

NATIONAL HOMELAND SECURITY CONSORTIUM SUMMARY

July 23-24, 2010 ♦ Chicago, Illinois

December 23, 2010

Welcome by Matt Bettenhausen

Matt Bettenhausen is the Secretary of the California Emergency Management Agency (CalEMA).

Bettenhausen discussed the difficult coming time in regard to budgets, retirements and the loss of institutional knowledge, and the upcoming turnover with governorships.

Self Introductions of Participants

Organizational Reports on Top 5 Priority Issues

Each member organization was asked to brief on their current top 5 priority issues

AGAUS:

- State Control of Domestic Military Operations (aka, “Unity of Effort”)
- State-based CBRNE Response Forces (must be more robust)
- End Strength; FTS; TTHS Account (full-time trained Army National Guard Personnel)
 - The National Guard has adequate resources, but the Army is only at about 72% of capacity. Also need non-deployable assets to provide support.
- Army and Air Guard Recapitalization (wants support in Army base budget for equipment modernization)
- Military Construction Funding
 - Despite having 22% of the facilities, the Guard only receives 8% of MilCon funding. The current backlog is approaching \$60 billion.

APWA:

1. Designate Public Works as a First Responder
2. Disaster Assistance (supporting an all-hazards approach to assistance)
3. Interoperable Communications (i.e., D-Block allocation)
4. Protection of Critical Infrastructure Systems
5. Cyber Security (particularly the integration of cyber systems in public works GIS systems)

ASTHO

1. Fiscal Solvency
 - Wants multi-year funding to prevent potential downfall of preparedness programs
2. NHSS Implementation
3. Pandemic and All-Hazards Preparedness Act Reauthorization
 - impacts preparedness and response activities
4. Performance Measures (ability for public health to measure and demonstrate the effectiveness of efforts)
5. H1N1 After-Action

- Supports completion of the emergency management cycle by ensuring a full and inclusive after-action evaluation

CSG

1. Public Safety Communications (D-Block reallocation and development of standards)
2. Federal-State Partnership for HLS Policy
 - Establish a consistent process for receiving state and local input into decision-making processes
3. Sustained Resources for State and Local Governments (shift of disaster costs to the state level)
4. Border Security (enhanced international coordination and better port inspections)
5. PASS ID/REAL ID (develop alternatives to REAL ID)

GHSAC

1. Coordinate the Efforts of State and Local Agencies
 - Improve information sharing and fusion center coordination
 - Includes FEMA regions and coordination with the DHS component agencies
2. Develop Interoperable Communication for Emergency Responders
 - D-Block Allocation and sustained grant funding
3. Identify and Protect Critical Infrastructure
4. Strengthening Citizen Preparedness (better communication with the public)
5. Use Exercises and Simulations to Improve Preparedness (more effective after-action reports)
6. Ensure the Transition of New Homeland Security Advisors

IAEM

1. Support for Local Emergency management (specifically in times of smaller budgets)
2. Emergency Management Performance Grant Funding (maintain as stand-alone grant)
3. Leadership Development (to cover retirements and turnover)
4. PKEMRA Implementation (FEMA as the lead, rewrite of HSPD's 8 & 5)
5. Stafford Act Amendments
6. Support for the Emergency Management Institute
7. Reauthorization for Mitigation Programs (particularly NFIP)

IAFC

1. FEMA Reimbursement (not getting down to the local level in a timely manner)
 - Working with NEMA and NGA on EMAC improvements to provide better transparency
2. Nationwide Public Safety Broadband Communications (D-Block allocation)
3. Information Sharing with First Responders/Fire Service
 - Primarily USEFUL information and continued difficulty obtaining clearances
4. Defining Resilience at the Local Level (difficult given local budgetary constraints)
5. Clarifying the role of DoD in Major Disasters

ICMA

1. Recovery & Response Issues
 - Long-term recovery issues suffer due to lack of surge capacity
2. Financial Constraints and Capacity Questions
 - There is a fundamental change in asset capabilities at the local levels. Still unsure what impact the financial situation will have on services
3. Cyber Security
 - As new issue for ICMA
4. Immigration (there is an overall lack of a national strategy – ICMA has done a white paper)
5. D-Block allocation

