Homeland Security: Two Decades of Protecting the Nation

Week 1
Rise of the Homeland Security Enterprise
Instructor: Michael W. Collier

- First career as U.S. Coast Guard officer
  - Deepwater cutter operations & intelligence
  - Retired as a Commander (0-5)
- Second career in Higher Education:
  - Deputy Director for Research & Academic Programs at Florida International University’s Latin American & Caribbean Center
  - Associate Professor of Homeland Security at Eastern Kentucky University & Director of the Bluegrass State Intelligence Community Center of Academic Excellence
- Education:
  - BS, U.S. Coast Guard Academy
  - MS in Strategic Intelligence, U.S. Defense Intelligence College
  - Ph.D. in International Relations—Foreign Policy and Security Studies Major, Florida International University
This course may call into question your core beliefs on Homeland Security issues. The goal is not for you to abandon your core beliefs, but to understand the full context and differing perspectives on Homeland Security issues. Students should be aware this course may contain sensitive material concerning natural and man-made disasters, violence, violations of civil liberties, or other situations some students may find disturbing. Students who feel uncomfortable about hearing and discussing such sensitive topics should see the instructor.
Optional Text

- Provides historical context and U.S. government actions to identify and solve problems from:
  - 9/11 Terrorist Attacks
  - Hurricane Katrina
  - 2008 Financial Collapse

![System under Stress: The Challenge to 21st Century Governance](image)
Course Overview

- Week 1 – Rise of the Homeland Security Enterprise
- Week 2 – Terrorism, Cybersecurity, Disaster Response
- Week 3 – Border Security & Immigration Enforcement
What We’ll Learn in Week 1

- Creation of the Homeland Security Enterprise was kick-started by a lack of preparation and cooperation among U.S. agencies, highlighted first at 9/11 and again later in Hurricane Katrina.
- Structuring of the Homeland Security Enterprise and its missions was (is) a highly politicized process.
- While protection of the homeland has improved since 9/11, it is still far from being fully efficient and effective.
**Fundamental & Powerful Concept: Politics**

- **State (define):** the **power** to decide "**who gets what, when, & how**" (Lasswell, 1950)—political decisions are usually motivated by a combination of efforts to gain or maintain power, enact political ideology or personal agendas & desire to serve the public good.

- **Elaborate:** elected or appointed officials have the authority (power) to decide on the distribution and use of public assets (property, funding, people, etc.).

- **Exemplify:** the U.S. legislature approves the federal budget (the who and what), but it is executive branch officials (President, Cabinet, Departments, Agencies) who decide procedures to execute the budget and distribute the government assets (the when and how).

- **Illustrate:** politicians are to government as a puppeteer is to his/her puppets.

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**The Rise of the Homeland Security Enterprise has been a political process!**
Terrorism in the 1990s

- 1993 World Trade Center Bombing (al Qaeda)
- 1995 Oklahoma City Bombing (U.S. radicals)
- 1996 Atlanta Olympics Bombing (U.S. radical)
- 1996 Kohbar Towers Bombing  (al Qaeda claimed)
- 1998 US Embassy Bombings in Africa (Tanzania & Kenya) (al Qaeda)
- 2000 USS Cole Bombing in Yemen (al Qaeda in Yemen)


Jan. 2001 then President Clinton told incoming President Bush that al Qaeda was the top U.S national security threat
9/11 al Qaeda Attacks

**Direct Consequences:**
- Loss of life: 3000 plus killed, thousands injured
- Loss of infrastructure: WTC & surrounding buildings, severe damage to Pentagon, loss of 4 commercial aircraft
- Loss of information: WTC and government offices had to recover from loss of paper and digital files, etc.

