

Setting the Scene for a Discussion of DoD's Role in Responding to Catastrophe

DR. DAVID H. MCINTYRE

Director, Integrative Center for Homeland Security, Texas A&M University

PROFESSOR BERT B. TUSSING

Director, Homeland Defense and Security Issues
The United States Army War College, Center for Strategic Leadership

The intellectual development of homeland security is beginning to move outside the beltway and Washington D.C., past the issue of training firemen and other first responders, and into the realm of academia. We are finally beginning to engage the intelligencia of the United States, within the university system. This is going to change the nature of the debate, because these experts in research and teaching have things to say that you might not want to hear about what constitutes homeland security, and what we should or should not be doing.

This leads to a second point. I want to suggest to you a narrative – how to think about homeland security. I am certainly moved by 9/11. Many of my students are moved by 9/11. But my faculty, by and large, is not. It does not do me any good to begin with a slide that talks about 9/11. I have quit talking about the global war on terrorism. Many people in the Unites States are not moved by that argument. In fact, there is a certain counter or backfire building against this argument as to why we are at war and isn't it in fact our own fault. So, I use a different narrative to explain our situation. I offer it to every audience because I think it is important that we have a common understanding of what we are doing and why.

My first point is that the current problems of homeland security have nothing to do with whether or not there are Arab fundamentalist here and whether or not we are facing Islamic radicalism. It has everything

to do with the maturity of technology so that **small people now have access to big weapons**. Timothy McVeigh was only the opening shot in this new world. All over this nation today, you can do in a really good high school lab DNA experiments that could not have been done by Soviet bio-weapons experts twenty five years ago. The FBI spent seventeen years chasing the Unabomber, and in my lifetime I fear the FBI will have to chase the Unageneticist. Dramatic new threats that result from a dramatic new flow of information are coming, so whether you like the concept or not, whether you consider terrorism a valid cause for an overseas war or not, we have to rethink the structure of homeland security, potential disasters and potential catastrophes within the United States. I will tell you, the audiences I speak to resonate with this message much better than they resonate with an opening picture of the Twin Towers.

Secondly, beyond that, it is important to realize that **we do have an enemy**. I think MI5 did the right thing in stepping out to arrest plotters in London recently, before they could put their plans into action. I wish our FBI and the Department of Justice would step out and say what they are seeing, what have they encountered, what kind of radical groups they are tracking in the United States—and whether they see a real threat or not. You cannot simply collect all the information, say, “It is classified, trust me....There is a threat, but it will be OK.” and expect the American people to just come along.

Thirdly, we need to understand that **we are up against a new type of terrorism**. I speak over and over to terrorism workshops, terrorism seminars, and terrorism faculties. I am sure I will offend some people, but it’s part of my job as an academic. I will tell you that people who were working hard in the subject of terrorism prior to 9/11, are frequently less useful on the subject than they could be because they are locked onto a vision shaped two decades ago. They want to talk about “Shining Path,” they want to talk about the “Red Brigade” or they want to talk about the fundamentals of terrorism of 20 years ago. Today we see a different approach to terrorism—a different way of thinking by terrorists. The father of my best friend in elementary school was a co-pilot when the first aircraft was hijacked from the United States. What he was told was “Give up the airplane.” That was the rule for pilots for

40 years—because terrorists mainly just wanted publicity. No more. It's a different form of terrorism. This group is out for large numbers of casualties—no alternatives, no negotiations. These are not my words. These are from the 9/11 Commission.

Finally, technology and history have produced **new vulnerabilities within the United States**. This brings us to the issue of disasters and catastrophes. We are a “just-in-time” society now. There was a time about twenty years ago, before deregulation for example, when you drove down the road and saw big storage tanks of gasoline, diesel and fuel—there was a time when there was somewhere between 21 and 24 days of fuel available in those tanks on any given day. That's gone because of deregulation and just in time delivery. Today, those tanks are holding about eleven days of fuel and the bottom four days are not usable because they are required to keep the tanks erect. So, the flexibility, the structure of the United States, is much more fragile than it was twenty years ago because of movement in industry.

Expectations have also changed in the United States. When Hurricane Carla blew ashore and went over Texas when I was young, nobody expected the school bus to show up with a cooler of ice from the federal government to carry us out of the storm. We thought we were on our own. Today, people expect that support, and they expect it right away. It's been reported now that in the state of Florida people line up as soon as the storm is over looking for free ice—when it's for sale across the street. There are different expectations, and it is going to affect the way we respond to a catastrophe.

