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THESIS

A MODEL FOR EFFECTIVE ORGANIZATION AND COMMUNICATION OF HOMELAND SECURITY ACTIVITIES AT THE STATE LEVEL

by

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March 2007

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This thesis is concerned with the optimal state organizational structure to achieve homeland security missions, particular in the state of Wisconsin. It will therefore first review the relevant literature in order to identify a core set of critical homeland security functions germane to states. Four organizational models, as represented by four case states, will be examined to determine which meet those critical functions, to what degree and with what demonstrable success. Wisconsin's current organizational structure for homeland security is evaluated in a gap analysis in that state's capabilities, and finally a set of policy and organizational recommendations are provided for Wisconsin—and indeed other states attempting to meet these core critical functions—to achieve an effective design for organizing and communicating state homeland security activities within a structure that provides a comprehensive response and a stable and unambiguous communications flow pattern.

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EXECUTIVE SUMMARY

Following two of the most devastating disasters the nation has endured in recent times—the terrorist attack of September 11, 2001 and Hurricane Katrina in August of 2005—states, including Wisconsin, have undertaken a review of their capacity to handle large-scale disasters in their respective jurisdictions. In terms of reorganization, Wisconsin's response has consisted primarily of creating a Wisconsin Homeland Security Council and designating a Homeland Security Advisor and a State Administrative Agency.

The Council includes state agencies with significant homeland security responsibilities—chaired by the state Adjutant General. A major challenge with the Council is that its structure is superimposed on the existing, basic government structure. That is, each member of the Council, with the exception of Emergency Management, reports to a separate department head, including the State Administrative Agency, which is the funding mechanism. Therefore, although the designated Homeland Security Advisor, the coordinator of preparedness efforts through its emergency management agency, chairs the Homeland Security Council, the position does not have authority to direct resources, coordinate funding initiatives, or oversee the information-sharing process. In addition, this structure results in a tendency for communicating critical homeland security-related information that is uncertain and a distribution flow that is based primarily on relationships. This present challenges during planning activities and in the response to major incidents—challenges that are likely to prove inadequate during a catastrophic incident.

The present research examines the literature that provides the rationale for the creation of a federal agency to lead the coordination of Homeland Security. In addition, the literature provides critiques of that agency's effectiveness, including lessons learned from past disasters and other state models. The literature suggests that an effective homeland-security planning and response capability has specific and critical functions. Those functions include the following:

- There should be a comprehensive strategy to heighten the jurisdiction's ability to prevent and protect against all forms of attacks on the homeland, and to respond to such attacks if prevention and protection fail.
- The jurisdiction should create a new and independent Homeland Security agency with responsibility for planning, coordinating and intefge4ating various government activities involved in homeland security.
- Designate a single person, accountable to the chief executive, to be responsible for coordinating and overseeing the various government activities related to homeland security.
- Jurisdictions should consolidate certain homeland security activities to improve their effectiveness and coherence.
- Jurisdictions should develop a funding mechanism that is tied to the individual with responsibility for coordinating the homeland security-related overall mission.
- Homeland Security agencies should ensure that the organizational structure adopted provides an organizational information flow pattern that gets information to decision-makers in a timely manner.

These critical functions are as applicable to states as they are to the federal government based on the rationale that the National Strategy was intended to be a framework for the interaction of federal, state and local jurisdictions in implementing that strategy. In addition, states perform many of the same functions as those of the federal government in the area of homeland security.

A review of four states, Georgia, Florida, Illinois, and West Virginia, indicate that each state has adopted two or more of the critical functions identified above. In evaluating those states, it is apparent that states can meet their homeland security responsibilities without adopting all of the critical functions identified. In addition, there is an apparent nexus between the number of critical functions adopted and the perceived effectiveness of states in addressing their homeland security responsibilities. In this instance, effectiveness refers to the states' ability to coordinate the homeland security in a comprehensive manner consistent with these identified critical functions.

An analysis of Wisconsin's current structure revealed gaps between that structure and the identified critical functions taken from the literature. Wisconsin, as can the other states reviewed, meet its homeland security responsibilities under the current structure;

however, it would benefit from reorganizing Homeland Security functions to comport more closely with these identified functions.

This research therefore recommends that Wisconsin adopt legislation to establish a Wisconsin Department of Homeland Security and Public Safety closely resembling that of West Virginia: a stand-alone department headed by a single secretary, appointed by the governor, and encompassing multiple disciplines. The entities making up that department include the Adjutant General, Forest Fire Service, Animal and Food Safety, State Police, Fusion Center, Emergency Management, and the State Administrative Agency. A second recommendation is that an authorized task force research specific implementation issues for this proposal, conduct an outreach effort with stakeholders, and identify potential federal funding sources for implementation.

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I. INTRODUCTION

A. PROBLEM STATEMENT

Effectively organizing government structures for homeland security activities is still a "work in progress." Following the deadly terrorist attack on September 11, 2001 and Hurricane Katrina in August and September of 2005, questions still abound with respect to the most effective organizational structure for federal and state governments in responding to natural and terrorist-related disasters. The potential consequences of not having answered these questions, however, are much easier to identify. The negative consequences of ineffective organizational structures include sporadic and unreliable information sharing, fragmented preparedness and response strategies; the inefficient use of scarce resources, and, potentially and most importantly, the needless loss of lives and property.

The sharing of information and distributed intelligence, for example, is critical to situational awareness of terrorist activities; yet, the recently approved Fusion Center for Wisconsin is primarily law enforcement-centric. Discussion continues at the state level on the need to identify additional staffing resources to expand the analytical capabilities of the Center. While we might be moving in the direction of an all-hazard, multi-disciplinary approach to fused information/intelligence, this has not yet occurred. The inability to develop a strategy that promotes the sharing of appropriate information across the entire spectrum of "homeland security" disciplines creates a diminished capacity to execute the Homeland Security mission throughout the state. One example to demonstrate this point involves a state agency and its interaction with the information sharing process. The Wisconsin Department of Agriculture Trade and Consumer Protection (DATCP) has the responsibility for a sector of critical infrastructure (agriculture and food) vitally important to Wisconsin and the nation. Although DATCP has a need for intelligence related to its area of responsibility, it lacks representation in both the governance and the customer groups of the Fusion Center. Therefore, the Fusion Center, which has responsibility for briefing the Homeland Security Advisor and Council on homeland security-related threats to Wisconsin across as wide a spectrum of disciplines as possible, has no formal mechanism for collecting on behalf of or providing

intelligence to decision-makers within DATCP, or the Council as a whole on DATCP-related issues. Similarly, firefighters who encounter information related to Homeland Security in their firefighting or inspection role do not have access to a system for reporting it to the Fusion Center or receiving useful intelligence on what they might encounter while performing their expected public safety duties. These examples illustrates a challenge that, when addressed in the context of a comprehensive homeland security strategy, also provides the opportunity to build a Fusion Center process around the established information-sharing guidelines that is inclusive of all first responder and non-first responder disciplines alike. However, any inability to acquire new resources or authority to redirect existing resources toward the goal of a truly integrated and comprehensive fusion process results in gaps in current planning, prevention, response and recovery efforts because of the lack of a comprehensive information and intelligence sharing environment.

A substantial amount of time has been devoted to discussing and attempting to mediate an apparent mission conflict between two state agencies, both with Homeland Security responsibilities and separate chains of command. Disagreements among some state agencies are common and a reorganization of state government will not prevent similar occurrences in the future. Validation of the concept of a single individual with overall coordinating authority, seemingly, occurs in the referral of agency mission conflicts to an authority senior to both of the conflicted agencies. In those instances, direction from a recognized and competent authority appears to be the missing ingredient in resolving those types of issues.

For Wisconsin, funding processes are also a critical, and often criticized, reality of the homeland security dynamic. In addition to having an adequate accounting system to track the incoming and expended funds, it is important to have a transparent process for key stakeholders to have input into the process of identifying spending priorities. It is also equally important for those same stakeholders to be aware of and have input in the reprioritization of funds when that becomes necessary.

B. RESEARCH QUESTION

In each of the challenges identified above, the opportunity exists to successfully convert the specific challenge into a component of an integrated and comprehensive

structure for addressing homeland security-related issues at the state level. One might be tempted to look to leadership as the culprit in the identified shortcomings, but this assertion is unsupported as there are no ostensible problems related to Homeland Security information sharing within any single agency's normal chain of command. The problems, as outlined above, occur when information must transcend agencies to reach a Homeland Security Advisor or other designated leader of all efforts, policies and strategies. In other words, it appears that the system itself rather than individuals in the respective positions must be the focus for resolving the issues. The key to solving these particular challenges is determining and implementing an informational flow pattern that provides the most effective mechanism for planning and coordinating homeland security activities.

The research question this paper will attempt to answer is which organizational structure is optimal for the planning and execution of homeland security-related responsibilities and that results in clear and unambiguous communications patterns at the state level. This thesis will examine the most critical functions and activities that homeland security organizations need to achieve, the current state structure and information flow pattern in Wisconsin, and alternative models adopted by other states that provide for a coordinated flow of information. In addition, this thesis will examine various policy options that provide a comprehensive framework for meeting those critical elements identified above.

C. SIGNIFICANCE OF PROJECT

Immediately following the attacks of 9-11, there was a realization at the national level that government as a whole lacks the appropriate organizational structure to wage an effective war on terrorism. President Bush, addressing a Joint Session of Congress on September 20, 2001, stated, "The major institutions of American national security were designed in a different era to meet different requirements. All of them must be transformed."[1] As evidenced by the numerous reports on Katrina and the 109th Congressional review of the restructuring of the Department of Homeland Security, it seems apparent that the federal sector continues to seek the optimal structure at that level.