6. Stafford Act Amendments

MCC

1. D-Block Allocation
2. Continued Development of, and Sustained Funding for, the Fusion Center System
3. Nationwide Implementation of DOJ-sponsored Suspicious Activity Reporting System
 - “Fusion centers connects the dots, but the SARS system creates the dots”
4. Local Law Enforcement Involvement in Immigration Enforcement
 - Continues to support previous position that immigration enforcement is not a local responsibility.
 - Current efforts run the risk of impacting long-standing relationships with immigrant communities at the local level.
5. Continued Erosion of Local Budgets (many local “extras” have already been eliminated)

NACo

1. Allocation of D-Block Spectrum
2. Sustained Funding by DHS for State and Local Programs
 - Limited budgets make preparedness levels unsustainable
3. Reauthorize National Flood Insurance Program (need long-term solution)
 - Wants incentives to local governments to provide adequate pre and post mitigation
4. Reauthorize Pre-Disaster Mitigation Grant Program
5. Enact Comprehensive Immigration Reform (clear enforcement policies and elimination of unfunded mandates)

NACCHO

1. Strengthen Local Public Health Preparedness Infrastructure (multi-year and sustained funding)
2. Develop Evidence-based Performance Metrics for Public Health Preparedness
3. Promote All-Hazards Preparedness
4. Strengthen Public Health Preparedness Workforce Development (staff shortages and turnover)
5. Build and Strengthen Community Resilience (individuals must understand personal preparedness)

NASEMSO

1. Funding
 - While others are looking for sustained funding, NASEMSO is looking for base funding
 - Not all locals are aware or taking advantage of grant funding
2. EMS Recognized as a Healthcare Professional
3. Medicare Reimbursement (specifically for ambulance providers)
 - Some services have been cut-back due to reimbursement issues
4. Standardization (equipment, interoperable communication, and training)
 - Looking at 2013 as the goal to have standards in place – also want alternative standards for limited resources during a catastrophic event
5. Recruitment and Retention (viable workforce and surge capacity)

NCSL

1. D-Block Reallocation
2. Immigration Reform (comprehensive immigration reform with Federal lead)
3. State Authority to Enforce Chemical Security Standards
 - Preservation of state authority to establish standards more stringent than Feds
4. Funding for Homeland Security Grant Programs
 - A minimum grant should be provided to each state

5. REAL ID
6. No Federal Preemption of State Authority for National Guard (maintain domestic control)

NEMA

1. Turnover of State Emergency Management Directors & HLS Advisors Following 2010 Elections
 - Professional and Organizational Continuity
2. Establishment of Performance Measure for Preparedness
 - Answering Congress' questions regarding outcomes from grant funding
3. Disaster Declaration Reform by the Federal Government
 - Administration looking at disaster declaration process
 - Concerned about proposal regarding 100% funding for category A&B assistance
 - Do not want to see cost shift to state governments
4. Critical Infrastructure and Systems Interdependencies
5. Impact of Changing Weather Patterns on Emergency Management
 - Remains an issue despite arguments for/against the causes of climate change

NGA

1. D-Block Allocation
2. Council of Governors – Homeland Defense and the National Guard
 - Support to civil authorities recognized in legislation and DoD decisions
3. Fusion Centers and Information Sharing (sustained funding and baseline capability review)
4. Cyber Security
5. Grants Administration, Reporting, and Performance Measures
6. PASS ID (explore alternative way forward)

NLC

1. Saving Jobs in America's Cities and Towns
 - Hiring and funding for local government employees, police, and fire
 - Looking for stabilization in HLS grant funding as well as other funding options (non-HLS)
2. Strengthen and Stabilize the Housing Market
3. Invest in Transportation Infrastructure
4. Support Local Energy Efficiency and Conservation Efforts
5. D-Block Allocation
6. Stafford Act Reforms (more local engagement and coordination)
7. Immigration Reform (developing comprehensive plan with USCM)