Lastly, in case you haven't heard it at some other conference, there is a growing division within the homeland security community over whether we need to be focused on prevention and protection (as suggested by those who approach this from a security perspective, worried about terrorism), or mitigation (the more traditional approach of civil defense, the Federal Emergency Management Agency [FEMA], and emergency management). There is a growing split about who should be in charge and how the money should be spent, or what we should be doing to prepare for catastrophes and disasters. Those two groups are building different parallel intellectual universes, and it is important to understand this.

This brings me to my most important scene setting point. We could lose this fight!

I understand and applaud the comments about the impact the National Guard is having with its deployments overseas, how we set a different standard for the world when we show up and take the fabric for America into foreign countries. But if you haven't noticed lately, the correlation of forces is not moving in our direction. In spite of what we did to win friends during the earthquakes in Pakistan three years ago, the tribal areas are not lining up on our side today. They are lining up against us. People are selecting the Taliban today. Think about that! So what I would suggest to you is that we've got a problem for the foreseeable future, and we need to be serious about what is going to happen in the United States.

Now by losing, I do not mean that Osama Bin Laden shows up on Independence Avenue with a flag and takes control of the White House. What I mean are the ways in which the modern world could unwrap—costing us friends, markets, and national power. Eventually what we could see is the loss of the character of the modern world, which I would define as the free flow of people, things and ideas across borders. This is already happening.

When I was the dean at the National War College, we took students to travel during the year all over the world—from the southern Philippines, to the Malaysian Peninsula—down south of Jakarta to the tea plantations—just a load of American government employees in civilian clothes in a van. I don't see how you can do that safely anymore. The world is closing down to American business. We have got a problem we need to address.

So, with those two scene setters—the new world in which we live, and the fact that we could lose this war—let me articulate what you already know, so we can put it in some sort of framework where we can discuss it reasonably and rationally. On the left hand side of the chart depicted in figure 1 (opposite page), I talk about what I see as the types of disasters – yes **CBRNE** (Chemical, Biological, Radiological, Nuclear, Explosive), but other things as well:

- First, though, by **explosives**. I don't just mean an explosion, but extremely powerful explosives, or a campaign of explosions.
- We need to include **Cyber**, which we rarely mention because we are not sure the military can really address it in the homeland—but from a homeland security perspective we have to think about it.
- **EMP** (electromagnetic Pulse), which I think achieved respectability with congressional hearings about two years ago, but we don't talk much about because we are not sure what to do.
- And then finally, **natural disasters** which fall into categories of the normal storm, mega storm and then the earthquake and volcanic eruption.

Across the top of the chart, I would suggest, is the way the Department of Homeland Security (DHS) talks and thinks about responding to these disasters: mitigation from the emergency response community, then prevention, protection, response and recovery.

Let me tell you, I find **definitions** still in motion. Just because there is a definition in the book doesn't mean we are using it. The definition of homeland security which resides in the National Strategy published

Some basic concepts

Types of Disasters

Preparedness: The ability to...

	Mitigation	Prevent	Protect	Respond	Recover
Chemical					
Biological					
Radiological					
Nuclear					
Explosive					
Cyber					
EMP					
Natural					

Mitigation: Actions taken to reduce the effects of future disasters.

Figure 1: Some Basic Concepts

in 2002 has no mention of natural disasters, so I am not sure that is an operable definition anymore.

In the same respect, I am not sure there is a clear definition of **mitigation** in the National Response Plan. I would suggest that it is “those actions taken to reduce the effects of future disasters and future catastrophes.” For that reason, I would take mitigation out of the realm of DoD, because—until something happens—I am not sure DoD ought to be in the business of directing mitigation. That is a civilian function except (possibly) in support of some areas.

Additionally, the definition of **preparedness**, I think, has been changing over the past eighteen months. Today, George Foresman is suggesting that Preparedness is not a specific duty for just a particular group. He says FEMA for a long time didn’t have preparedness for a mission. Now he says they do have preparedness as a mission. I would suggest that preparedness means getting ready to do all four required homeland security actions: prevent, protect, respond and recover. Preparedness permeates every phase. For example, members of the business community in Galveston learned from last year’s storm that they should be pre-qualifying for loans before disaster strikes. That’s a form of preparedness—preparing to recover, where previously we thought of preparedness as “preparing for the blow.”

Concerning the evolving **DoD role**—let me lay it out. I am sure you all read the DoD strategy and know it, but we need to refer to it here to establish the framework for the future discussions. The DoD role according to the strategy published in July, 2005 really falls into two areas:

- **Homeland Defense** in which the military (actually DoD), takes the lead. This is under extraordinary circumstances when the actual defense of the homeland is in question.
- And secondly, **Homeland Security**—denoting issues where DoD is in support and not in the lead. Increasingly, we are seeing all those actions that fall into the area of homeland security referred to as Defense Support to Civil Authorities.