[1] George W. Bush, *National Strategy for Homeland Security* (Washington D.C: The White House, 2002), 29.

With the exception of governors designating an individual to serve in the position of Homeland Security Advisor and State Administrative Agent, it appears that states, collectively, have not taken a research-based approach to organizing for homeland security along similar patterns. Given their coordinating responsibilities between the federal and local levels of government, it is important that state governments organize in a manner that clearly identifies a single point of contact for those different levels of government, as this paper will illustrate. This research project will serve as a resource and a model for other states that are evaluating the effectiveness of the flow of information among state agencies with homeland security responsibilities.

D. METHODOLOGY

The literature review will identify the critical functions that need to be performed by state homeland security organizations. The criteria derived from the literature will be examined in four case study states, tested against the structure in Wisconsin and finally, options and recommendations will be proposed to advance Wisconsin's effectiveness in its homeland security efforts.

The next chapter, Literature Review, will examine and discuss the documentary foundation for this project, including the salient sources and legislation pertaining to state and federal-level organization. Chapter III examines the organizational structure of Wisconsin's government as currently structured for addressing homeland security-related issues. This chapter focuses on the Executive Branch and departments headed by a single Secretary appointed by the Governor. In addition, the chapter describes and depicts the WI Homeland Security Council and the context of how it fits with the statutorily designated agencies. Chapter IV compares Wisconsin's current state with the desired state of an effective organizational structure based on the critical functions identified in the literature. Gaps between the identified functions and the current structure in Wisconsin are examined for each of the critical functions. Chapter V contains policy options and recommendations. The options presented includes the status quo, a network adaptive management model, a unified command model, and a model that reflects the critical functions related to homeland security identified in previous chapters. Chapter VI contains conclusions on the legitimacy of the identified critical functions and implications for implementing the recommendations

II. LITERATURE REVIEW

The literature addressing terrorism and homeland security at the international, federal, and state levels of government indicates that issues related to coordination, organization, and "who is in charge" are continually evolving. There is consensus in the literature that coordination between various governments and levels of government is important; however, with the exception of Glen Woodbury's work, there is no specific recommendation of how to achieve that coordination. Therefore, any effort to maximize state governments' effectiveness in responding to homeland security issues warrants additional research.

A parallel body of literature compares various foreign governments and their methods for addressing terrorist threats with those of American jurisdictions. One study examines how five foreign countries – Canada, France, Germany, Israel, and the United Kingdom – organize to combat terrorism. The similarities to this research lay in the fact that each of these countries places the majority of resources for combating terrorism under one ministry, yet realizing the necessity for coordinating internally; the ministries have interagency coordination bodies. In four countries, most of the resources to combat terrorism, their law enforcement and intelligence services, are centralized under a lead agency. All five countries have clearly designated who is to be in charge during a terrorist incident.

A search for literature that addresses state governments organizing or reorganizing along a Homeland Security mission-centric plan produces limited results. The literature reviewed here falls into three general categories: 1) the environment and challenges associated with the development of the Department of Homeland Security; 2) issues, challenges and general options for states contemplating the reorganization of state executive branches; and 3) the private sector, which can be instructive for governments evaluating information patterns and organizational structures.

A. THE DEPARTMENT OF HOMELAND SECURITY

The question of organizational alignment for homeland security responsibilities predates 9-11. For example, a commission in 1998 examined the nation's ability to respond effectively to an incident of national significance.[2] It found that:

> The U.S. government is not well organized, for example, to ensure homeland security. No adequate coordination mechanism exists among federal, state, and local government efforts, as well as those of dozens of agencies at the federal level…Strategic planning is absent in the U.S. government and its budget processes are so inflexible that few resources are available for preventive policies or for responding to crises, nor can resources be allocated efficiently to reflect changes in policy priorities.[3]

At that time, the Commission recommended a statutorily-created national homeland security agency with responsibility for planning, coordinating, and integrating various U.S. government activities involved in homeland security.[4]

Shortly after 9-11, the question asked by those reviewing our response to those attacks, including Congress, was whether government in general and the federal government in particular had adopted the optimal organizational structure to meet the requirements for homeland security.[5] The president quickly decided that there was sub-optimal organization and, less than a month later, on October 8, 2001, he established the Office of Homeland Security by executive order.[6]

In outlining the coordinating responsibilities for the director of the Office of Homeland Security, the president identified the need to have a single point of accountability for preparing the nation against future terrorist attacks. Congress concurred, but was also interested in ensuring that the position, responsible for administering a multi-billion dollar budget, was statutorily accountable to Congress

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[2] U.S. Commission on National Security/21 Century, *Final Draft Report, Road Map for National Security: Imperative for Change* (Washington, D.C.: U.S. Commission on National Security, 2001), 25.

[3] Ibid, 7-8.

[4]. Charles R. Wise, "Special Report: Organizing for Homeland Security," *Public Administration Review* 62, no. 2 (2002): 131.

[5] Ibid.

[6] Ibid.

versus operating under the authority of a Presidential Executive Order.[7] The central theme of that discussion appears, in its most objective context, to be that the maturation of the department is a work in progress; the question of authority and control is yet unanswered – or to be more precise, is answered differently in different quarters.

In the early days of the department, former Secretary Ridge, commenting on the blending of agencies into the department, stated that the recommended structure would provide him with "all the resources I need."[8] One recent congressional report, however, graded the department with a D- in critical infrastructure security and a B- in emergency interoperable communications—with "incompletes" in biosecurity and employee morale.[9] The "incomplete" in the first instance indicates that the nation's biodefense capabilities—bio-intelligence and bio-surveillance –are not fully developed: the federal government is not prepared for a biological emergency.[10] However, it also means that it is not clear who is in charge in the event of a biological event like a bioterrorist attack or pandemic flu.[11] In the area of employee morale, the incomplete bespeaks the low morale of employees—only 3% felt personnel decisions were based on merit; 4% felt that creativity and innovation were rewarded.[12] Much of the literature on the organizational effectiveness of the federal homeland security apparatus is summarized in presidential-directed review of the federal response to Hurricane Katrina. The report concluded, "our current system for homeland security does not provide the necessary framework to manage the challenges posed by 21st Century catastrophic threats."[13] The report also makes clear that it is not enough to merely bring a number of agencies together under a

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[7] U.S. Congress, Senate, Committee on Governmental Affairs, *Hearing before the Committee on Governmental Affairs*, 107th Cong., 2nd sess., 11 April 2002.

[8] Michael J. Hillyard, "Organizing for Homeland Security," *Parameters* (Spring 2002): 75. http://carlisle-www.army.mil/usawc/Parameters/02spring/hillyard.htm (1 of 12), [Accessed December 12, 2005].

[9] Democratic Staff of the Committee on Homeland Security, *State of Homeland Security 2006 Annual Report Card* (Washington, D.C., GPO, 2006).

[10] Ibid., 40-41.

[11] Ibid., 41.

[12] Ibid., 69.

[13] George W. Bush, *The Federal Response to Hurricane Katrina: Lessons Learned* (Washington, D.C., GPO, 2003), 52.

single authority; their policies, strategies, and plans must be integrated and synchronized in order to achieve the required level of effectiveness.

A large segment of the literature on Homeland Security at the federal level provides continuous evaluations and assessments on the structural design and the operational effectiveness of the new department. The most recent document that seeks to answer the question of who is in charge is Public Law 109-295 dated October 4, 2006 and enacted by the 109th Congress. This law provides that the Administrator of the Federal Emergency Management Agency (FEMA) shall, among other duties, "lead the Nation's efforts to prepare for, protect against, respond to, recover from, and mitigate against the risk of natural disasters, acts of terrorism, and other man-made disasters, including catastrophic incidents."[14] Although the Agency (FEMA) remains under the leadership of the Department Secretary, the law specifically provides that the Secretary "…may not substantially or significantly reduce the authorities, responsibilities, or functions of the Agency or the capability of the Agency to perform those missions, authorities, responsibilities…."[15] In addition, this legislation requires the Administrator of FEMA to collaborate with state, local, and tribal governments, other federal agencies, the private sector and others to build an effective national system of emergency management, and provides necessary funding under the direction of the Administrator to accomplish the task.

The literature, consisting primarily of government documents, after action reports, comparative studies of other countries, and congressional hearings provides significant insight into the issues leading up to the designation of an entity responsible for coordinating homeland security, how the early iterations were assessed, and documentation of significant change. The literature on the national (federal) and international levels reflects many commonalities in principles related to homeland security and terrorism. The foreign countries, though they have different types of government, different cultures, and perhaps different perspectives on the war on terrorism from each other and the United States, share a common goal of preventing, planning for,

[14] Public Law 109-295, 109 Congress, "Department of Homeland Security Appropriations Act, 2007" (Washington, D.C. 2006), 1396.

