping container. If armed with chemical or biological agent in particular, and properly outfitted to disperse agent in an efficient way, such attacks could--particularly with potent biological agent--kill many tens of thousands. [8] DoD's homeland defense strategy document does discuss this subject, but acknowledges that present capabilities are highly limited and localized. [9]

The American military services have numerous programs relevant to cruise missile defense. Most of them are designed to protect forward-deployed forces within reasonably limited geographical zones. In theory, many of the capabilities that they are working towards could be linked up into a national defense of some kind, assuming proper systems integration and networking. But this could be done only at large cost and with very significant operational challenges such as a high risk of shooting down small aircraft. [10] Additional sensors, and a host of interceptor missile bases deployed around the country's perimeter, would ultimately be needed if this threat were to be addressed seriously. Cost estimates for such a capability begin around \$20 billion. [11] And that presupposes that some outstanding technical challenges, such as reliable discrimination of cruise missiles from other flying objects, could be solved. It may be a decade before such a defense is truly practicable. [12]

DoD could have other specific roles in homeland security as well. It possesses robust communications networks that DHS and other agencies may need to employ in the event of catastrophic attacks that leave normal communications nonfunctional, should massive power outages or other systemic failures of infrastructure require it, as witnessed to a substantial degree in Hurricane Katrina in 2005. [13] Its technology development efforts are also potentially quite useful to the homeland security mission in a broader sense.

For example, unmanned aerial vehicles are already used in border surveillance at times; aerostats could be as well. Unmanned aerial systems might also help with monitoring of key infrastructure. [14]

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