

Strategy Research Project

The DoD Role in Homeland Security: Past, Present, and Future

by

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Abstract

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Defining strategic roles is critical to the Department of Defense (DoD). As combat engagements conclude, defense spending reduces, and force structure rebalances occur, the DoD role in homeland security will correspondingly change. This paper analyzes the DoD role in homeland security of the past, present, and future. Roles are examined through salient policy and strategy benchmarks that predate the modern Homeland Security lexicon. Dominant components in elements of national power since World War One correlate influential National Security Strategy issues to National Defense Strategy change. Baseline homeland security expectations set in 2002 are examined to evaluate how well issues were defined and supported in the last decade. The DoD role in the next decade is postulated through the prism of the current National Security Strategy 2010 and Defense Strategic Guidance 2012. Symbiotic relationships between Homeland Defense and Homeland Security will continue to advance the DoD strategy well beyond original notions of homeland security as a state response only. New DoD strategies will merge Homeland Defense and Homeland Security roles to sustain combat readiness gained in the last decade.

The DoD Role in Homeland Security: Past, Present, and Future

Homeland security is no more a simple enterprise than is our national defense. Homeland Defense is defined as, “The protection of United States sovereignty, territory, domestic population, and critical defense infrastructure against external threats and aggression or other threats as directed by the President.”¹ “Homeland Security describes the intersection of evolving threats and hazards with the traditional governmental and civic responsibilities of civil defense, emergency responses, law enforcement, customs, border control, and immigration.”²

Though considerable progress has been made in the past decade, imminent and immutable national change will once again cast uncertainty on the magnitude and scope of the Department of Defense (DoD) role in homeland security. The United States National Security Strategy (NSS), the National Defense Strategy (NDS), the Defense Strategic Guidance (DSG), and the National Military Strategy (NMS) documents provide guiding principles regarding the implementation of our national power and military power. Current versions of these strategic documents foreshadow an impetus for change in homeland security.

In today’s volatile, uncertain, complex, and ambiguous national and international environment, segregating and apportioning roles of homeland security and homeland defense with overlapping tasks between defense and non-defense entities continues to challenge policy makers. This national defense deliberation to achieve equilibrium in homeland security and homeland defense has been in existence since 1916.³ Currently undefined structural changes such as rebalancing reserve and active component forces, end strength reductions, reduced defense spending, and reducing forces deployed overseas are merely a few salient factors of change outlined in the DSG.⁴ The DoD’s

roles in homeland security and homeland defense share a common line of effort with the elements of national power in the objective to protect the homeland. Perpetual rebalancing and shifting of emphasis among national power elements is the force that changed the DoD role in homeland security of the past and present, and most certainly will again in the future.

Analytical Framework

This analysis leverages learning from history by filtering past circumstances through modern strategic elements. Common agents of change influencing the DoD role in homeland security are identified. As the Greek philosopher Heracleitus once said, “There is nothing permanent except change.”⁵ From 1916 to today, national strategic influences shaping homeland security are examined using modern instruments of national power defined as diplomatic, informational, military, and economic (DIME). Reviewing presidential directives, cultural events, security threats, and national planning documents of various eras will establish influences effecting ways, means, and ends that changed the DoD role in homeland security. Identifying factors that altered and are altering the balance of national power elements may serve as a portent for future DoD change. Analytical timelines in this review are parsed into World War I to Vietnam, Vietnam to Goldwater-Nichols, and the post-Cold War era to the establishment of the Department of Homeland Security (DHS). Concluding sections of this analysis will review developments since 2002 and postulate future DoD roles in homeland security.

Preceding The Department of Homeland Security (DHS)

It almost goes without saying, but government and national dialogue regarding defense of the homeland has existed since World War I. Many patterns of government behavior toward homeland security were well developed prior to establishing the

Department of Homeland Security. Though most structural elements of the Department of Homeland Security can be traced to the post-Vietnam era, it is enlightening to review general patterns of development in protecting the homeland since 1916.

World War I to Vietnam

The dominant element of national power employed from 1916 to 1976 was military. World War I, World War II, Korea, and Vietnam account for active war during 30% of this period.⁶ As the technology of war advanced and globalization became a consideration, concern for securing our homeland became more of an influence. Considering depression and recession periods existed for 25% of the same era, the economic element of national power also influenced the approach to securing the homeland.⁷

One of the first known government entities specifically chartered to address homeland security was the Council of National Defense (CND). The CND was established as an emergency agency by the Army Appropriation Act August 29, 1916.⁸ In 1917 the federal government emphasis on homeland security shifted primary functional responsibilities to state governments. On April 9, 1917, the CND chairman requested all Governors establish councils of defense.⁹ The armistice of 1918 prompted councils to disband and CND operations were suspended on June 30, 1921.¹⁰ A parallel pattern emerged during World War II. Most wartime organizations created to address homeland security were scuttled after the war.

Federal versus state responsibility, defense versus civilian operation, funding sources, and analyzing threats dominated the dialogue of this era. The persistent nuclear threat began with the Cold War in 1947. President Truman shifted views from homeland security as primarily a state government responsibility to one that recognized

more federal government accountability. The 1950 Federal Civil Defense Act established the Federal Civil Defense Administration (FCDA) with enumerated authority to provide states with guidance, assistance, training, and grants for equipment.¹¹ A comprehensive strategic plan was still lacking despite FCDA legislation codifying duties and structure. This began a lasting debate regarding terminology, federal versus state authority, and funding.