**Indirect (broader) Consequences:**
- U.S. national feeling of insecurity
- NY Stock Market fell—causing loss of billions to corporations, personal retirement accounts, etc.—start of late-2000s U.S. recession
- U.S. Invasion of Afghanistan (2001)—cost lives and resources
- Creation of DHS (2002)—resources increased to protect homeland
- U.S. Invasion of Iraq (2003)—cost lives and resources
Results of 9/11 Investigations Revealed the Need for a Different Approach to Protecting the Homeland

Intelligence Failures

• Lack of information sharing and interagency coordination
• Did not “connect the dots”
• Lack of tactical warning (location, type, timing of attack)
• No Indications & Warning Problem for Domestic Terrorist Attack

Policy & Response Failures

• Policy-makers not receptive to intelligence provided
• Lack of interagency planning for a major domestic terrorist attack response
• Poor interagency coordination on site at the NY World Trade Center emergency response

All Sides – A lack of “imagination”
Differing Agendas & The Origins of “The Wall”

Law Enforcement Community (Domestic Intelligence)

- **Pre-Arrest**
  - Investigation
  - Intelligence Support
  - Unclassified
  - Arrest

- **Preliminaries**
  - Initial Appearance
  - Preliminary Hearing
  - Grand Jury
  - Arraignment

- **Prosecution**
  - Pretrial Motions to Suppress Evidence
  - Plea Bargaining
  - Trial
  - Sentencing

Intelligence & Military Community (Foreign Intelligence)

- **Pre-interdiction or Disruption**
  - Intelligence
  - Multi-Source
  - Classified

- **Interdiction or Disruption**
  - “End Game”
  - By Operating Forces or Covert Action

- **Dispensation**
  - People Killed or sent to LE Prosecution
  - Vehicles, materials, etc. destroyed or sent to Forfeiture

Community Goals

- Successful Prosecution
- Successful Interdiction or Disruption
Response to 9/11 Failures

- Sept. 20, 2001 President Bush created the White House Office of Homeland Security—another WH “Czar”
- Oct. 2001 U.S.A. PATRIOT Act passed
  - Department of Homeland Security (DHS) part of U.S. National Security structure
  - Transferred 22 existing federal agencies and approximately 177,000 personnel into DHS
  - Legislative thrust to improve interagency planning, threat prevention, and response cooperation
  - Did not address problems with 9/11 intelligence failures
Original DHS Structure under HS Act of 2002

Structure did not account for differing agency cultures and past agency autonomy, which interfered with interagency cooperation.
Evolution of DHS

- 2001—9/11 Attacks reveal interagency cooperation & coordination problems
- 2005—Hurricane Katrina hits Gulf Coast and reveals problems with interagency disaster planning and response
- 2012—Hurricane Sandy hits U.S. Northeast and demonstrates improved interagency response
- 2017—Three hurricanes—Harvey (Texas), Irma (Florida) & Maria (Puerto Rico), plus vast wildfires in the Western U.S., making year one of the most costly due to disasters
- 2017—Increased emphasis placed on Border Security and Immigration issues
Selected Key HS Legislation

- Immigration and Nationality Act (1952), many revisions since
- Robert T. Stafford Disaster Relief and Emergency Assistance Act and Related Authorities (1988)
- USA PATRIOT Act of Oct. 2001 (Public Law 107-56), Reauthorized Mar. 2006 (Goal was to bring down “The Wall” and improve financial crime enforcement.)
- Aviation and Transportation Security Act of Nov. 2001 (Public Law 107-71) (Created TSA.)
- Maritime Transportation Security Act of 2002 (Public Law 107-295)
- Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458) (Goal to improve information sharing/intelligence analysis.)
- Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53)
The Vision for Homeland Security

A homeland that is safe, secure, and resilient against terrorism and other hazards where American interests, aspirations, and way of life can thrive.