[15] Ibid., 1400.

and responding to acts of terrorism. They have adopted similar principles for organizing their resources to meet those goals: They have identified a core group of resources, based on intelligence-driven threat assessments, likely to be deployed to a terrorist incident and placed them under the authority of a single entity with directions to coordinate with other agencies when required. They have established a mechanism that clearly identifies who is in charge of terrorist incidents, which results in an unambiguous communication pattern. Recognizing the need for a comprehensive approach to homeland security, Australia's federal government claims the lead responsibility for national terrorist situations, while states agree to refer necessary constitutional powers to support the prosecution of terrorists by the federal government.[16] In contrast, the *National Strategy*, in alignment with the federalist traditions of this nation, provides for the president merely to *call on* each governor to establish a single Homeland Security Task Force (HSTF) for the state, to serve as his or her primary coordinating body with the federal government.[17]

B. ON RESTRUCTURING STATE GOVERNMENT

This second literature comes closest to identifying options for states considering reorganization of their executive branches generally or in response to homeland security concerns. While none specifically addresses the mechanics or logistics of the reorganization of state governments, it does assert "Federal, state, and local organizations will need to engage in serious efforts to make sense of the new security environment and what it means for structuring their own organizations and restructuring their relationships with other organizations."[18]

This body of literature also provides insight into issues related to how federalism will factor into the ongoing discussion on the interacting roles of federal and state governments as they relate to homeland security. In *Incremental Consolidation and Comprehensive Reorganization of American State Executive Branches*, Michael Berkman and Christopher Reenock argue that either incremental or comprehensive restructuring

[16] Nicholas Grono, "Strengthening the Global Intelligence Network: Australia's Response to Terrorism," *Studies in Intelligence* 48, no. 1 (2001): 31.

[17] *National Strategy for Homeland Security*, 3.

[18] Wise, *Special Report*, 142.

can enhance administrative efficiency.[19] This is due, in part, to the fact that restructuring often involves reining in bureaucracies to achieve efficiencies. The relevance of this research is that it suggests that states need not undergo major restructuring in order to realize increased administrative efficiencies: "…the more a state is able to restructure through consolidation the greater its potential savings…"[20]

The reorganization of the federal government to include the Department of Homeland Security has resulted in a trickle-down effect on a number of states.[21] That is, the reorganization of the Department of Homeland Security has resulted in the reorganization at the state level. There is hardly consistency, however, among the states in the way they are structured. As an illustration of the autonomy that states enjoy, the most recent data collected by the National Emergency Management Association (NEMA) reflect that twenty-four states have designated a Homeland Security Director/Advisor as the primary contact for homeland security-related matters. Serving in that capacity in nine states are Emergency Management Directors, in seven states the Adjutants General, and in six states a Public Safety Director/Secretary.[22] These designations do not reflect the complete organizational structure for homeland security and neither is that information contained in NEMA's database. This illustrates that although there is discussion on the inadequacy of the organizational structure at multiple levels of government, particularly following Katrina, there is not a lot of movement toward significant reorganization.

In examining the role of state and federal agencies, Donald Kettl's "Contingent Coordination: Practical and Theoretical Puzzles for Homeland Security," offers insight into the issues and challenges of coordination between federal and state government. Kettl asserts that:

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[19]Michael B. Berkman and Christopher Reenock, "Incremental Consolidation and Comprehensive Reorganization of American State Executive Branches," *American Journal of Political Science* 48, no. 4 (Oct. 2004): 796. http://www.jstor.org/ [Accessed March 3, 2006].

[20] Berkman and Reenock, "Incremental Consolidation and Comprehensive Reorganization." 801.

[21] Trina Hembree and Amy Hughes, "Strategies for National Emergency Preparedness and Response: Integrating Homeland Security,'' National Emergency Management Association and the Council of State Governments, 2003, 496.

[22] National Emergency Management Association, *Table B of 2006 States Homeland Security Structures Survey*, (National Emergency Management Association, 2006).

> At the core of the problem are two issues: America's historical tradition of local self-government, which has limited (in political and practical terms) federal dictate of state and local policy; and the technical difficulty of setting and enforcing standards, for intergovernmental programs in general and emergency services in particular.[23]

Although Mr. Kettl raises the issue of the role and structure of federalism and invites debate on national power and local discretion, he also points out "Homeland Security challenges governmental leaders to balance the political attributes of federalism with the imperative of forging state and local governments into a reliable system that, in fact, makes the homeland safer."[24] This statement should be the guiding principle by which government leaders at all jurisdictional levels organize their homeland security responsibilities. Mr. Kettl identifies two frequently overlooked and critical issues affecting the coordination of homeland security between federal and state governments. For example, as previously stated, the National Strategy merely calls on each governor to establish a single Homeland Security Task Force (HSTF) for the state, to serve as his or her primary coordinating body with the federal government.[25] In another example, Lynn E. Davis, in "Organizing for Homeland Security" observes that perhaps the most difficult organizational challenge for homeland security is finding ways to ensure cooperation among federal, state, and local officials.[26] Mr. Glen Woodbury, in "Learning Homeland Security – How One Executive Education Program Engages State and Local Officials," provides additional insight into the value of federal and state government coordination of responsibilities without any specific guidance on the "how-to."[27] Mr. Woodbury, referencing homeland security, notes that, "State and local officials have been asked to partner in this national endeavor, but without a clearly defined road map or any precedent processes in place…"[28] Mr. Woodbury goes further to observe:

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[23] Donald F. Kettl, "Contingent Coordination: Practical and Theoretical Puzzles for Homeland Security," *American Review of Public Administration* 33, no. 3 (September 2003): 253.

[24] Kettl, "Contingent Coordination," 271.

[25] *National Strategy for Homeland Security*, 3.

[26] Lynn E. Davis, "Organizing for Homeland Security," Issue Paper, RAND, 2002. URL: http://www.rand.org/pubs/issue_papers/2005/IP220.pdf [Accessed March 28, 2007].

[27] Glen Woodbury, "Learning Homeland Security – How One Executive Education Program Engages State and Local Officials," Homeland Security Affairs, Vol.II, No.3 (October 2006) http://www.hsaj.org, 3.

[28] Ibid.

> Finally, it does not appear that any particular organizational template leads to successful homeland security efforts. What appear to be the more important criteria for an effective state effort are the strength of personal relationships among the players; the establishment of openly agreed-upon goals, objectives, roles, and responsibilities; and the commitment and involvement of the state's governor.[29]

While the above examples point out the need for coordination between federal and state government in the common interest of homeland security, a State of Wisconsin task force made a similar recommendation to its government leaders in 2003 that the delivery of public services be "based on the best functional rather than political lines."[30] The task force, in an observation similar to a Lesson Learned in Katrina, stated: "…business as usual will not meet the goal of improving service efficiency and containing costs."[31]

In response to the question of what is the business of the states as it refers to homeland security, I look to Mr. Woodbury's stated (and unstated) objectives for the Executive Education Program:

- Assist the jurisdictions' executive leadership to build on their existing successes in Homeland Security preparedness and strengthen capacity to prevent and defeat terrorism.
- Identify and examine homeland security concepts, challenges, and opportunities at the policy, strategic, and organizational design level.
- Help the jurisdiction, and thereby the nation, "move the ball downfield" in their homeland security efforts by identifying the priority issues they need to tackle next in their efforts to protect and serve their citizens.[32]

The first two points contain language almost identical to the objectives of the National Strategy—preventing terrorism, organizing for homeland security.[33] In addition, while "moving the ball downfield" is an excellent metaphor, one might observe first that teams, particularly football teams, have a disciplined and coordinated team strategy and

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[29] Woodbury, "Learning Homeland Security," 11.

[30] Tim Sheehy, Chair, *State of Wisconsin: Task Force on State and Local Government – Final Report and Recommendations, January 2003* (Madison, WI: Legislative Bureau, 2003).

[31] Sheehy, *State of Wisconsin Taskforce,* 4.

[32] Glen Woodbury, "'Learning' Homeland Security – How One Executive Education Program Engages State and Local Officials," *Homeland Security Affairs* II, no.3 (October 2006): 5.

[33] *National Strategy for Homeland Security,* 2-11.

someone designated to call the plays. Second, they all use the same organizational structures and templates: each has a quarterback, wide receiver, etc.

Mr. Bruce Baughman, in testimony before the House of Representatives Appropriations Subcommittee on Homeland Security, described the states' responsibility, as, in part, to "prepare for the threat of terrorism…training emergency responders and state and local officials on the National Response Plan (NRP)…evacuation, and other emergency needs."[34] Again, these functions of states appear closely aligned with those identified in the *National Strategy*.

The literature addressing state governments' role in homeland security consistently and unanimously calls for strong partnership between the federal and state government. It is undisputed that states would benefit from "a clearly defined road map" on how best to structure such a partnership.[35] The literature seems to provide a basis for structuring that road map. Using the respective homeland security-related missions of states, which, based on the literature, aligns very well with those at the federal level, provides the means to identify similar functions. The football team metaphor suggests that states can adopt a template for organizing to meet their respective homeland security-related missions which is not mutually exclusive. Those identifiable functions include organizing for the purpose of preventing future terrorist attacks and addressing "other emergency needs," identifying the resources to do so and providing adequate funding, and identifying who is in charge of the efforts. These functions provide a comprehensive approach easily communicated to the participants whether it is responding to a terrorist threat or moving the ball down field.

C. THE PRIVATE SECTOR

The final body of literature reviewed for this research examines information flow and business processes of the private sector. Large multinational companies and state governments share many of the same management and organizational challenges. The private sector has often used information technology to drive much of the re-tooling and

[34] Bruce Baughman, "Appropriations for the Department of Homeland Security for Fiscal Year 2008," Statement for the Record, United States House Representations Appropriations Subcommittee on Homeland Security (Washington, D.C., March 2007).