There was little progress in homeland security over the next twenty years. Eisenhower's administration largely abolished the FCDA and replaced it with the Office of Civil Defense; the Kennedy administration added the Office of Emergency Planning; and the Johnson administration made no significant changes.¹² Defense funding for fallout shelters would sustain the direct military involvement in homeland security for many years. This era established enduring patterns of deliberation regarding the homeland security enterprise.

Vietnam to Goldwater-Nichols

Though dominated by military considerations, this era began a more synchronized approach to balancing all elements of national power. A flurry of homeland security activity eclipsed the relatively dormant period of the previous twenty years. National Security Policy documents of 1969 were inundated with elevated concern regarding Soviet Union nuclear threats.¹³ President Nixon's staff began linking strategic policy to domestic security. Population survival post-nuclear attack became a critical strategic element of deterrence. In a National Security Council (NSC) meeting, Chairman of the Atomic Energy Commission James Schlesinger told Secretary of State Henry Kissinger that, "Of course, the whole idea is deterrence. If we have the ability to

recover faster, it helps deter our opponent.”¹⁴ The concept of population survival was extended to civil defense via economics too.

Defense spending on civil defense programs began to concern the Nixon administration. Estimates showed 1% to 2% of the Soviet Union defense budget going to civil defense, far outspending the nonexistent United States funding.¹⁵ In May, 1969 President Nixon issued his National Security Study Memorandum (NSSM) 57 directing the NSC to examine civil defense options, costs, and probable consequences.¹⁶ Immediately following was NSSM 58 directing a study of planning assumptions for civil emergency preparedness.¹⁷ For the first time, NSC planning considered civil defense an associated element of diplomatic leverage, military deterrence, and part of economic considerations for national security. In issuing his National Security Decision Memorandum 184 regarding Civil Defense Policy, Nixon replaced the Office of Civil Defense with the Defense Civil Preparedness Agency (DCPA) and also set a new funding precedent. The DCPA was placed under the Department of Defense, which allowed federal military funds to be shared with states for natural disaster preparedness.

Two other major benchmarks advanced the homeland security definition and constitute a foundation for systems we know today. The Carter Administration created the Federal Emergency Management Agency (FEMA), thereby acknowledging natural disaster influences on the security of the United States. Executive Order (EO) 12148 resulted in consolidation of approximately 7 agencies, 18 previous EOs, and amendments to 13 Acts or Public Laws.¹⁸ At the time, creation of FEMA represented the single largest consolidation of civil defense in U.S. history.¹⁹ The last sentence of President Carter’s Presidential Directive 41 regarding Civil Defense addressed other

contingencies when he wrote, “Civil defense programs should also help deal with natural disasters and other national emergencies.”²⁰

Completing this era of emergency management restructuring was President Reagan’s input. In his 1982 National Security Study Directive 1-82 he wrote, “This study will establish U.S. National Security Strategy and will provide a foundation for companion studies on interrelated matters of national strategy such as international economic, diplomatic, arms control, and information strategies.”²¹ In 1985 he issued Executive Order 12526 which established a panel to review defense management processes after DoD insufficiencies surrounding the Iranian hostage rescue efforts were revealed.²² These efforts were a significant catalyst for DoD change and became some of the major issues prompting Public Law 99-43, otherwise known as the Goldwater-Nichols Act of 1986.²³ Goldwater-Nichols was the largest military reorganization since establishing DoD in 1947. Reagan then issued EO 12656 in 1988 titled, “Assignment of emergency preparedness responsibilities.”²⁴ This extensive report contained 29 sections and outlined emergency preparedness responsibilities for every major government entity, including DoD.

The 1916 to 1986 era generated at least 17 different federal agencies tasked with civil defense management and triggered numerous shifts from defense control to civilian control.²⁵ Inefficiency in civil defense may have reached its zenith during the Nixon Administration when EO 11725 resulted in a bureaucratic structure assigning disaster relief functions among more than 100 federal agencies.²⁶ These changes, however, represented one of the first divergent planning branches away from a nuclear only focus and added increasing emphasis on disaster preparedness.

Bifurcation of defense and non-defense influence on preparedness was exacerbated with this new dual focus. Carter's EO 12148 stated, "The Director of the Federal Emergency Management Agency shall establish federal policies for, and coordinate, all civil defense and civil emergency planning, management, mitigation, and assistance functions of Executive agencies."²⁷ Sweeping Goldwater-Nichols changes in DoD created shared procurement, joint combatant commands, and Congressional report requirements that evolved into the NSS, the NDS, and the NMS all constructed on the analytical structure of DIME. Goldwater-Nichols establishing DoD emergency preparedness responsibilities and establishing FEMA conclude this era as the two main frameworks of homeland defense and homeland security recognized today.

Post-Cold War to Establishing DHS

Reviewing NSS documents from 1987 to 2000 reveals many salient changes to civil defense.²⁸ First, President Reagan's EO 12656 tasked the NSC with primary responsibility for emergency preparedness policy.²⁹ Second, in 1990 the Bush Administration outlined the Federal Response Plan (FRP), which defined how 27 federal agencies would respond to needs of state governments requesting disaster assistance.³⁰ Lastly, under the Clinton Administration, the Federal Civil Defense Act of 1950 was repealed and the associated civil defense issues were integrated into the Stafford Act legislation. As Department of Homeland Security historians note, "This completed the evolution of civil defense into an all-hazards approach to preparedness and also ended all Armed Services Committee oversight over FEMA."³¹

The post-Cold War era signaled a transformation in the international political balance too. Russia's abdication of the arms race altered the United States DIME balance. Suddenly the dominant U.S. element of military power was supplanted with

diplomatic elements. In his 1994 NSS, President Bush wrote, “Our strategy has shifted from a focus on a global threat to one on regional challenges and opportunities, from containment to a new regional defense strategy.”³² United States international relations theory seemingly shifted from a realist view of military power projection to a more liberal view of global prosperity. The reduced threat was expected to require less DoD spending on HD and HS.