NPS

1. Acceptance that "homeland security" is a permanent and pervasive component of all public health, safety and security policy, strategy, and operations issues for the foreseeable future.
 - It is not a temporary anomaly in public policy
2. Prevention of terrorist acts deserves a "whole of governments" priority effort yet continues to be pushed most often to the law enforcement and federal agency spectrum of action.
 - It is more than just a "cops and CIA" issue
3. The era of selflessness and rallying to a common goal has waned in the years since 9/11.
 - Fiscal pressures and parochialism have slowly begun to erode camaraderie, unity, and partnership
 - How do we return to common strategies without having to suffer another attack or significant incident?
4. "All hazards" and "all disasters are local" are becoming both misleading concepts and creating division between levels of government and among disciplines.

- “All hazards” has become code for “natural disasters”
 - “Local disasters” has become code for giving money directly to local units of gov’t
5. What do we want the country to “look like” after the next attack or catastrophic incident and what have we put in place beforehand to realize that vision?

NSA (Sheriffs)

1. Support nationwide implementation of SARS
2. D-Block Allocation and Dedicated Funding
3. Comprehensive Immigration Reform (including strong border security)
4. Federal funding for law enforcement (fusion centers and local jails that house illegal immigrants)
5. Medical Countermeasures Programs (distribution issues)

US Chamber

1. Cyber Security (currently developing a guide due out the Fall of 2011)
 - Ensure critical infrastructure and all size business understand where they fit into the system, how to protect themselves, and what to do if attacked
2. Global Supply Chain Security (and how it affects national security while keeping trade moving)
3. Emergency Preparedness and Response
 - Ensure members have the tools to know what to do in the event of an attack
4. Chemical Security
5. Critical Infrastructure Protection
 - Improvements to information sharing particularly how local businesses can become involved.

BENS

- Cyber Security
- Global Supply Chain Security (working with DoD to encourage private sector engagement)

Q&A/Comments:

- Unclear as to whether an accurate assessment of local government dependence on the National Guard currently exists, but there has been a significant increase in the impact over the past 5-7 years especially to small departments. A small department with 2 Guard personnel would be severely impacted by a call-up. Such issues are taken into consideration during call-up, and will often leave critical personnel in their daily job.
- Pushing FEMA management to the regional level will work provided the regions communicate with one another
- Obesity is becoming a national security issue in terms of qualifications for local first responders and National Guard
- A future attack will be seen not just as a challenge for victims and practitioners, but will provide a hyper-partisan political environment which could allow politicians to overstep the response. How will the NHSC contribute to the national discussion after an event to help provide a reasoned approach?
 - It may not be partisan, but seen as more “political” since there are many different policy discussions occurring.
 - Despite events since 9/11, we have not fully implemented the lessons learned. Exercises are designed for success rather than stressing the system, funding is unstable, and decisions are still political. Billions of dollars have been spent without the ability to measure results.
 - We need to provide a difference between national security and homeland security.
 - Part of the problem is that we’ve buried ourselves in acronyms and technical information, and the public no longer understands efforts underway and public officials, therefore, have no logical way to debate and explain the issues.

- Perhaps too many programs and policies are tied to governmental funding cycles which reduces the ability to have a truly comprehensive and long-term program.
- Where are we in terms of organizations in response to POTUS' proposal to provide \$53B to help states sustain law enforcement and fire?
 - The financial situation of the nation could adversely impact the ability for the Consortium to continue moving forward on many issues.
 - Are we asking too much of the federal government? Why is more not the responsibility of the states if the issues are so important? States must determine what is important to public safety or public health and fund them appropriately. There is no need to always wait for the federal government to provide funding (i.e. fusion centers, secure drivers licenses, etc)
- Overall, there is a fundamental problem with the ability for the federal government to organize itself. A situation is thereby created where each incident brings about exceptions to all the rules, so the response is different to each incident, yet the federal government claims coordination.
 - Partisanship and politics often gets in the way of good policy because of the desire to want to manage and be seen at the "big issues." For example, the oil spill continues to be on the forefront of everyone's mind, but no one mentions the catastrophe of flooding that occurred in Tennessee.

