

NATIONAL HOMELAND SECURITY CONSORTIUM SUMMARY

December 8-9, 2010 ♦ Atlanta, Georgia

December 8, 2010

Welcome by Charley English

Charley English is the Director of the Georgia Emergency Management Agency (GEMA).

Self Introductions of Participants

Comments by Russ Porter: *New and Enhanced Intelligence Information Sharing Initiatives*

Porter was appointed by the Director of National Intelligence as the Deputy Director for Federal, State, Local and Tribal Partnerships in June 2010. He is the principal advisor to the DNI on the capabilities and intelligence needs of these important partners. He has been a law enforcement officer since 1978, with continuous full-time assignment to the criminal intelligence discipline since 1984. He also served as Chair of the Criminal Intelligence Coordinating Council and the Global Intelligence Working Group. He also served as a member of the Interagency Threat Assessment and Coordination Group Advisory Council and of the National Fusion Center Coordination Group.

Porter impressed that of all the functions and capabilities encompassed in the term “homeland security,” none is more important than intelligence and information sharing. One of the primary missions of the intelligence community is to disseminate information to those who need it out in the field. He offered a brief history of law enforcement in the U.S. and the expansion and growth of intelligence units. The idea of fusion centers, liaison officers, and intelligence units has been around in various forms since the mid-60’s.

He expressed empathy with the fact not all the federal efforts have built upon previous guidance. While they were intended to be successive, that was not always the case. Since 9/11 there has been an expansion and increase in federal involvement with intelligence becoming principally a law enforcement function. There are currently 16 federal agencies working together and practicing intelligence disciplines including signals, imagery, measurement and signature, and human intelligence. They are all led by the 17th member, the ODNI which has recently overseen FISA modernization, EO 12333 (governing authorities of individual agencies), and security clearance reform. Porter went on to provide an overview of how the intelligence community was impacted by documents such as the 9/11 Commission report, executive orders, and various statutes.

In order to have an effective fusion center operation, he contended there must be the physical space, appropriate technology, and policies and executive orders. Recent enhancements to the state and local information sharing system include; EO 13526 (safeguarding and declassifying), EO 13549 (sharing info w S&Ls), and HR 553 (Reducing Over-Classification Act). Recent changes to 13526 alter the way federal agencies can share information with one another (establishes the 3rd party rule).

Porter received some questions which expanded on his comments above.

Comments by Jena Baker McNeill: *A Long-Term Agenda for National Homeland Security Policy*

McNeill is a homeland security policy analyst at The Heritage Foundation. She handles homeland security and science and technology issues. As an expert on homeland security and science and technology issues, she has provided commentary for Fox News, ABC, CNBC, C-SPAN, CNN Radio, Pajamas TV, Voice of America, Federal News Radio, and ABC News Radio among others and has testified before Congress on such topics as E-Verify. Her commentary has appeared in such publications as The Chicago Tribune, The San Francisco Chronicle, The Washington Post, The Christian Science Monitor, The Los Angeles Times, and USA Today. Before joining Heritage in 2008, McNeill worked as a Research Assistant for Hutchinson Group LLC, a homeland security consulting firm.

McNeill discussed 6 general themes for developing long-term homeland security policy including:

- We cannot recreate the wheel, particularly when dealing with Congress who will want to redefine the issues after every threat or incident
- The system should be reflective of the way things are – not the way we want them.
- Must allow the system to continue in light of budgetary realities, information sharing challenges, over-spending at the federal level, and unrealistic mandates (ie, 100% cargo scanning). She made the contention that funding should go to the highest risk areas.
- Our long-term policy must be “American” in values. We do not need to necessarily look to Israel (for example) for solutions. What works there, may not work here.
- The system needs to survive the political whims of Washington. She specifically mentioned the need for reform in Congressional oversight.
- We must utilize risk to establish appropriate policies
- The system must be representative of the threats we face

She also provided a brief overview of state of origin, country of origin, target types of many current threats, and the manner in which they were foiled.