From 2014 Quadrennial Homeland Security Review
2014 Quadrennial Homeland Security Review: Five Missions (no priority order)

Prevent Terrorism and Enhance Security
Safeguard and Secure Cyberspace
Strengthen National Preparedness and Resilience
Secure and Manage Our Borders
Enforce and Administer our Immigration Laws
<table>
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<tr>
<th>DHS Component</th>
<th>2017 ($B)</th>
<th>2018 ($B)</th>
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<td>2.6</td>
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<td>Customs and Border Protection (CBP)</td>
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<td>Immigration and Customs Enforcement (ICE)</td>
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<tr>
<td>Transportation Security Administration (TSA)</td>
<td>7.6</td>
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<td>US Coast Guard (USCG)</td>
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<td>US Secret Service (USSS)</td>
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<td>2.2</td>
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<tr>
<td>Federal Emergency Management Agency (FEMA)</td>
<td>16.5</td>
<td>15.6</td>
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<tr>
<td>US Citizen &amp; Immigration Services (USCIS)</td>
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<td><strong>DHS Budget Total</strong></td>
<td><strong>66.8</strong></td>
<td><strong>70.7</strong></td>
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<tr>
<td><strong>USG Budget Total</strong></td>
<td><strong>3,982</strong></td>
<td><strong>4,173</strong></td>
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Time for a 10 Minute Break!
Congressional Oversight

- 88 Congressional Committees or Sub-Committees hold oversight responsibilities over some part of the Homeland Security budget and agencies/programs
- The Government Accounting Office (GAO) & Congressional Research Service (CRS) have released a number of reports criticizing DHS internal management and mission activities
- Politics are rampant!
Selected U.S. Depts./Agencies with Homeland Security Responsibilities

- **Dept. of Agriculture** – food stockpiles/assistance
- **Dept. Health & Human Services** – human services: housing, food/water, counseling, medical care
  - **Centers for Disease Control** – prevention, investigation, and response to diseases, injuries, disabilities
- **Dept. of Interior** – geological surveys, public safety on USG property, firefighting (wildfires)
- **Dept. of Justice** – prosecute federal crimes to include counterterrorism and transnational organized crime (intelligence, prevention, response, prosecution, incarceration for federal crimes), new (post 9/11) FBI National Security Division
Selected U.S. Depts./Agencies with Homeland Security Responsibilities (cont.)

- **Dept. of Transportation** – maritime, airline, railroad, and highway safety regulations, NTSB investigations, transportation infrastructure building/upgrades

- **Dept. of Treasury** – fight against illicit financing & money laundering (terrorism, organized crime, tax evaders)--Financial Crimes Enforcement Network (FinCen)

- **US Intelligence Community** – 17 members can/do provide intelligence support for Homeland Security activities

- **Dept. of Defense** – Title 10 USC, Defense Support to Civilian Agencies (DSCA) covered in later slides
National Security Council

- President: Chair
- Vice President
- Secretary of State
- Secretary of Defense
- Secretary of Homeland Security
- Secretary of Energy

- Advisors (as needed): Attorney General, National Security Advisor, Director of National Intelligence, Chairman Joint Chiefs of Staff, Director FBI, Director CIA, U.S. Ambassador to the United Nations, FEMA Administrator, & other Presidential Advisors, Executive Branch Officials, Agency Chiefs, or Cabinet Secretaries depending on security issue

- **NSC/President** – makes decisions
- **Principals Committee (PC)** – reviews policy before goes to NSC/President.
- **Deputies Committee (DC)** (deputies of PC members) — main policy development body
- **Policy Coordination Committees (PPCs)** (regional or functional) – conduct interagency staff work to support policy-making

PPCs with regional or functional responsibilities (exact number not published)
Homeland Security Council

- President Bush first created in 2001
- Reports to the NSC
- HSC DC Chaired by Deputy National Security Advisor (Homeland Security)
- President Obama disbanded in 2009
- President Trump reinstituted in 2016

HSC PPCs with functional responsibilities (exact number not published)
DOD Homeland Defense & Security Responsibilities

- **Homeland Defense** – protect against foreign military and terrorist attacks
- **Homeland Security**—through Title 10 USC (DOD support to other agencies) and Defense Support to Civil Authorities (DSCA) (for emergency & disaster response, civil disturbances, etc.)
  - Local DOD commanders can give immediate support with local forces when necessary
  - Larger deployments always under DOD chain of command (coordinated through USNORTHCOM)
U.S. Unified Commands