[35] Woodbury, "Learning Homeland Security," 3.

re-engineering of business processes that result in increased productivity.[36] Managerial challenges—whether managing the functional segments of a major corporation, i.e. sourcing, product development, inbound/outbound logistics, or after-market services—do not differ significantly from managing the multiple functional disciplines, i.e. fire, police, public health, food safety, or emergency management within the jurisdictional classes of government. An essential element for effective management of a supply network, for example, includes managing the flow of information corresponding to operational segments of the network along with integrated activities that link the various segments.[37] A benefit of this process is the real-time capture of events at the consumer level that allows management to analyze trends and accurately predict future trends.[38] For example, in a supply chain network of a large corporation, a critical function of management is to manage the flow of information corresponding to operational segments of the network along with integrated activities that link the various segments.[39] This is comparable to fusion centers in which government, exercising its homeland security responsibilities, collect information in as near to real-time as possible, analyze the information, and use it to make predictions about likely attacks against the homeland.

Areas where private sector technologies play critical roles in support of the homeland security mission include surveillance technologies, inspection and detection technologies, and communications. For example, technology related to casino security that allows casino managers to track both customers and potential cheats is being adapted to meet homeland security-related objectives.[40] Not only are the Las Vegas casinos sharing technology with the Department of Homeland Security, they also share similar missions:

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[36] Stephan Kudyba, "Enhancing Organisational Information Flow and Knowledge Creation in Re-engineering Supply Chain Systems: An Analysis of the U.S. Automotive Parts and Supplies Mode," *International Journal of Innovation Management* 10, no.2 (June 2006): 163.

[37] Kudyba, "Enhancing Organisational Information Flow," 166.

[38] Ibid.

[39] Ibid.

[40] Larry Barrett and Sean Gallagher, "What Sin City Can Teach Tom Ridge," *Baseline Magazine*, April 2004.

> Las Vegas Casino: Mission: Prevent and deter acts of crime and terror in and around casino and hotels. Respond to all threats and hazards. Admit lawful bettors and visitors. Promote legal gaming.[41]
>
> Department of Homeland Security: Mission: Prevent and deter terrorist attacks on U.S. soil. Respond to all threats and hazards. Admit lawful immigrants and visitors. Promote the safe and secure flow of commerce.[42]

There are, obviously, additional parallels that exist between the business functions and organizational design of private sector corporations and state functions related to homeland security. This discussion is not intended to be exhaustive, neither is it the intent here to examine in detail the specific business functions that support the homeland security mission—a suitable topic for a thesis in its own right. Homeland security practitioners will readily acknowledge the numerous ways business supports the homeland security mission, beyond the fact that private sector partners own the majority of the nation's critical infrastructure. The relevance of this body of literature is two-fold. First, it illustrates the ability to identify critical functions in both the private sector and government and design an organizational structure that produces desirable outcomes. Second, the example of how technology supports casino security—and recently homeland security—evolved from needs identified within the casino industry long ago.[43] The industry identified the need for a mechanism to combine basic information on employees and guests, such as home addresses, purchases, the times they visit town and the movements they make, playing habits, criminal pasts, and their connection to other visitors. All of the functions lead to the creation of a computer system that makes "non-obvious relationship awareness" (NORA) by probing databases searching for obscure matches between relevant information.[44] The process used to develop this software illustrates the concept of "form follows function"—another parallel with designing an organizational structure for managing homeland security-related functions.

The literature provides a strong basis for the identification of critical functions related to homeland security at all levels of government. The literature specific to the

[41] Larry Barrett and Sean Gallagher, "What Sin City Can Teach Tom Ridge," *Baseline Magazine*, April 2004. 34.

[42] Barrett and Gallagher, "What Sin City Can Teach Tom Ridge."

[43] Ibid.

[44] Ibid, 45.

federal level of homeland security consists primarily of government documents, congressional hearings, after-action reports, comparative government studies, and public appropriations laws. Beginning with the U.S. Commission on National Security/21st Century *Final Draft Report for a Road Map for National Security*, the Commissioners identified the reason for organizing—to address the growing concern of mass-casualty terrorism that would be directed against the U.S. homeland.[45] Second, the Commission recommended a strategy for responding to such an attack that prioritizes deterrence, defense, and response.[46] Finally, it recommended a new agency, the National Homeland Security Agency, to consolidate and refine the missions of the nearly two dozen disparate departments currently assigned roles in homeland security.[47] This is a critical body of knowledge because it was compiled over a period exceeding two years by a group of individuals selected by the Secretary of Defense with "widely-recognized expertise in fields relevant to the Study Group's national security objectives."[48] In addition, this body of literature is important because of its development in an environment when the authors had the luxury to think about and "search out how government *should* work, undeterred by the institutional inertia that today determines how it *does* work."[49] It has, as the title suggests, served as a road map for the way National Homeland Security was organized and the route along which it continues to progress.

Another important body of literature is concerned with the lessons learned in the aftermath of Hurricane Katrina. The Department of Homeland Security was born out of the need to reorganize government's capacity to respond to catastrophic incidents following the attacks of 9/11. Hurricane Katrina provided the environment to test those organizational design-related decisions. While not requiring a reversal of those earlier decision, it did reflect the need for substantial change, particularly in re-examining how the federal government is organized to address the full range of potential catastrophic

[45] U.S. Commission on National Security/21 Century, *Road Map for National Security*, vi.

[46] Ibid.

[47] Ibid.

[48] Ibid., 128.

[49] Ibid., v.

events—both natural and man-made, and synchronizing the nation's homeland security policies, strategies, and plans across federal, state, and local governments.[50]

The literature on state government and its homeland security responsibilities consistently indicates a need to coordinate/partner with the federal sector. A more detailed accounting of the functions of state homeland-security roles by Mr. Bruce Baughman, Emergency Management Director of Alabama, indicates that states have similar requirements in homeland security as their federal partners. Mr. Donald Kettl introduces the idea that part of the reason for the coordination challenges between the federal government and state government relates to America's historical tradition of local self-government, which limits the federal government's authority to dictate state and local policy.[51] The soundness of that doctrine is not at issue here; however, it may be possible to persuade states to organize in a manner that contributes to a national framework for addressing terrorism that does not impinge upon their respective sovereignty.

In conclusion, the literature provides a sound rationale for anticipating the vulnerabilities that we face as a nation and in our respective states. It also provides critical functions that appear to be synonymous with the homeland security mission irrespective of international, national, or state boundaries. The literature on the public sector illustrates a number of relevant points to this report. First, it provides an example of the criticality of a functional system of providing timely information to those who need it and the positive impact doing so has on the organization. Second, it reflects that organizing around critical functions is a routine practice in the business community. Finally, it provides an example that identifying specific functions and designing a specific response to achieve the desired outcome represents a practical methodology. Conversely, the Department of Homeland Security after the attacks of 9/11 required information that the Las Vegas casino industry could provide, yet had not developed a form to capture the necessary information—suggesting that when function follows form the results can be chaotic and ineffective.

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[50] "White House Fact Sheet: The Federal Response to Hurricane Katrina: Lessons Learned," 2006.

[51] Kettl, "Contingent Coordination," 253.

The literature reveals a core of several important functions necessary for an effective national homeland security structure. The most comprehensive overview of not only the need for a national agency to oversee homeland security, but also of specific recommendations for what an effective strategy contains is the document created by a fourteen-member commission lead by former Senators Gary Hart and Warren B. Rudman.[52] The Commission's Executive Director, retired USAF General Charles G. Boyd, wrote the document preface and cautions readers that:

> Organizational reform is not a panacea. There are no perfect organizational designs, no flawless managerial fix. The reason is that organizations are made up of people and people invariably devise informal means of dealing with one another in accord with the accidents of personality and temperament. Even excellent organizational structure cannot make impetuous or mistaken leaders patient or wise, but poor organizational design can make good leaders less effective.[53]

The general concludes:

> Sound organization *is* important. It can ensure that problems reach their proper level of decision quickly and efficiently and can balance the conflicting imperative inherent in any national security decision-system—between senior involvement and expert input, between speed and the need to consider a variety of views, between tactical flexibility and strategic consistence. Most important, good organization helps assure accountability.[54]

Portions of the literature that reference homeland security at the federal level instruct those entities that they are to coordinate/partner with state and local government.[55] Other portions of the literature make the argument that states are performing many of the same homeland security functions performed by the federal government.[56] In announcing the *National Strategy*, the President emphasized in his attached remarks that it was a national strategy—not a federal strategy. Consistent with

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[52] U.S. Commission on National Security/21 Century, *Road Map for National Security*.

[53] Ibid.

[54] Ibid.

[55] *Department of Homeland Security Appropriations Act, 2007*, 1396.

[56] Baughman, "Appropriations for the Department of Homeland Security for Fiscal Year 2008."

the above, the functions identified here are viewed as applicable to federal and state government, adjusting for jurisdictional responsibilities that are unique to the federal government.

The critical functions taken from the literature include:

a. There should be a comprehensive strategy to heighten the jurisdiction's ability to prevent and protect against all forms of attacks on the homeland, and to respond to such attacks if prevention and protection fail.[57]

The Commission found that the United States is very poorly organized to design and implement any comprehensive strategy to protect the homeland.[58] The scope of the strategy and the capability of the United States have been enhanced since the time of that observation with the first *National Strategy for Homeland Security* in 2002.

b. The jurisdiction should create a new and independent National Homeland Security agency with responsibility for planning, coordinating and integrating various government activities involved in homeland security.[59]

This suggests that it was unacceptable to attempt to perform the identified functions operating from the organizational structures in place prior to the attack of 9/11. The Commission clarified its position on the need for a new agency by declaring, "We are frankly skeptical that the U.S. government, as it exists today, can respond effectively to the scale of danger and damage that may come upon us during the next quarter century."[60] This represents another recommendation by the commission that was adopted—first as the Office of Homeland Security and currently as the Department of Homeland Security.

c. Designate a single person, accountable to the President, to be responsible for coordinating and overseeing various U.S. government activities related to homeland security.[61]

That individual at the national level, as of March 3, 2005, is Secretary Michael Chertoff.[62] At every level of organization, elected officials…must be able to ascertain

[57] U.S. Commission on National Security/21 Century, *Road Map for National Security*, 11.