For the first time since beginning the Cold War, focus on domestic economic prosperity was prominently listed as a national security priority. President Bush directed a new national strategy when he wrote, “A top national security priority today must be to strengthen economic performance at home and economic leadership abroad.”³³

President Clinton echoed these sentiments in his 1995 NSS when he stated his plan “is premised on a belief that the line between our domestic and foreign policies has increasingly disappeared – that we must revitalize our economy if we are to sustain our military forces, foreign initiatives and global influence.”³⁴

Cessation of the Cold War approximated previous post-war periods in generating expectations for a peace dividend and immense military change. War termination engendered expectations of reduced military end strength, reduced military budgets, and greater emphasis on domestic issues. Foreshadowing elements of current strategy, the 1993 NSS outlined a national defense plan of “strategic deterrence and defense; forward presence; crisis response; and reconstruction.”³⁵ This plan shifted threat based readiness to a capability based force intended to retain highly responsive and trained forces and reduce deployed forces. Simultaneously, these forces would remain critically engaged, maintain response capability, and rapidly reconstitute a larger

force when needed. Reducing and reshaping military expenditures to focus on the domestic economy became the mantra for the next decade.

Concern over threats to the homeland decreased in the post-Cold War period as it had in previous war termination cycles. There was no longer a perceived imminent threat to the United States and civil defense missions were not prominent in NSS documents. Civil defense funding remained minimal and plans insinuated greater state and local responsibility. National Security Policy Directive 66 published in 1992 indicated that civil defense will remain a state responsibility for an all-hazards approach and federally funded from discretionary spending.³⁶ Civil defense budgets varied little from 1962 to 2002 and were consistently funded between 0.5 percent and 0.7 percent of the total U.S. federal budget.³⁷

As this period closed, hopes of peace were overshadowed by urgent military concerns. Non-state belligerents and terrorism began to dominate NSS threat assessments. Between 1997 and 1999, President Clinton created a military weapon of mass destruction program, an office for counterterrorism, a critical infrastructure protection program, directed a domestic response to terrorism study, and authorized multi-agency intelligence fusion centers for monitoring terrorism.³⁸ The president's Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, also known as the Gilmore Commission, attained Congressional implementation of 125 of its 144 recommendations. One recommendation eventually formed the Department of Homeland Security.³⁹ Correspondingly, DoD readiness reappeared as a national issue. Economic gains from ending the Cold War began migrating to the military. President Clinton's 1999 NSS

proposed a \$112 billion military spending increase and stated, “This is the first long-term sustained increase in defense spending in over a decade.”⁴⁰

It is incontrovertible to say events on September 11, 2001 were transformational. Maintaining vigilance at home became as important as engaging threats abroad.

We learned that a threat that gathers on the other side of the earth can strike our own cities and kill our own citizens. Oceans no longer protect America from the dangers of this world. We’re protected by daily vigilance at home. And we will be protected by resolute and decisive action against threats abroad.⁴¹

Highlighting differences in DoD civil support, disaster response, support to law enforcement, and infrastructure protection, military forces were called on to support missions such as airport security, domestic WMD response, and border security while simultaneously conducting combat deployments. To address these largely unpredicted issues, in November, 2002 Public Law 107–296 of the 107th Congress, known as the Homeland Security Act of 2002, established the Department of Homeland Security (DHS).⁴²

DHS & Baseline Roles

Just as economics and diplomacy of the 1990s emerged as lead elements of national power, response to attacks on 9/11 placed the military as the focal element of national power. Many, including DHS and DoD, struggled to distinguish homeland security from homeland defense. In 2002 President Bush signed a Unified Command Plan (UCP) establishing NORTHCOM with a mission to “anticipate and conduct Homeland Defense and Civil Support operations within the assigned area of responsibility to defend, protect, and secure the United States and its interests.”⁴³ As established patterns since 1916 show, DoD involvement in domestic security had been linked to external military threat assessments, while homeland security, including

natural disasters, was expected to be primarily a state government responsibility. The new UCP and NORTHCOM once again placed homeland security tasks within DoD.

Between 2001 and 2003, DoD roles in HS were not well defined. The military drawdown from the 1990s had not been reversed. Total force integration was functioning on an old paradigm of strategic reserve utilization and the terms homeland defense and homeland security were being used somewhat interchangeably. Secretary of Defense Rumsfeld's 2002 report to Congress articulated a singular focus in saying the new strategic course for defense policy "places emphasis on peacetime forward deterrence in critical areas of the world."⁴⁴ Defense roles in civil support were not mentioned. Planners focused on war fighting tasks while homeland security became an ancillary task requiring DoD federal support only if state and local authorities required in extremis augmentation. Paralleling today's changing roles, the 2001 Gilmore Commission report succinctly stated, "No clear definition of homeland security and no precise definition of the military role in that activity have even been established."⁴⁵ Concerns regarding lines of responsibility, authority, accountability, civil liberties, capabilities, plans, training, exercises, and budget are still being debated.