Functional Commands: USCYBERCOM, USSOCOM, USSTRATCOM, USTRANSCOM
USNORTHCOM Coordinates & Supports Defense Support to Civilian Agencies (DSCA) for Homeland Security & Defense

- CONUS
- Alaska
- Puerto Rico
- US Virgin Islands
NORTHCOM Defense Support to Civilian Agencies (DSCA)

Under Title 10 USC

- Immediate Response & Mutual Assistance
- Counter-Drug Operations
- Intelligence Support
- Community Affairs
- National Interagency Firefighting Center (NFIC)
- Air Force Rescue Coordination Center
- Army Corps of Engineers Support
- Sensitive (Classified) Support

Under National Response Framework

- Request to DOD for Support (Domestic Incidents)
- CBRN CM (CONPLAN 3500)
- DSCA (CONPLAN 3501)
- Civil Disturbance Operations (CONPLAN 3502)
- Pandemic Influenza (CONPLAN 3591)
- Civil Event Support
- Civil Strike/Augmentation (USPS, FAA, Federal Prisons, etc.)
Do not forget State, Local, and Tribal Jurisdictions!

- Every U.S. State, County, City, and Tribal entity has differing organizational structures, laws, and regulations pertaining to how they will execute their homeland security and emergency management responsibilities.
- Some states and larger local jurisdictions have separate homeland security and emergency management agencies—in some states and most local jurisdictions there is one combined organization.
- Local and tribal jurisdictions sometimes give the homeland security responsibilities to their police chiefs and others to their fire chiefs—some have separate agencies in charge.
Indian Reservations in the Continental United States

Data Sources:
This map was compiled from unknown sources by the Bureau of Indian Affairs (BIA) at 1:2,000,000 scale.
Federal Liaison with States/Locals/Tribal

- **Joint Terrorism Task Forces (JTTFs)**—led by FBI and include other federal, state, and local agencies (formalized and expanded after 9/11)
- **High Intensity Drug-Trafficking Areas (HIDTAs)**—under the US Office of National Drug Control Policy and include federal, state, and local agencies (depending on the region) (pre-date 9/11)
- **Border Enforcement Security Teams (BEST)**—led by ICE and include other federal, state, and local agencies (depending on the region)
- **State/Local Intelligence Fusion Centers**—led by state or local hires and include other federal, state, and local agencies (depending on the region)
- **DHS Liaisons** in cybersecurity, infrastructure protection, and intelligence assigned to regions around the country
- **InfraGard**—FBI-run system to exchange counterterrorism and cybersecurity information with private sector
Fusion Center Locations

The National Network

Also in Puerto Rico, US Virgin Islands, Marianas Islands (Guam)
Do not Forget Security Coordination with Private Sector Owners of Critical Infrastructure (≈ 85%)

Source: http://www.dhs.gov/tech/files/programs/go_1189168948944.shtm
Today’s U.S. Security Structure

Prior to 9/11

National Security
- Military/IC

Citizen Security
- Homeland Security
- Law Enf Lead Mil/IC Support

Corporate Security
- Corporations Businesses

Law Enforcement
- Citizen Security
Federal + State + Local + Tribal = Homeland Security Enterprise

• “Since DHS’ creation, the goal is simple: one DHS, one enterprise, a shared vision, with integrated results-based operations....

• DHS has taken significant steps to create a unified and integrated effort that will enhance performance by focusing on: accountability, efficiency, transparency and leadership development....

• As a result, DHS is leaner, smarter, more responsive and better equipped to protect the nation....” (really?)

Source: DHS.gov

DHS continually rates at the bottom of federal employee satisfaction surveys
Trend shown is deemed “Punctuated Backsliding” (Kettl, *System Under Stress*, 2014).
In Week 2 we review the Homeland Security mission areas of Counter-Terrorism, Cybersecurity, and Disaster Response.