[58] Ibid, 10.

[59] Ibid., viii.

[60] Ibid., 14.

[61] U.S. Commission on National Security/21 Century, *Road Map for National Security*, 14.

quickly and surely who is in charge.[63] But in a government that has expanded through serial incremental adjustment rather than according to an overall plan, finding those responsible to make things go right, or those responsible when things go wrong, can be a very formidable task.[64] In addition to designating an individual as being in charge, accompanying authority commensurate with the responsibility is critical.[65] During the development stages of the U.S. Department of Homeland Security, initial discussions on empowering the leader of that agency ranged from that of a cabinet position to the authority, as a Director/Secretary, to command the resources of other cabinet members. Ultimately, Congress chose to give the first Secretary what many would describe as insufficient authority to carry out the mission of the agency.[66] In *Rethinking the Department of Homeland Security*, the authors assert that "the current organization of DHS must be reformed because it hampers the Secretary of Homeland Security's ability to lead our nation's homeland security efforts.[67]

d. Jurisdictions should consolidate certain homeland security activities to improve their effectiveness and coherence.[68]

The assets and organizations that now exist for homeland security are scattered across more than two dozen departments and agencies, and all fifty states. The Executive Branch, with the full participation of Congress, needs to realign, refine, and rationalize these assets into a coherent whole, or even the best strategy will lack an adequate vehicle for implementation.[69] The Department of Homeland Security absorbed twenty two federal entities—180,000 into its structure on November 25, 2002.[70] Some of the critical

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[62] Harold C Relyea and Henry B. Hogue, *Department of Homeland Security Reorganization: The 2SR Initiative*, Congressional Research Service, Library of Congress, 2005.

[63] U.S. Commission on National Security/21 Century, *Road Map for National Security*, vii.

[64] U.S. Commission on National Security/21 Century, *Road Map for National Security*, vii.

[65] Clark A. Murdock and others, *Beyond Goldwater-Nichols: Defense Reform for a New Strategic Era: Phase 1 Report* (Center for Strategic and International Studies, March 2004), 16.

[66] Wise, "Special Report: Organizing for Homeland Security," 302.

[67] James Jay Carafano and David Heyman, *DHS 2.0 Rethinking the Department of Homeland Security*, Heritage Special Report SR-02 (Washington, D.C.: The Heritage Foundation, 2004), 7.

[68] U.S. Commission on National Security/21 Century, *Road Map for National Security*, 14.

[69] Ibid.

[70] Carafano and Heyman, *DHS 2.0*, 7.

functions that were included in the new department included, Border Patrol, Customs, and Secret Service.

e. Jurisdictions should develop a funding mechanism that is tied to the individual with responsibility for coordinating the homeland security-related overall mission.[71]

This critical function is inferred from the referenced source. Testimony during the Senate hearing on the Secretary of Homeland Security addressed the issue of establishing the department by law versus Executive Order, in part due to the several million dollars the position would be responsible for administering.[72]

f. Homeland Security agencies should ensure that the organizational structure adopted provides an organizational information flow pattern that gets information to decision-makers in a timely manner.

> …the incorporation of information technologies that facilitate data capture and transformation and information flow to decision makers enables organizations to better allocate resources internally and with external partners and outsourcers to better fulfill the needs of customers.[73]

Inadequate situational awareness during the response to Hurricane Katrina resulted in decision makers relying on incorrect and incomplete information.[74]

In conclusion, there are specific critical functions that can be taken from the literature:

a. There should be a comprehensive strategy to heighten the jurisdiction's ability to prevent and protect against all forms of attacks on the homeland, and to respond to such attacks if prevention and protection fail;

b. The jurisdiction should create a new and independent National Homeland Security agency with responsibility for planning, coordinating and integrating various government activities involved in homeland security;

c. Designate a single person, accountable to the president, to be responsible for coordinating and overseeing various U.S. government activities related to homeland security;

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[71] U.S. Congress, Senate, Committee on Governmental Affairs, "Hearing before the Committee on Governmental Affairs, 107th Cong., 2nd sess., 11 April 2002.

[72] U.S. Congress, Senate, Committee on Governmental Affairs, "Hearing before the Committee on Governmental Affairs, 107th Cong., 2nd sess., 11 April 2002.

[73] Kudyba, "Enhancing Organisational Information Flow," 164.

[74] *Federal Response to Hurricane Katrina,* 9.

d. Jurisdictions should consolidate certain homeland security activities to improve their effectiveness and coherence;

e. Jurisdictions should develop a funding mechanism that is tied to the individual with responsibility for coordinating the homeland security-related overall mission;

f. Homeland Security agencies should ensure that the organizational structure adopted provides an organizational information flow pattern that gets information to decision-makers in a timely manner.

III. FORM FOLLOWS FUNCTION

The phrase "form follows function" is an architectural principle.[75] In this context, it means the restructuring of an organization should begin with a reevaluation of its purpose.[76] In other words, our organizational designs for HS should follow from rather than dictate what critical functions we need to achieve. For example, the U.S. Commission on National Security/ 21st Century spent over two years researching what potential threats faced the nation, what was necessary to prevent, protect against, or respond to a terrorist attack before making recommendations on the organizational structure of federal government to accomplish those tasks.[77]

This chapter will identify the critical functions or outcomes necessary to achieve an effective state homeland-security structure as discovered in the literature and reflected in the cases examined. Consistent with the above principle, it is important that the function be determined first in order to determine the organizational structure to achieve these functions. The states examined were selected by, first, contacting the National Governors' Association to determine if any states were organized consistent with the basic critical functions from the literature—one state was offered for further analysis. Three other states were selected based on anecdotal reputations for having good homeland security programs.

Much of the literature reflects an encouragement for states to organize in a manner that addresses homeland security. Portions of the literature suggest that organizing in a manner that effectively interfaces with the Department of Homeland Security is an effective structure. But in the absence of a detailed recommended model, states have organized according to individualized preferences. The following are examples of the homeland security functions a number of states have identified in their jurisdictions and the forms they have adopted to accommodate those functional responsibilities.

[75] Saul W. Gellerman, "In Organizations, as in Architecture, Form Follows Function," *Organizational Dynamics* 18, no. 3 (1990): 12. http://proquest.umi.com.libproxy.nps.edu:8080/pqdweb?index=109&d. [Accessed March 11, 2007].

[76] Ibid.

[77] U.S. Commission on National Security/21 Century, *Road Map for National Security*, 11.

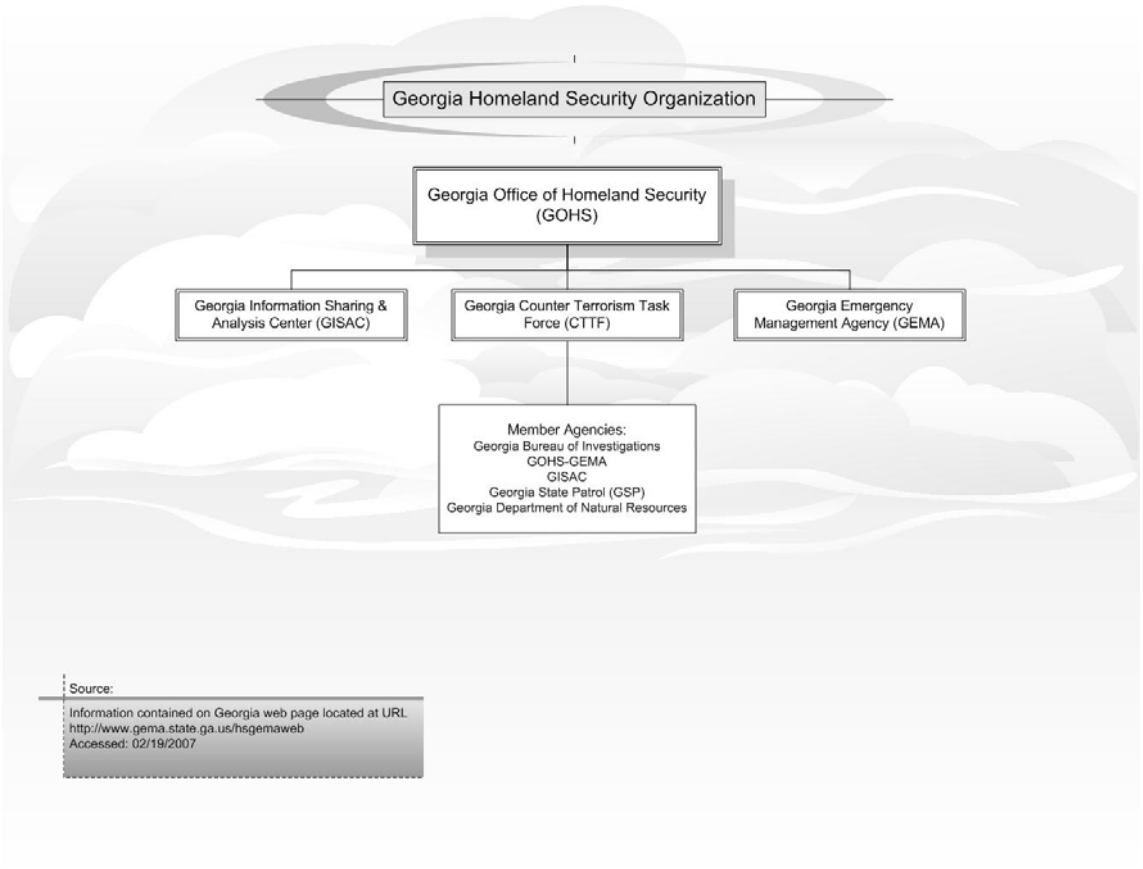

Figure 1. Georgia Homeland Security Organizational Chart

A. GEORGIA

The above chart represents the state of Georgia's organizational structure for coordinating homeland security responsibilities.[78] In comparing the above structure to the functions taken from the literature, it appears that Georgia has adopted some form of all of the functions. Georgia's official website indicates that it has developed a strategic plan.[79] This aligns with the critical function recommending that **there should be a comprehensive strategy to heighten the jurisdiction's ability to prevent and protect against all forms of attacks on the homeland, and to respond to such attacks if prevention and protection fail.** Georgia's organizational chart indicates that the state has organized in accordance with the function, as it applies to the state function recommending that a jurisdiction: **Designate a single person, accountable to the**

[78] State of Georgia Homeland Security Web Page, http://www.gema.state.ga.us/hsgemaweb [Accessed February 19, 2007].