McNeill accepted some questions as outlined below :

- There remains a challenge in how we communicate risk because not every community can be prepared for every eventuality
- In questioning TSA’s recent changes in policy, she noted it is difficult to strike a balance between preferences and requirements (ie, wanting to travel vs security)
- The inevitability of failure is an ever-present concern. Regardless of the best system, there will be failures
- She sees cyber-security as an issue at the forefront of the discussion on interdependencies where the public and private sectors are working together to address terrorism and non-terrorism issues.
- There remains a need for a homeland security doctrine (not necessarily driven from the federal level), better able to illustrate how issues are being addressed nationwide.
- Community preparedness and ensuring people are aware of the dangers continues to be a significant challenge. Some feel citizens are more willing to discuss the issues than some officials realize. Regardless, we need to discuss preparedness with the public in terms of actions they can take.

Comments by Mike Walker: *The Current Terrorist Threat*

Walker joined Plexus Scientific Corporation in 2001 where he served as Chairman of the Board until 2010, following a 32-year career in public service. He was confirmed four times by the United States Senate to serve in senior executive branch positions. He was Acting Secretary of the Army in 1998. He also served as Under Secretary of the Army, Army Acquisition Executive, Assistant Secretary of the Army, and Deputy Director of the Federal Emergency Management Agency. Mr. Walker was an Under Secretary of Veterans Affairs when he retired from the federal government. Prior to joining the executive branch, he was staff director of the Senate

Subcommittee on Military Construction Appropriations for 12 years. Walker is also vice-chair of the National Infrastructure Institute serves as a faculty member for the Naval Postgraduate School's Center for Homeland Defense and Security.

Walker provided an unclassified threat briefing including current national efforts, existing threats, a brief history of al Qaeda, and the status of cases. Some of the highlights include:

- al Qaeda's overall plan was to bleed us into bankruptcy by bogging the U.S. down in wars and attacking our infrastructure. We have significantly disrupted their operations, but they are finding other ways to operate.
- The al Qaeda Caliphate has been created based on al Qaeda ideals, not traditional Islam. Most young people joining al Qaeda do so out of a lack of understanding of traditional Islam.
- We are currently in the phase of their plan of wearing us down. As they adapt, only their tactics are changing – not the end goal and they continue actively pushing independent action.
- A new, younger, and more radical population of Muslims is starting to be seen in Europe (and soon the U.S.). Overall trends are pushing toward higher levels of radicalization worldwide.
- What we are discovering is that the decentralized approach brings about unsuccessful attacks by less talented terrorists. Homegrown terrorists and "lone wolves" have been around for years and continue to be present. The internet has become the new Afghanistan, but recruiting is also occurring on college campuses and prisons.
- We must engage them at a new level, stop walking on egg shells, attack the violent radical ideology, and make new recruits realize the AQ is not the vanguard of Islam.
- Coming attacks will likely involve multiple soft targets in a Mumbai-style attack. They also continue to focus on transportation modes. But they would very much like to be able to utilize a WMD. Any such WMD could likely come from Pakistan.
- Some believe that AQ's current focus on homegrown terrorists is just a diversion for the government and law enforcement while the main body of the organization can work on another larger attack.
- We must continue to take the war to the terrorists, but also recognize there is no military victory for this issue and any solution must involve the "whole of government."

Open Letter to the NHSC: *How Will We Respond After the Next Attack?*

Jim Mullen, Director of the Washington Division of Emergency Management offered an open letter to the NHSC. He provided the following comments to accompany his letter:

I raised this issue in Chicago, somewhat spontaneously. Most people believe that a successful attack is very likely, and even an unsuccessful attack can spark a reaction that could damage our nation's ability to respond, recover and mitigate future attacks.

It's also a common refrain among emergency managers that we spend a lot of time preparing for the last big thing that happened rather than expanding our frame of reference to include what may challenge us in the future. I suspect that is not an observation that is limited to emergency managers.