By 2003 the Defense Science Board, a Federal Advisory Committee providing advice to the Secretary of Defense, convened to study DoD Roles and Missions in Homeland Security. Committee membership represented the broadest scope of functional area experts from government interagency, DoD, academia, industry, and first responders.⁴⁶ Their work represented an adroit analysis of existing conditions and insightful recommendations for future change. Focus centered on helping civil authorities "minimize the damage and recover from attacks."⁴⁷ Board recommendations

involved global issues, DoD infrastructure protection, attack mitigation, DoD competencies, command structures, and incident response.⁴⁸ A prominent finding of the board was a necessity for agency policy directing total process integration for a military response or emergency response. They noted, “Many emergency preparedness and response issues can be resolved if policy enables and encourages communication and collaboration among the responsible officials. Neither DoD nor DHS seems to encourage this interaction.”⁴⁹

Domestic roles for DoD were redefined in 2005 by Hurricane Katrina. Suddenly the homeland security enterprise was confounded by legal and operational concerns of domestic natural disasters, support to law enforcement, and protecting critical infrastructure. Defining roles, missions, and employment of forces became paramount given the unfamiliar new emphasis of disaster response. A White House lessons learned report captured the salient issue in reporting that improving the integrated use of military capabilities was a critical challenge for DoD and DHS.⁵⁰ Furthermore, the report specified that, “Reserve components historically have focused on military and war fighting missions, which will continue; however, we should recognize that the Reserve components are too valuable a skilled and available resource at home not to be ready to incorporate them in any federal response planning and effort.”⁵¹ Katrina was an event that forged a new DoD role in HS and helped define terminology. Katrina seared DoD roles critically into the DHS enterprise that spans first responders, law enforcement, and private entities. Strategic guidance for DoD in HS was adjusting rapidly to account for changing national expectations.

The first edition of *Strategy for Homeland Defense and Civil Support* was published by DoD two months prior to Katrina. Encompassed in this strategy was the prodigious work of previous studies. This strategy detailed an active layered defense extending from forward regions via Global Commons through our national approaches to the homeland.⁵² Separation of duties described how DoD transitions from leading defense related tasks to supporting interagency efforts and enabling domestic agencies through shared capabilities. Clear delineation is made between DoD lead tasks of defending the homeland and those wherein DoD assumes a support role. Indicative of the timing of this publication, the DoD role in DSCA for natural disasters is rarely mentioned. Lack of emphasis on DoD natural disaster planning was evident in post-Katrina reports. Though DoD support to Katrina was a resounding success, facilitating unity of effort in an interagency environment was lacking.

September 11, 2001 and Hurricane Katrina were monumental events in many ways. They represent the vertex event in U.S. history within their respective categories of man-made and natural disasters. The epic nature of both events served as a catalyst in clarifying baseline DoD definitions of Homeland Defense (HD) and Homeland Security (HS). National emphasis surrounding the government response to each event assured strategic leader engagement in refining roles and missions of DoD in HD and HS. Government agencies were reorganized to improve response and public law was written to facilitate change. Continued substantial adjustments indicate strategic leaders and strategists have yet to agree on a suitable, acceptable, and feasible balanced solution to the wicked problem set of proportioning ways and means within the homeland security interagency enterprise. Circumstances over the next decade

prompted several critical adjustments to organizational structure, legal authorizations, and national strategy.

A Decade Beyond DHS

In the decade 2002 to 2012 many strategic adjustments were made to foundational principles codified in the Vietnam and Goldwater-Nichols era HS enterprise. Ever changing global dynamics regarding geopolitics, information technology, regional coercive militaristic hegemony, and international industrial interdependence represent merely a few strategic elements that influenced policy adjustments. These targeted changes reflect attempts by DoD and other federal agencies to correct weaknesses identified after HS and HD exercises or actual events. Lacking the impetus for change after 9-11 or Katrina, adjustment proposals were narrow in scope and largely singular issue oriented. The amendments were very impactful and immensely helpful in positively altering HS enterprise functions. These changes have not been comprehensively integrated into strategy and doctrine in part due to their chronologically asynchronous occurrence.

Active duty forces have been better integrated into the HS enterprise. Amendments to the Robert T. Stafford Disaster Relief Act have substantiated the authority of the President to employ federal military forces in disaster relief efforts.⁵³ Commitment of federal DoD forces to HS was solidified in the Homeland Security Act of 2002 and the 2002 Unified Command Plan which created NORTHCOM. Part of the NORTHCOM mission is to conduct Civil Support operations within the United States.⁵⁴ The increased military participation in HS support to law enforcement activities prompted concerns of Posse Comitatus violations. Though active duty forces are generally restricted from law enforcement activities, they can fully support disaster relief

efforts. Coordinating federal activities of active forces with non-federal activities of National Guard forces in the same emergency continues to be an issue with respect to unity of effort.

The military dual status commander (DSC) concept emerged as a potential solution to simultaneous legal command of federal and non-federal DoD forces. In 2004, the NDAA changed the law allowing a National Guard officer to hold a military commission in a state and simultaneously in active federal status.⁵⁵ Implementation, however, was deficient and relegated to pre-planned national events. Divergence of DoD opinion persisted over legal issues regarding employment of active and National Guard forces. As outlined in NDAA 2008, a Council of Governors formed, which teamed with the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs, to address these issues. However, it was not until January 2010 that the President signed EO 13528 acknowledging the council.⁵⁶ Consequently, full Secretary of Defense authorization of the DSC was not achieved until March, 2011. By August, 2011 the appointment of four DSC in support of Hurricane Irene represented the first time in history this process was used for a natural disaster.⁵⁷ Processes for operationalizing this strategic DSC construct are still being refined and are not comprehensively represented in currently published DoD strategies.