[79] Ibid.

President, to be responsible for coordinating and overseeing various U.S. government activities related to homeland security. Georgia's funding mechanism—the State Administrative Agency—resides within the Georgia Emergency Management Agency, which suggests that it is tied to the entity with responsibility for coordinating preparedness efforts.[80] This is consistent with the critical function recommending that jurisdictions: **Develop a funding mechanism that is tied to the individual with responsibility for coordinating the homeland security-related overall mission.** In summary, while the Georgia model has served the state well for incidents to date, the Nationwide Plan Review assessed whether states' plans were sufficient to meet the requirements of a catastrophic incident. The assessment found that more emphasis on catastrophic planning is needed in the United States.

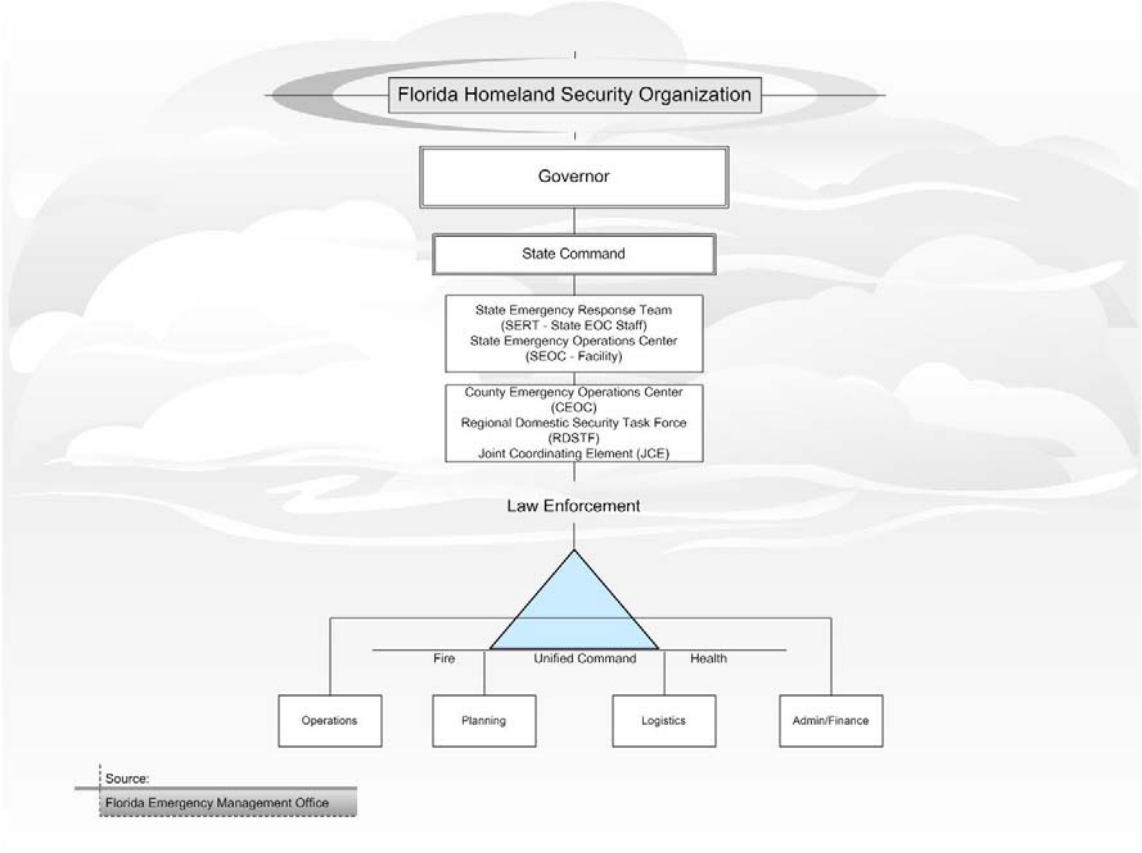

Figure 2. Florida Homeland Security Organization

[80] State of Georgia Homeland Security Web Page

B. FLORIDA

The above chart reflects the organizational structure that the State of Florida has adopted to manage its response to gubernatorial-declared emergencies. The state is aligned in accordance with the critical function recommending: **there should be a comprehensive strategy to heighten the jurisdiction's ability to prevent and protect against all forms of attacks on the homeland, and to respond to such attacks if prevention and protection fail.** Florida's vision, as reflected in the posted Strategic Plan, identified prevention, preparedness, protection, response, and recovery as major focus areas of its strategic plan. Florida's Domestic Strategy was developed within a week of the attacks of 9/11 by bringing together several hundred subject matter experts who worked around the clock to develop the strategy.[81] The centerpiece of the strategy appears to be the Regional Domestic Task Forces—co-chaired by a FDLE member and a local sheriff. Florida has identified the function of: **Designate a single person, accountable to the President, to be responsible for coordinating and overseeing various U.S. government activities related to homeland security** as an important function of emergency management *and* homeland security. As described by a Florida senior manager, the model that the state uses to demonstrate that function as it relates to emergency management-related functions is based on the role of the State Coordinating Officer (SCO) in a declared "State of Emergency."[82] That individual, in the case of Florida, is the Emergency Management (EM) Director. In declaring the emergency, the governor appoints the director to carry out the authorities vested in the governor for the duration of the emergency.[83] In the event the disaster involves an act of terrorism or a pandemic, an Incident Commander is also appointed and that individual(s) and the SCO form the State Command and operate in a Unified Command Structure. This is noteworthy, in that although this process occurs in conjunction with a Governor Declared Emergency only, it is representative of a strong implementation of the function related to designating a single person—accountable to the governor and responsible for coordinating activities related to that disaster. A parallel, and sometimes combined,

[81] State of Florida Web Page, http://www.fdle.state.fl.us/osi/DomesticSecurity/ [Accessed March 14, 2007].

[82] Craig Fugate, *Re: Organizational Structure*, email correspondence dated December 1, 2006.

[83] Ibid.

structure has responsibility for Domestic Security—Florida uses the term Domestic Security versus Homeland Security to refer to internal security of the state.[84] The Domestic Security responsibility is coordinated by a Domestic Security Oversight Council, which is chaired by the Florida Law Enforcement (FDLE) Commissioner with the Director of Emergency Management serving as the Vice Chair. In the event that the incident for which the governor declares a state emergency is terrorism-related, the governor—in addition to naming the EM Director as the SCO–also names the FDLE Commissioner as the Incident Commander.[85] This not only identifies who is in charge of the incident, it places together during the response phase the two individuals who work together coordinating the preparedness and prevention. The funding mechanism also appears tied to the individual with coordinating authority for preparedness and is related to the critical function recommending that: **Jurisdictions should develop a funding mechanism that is tied to the individual with responsibility for coordinating the homeland security-related overall mission.** The process is that task force members and other stakeholders come together to review the strategy, identify national priorities for alignment with state priorities and make recommendations to the Domestic Security Oversight Council.[86]

C. ILLINOIS

The model that the State of Illinois has adopted for its homeland security-related responsibilities is represented in the organizational chart below. Illinois' model is consistent with most of the critical homeland security-related functions identified from the literature. Illinois's strategy, unlike that of many states, was developed in 2000, prior to 9/11.[87] The strategy reflects consistency with the critical function that recommends**: there should be a comprehensive strategy to heighten the jurisdiction's ability to prevent and protect against all forms of attacks on the homeland, and to respond to such attacks if prevention and protection fail.**

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[84] State of Florida Web Page.

[85] Craig Fugate, *Re: Organizational Structure*, email dated December 1, 2006.

[86] Craig Fugate, *Re: Organizational Structure*, email dated December 1, 2006.

[87] Illinois Terrorism Task Force, *Mission Statement*. http://www.ready.illinois.gov/ittf/ittfmission.htm [Accessed February 10, 2007].