Comments by the Hon. Caryn Wagner "Information Sharing with State and Local Governments"

Caryn Wagner is the Under Secretary for Intelligence and Analysis (I&A) at the Department of Homeland Security. She served as an instructor in Intelligence Community Management for the Intelligence and Security Academy from 2008 to 2009. Wagner retired from the House Permanent Select Committee on Intelligence in 2008 where she served as Budget Director and Cyber Security Coordinator. Prior to her current appointment, Wagner served as the Senior Defense Intelligence Agency Representative to Europe.

Efforts are currently underway to strengthen the management structure within I&A. They continue to struggle, however with hiring and managing budgetary issues. Perhaps the most significant challenge is running the daily operations of the organization while continuing to build the organization. She has also found it difficult to remain open and transparent while managing an inherently closed agency.

I&A is attempting to improve the quality of analysis by trying to answer the question of what the organization provides that no one else does, so they work closely with partner agencies specifically at the FBI and NCTC. They continue to struggle with providing valuable information to a diverse customer base. A DHS Threat Task Force was assembled in the wake of the Zazi case and acts much like a fusion center where it brings together representatives from the component agencies across the federal government to assess requests for information.

Specifically to fusions centers, an assessment of intelligence requirements has been completed at approximately 20 fusion centers already, and the agency continues to discuss whether more clearances need to be issued to personnel in the field. In the eyes of I&A, the 72 nationwide fusion centers represent the conduit for the agency to state and local governments. They continue to try and forge lasting relationships and have placed an I&A representative in each fusion center. The success of fusion centers continues to be a priority for the Secretary, so accordingly, I&A created the Joint Fusion Center Management Office to help accelerate the capability of state and local fusion centers.

Partnerships with state and local governments and the private sector remain vitally important because the threat picture has changed substantially. I&A is focusing on 3 major areas:

1. Main Al Qaeda. The department feels they are substantially weakened, and therefore less of a threat

2. Al Qaeda Affiliates. These organizations are starting to spread, and most of the work is being carried out without the financial support from main Al Qaeda.
3. Lone Wolves or Homegrown Terrorists. This is a growing group and increasingly difficult problem given the difficulty in finding and tracking.

Wagner accepted some questions as outlined below:

- The most important aspect of nurturing fusion centers is steady funding from Congress and accelerating the education of the American public. To accomplish full public education, fusion centers must maintain an independent network of communication on the local level.
- There must be a mechanism whereby information sent up to DHS also needs to be reported to state and local fusion centers so there remains visibility on daily issues.
- I&A is not yet utilizing a lot of public health data in the analysis of intelligence.
- State and local fusion centers began as a need initiated by state governments, but over time have become almost entirely dependent on federal funding. I&A believes states should provide more support when and if possible.

Comments by Richard Reed (teleconference)

“Updates to Homeland Security Presidential Directives and Perspectives on the Current Oil Spill”

Richard Reed currently serves as the Special Assistant to the president for Homeland Security and Senior Director for Resilience. In this capacity, he oversees the Resilience Directorate of the National Security Staff at the White House. He coordinates across the Executive Office of the President, White House Office entities, and other offices of the National Security Staff.

The new Homeland Security Strategy is meant to take a fresh look at the threat picture and the integration of the National Security and Homeland Security Staff. Current coordination efforts are allowing for better policy decisions. Policy reviews are not limited to HSPD 5 and 8. All other existing presidential directives (currently 26) are also being reviewed. Specifically to HSPD 5 and 8, Reed’s staff met with more than two dozen associations and groups to discuss potential changes. The new HSPD 8 is due within 30 days.

Another priority for the NSC is to utilize the Stafford Act to incentivize state and local governments to reach higher levels of preparedness. By aligning the grants process to support preparedness efforts, measureable outcomes will be realized and funds can be reallocated as appropriate to achieve desirable levels of preparedness.