Operationalizing the Reserve Component directly impacted combat operations and also had positive consequences for the HS enterprise. A 2007 memorandum from the Secretary of Defense regarding total force utilization initiated this change. The policy morphed to HS applicability when DoD published Directive 1200.17 in 2008 titled *Managing the Reserve Components as an Operational Force*. The policy section

states, “Homeland Defense and Defense Support of Civil Authorities (DSCA) are total force missions.”⁵⁸ The DoD further emphasized benefits to operationalizing the RC in the 2010 Quadrennial Defense Review in promulgating, “prevailing in today’s wars requires a Reserve Component that can serve in an operational capacity—available, trained, and equipped for predictable routine deployment.”⁵⁹ Homeland Security symbiotically benefits for the same reasons.

Congress exercised their opportunity to historically alter the strategic organizational structure for the Guard and Reserve as part of NDAA 2012. The Chief of the National Guard Bureau has been appointed full membership on the DoD Joint Chiefs of Staff. “As a member of the Joint Chiefs of Staff, the Chief of the National Guard Bureau has the specific responsibility of addressing matters involving non-Federalized National Guard forces in support of homeland defense and civil support missions.”⁶⁰ In the same document, Congress altered the law to state, “the Secretary of Defense may, without the consent of the member affected, order any unit, and any member not assigned to a unit organized to serve as a unit, of the Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve to active duty for a continuous period of not more than 120 days to respond to the Governor’s request.”⁶¹ Not enough time has elapsed nor enough events have occurred to assess the impact of these changes on their comprehensive integration within strategy documents.

Some of the more current adjustments to DoD roles in HS were published in the Defense Strategic Guidance (DSG) 2012. Homeland defense and DSCA is listed as one of ten DoD priority missions.⁶² Despite this overt acknowledgment of a DSCA priority, fiscal challenges are influencing the DoD environment. The Secretary

highlights this point by noting that the Department's rebalance and reform strategy, "supports the national security imperative of deficit reduction through a lower level of defense spending."⁶³ Deficit reduction and economics have shaped present strategic plans and will also influence the future DoD role in HS. As in the past, the magnitude of structural change will be dependent on the magnitude of the change stimulus.

Conditions surrounding our present post-war environment are different than any of the past. Rebalancing DIME elements in previous post-war eras leveraged war termination with economic growth. There is no current peace dividend in terminating war after more than a decade. No capitulation of a nation-state belligerent exists and events of the Arab Spring, Iran sanctions, and tensions surrounding Israel could be perceived as inhibiting a potential diplomacy shift from realism international theory to a more liberal policy. Today's post war decrease in military personnel of approximately 80 thousand is small compared to other eras, such as the Cold War decreased of nearly 1 million.⁶⁴ Private industry did not mobilize in today's war so there will be no demobilized production capacity transitioning from military to consumer goods. A strong economy has been an historical strength allowing stability to flex between military and diplomatic power. The U.S. clearly does not have economic strength to leverage in this post-war period. To maintain acceptable levels of domestic security, military and non-military organizations must garner process efficiencies as budget increases and organizational growth are not likely. Considering the large baseline defense budget, DoD may have a disproportionate expectation placed on their future role in HS as compared to DHS.

Today's rebalancing elements of national power will not be leveraged from the strength of another element. Security threats still persist from non-state actors. Informational considerations from cyber security now span every element of national power. Digital security, internet access, and domain connectivity is now a global diplomatic, information, military, and economic concern. Current rebalancing of DIME will require each functional element to perform an internal rebalance. Future roles for DoD in HS will require significant change to align with the strategic vision of the current NSS and NDS of 2020. Efficiency must be gained in the context of fiscal constraints.

Recommendation

Future roles for DoD in HS must account for contracting economics as a primary consideration. The Budget Control Act 2011 reduced discretionary spending by \$1 trillion and the associated sequestration will result in defense spending reductions of \$54.7 billion per year between 2013 and 2021.⁶⁵ This is in conjunction with White House Office of Management and Budget forecasts of declining DHS budgets that average less than 1 percent of the federal budget through 2017.⁶⁶ The DoD role in HS, as a function of CS, must be rebalanced, reformed, and support the national security imperative of deficit reduction through lower defense spending as promulgated in the DSG 2012.

Economy of scale and economic efficiencies can be gained by merging successful DoD HS related adjustments of the last decade into better alignment with tenants of the NSS and DSG. A Government Accountability Office report on enhancing DoD capabilities in DSCA attributes impediments to improvement as being associated with "outdated and inconsistent DOD policies, guidance, and doctrine pertaining to the civil support mission."⁶⁷ Improvements in DoD federal support to federal agencies have

been disconnected from parallel improvements in non-federal DoD support to state and local agencies. This results in DoD federal and non-federal forces attempting simultaneous efforts toward the same mission. Directing DoD HS planning and execution as a total force effort, rather than two parallel efforts, will leverage and merge existing dual efficiencies into a more streamlined and efficient DoD effort.

Presidential Policy Directive 8 (PPD-8), *National Preparedness*, states that all executive departments “shall include guidance to support corresponding planning for state, local, tribal, and territorial governments.”⁶⁸ That directive also states, “The heads of all executive departments and agencies with roles in prevention, protection, mitigation, response, and recovery are responsible for national preparedness efforts, including department-specific operational plans, as needed, consistent with their statutory roles and responsibilities.”⁶⁹ A change is needed to prompt DoD strategic planning to close the gap and create the seamless integration promulgated in NSS, DSG, and PPD-8.