You can’t really address this subject if you don’t have a clear understanding how the **National Guard** works on a daily basis for the governors; of

what Title 32 status means (that the Guard still works for the governor, but the federal government pays for it), or of Title 10 status (when the governor loses control of his Guard forces). By the way, this is why we had a conflict in Katrina when the governor refused to relinquish control of her Guard and it remained on the scene, but outside the control of the President of the United States.

Lastly, to understand the evolving DoD role, you have to at least have a brief background understanding of **Posse Comitatus**. This 19th century law generally forbids using the military for law enforcement purposes – with some important exceptions. The law was originally focused on the Army, but the Air Force was included by extension when DoD was formed in 1947. And the Navy and Marines are covered (and restricted) by DoD regulations. Of course, as most of you know well, there are lots of exceptions to these laws, so I do not view this as a huge barrier to the use of DoD forces for homeland security. Perhaps some of our other panels will discuss this issue.

Depicted in figure 2 is DoD's definition of Defense Support to Civil Authority. I will point out that there are three operational missions:

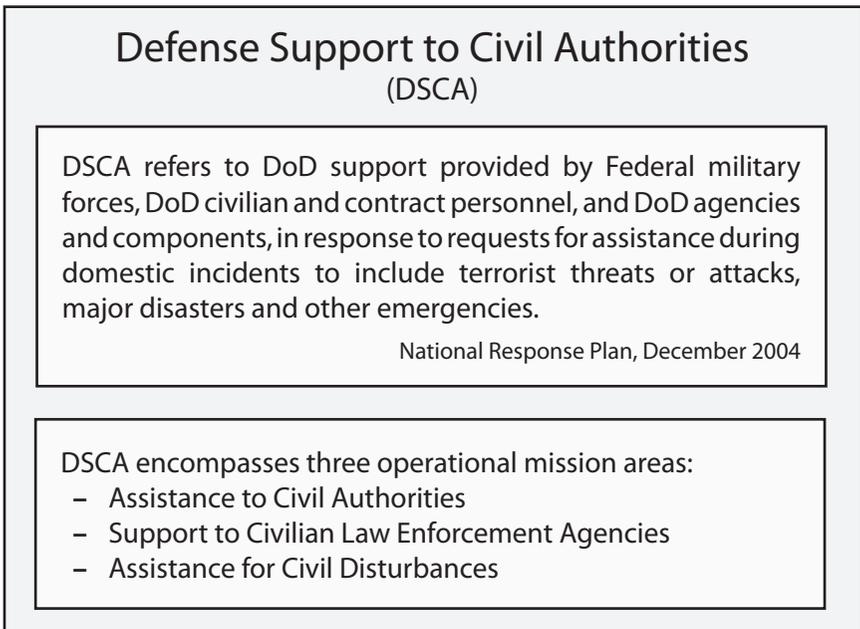


Figure 2: Defense Support to Civil Authority

assistance to civil authorities, support to a civilian law enforcement agency, and assistance for civil disturbances.

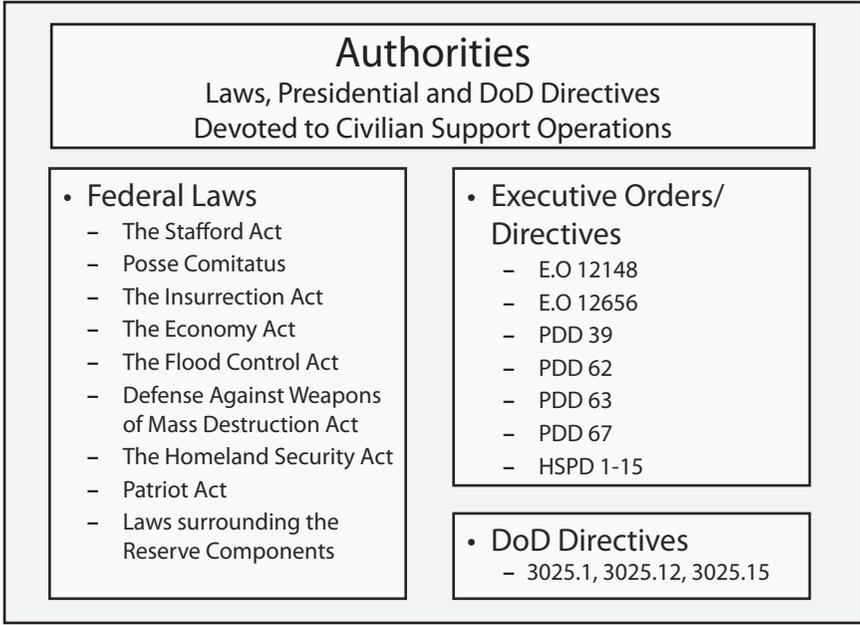


Figure 3: The Authorizations for DoD Support to Civil Authorities

Listed in figure 3 are the authorities you may wish to go to for research to see exactly what DoD is allowed to do or required to do under laws concerning disasters or catastrophes.