In addition to an overall operational review of the oil spill response, Reed noted the federal government is trying to avoid using the Stafford Act so the American people do not end-up paying for a non-natural occurring event caused by an entity who has agreed to pay all response and recovery costs. BP is working closely with the Administration in managing the response.

Reed accepted some questions as outlined below:

- The NSC is not currently examining any potential fundamental changes in response to the oil spill. Such changes would come from the Department of the Interior and others in the Administration. The overall coordination of the federal government, however, is being looked at in terms of how to manage a non-traditional response to an event.
- A report is en route to the President discussing long-term recovery issues.

- Defense support to civil authorities continues to be challenging. The Administration is hoping the Council of Governors will help educate specifically DoD on current issues, but these are concerns that surface in a variety of ways.
- The Council is advocating for home med kits to be made available for people to have vaccines readily available in their home to avoid distribution issues.

Business Meeting

Council of Governors Update

- The Council consists of 5 Republican and 5 Democrat Governors.
- The major topic of discussion at the first meeting (Feb 2010) was “Unity of Effort” and produced a document to strengthen training and exercise efforts. While Unity of Effort remains a priority, the Governors created 5 working groups to address other pressing issues including Unity of Effort, CBRNE Response Forces (Homeland Response Forces), Personnel, Military Construction, and Recapitalization.

White Paper Update Discussion

The below bullets reflect the conversation in regard to updating the NHSC white paper. Points of implementation are reflected in the discussion of June 24.

- The purpose of the update is to inform and focus audiences on current critical issues over the next 2-3 years. The previous white paper will be a reference or appendix to any new document.
- The foundation of the new document will restate the four strategic principles (and possibly more), list key issues that are of exceptions urgency (i.e. D-Block, funding, and Immigration), and key issues that are urgent and new not previously addressed such as cyber security and performance measures. Areas for possible expansion include:
 - Summary of 9 action areas and what is new in each of them
 - Attach Top 5 Policy Issues for each member organization and utilize the web to provide more than just a hardcopy
- The updated paper should be written in a way that the tasks can be completed in the timeframe of the paper – Congressionally focused
- First white paper was presidential transition teams, so this off-year is a good opportunity to educate new governors, members of Congress, etc.
- Beyond the white paper, as an organization, we may need to address issues on a shorter timeframe. For example, the D-Block debate is timely, but does not lend itself to the time it would take to include in a white paper. So position papers or letters could be utilized to push agenda items. A new iteration of the white paper could then be fed by a collection of position papers done over time. There is some danger in locking the group into “Top 5” issues since they change regularly and quickly. It was recognized, however, that some positions will be difficult to find unanimity.
 - We do not necessarily have to come to consensus, but could rather layout the entire discussion for consideration (for example, Supreme Court opinions)
 - Consider developing a website with the baseline paper plus position papers from the various organizations on specific topics.
- Regardless of the content, the paper must be short enough to lend to quick reading.
- Six Proposed Categories moving forward: Foundational Document, 2010 Issues to Address (with Narrative), NHSC Position Papers, Top HLS Issues of Member Organizations, Position Papers of Member Organizations, Updates to the 9 Action Areas, Alternative Approaches (dissenting view points)
 - Short-term plan (6 mths) includes moving beyond the white paper to a website, development of “new and urgent issues,” consortium position papers, and 9 key issue areas.

June 24, 2010

Comments by the Honorable Tim Manning, “National Protection and Preparedness Initiatives”

Tim Manning serves as the Deputy Administrator for National Preparedness at FEMA and former Emergency management Director and Homeland Security Advisor for the State of New Mexico.

The current issue working through the department is the Bottom-Up Review which is examining ways of implementing the QHSR recommendations. The hope is to define homeland security and expand beyond the separate missions of 22 government agencies. Specific to FEMA, the leadership wants to create and support a strong regional system. Numerous vacant personnel positions are being moved from headquarters to the regions as is the empowerment to make decisions, all while ensuring accountability. Grant guidance will continue to be driven by headquarters, but administration of those programs will come from the regions.