The Secretary of Defense should direct DoD HD/CS related issuances, concept plans, interagency agreements, and memorandums of understanding or agreement with external agencies be updated to reflect compliance with PPD-8, and correlate the DHS framework of Prevention, Protection, Mitigation, Response, and Recovery with inherent military force strengths. Proposed DoD functional planning lead responsibilities should be changed in DoD Directive 3025.18, *Defense Support of Civil Authorities*. Chief, NGB should be lead for the military functions associated with Prevention, Protection, and Mitigation. These functions generally address actions taken prior to an event occurring. National Guard forces are forward deployed in communities and have strong ties to first

responders. Guard forces are best suited to communicate with incident command structures while simultaneously possessing the inherent ability to understand military operations. Combatant Commands with DSCA responsibilities should lead planning efforts for DoD military functions associated with response, and recovery. These functions involve establishing military processes and standards for any military activity. Combatant Command access to joint military assets and inherent staff structure that facilitates large scale operational control is best suited to plan large federal response and recovery efforts. A joint military planning effort across the DHS framework will require Guard and active forces to work collectively to address interoperability of functions and coordinate military requirements for all phases of a DSCA response. These changes to procedural planning leads will align the Chief NGB new Joint Staff responsibilities for non-federalized forces, as well as prompt Combatant Commands to integrate post event responses of federal forces with non-federal forces. The resulting updated DoD ways, means, and ends should be published in a new issuance of the *DoD Strategy for Homeland Defense and Civil Support*.

New strategy updates should reflect DoD ways of support from federal, to state, to local levels. These revisions should address NDAA 2012 changes, dual status commander options, and use of Reserve forces. Existing layered defense strategies of HD/CS should be updated to improve how layered forces of active duty, Reserves, and National Guard interact in that construct and how each layer supports the DHS framework of Prevention, Protection, Mitigation, Response, and Recovery. Dual Status Commanders should be a focal point of integrating DoD efforts while working with the federal Joint Task Force Headquarters and Defense Coordinating Officer. Their efforts

will delineate how layered efforts facilitate information flow between Title 10 federal forces and Title 32 non-federal forces in compliance with Posse Comitatus and Stafford Act considerations.

Access and availability of Reserve Component (RC) forces for HS can be leveraged in defining operational reserve roles. The Secretary of Defense should further articulate and program DSCA as fully resourced military mission. Overlapping HD and HS military skills can be defined using the Universal Task List. Operationalizing the RC implies skill sustainment and increased readiness through more training, exercise, and mission time. A prioritized system should be established that stipulates RC forces are on standby for HS activation as first use of extended available duty. This process will insure availability for no-notice HS disaster relief and support HD readiness goals. Operational aspects of this program will sustain staff proficiency and enable the seamless integration of DoD elements down to local levels.

Proposals for fiscal efficiencies, training, and reimbursement requirements for DoD should also be proposed for each of the five phases of the National Preparedness Goals. Many stipulations placed on use of forces relate to reimbursement and military readiness. Reimbursement requirements typically trigger based on incremental agency costs incurred above programmed requirements. A Secretary of Defense policy acknowledging DSCA missions as a core military task may alleviate the incremental consideration. This may encourage more military training with first responders without burdening first responders with reimbursing military training costs. Military justification would exist as if training for any mission, therefore, readiness is maintained. Reimbursement need only be considered when units exceed their allotment under

expanded operational reserve duty programmed funds or actual event responses. Strategic policy adjustments in accordance with DoD Instruction 1215.06, DoD Directive 3025.18, 32 USC 502 (a)(f), 10 USC 12304a, and other applicable laws and regulations will facilitate the economic imperatives, sustainment of military readiness, define operational reserves, and facilitate RC access.

Summary

Examining the DoD role in HS of the past and present illuminates a pattern of adjusting policy based on the balance of our elements of national power. The magnitude of an event has largely accounted for the degree of emphasis on national policy shifts. Change has been slow during times of relative peace and immediate change is common after a significant event. Historically, civil defense and homeland security prominence correlated to the magnitude of external threat assessments. War termination involved a vanquished opponent and the abrupt end of conflict justified drastic reductions in the DoD spending, including its role in HS.

The U.S. economy in our immediate future is dominating all other DIME elements. Today's persistent domestic threat is distinctly different than our previous post-war paradigms. Nevertheless, deterring the residual homeland threat and improved response to natural disasters may be contingent on DoD increasing its future role in HS. Leveraging DoD HS improvements of the last decade can increase efficiency in the DoD HS role while simultaneously enduring declining resources. Much like the demonstrated adaptability in overcoming institutional bureaucracy to produce a full-spectrum HD enterprise that maximizes combat power across all DoD components, the same opportunity exists for the DoD role in HS. The DoD organizational leadership

example can set the U.S. Government standard for placing mission success above parochial organizational interests.

Since Reagan first noted the threat in his 1987 NSS, terrorism has been significantly reduced but not eliminated.⁷⁰ Natural disasters appear to be on the rise, regardless if attributed to increased reporting or a more volatile environment. A Congressional report states, “The average number of major disaster declarations issued per year in the 1960s was roughly 19. In contrast, from 2000 to 2009 the average number of declarations issued per year was 56.”⁷¹ Today’s economic situation is the imminent and immutable change that will prompt adjustments in DoD policy regarding military activity in HS. Rebalancing and reforming DoD to support the national security imperative of deficit reduction through a lower defense spending must include revising future DoD roles in HD and HS. This may be accomplished via improved efficiencies and processes rather than just additional funding. Military strategy must better align with the National Security Strategy and Presidential Policy Directive 8 pertaining to the DoD role in homeland defense and homeland security at the federal, state, and local level.