I recall an argument with some campus radicals in the late 60's when I was in school: they said that the more outrageous their behavior the more likely that authorities would overreact, with a view that the overreaction would itself radicalize others. And you do not have to go way back to that time when frankly, those tactics were a bit successful. Al Qaeda leaders have spoken confidently that they will cause us to over-spend, under think, and internationally react in such a way as to weaken the foundations of our democracy. Some might suggest that we have at times fallen into that trap.

I have heard senior leaders in our government say that they are concerned that another attack, with the attendant hot commentary from radio talk show hosts and influential religious and political molders of public opinion, could prompt retaliation against innocent Americans that is based upon their religious preference and also their physical appearance. And that would provide our enemies with exactly the type of propaganda victory both here and abroad that they desire.

Believe it or not, I played a little college basketball. Frequently I was assigned to defend a very talented player- I found the best way to guard against him having his way with me was to deny him the ball, but when he had possession I tried to make him go the way he preferred not to go. Sometimes, he scored anyway, but he had to work much harder for his points. If I let him do what he wanted, he invariably achieved his objective – I in effect would have done his work for him. It was also important to play team defense- not allowing 80 % of the team to do its job only to have a breakdown that led to a score.

Partisan wrangling aside, we can't afford to let our enemies dictate how we will respond by failing to consider where they want to go. We need to be prepared to think a couple of moves ahead. Where can we be influential and supportive of a rational and unified assessment of what should come next? Whatever we decide to do or not do on the day after, we can't afford to avoid thinking about it.

Finally, I tried to make this a balanced statement, but I don't think any of us has to surrender their respective philosophies or orientation to accept the proposition that we cannot afford to allow splintering of our society, or our government. While recriminations did not immediately break out after 9/11, I suspect that would not be the case the next time. And it may be a Consortium of Homeland Security professionals, representing a remarkably diverse range of disciplines, and that has already demonstrated that critical analysis and consensus can be achieved respectfully and powerfully, can contribute some mature leadership at a critical moment in the future. And we should start discussing it now. Thank you.

NHSC Business Session

- What is next for the white paper? There was a consensus for some kind of media release and outreach plan.
- Tri-Chair elections were held and with unanimous consent John Madden for GHSAC and General Nesbitt representing Adjutant Generals were elected.
- Awards and recognitions were presented to outgoing tri-chairs and retiring members.



December 9, 2010

Comments by Chris Logan: *Protection and National Preparedness Directorate Update*

Logan serves as the Senior Counselor in the Office of the Deputy Administrator for the FEMA, Protection and National Preparedness Directorate. Prior to NPPD, Logan was the Director of the Homeland Security and Technology Division in the National Governors Association Center for Best Practices. He oversaw the activities of the GHSAC and provided advice and guidance to governors and their staff on bio-security, pandemic influenza preparedness, critical infrastructure protection and emergency management. Prior to joining the National Governors Association in November 2004, Chris enjoyed a successful career as a journalist

Logan explained FEMA is currently in a wait-and-see situation regarding grants and how Congress handles the budget. NPPD continues to try and get all guidance up to the point of signature so they are ready to drop as soon as the budget situation is done. HSHSGP most likely will not include specific percentages or dollar amounts, but rather encourage grantees to leverage existing funds to focus on certain

issues such as violent extremism and fusion centers. A question was raised about separating fusion centers to make it a stand-alone program, and Logan does not see that as a viable option right now. New funding sources and carve outs are seen as dangerous because there are numerous interests out there all looking for similar considerations.

The Secretary continues to work on a revamp of the exercise program to eliminate over-scripted events. She wants the new program to achieve some objectives and wants leaders to have to actually work through the decision-making process. They hope to make the effort cumulative from exercise to exercise through a two year cycle. The proposal for the new program is currently with the Secretary for review, but will also have to go through NSS.

Participants cautioned Logan about creating a program that “breaks the system” in terms of conducting exercises. The concern is that many smaller emergency management programs may not be able to survive such a doctrine. Instead, higher-level officials need to work with locals in order to help walk them through a potential failure.

CPG 101 is ready for release and is currently with the IT department for posting to the website. (Note, CPG 101 was posted December 13, 2010).