Major changes are coming in the exercise program to make exercises more effective and progressive in scheduling, execution, and integration. There will also be a shift in planning and the “whole of community.” Preparedness and planning must permeate all levels of government and culture and consider differences throughout populations such as developing MRE’s suitable for children. Supplemental plans for various “populations” (children, the elderly, etc) are ineffective. Those populations must be woven into the overall plan, not just added as an after-thought.

Credentialing is still being moved through the process, but has been delayed because the first draft was ineffective and did not provide adequate guidance. Another effort is underway, and this second attempt will be more effective. The expectation with grants is that the 2010 budget was the best budget that will be seen for some time. Despite that overall budget reductions exclude defense and homeland security, the overall top-line budgets will likely be reduced. The risk formula used for grant funding has evolved over the years, and the Department recognizes the flaws in the system. The formula is currently being reviewed prior to the distribution of the 2011 grants. Depending on the results of the formula review, the method of grant distribution may change.

Manning accepted some questions as outlined below:

- In addition to looking at grant consolidation at the programmatic level, FEMA is also exploring important independent programs for issues such as fusion centers. There is also discussion about possibly treating homeland security grants more like emergency management grants to ensure recipient buy-in.
- Exercises tend to be driven at the federal level, but do not adequately reflect federal involvement in response activities. Part of the above mentioned exercise review will include changes at the federal level to require better cross-cutting participation by federal representatives. These changes will require changes to HSEEP, and any mention of direction from the federal government regarding mandates is being eliminated to afford more of a partnership. A release date for the new recommendations has not yet been determined.
- The TCLs may continue to be used. The newest version attempted to classify and categorize communities, but that method was proven ineffective. Not all jurisdictions of like-size are created equal, so additional factors must be taken into account. Any future efforts will focus on the actual need of individual communities.

Comments by Warren Edwards, “Resilient Communities; Foundations of a Resilient Nation”

Edwards is the Director of the Community and Regional Research Institute (CARRI) which is a major program of the Southeast Region Research Initiative. The effort is being led by the Oak Ridge National Laboratory for DHS.

The QHSR approaches “brilliance” in several ways including the creation of a homeland security enterprise. The enterprise extends far beyond just DHS. Resilience becomes especially important since it is one of the 3 pillars outlined in the QHSR. When looking at the issue of resilience, the Institute found it best to examine community resilience specifically. Challenges facing communities now include growing community complexity, a new spectrum of hazards, an accelerating rate of change, impacts of the recession, and growing unrealistic expectations.

The institute realizes every community has a certain level of functional capacity. For the most part, that capacity remains unchanged over time except during an incident. The guiding principles for community resilience development adopted by CARRI include:

- Community resilience is ultimately about achieving an acceptable “new normal” level of functionality
- Community resilience is a reflection of, and depends on, the entire community – not just the government
- The system will be used by the community itself, not a group of experts
- The system must help the community define and prioritize actions to improve resilience
- The systems must be highly flexible – useful for communities regardless of size, type, or location

In order to improve their resilience, local communities need an understanding of what community resilience means, a way to measure where the community stands on a scale of resilience, tools and processes that help the community reach a more resilient state, and tangible rewards for the effort. Want to create communities that are competitive, maintain normal functions with little disruption, recovery rapidly and with little loss of economic or social value, reduce their reliance on limited federal resources, and reduce their reliance on private business and non-government resources.

Business Meeting

Continuation of White Paper Discussion

- Agreed to framework including identification of “urgent issues” and an update of the 9 issue areas. Urgent issues agreed to are;
 - D-Block Allocation – AGREED
 - Funding Issues & Decline in Capacity – AGREED
 - Immigration – AGREED
 - Focus more on comprehensive immigration reform to relieve burden on states.
 - Cyber Security – AGREED
 - Performance Measurement (ie, measuring preparedness) – AGREED (but keep general)
 - Long-Term Recovery (begin ongoing dialogue of overall expectations) – AGREED
- The opening narrative should include a discussion of gubernatorial changeover, loss of overall institutional knowledge, and how this effort feeds into the QHSR.
- All of the issues presented do not need to be “solved,” but rather addressed in a discussion format.