Endnotes

¹U.S. Joint Chiefs of Staff, *Department of Defense Dictionary of Military and Associated Terms*, Joint Publication 1-02 (Washington, DC: U.S. Joint Chiefs of Staff, November 8, 2010, As amended through July 15, 2012), 141.

²U.S. Department of Homeland Security, *Quadrennial Homeland Security Review Report: A Strategic Framework for a Secure Homeland* (Washington, DC: U.S. Department of Homeland Security, February 2010), 11.

³U.S. Department of Homeland Security, *Homeland Security National Preparedness Task Force, Civil Defense and Homeland Security: A Short History of National Preparedness Efforts* (Washington, DC: U.S. Department of Homeland Security, September, 2006), 5.

⁴U.S. Department of Defense, *Sustaining U.S. Global Leadership: Priorities for the 21st Century Defense*, Defense Strategic Guidance 2012 (Washington, DC: U.S. Department of Defense, January 2012), 5-8.

⁵Heracleitus, linked from *The Encyclopedia Britannica Home Page* at <http://www.britannica.com/EBchecked/topic/262438/Heracleitus/262438suppinfo/Supplemental-Information> (accessed September 29, 2012).

⁶Ellen C. Collier, "Instances of Use of United States Forces Abroad, 1798 – 1993," October 7, 1993, linked from *The Naval History Heritage Command Home Page* at "Wars and Conflicts," <http://www.history.navy.mil/wars/foabroad.htm> (accessed October 28, 2012).

⁷"US Business Cycle Expansions and Contractions," September 20, 2010, linked from *The National Bureau of Economic Research Home Page* at "Data," <http://www.nber.org/cycles/cyclesmain.html> (accessed October 28, 2012).

⁸Robert B. Matchette et al., "Records of the Council of National Defense," 1995, linked from *The National Archives Home Page* at "Council of National Defense," <http://www.archives.gov/research/guide-fed-records/groups/062.html#62.1> (accessed September 21, 2012).

⁹Mary Harris and Carol Wanner, "Significant Events In United States Civil Defense," February 7, 1975, linked from *The Civil Defense Museum Home Page* at "Civil Defense History," <http://www.civildefensemuseum.com/history.html> (accessed October 6, 2012).

¹⁰Robert B. Matchette et al., "Records of the Council of National Defense," 1995, linked from *The National Archives Home Page* at "Council of National Defense," <http://www.archives.gov/research/guide-fed-records/groups/062.html#62.1> (accessed September 21, 2012).

¹¹B. Wayne Blanchard, *American Civil Defense 1945-1984: The Evolution of Programs and Policies*, *Federal Emergency Management Agency Monograph Series 2*, no. 2 (1985): 2.

¹²U.S. Department of Homeland Security, *Civil Defense and Homeland Security: A Short History of National Preparedness Effort*, 9-12.

¹³U.S. Department of State, *National Security Policy 1969-1972 XXXIV* (Washington, DC: U.S. Department of State, 2011), 12.

¹⁴*Ibid*, 957.

¹⁵*Ibid*, 1004.

¹⁶*Ibid*, 91.

¹⁷*Ibid*, 92.

¹⁸James E. Carter, *Federal Emergency Management*, Executive Order 12148 (Washington, DC: The White House, July 20, 1979), Section 1.

¹⁹U.S. Department of Homeland Security, *Civil Defense and Homeland Security: A Short History of National Preparedness Efforts*, 18.

²⁰James E. Carter, *U.S. Civil Defense Policy*, Presidential Directive – 41 (Washington, DC: The White House, September 29, 1978), 2.

²¹Ronald Reagan, *U.S. National Security Strategy*, National Security Study Directive 1-82 (Washington, DC: The White House, February 5, 1982): 2.

²²Ronald Reagan, *President's Blue Ribbon Commission on Defense Management*, Executive Order 12526 (Washington, DC: The White House, July 15, 1985): 1.

²³*Goldwater-Nichols Department of Defense Reorganization Act of 1986*, Public Law 99-433, 99th Cong., (October 1, 1986), 1.

²⁴Ronald Reagan, *Assignment of Emergency Preparedness Responsibilities*, Executive Order 12656 (Washington, DC: The White House): 1.

²⁵U.S. Department of Homeland Security, *Civil Defense and Homeland Security: A Short History of National Preparedness Efforts*, 1-21.

²⁶*Ibid*, 16.

²⁷James E. Carter, *Federal Emergency Management*, Section 2-101.

²⁸*The National Security Strategy Archive Home Page*, <http://nssarchive.us/> (accessed October 14, 2012).

²⁹Ronald Reagan, *Assignment of Emergency Preparedness Responsibilities*, 2.

³⁰U.S. Department of Homeland Security, *Civil Defense and Homeland Security: A Short History of National Preparedness Efforts*, 22.

³¹*Ibid*, 23.

³²George H.W. Bush, *National Security Strategy of the United States* (Washington, DC: The White House, January 1993), 13.

³³*Ibid*, 9.

³⁴William J. Clinton, *A National Security Strategy of Engagement and Enlargement* (Washington, DC: The White House, July 1994), i.

³⁵George H.W. Bush, *National Security Strategy of the United States*, 14.