The state credits its Illinois Terrorism Task Force, comprised of fifty four member agencies and associations, with what it terms a sound strategic plan in the task force Annual Report.[88] Additionally, the task force has responsibility for reconciling the state strategic goals with the national priorities and making funding recommendations for state initiatives. The process, as witnessed by this writer, is very impressive. It is transparent and obviously tied to the state strategy. The discussion by the participants is focused and probing, yet professional with built-in flexibility. This means the Executive Committee demonstrated a willingness to listen and make adjustments in spending authority when it seemed indicated. The decisions of the Executive Committee are subject to review and approval by the Chief of Staff/Homeland Security Advisor, which are consistent with the function of: **should develop a funding mechanism that is tied to the individual with responsibility for coordinating the homeland security-related overall mission.** The state model does not embrace the "new agency" function; however, the critical homeland security-related agencies, as reflected in the chart, are coordinated at such a high level as to be closely analogous to that of a department head. As reflected in the organizational chart above, the structure consolidates a core group of disciplines under the direction of the Deputy Chief of Staff. This alignment is consistent with the critical function of: **jurisdictions should consolidate certain homeland security activities to improve their effectiveness and coherence.** The Deputy Chief of Staff, designated as the individual with overall coordinating responsibility for homeland security, seemingly functions as a single agency—**Designate a single person, accountable to the President, to be responsible for coordinating and overseeing various U.S. government activities related to homeland security.** That model supports the function of providing a stable information flow pattern—the critical function that recommends: **Security agencies should ensure that the organizational structure adopted provides an organizational information flow pattern that gets information to decision-makers in a timely manner.** Information sharing in a broader sense occurs through the Statewide Terrorism Intelligence Center (STIC).[89] Based on briefings provided by members of the IL

[88] Illinois Terrorism Task Force, *2005 Annual Report.* http://www.ready.illinois.gov/ittf/pdf/2005ITTFAnnualReport.pdf. [Accessed February 10, 2007].

[89] State of Illinois Web Page, http://www.ready.illinois.gov/ittf/terrorismreport19.htm [Accessed March 15, 2007].

homeland security team, the STIC is known to Illinois businesses who provide valuable information on suspicious activity connected to their properties; however, based on the Illinois Web Page, the STIC is law enforcement-centric.[90] In summary, Illinois appears to be consistent with all of the identified function except that of a "new agency," as indicated above.

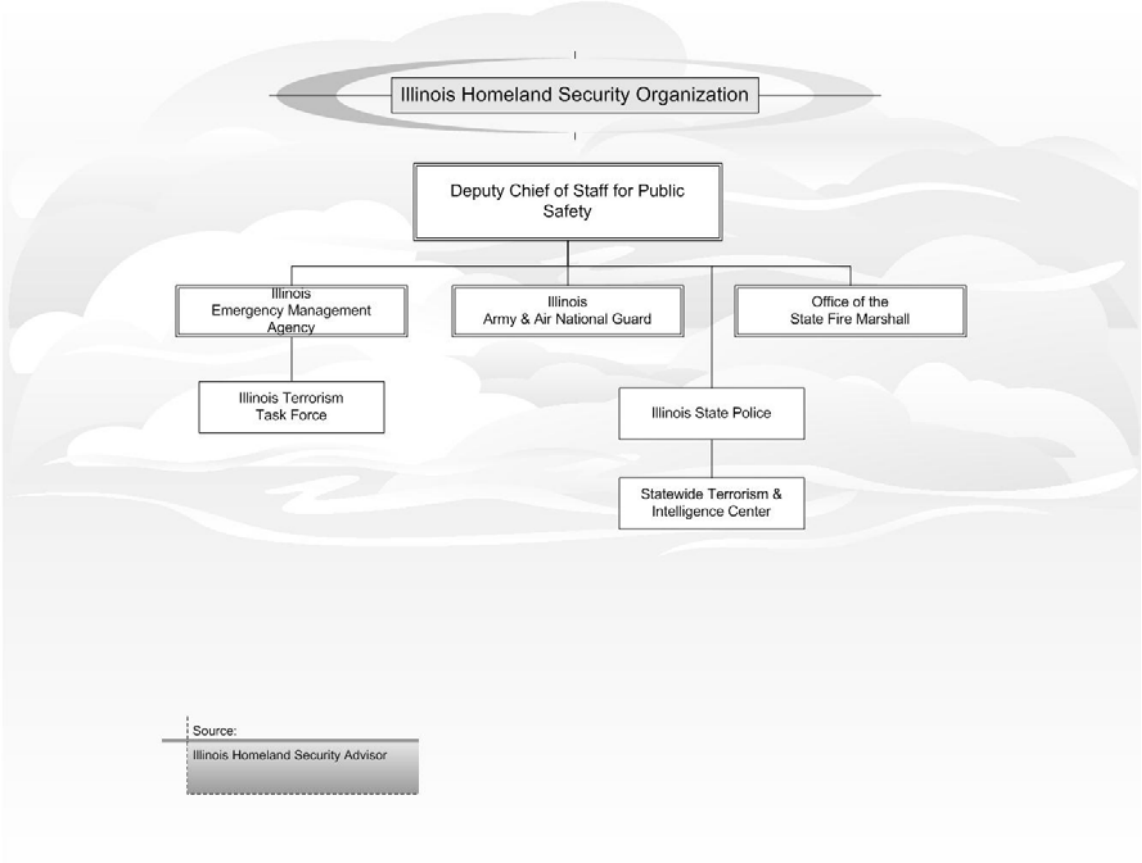

Figure 3. Illinois Homeland Security Organization

D. WEST VIRGINIA

The State of West Virginia has adopted an organizational design structure that is consistent with all of the functions identified for an effective response to homeland security as extracted from the literature. The vision for the state is to include its people, institutions and government by focusing on three mission areas: military affairs, public safety, and homeland security.[91] **There should be a comprehensive strategy to heighten the jurisdiction's ability to prevent and protect against all forms of attacks**

[90] Ibid.

[91] West Virginia Web Page, http://www.wvs.state.wv.us/dmaps/ [Accessed March 15, 2007].

on the homeland, and to respond to such attacks if prevention and protection fail. West Virginia adheres to the critical function of developing a new agency that includes a multi-disciplined corps of assets—as reflected in the organizational chart. **The jurisdiction should create a new and independent National Homeland Security agency with responsibility for planning, coordinating and integrating various government activities involved in homeland security.** This is the only state of those examined here that has a single department for handling homeland security-related responsibilities. **Jurisdictions should consolidate certain homeland security activities to improve their effectiveness and coherence.** Consolidating certain resources related to homeland security improves their effectiveness and coherence.[92] In terms of designating a single individual to be in charge, the governor- appointed Secretary and Homeland Security Advisor clarified his responsibility during testimony before the United States Senate Select Committee on Intelligence – Intelligence Reform – FBI and Homeland Security on 25 January 2007. He stated, "In short, through my designation as Homeland Security Advisor to the governor, and as Cabinet Secretary, it is my responsibility and my duty to coordinate the entire range of government services for the public safety and the protection of the response to disasters of all types for the citizens of West Virginia."[93] **Designate a single person, accountable to the president, to be responsible for coordinating and overseeing various U.S. government activities related to homeland security. I**n his testimony before the Senate Select Committee, the secretary validated another of the critical functions related to homeland security: developing a funding mechanism that is tied to the individual with coordinating responsibility. **Jurisdictions should develop a funding mechanism that is tied to the individual with responsibility for coordinating the homeland security-related overall mission.** He described incidents, discovered upon his arrival and assessment of the department, that were improper. He subsequently moved the State Administrative Agency (SAA) function—responsible for coordinating and disbursing federal grant funding—to the Office of the Secretary.[94] Secretary Spears commented on fusion centers

[92] U.S. Commission on National Security/21 Century, *Road Map for National Security*, 14.

[93] U.S. Senate Select Committee on Intelligence, Statement by James W. Spears on Intelligence Reform Hearing (Open), 2007, http://www.wvs.state.wv.us/dmaps/ [Accessed March 15, 2007].

[94] Ibid.

during his testimony, noting that while his state is in the beginning stages of setting up a true fusion center, fusion centers are often top-heavy with law information personnel. He indicated that useful information from within jail and prisons as well as suspicious behavior reported by banks, railroads, chemical plants, and utility plants may provide a basis for analysts to determine a pattern of activity needed to thwart criminal or terrorist activity.[95] The organizational structure adopted by this state, reflecting clear lines of communication and authority is consistent with the critical function related to: **Homeland Security agencies should ensure that the organizational structure adopted provides an organizational information flow pattern that gets information to decision-makers in a timely manner.**