Comments by Richard Reed: *Medical Countermeasures Distribution Planning Efforts*

Reed serves as the Special Assistant to the President for Homeland Security and Senior Director for Resilience. In this position, he oversees the Resilience Directorate of the National Security Staff at the White House. The Directorate has lead responsibility for a broad range of policy issues to support national resilience, and coordinates across the Executive Office of the President, White House Office entities and other offices of the National Security Staff.

Safety from bio-terrorism and infectious diseases is becoming more of an issue. The NSS is trying to create incentives to engage and involve major pharmaceutical distributors and manufacturers. Anthrax continues to be a concern. An Anthrax response alone would have to be swift, and the government does have enough stockpile to treat most of the nation. But with a 48-hour response window with Anthrax, there are challenges in distribution.

POTUS signed an EO December 2009 regarding stockpile distribution, and officials are looking seriously at ways in which various departments can assist, specifically the USPS. Even with the best intentions, however, concerns remain about the ability to get “pills in mouths” within 48-hours. Reed would like the Consortium to give some consideration to ideas on distribution and submit to him.

The NSS worked closely with Israel officials in the recent wildfires to provide options as to what the US could offer in terms of aid. They coordinated not only federal capabilities, but also private sector and semi-private entities. Reed Realizes the importance for states to be informed quickly both so they can participate in the response as well we provide information on available assets.

Facilitated Discussion by Glen Woodbury

Woodbury facilitated a discussion based on the following two questions:

- How do we want our country to respond to the next terrorist attack?
- How can the Consortium influence actions and policies beforehand?

The discussion was meant to be beyond the “lights and sirens” response and focus more on the national reaction to the attack. What will be complexion of the country be after the attack? How can the NHSC influence the preferred outcome before or after an attack?

- We will find resolve, and come together as a nation. But that response will be driven primarily on how the media portrays the event.
- Programs like “See Something, Say Something” are gaining popularity, but they need more specificity. Further into the details, a potential incident could become bogged down in traditional avenues for reporting (such as 911). The recommendation of a briefing on the SARS initiative at the next NHSC meeting was suggested.
- Repetition in preparedness activities will help move programs forward. We must also stress the need for personal responsibility.
- Leadership can help drive progress because messaging and convincing the public are a central part of involving citizens.
- Ironically, the terrorist are also discussing how we will respond to the next attack. They are counting on a reaction so significant and severe that it will further galvanize Muslim communities against us.
- Perhaps we are already doing a lot to change the game. We have altered the discussion of the enemy by making them follow assumptions about us. When in reality, another attack will likely see a continuation of our collaborative activities.
- The enemy’s primary weapon is fear, and we can combat fear among the public through education and awareness. While DHS cannot (or will not) say certain things to the public, the NHSC can.

Overall during the discussion, the general themes included; calming messaging, better info to the public, how do we answer the question “are we still in danger,” focus on the positive, set appropriate expectations, ensure we don’t turn on each other, consider who the messengers are, how to counter what the terrorists want us to do, civil rights, and questioning how the NHSC could become operations and conduct after-action reviews.

Business Session

- The discussion was had about taking-up Richard Reed’s request to provide input into the distribution strategy, but without funds available to support travel and per diem, the NHSC would have to support the effort. A way forward will be discussed in more detail between the co-chairs and shared with the members.
- Gen. Lowenberg offered an update on the Council of Governors. The legislative language creating the Council is meant only for the Council to discuss military support to civil authorities. The EO signed in January 2010, however, expanded the effort somewhat including adding more members. They should have an agreed to joint action plan approved in the coming weeks. Issues currently on the horizon include cyber-security and medical countermeasure distribution. The Council continues to provide a unique forum where Governors and senior military and government leaders work directly with one another.
- An update on the D-Block reallocation was given by Chief Burns. Advocates realize the legislation is probably not going to pass this year, so will push hard in the beginning of the 112th.
- Potential topics for the next meeting: medical distribution, responding to the next attack, and other issues on which were raised this week. Update on SARS and HSPD-8.