³⁶George H.W. Bush, *Civil Defense*, National Security Directive 66 (Washington, DC: The White House, March 16, 1992), 2.

³⁷U.S. Office of Management and Budget, *Budget of the United States Government, Fiscal Year 2011* (Washington, DC: U.S. Government Printing Office, 2011), Table 4.2.

³⁸U.S. Department of Homeland Security, *Civil Defense and Homeland Security: A Short History of National Preparedness Efforts*, 23-25.

³⁹RAND Corporation, *Fifth Annual Report to the President and the Congress of the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction* (Arlington, VA: The RAND Corporation, December 15, 2003), K-15.

⁴⁰William J. Clinton, *A National Security Strategy for a New Century* (Washington, DC: The White House, December, 1999), iii.

⁴¹U.S. Department of Defense, *Strategy for Homeland Defense and Civil Support* (Washington, DC: U.S. Department of Defense, June 2005), 1.

⁴²*Homeland Security Act of 2002*, Public Law 107–296, 107th Congress (November 25, 2002), 1.

⁴³William Knight, *Homeland Security: Roles and Missions for United States Northern Command* (Washington, DC: U.S. Library of Congress, Congressional Research Service, January 28, 2008), CRS-1.

⁴⁴Donald H. Rumsfeld, *Annual Report to the President and the Congress* (Washington, DC: U.S. Department of Defense, 2002), 18.

⁴⁵James S. Gilmore, *Third Annual Report to the President and the Congress of the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction* (Washington, DC: U.S. Department of Defense, December 15, 2001), 46.

⁴⁶Don Pilling, *DoD Roles and Missions in Homeland Security, Volume 1* (Washington, DC: Under Secretary of Defense (Acquisition, Technology, and Logistics), November, 2003), 89.

⁴⁷U.S. Joint Chiefs of Staff, *Department of Defense Dictionary of Military and Associated Terms*, Joint Publication 1-02 (Washington, DC: U.S. Joint Chiefs of Staff, November 8, 2010, As amended through July 15, 2012), 142.

⁴⁸William Schneider, *Report of the Defense Science Board 2003 Summer Study on DoD Roles and Missions in Homeland Security* (Washington, DC: Under Secretary of Defense (Acquisition, Technology, and Logistics), May 2004), cover memorandum.

⁴⁹*Ibid*, 8-9.

⁵⁰Frances Townsend, *The Federal Response to Hurricane Katrina: Lessons Learned* (Washington, DC: The White House, February 23, 2006), 51.

⁵¹*Ibid*, 95.

⁵²U.S. Department of Defense, *Strategy for Homeland Defense and Civil Support*, 11.

⁵³*Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1984*, Public Law 109-295 (June 2007), 42 U.S.C. 5170b Sec. 403 (c).

⁵⁴Knight, *Homeland Security: Roles and Missions for United States Northern Command*, CRS-1.

⁵⁵*National Defense Authorization Act for Fiscal Year 2004*, Public Law 108-136, 108th Cong. (November 24, 2003) Section 516.

⁵⁶Barack Obama, *Establishment of the Council of Governors*, Executive Order 13528 (Washington, DC: The White House, January 11, 2010), Section 2.

⁵⁷“DOD Announces Hurricane Irene Dual-Status Commanders,” August 27, 2011, linked from the U.S. *Department of Defense Home Page* at “Releases,” <http://www.defense.gov/releases/release.aspx?releaseid=14756> (accessed November 10, 2012).

⁵⁸U.S. Department of Defense, *Managing the Reserve Component as an Operational Force*, Department of Defense Directive 1200.17 (Washington, DC: U.S. Department of Defense, October 29, 2008), 1.

⁵⁹U.S. Department of Defense, *Quadrennial Defense Review Report* (Washington, DC: U.S. Department of Defense, February 1, 2010), 53.

⁶⁰*National Defense Authorization Act for Fiscal Year 2012*, Public Law 112-81, 112th Cong. (December 31, 2011) Section 512.

⁶¹*Ibid*, Section 515.

⁶²U.S. Department of Defense, *Sustaining U.S. Global Leadership: Priorities for the 21st Century Defense*, 5.

⁶³*Ibid*, 1.

⁶⁴U.S. Department of Defense, *Selected Manpower Statistics Fiscal Year 2004* (Washington, DC: U.S. Department of Defense, September 30, 2004), 41-44.

⁶⁵U.S. Congress, *Sequestration Update Report: August 2012* (Washington, DC: U.S. Congressional Budget Office, August, 2012), 3.

⁶⁶“Table 4.2 – Percentage Distribution of Outlays by Agency: 1962-2017,” linked from *Office of Management and Budget Home Page* at “Historical Tables,” <http://www.whitehouse.gov/omb/budget> (accessed November 23, 2012).

⁶⁷U.S. Government Accountability Office, *Homeland Defense: DoD Can Enhance Efforts to Identify Capabilities to Support Civil Authorities during Disasters* (Washington, DC: U.S. Government Accountability Office, March, 2010), 45.

⁶⁸Barack Obama, *National Preparedness*, Presidential Policy Directive 8 (Washington, DC: The White House, March 30, 2011), 3.

⁶⁹Ibid, 4.

⁷⁰Ronald Reagan, *National Security Strategy of the United States* (Washington, DC: The White House, January, 1987), 7.

⁷¹Bruce Lindsay, *Stafford Act Declarations 1953-2011: Trends and Analysis, and Implications for Congress* (Washington, DC: U.S. Library of Congress, Congressional Research Service, August 31, 2012), 1.