Now, as for the basic concepts. Out of this basic range of missions, what I hope you're seeing is that "all-hazards" is a great way to prepare firemen, but I not necessarily a great way to prepare strategies. If you look across all these matrices on figure 4 (opposite page), you will see that different people do have different roles according to whether we are preventing, protecting or responding, and according to whether the crises is biological, or chemical, or explosive in nature. Different groups are involved for these different events, and they take different actions, so while I understand and like the idea of trying to build a central framework, it's not a case of "one size fits all." In fact I'd say there are some things we could take off the table in our discussion of the role of DoD:

Some basic concepts

Role of the Military in Disasters & Preparedness

	Mitigation	Prevent	Protect	Respond	Recover
Chemical	X	X	✓	✓	✓
Biological	X	X	X	✓	✓
Radiological	X	X	X	✓	✓
Nuclear	X	X	X	✓	✓
Explosive	X	X	✓	✓	✓
Cyber	X	X	X	✓	✓
EMP	X	X	X	✓	✓
Natural	X	X	X	✓	✓

X = Not DSCA . . . By definition

Figure 4: The Military’s Role and Non-Role in Disaster Response

- **Mitigation**, for example, is somebody else’s job—DoD does not do this for anyone but DoD.
- We **Prevent** overseas, but I don’t see a big role of DoD preventing at home, except perhaps in the contribution of some intelligence.
- **Protecting** is an interesting point, because it seems to me that DoD may have a role in protecting some point targets—especially those that support the defense industrial base. But for those cases that are not point targets, it’s hard for me to conceive how DoD is going to have a protection role in the U.S. as a whole.
- The DoD role in **Response and Recovery** is somewhat case specific. For example against biological threats, DoD might have a very strong role.

So the question for DoD will be: lead or follow in a catastrophe? What can the military do? It can apply its broad range of capabilities to include intellectual capabilities, and especially planning. I think this is an area

where DoD has really stepped up to contribute, both in developing plans and developing organizations culturally. But these should be temporary responsibilities—DoD does not want the permanent job of planning and the permanent job of shaping the culture of DHS.

The most important thing DoD must do, I believe, is balance the need to stop of loss of life and property, while protecting the nation's centers of gravity. I don't think this idea is an easy sell, especially to a military officer, but we do have centers of gravity—like the economy, the legitimacy with which our people regard the federal government, and the ability to project power overseas. We have to think about balancing what we can do at home with maintaining those centers of gravity.

Then finally, we have to recognize there are some things we will do. There are simple realities about life for a great power. For example, the reality is that politicians in a crisis are likely to turn to the first organized group they can find that has the culture and the capability to get something done. This happens to the U.S. Coast Guard all the time. So those in DoD better plan for this reality, whether you like it or not.

One last point I am going to raise because it is important: there a difference between a *catastrophe* and a *disaster*.

There are some definitions on the street, but I don't see those definitions being couched in useful language. There is a difference. What we had in New Orleans was not a disaster, it was a catastrophe. The difference is not just scale or loss of life—because we had the same scale of destruction right down the coast line in Mississippi. But, I am not sure we had the same catastrophe.

It seems to me the difference may reside with the ability of traditional government agencies to exercise their authority, and exercise their traditional functions. So, that takes the discussion a little different direction, if we say, "Let's look at those same potential threats, let's look at those same potential responsibilities, let's look at those same military roles" and ask, "Is there a difference between ***a disaster when we are clearly in support***, and ***a catastrophe when there may be no local government?***" This, I think, is a very serious and important question.

And the key for DoD in the future is going to be, “How do we balance traditional international responsibilities with protecting centers of gravity within the U.S.?” My concern is our loss of balance, either over reacting and putting too much time and effort into this field, or under reacting and being unprepared when we are called on domestically.

My last point when I give my narrative of why we have to face the challenge of homeland security up front—the reason that universities and the rest of the United States have to be involved—is **not** that we can lose, but that **we can win**. If we do this right, we can reshape how government and industry serve the people of the United States, and reinvigorate local patriotism and involvement in government. I am seeing this with students on the university campus. They are signing up to take our homeland security courses. The question is whether our leaders and our bureaucrats are as committed to our security at home as are our rank and file. They can win, if we give them the intellectual tools they need.