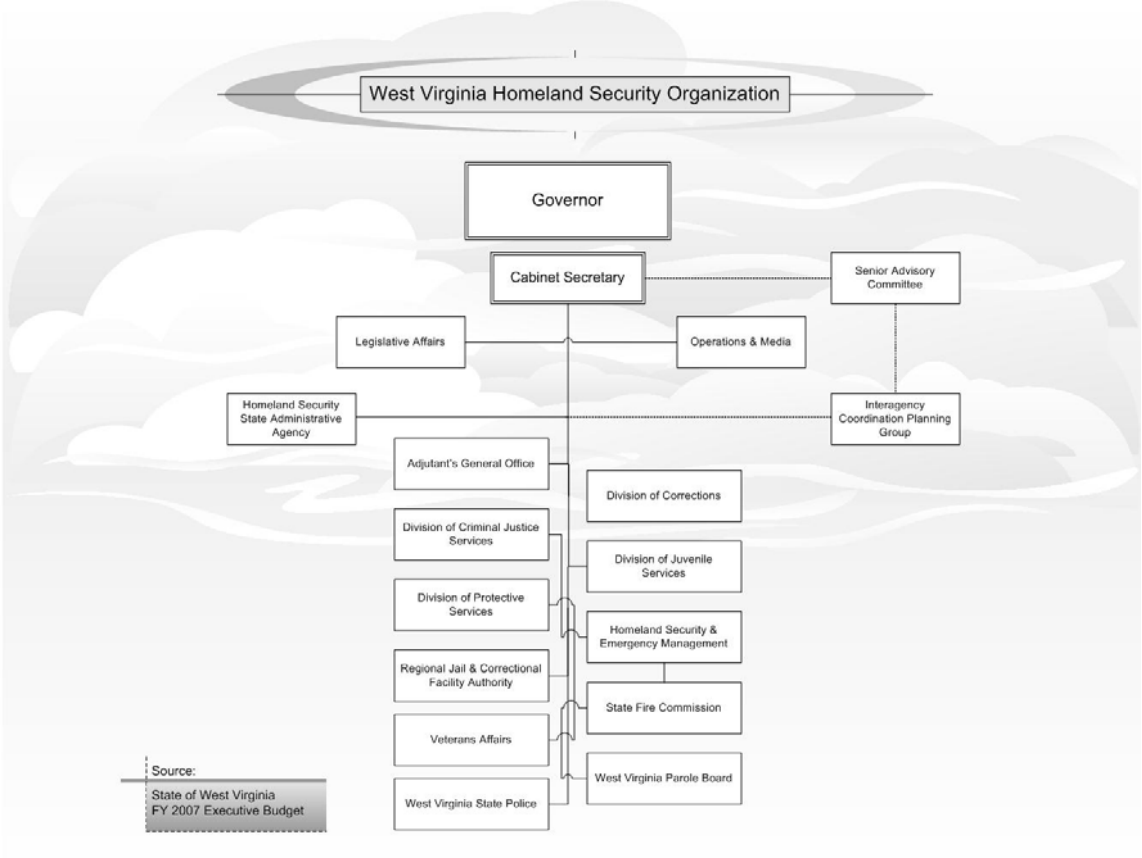

Figure 4. West Virginia Homeland Security Organization

[95] U.S. Senate Select Committee on Intelligence, Statement by James W. Spears on Intelligence Reform Hearing (Open), 2007, http://www.wvs.state.wv.us/dmaps/ [Accessed March 15, 2007].

In addition to West Virginia's alignment with the critical functions identified in the literature, it has also identified additional critical components that support the agency's mission. It has, as illustrated above, added a legislative function—important in tracking legislation from the federal and other jurisdictions and developing in-state legislative functions for support of the strategy. The West Virginia model has also added two coordinating groups: one comprised of interagency representatives who work with the State Administrative Agency to coordinate agency funding initiatives, and a high-level advisory group comprised of individuals representing other government agencies.[96] This organizational structure typifies the concept that:

> We need strong vertical lines in our organizations. Hierarchy provides the critical, unifying structure to the capacity of complex organizations. But we need horizontal relationships to put that capacity to work. We need to organize vertically and to work horizontally.[97]

In summary, based on the described performance of the state agency and its alignment with those critical functions taken from the literature, the state appears to represent a model agency for addressing homeland security-related functions at the state level.

States can be at least partially sufficient in managing their homeland security responsibilities without conformity with those critical functions. There is also a nexus between adoption of the critical functions and the perceived capability of a homeland security agency to plan, coordinate, and respond to terrorist-related incidents effectively. "Effective" in this instance refers to an ability to carry out the state's responsibility utilizing a design structure that achieves oversight comparable with that achievable through adherence to these functions:

a. **There should be a comprehensive strategy to heighten the jurisdiction's ability to prevent and protect against all forms of attacks on the homeland, and to respond to such attacks if prevention and protection fail.** Although every state has given thought to the subject of homeland security, the strategic emphasis is not the same: One state focuses on the possibility of a terrorist attack while another focuses on a natural disaster. Many of the actions taken in response to 9/11 were

[96] West Virginia Web Page, http://www.wvs.state.wv.us/dmaps/ [Accessed March 15, 2007].

[97] Donald F. Kettl, *The Worst Is Yet to Come: Lessons from September 11 and Hurricane Katrina* (Philadelphia, PA: Fels Institute of Government, University of Pennsylvania, 2005), 7.

contained in the recommendations of the U.S. Commission on National Security 21st Century completed on January 31, 2001, which suggest above all that our failure to imagine an attack could actually occur and that the failure to plan properly could be costly in terms of American lives.[98]

b. **The jurisdiction should create a new and independent National Homeland Security agency with responsibility for planning, coordinating and integrating various government activities involved in homeland security**. Pre-9/11 the U.S. Commission on National Security 21st Century recommended a new agency be responsible for coordinating the response to terrorists' threats.[99] Several federal agencies had homeland security-related missions; the prevailing thinking of the commission was rather than assign that responsibility to an existing agency, it was best to create a new agency.[100] Anticipated benefits included improved effectiveness and coherence.[101]

c. **Jurisdictions should consolidate certain homeland security activities to improve their effectiveness and coherence.** At the federal level consideration was given to what agencies have responsibility related to terrorism while realizing that the new agency could not encompass all government entities with some potential responsibility during an incident. Similarly, at the state level many government agencies have some responsibility during a catastrophic incident; the states most closely aligned with the identified functions, however, consisted of a core group of responders that include police, fire service, emergency management, National Guard, and State Administrative Agencies.

d. **Designate a single person, accountable to the President, to be responsible for coordinating and overseeing various U.S. government activities related to homeland security.** The value of that function was recognized to some degree in all of the states reviewed here. Equally important as naming an individual to be in charge is ensuring the individual possesses sufficient authority to coordinate the necessary activities. In the states examined, one state had strong delegated authority to coordinate response activities during an emergency (it was unclear what that state's authority was to coordinate training and exercises prior to an incident). In another state, the authority to act on behalf of the governor and assume the role of Incident Commander during an incident is clearly defined during an emergency; however, that authority is not as clearly delineated for training and exercises during non-emergencies. In one state, the individual with responsibility for oversight of those functions related to homeland security is undisputed. The department, statutorily designated as an agency within the function of the executive branch of

[98] U.S. Commission on National Security/21 Century, *Road Map for National Security.*

[99] U.S. Commission on National Security/21 Century, *Road Map for National Security.*

[100] Ibid, 10.

[101] Ibid, 14.

government, has an appointed Secretary; however, subordinate members know to whom they are responsible.[102]

e. **Jurisdictions should develop a funding mechanism that is tied to the individual with responsibility for coordinating the homeland security-related overall mission.** The need for a funding mechanism that is tied to the person with responsibility to coordinate preparedness activities is critical. During the creation of the Department of Homeland Security Congress, realizing the level of funding that would necessarily accompany that office, wanted to ensure that that individual would be available to Congress if necessary. [103] In the state where functions align, funding still became an issue; however, the individual in charge easily resolved the matter rather than a drawn out process of negotiation.

f. **Homeland Security agencies should ensure that the organizational structure adopted provides an organizational information flow pattern that gets information to decision-makers in a timely manner.** Clear lines of communication are necessary for the smooth functioning of organizations at all times—government and public sector alike. They are, however, critical during a catastrophic incident—a lesson learned from the response to Hurricane Katrina. Task forces and other structures outside that of a single agency have the potential for miscommunication during a critical incident. In the state organized according to these functions, not only is the individual in charge clearly delineated, but the whole structure results in a clear information flow pattern.

None of the case states has adopted all of the critical functions listed above, but where they do adhere to the critical function model in whole or in part, effectiveness follows. The next chapter examines the organizational structure of Wisconsin government for homeland security-related issues. Chapter IV compares Wisconsin's current state with the desired state of an effective organizational structure based on the critical functions identified in the literature. The gaps, or variance between the identified functions and the current structure in Wisconsin, are examined for each of the critical functions.

[102] West Virginia Web Page, http://www.wv.gov/Offsite.aspx?u=http://www.wvbudget.gov/charts/orgchart.pdf [Accessed March 15, 2007].

[103] Senate Committee on Governmental Affairs, "Hearing before the Committee on Governmental Affairs."

IV. WISCONSIN STATE GOVERNMENT

A. WISCONSIN GOVERNMENT AT A GLANCE

The first portion of this chapter provides a bit of background information on Wisconsin and its statutory structure, with a focus on the executive branch, as well as the homeland security-related functions the state has identified and the structure it has chosen to carry out those functions. With its admittance to the Union on May 29, 1848, Wisconsin became the thirtieth state.[104] State government divides its power and authority among three branches: legislative, judicial, and executive. The legislative branch includes the Wisconsin Legislature, which is composed of the senate and the assembly, and the service agencies and staff that assist the legislators.[105] The judicial branch consists of the Wisconsin Supreme Court, the Court of Appeals, circuit courts, and municipal courts, as well as the staff and advisory groups that assist the courts.[106] The executive branch, headed by the governor, includes five other elected constitutional officers, as well as seventeen departments and twelve independent agencies created by statute.[107]

B. THE EXECUTIVE BRANCH

In order for any policy change to become law, it must have legislative approval, but since the Wisconsin Constitution delegates ultimate responsibility for state administration to the governor, the focus of this review is the executive branch.[108] Of the eighteen departments comprising the executive branch, the governor, with counsel and consent of the senate, appoints the secretary that leads that particular agency for fourteen of the eighteen departments. Of the remaining four departments, two are headed by boards that select the secretary and the final two are appointed by constitutional

[104] Wisconsin Legislative Reference Bureau, comp., *State of Wisconsin 2005-2006 Blue Book* (Madison, WI: Wisconsin Legislature, 2005), 246.

[105] Ibid.

[106] Ibid.

[107] Ibid.

[108] Ibid.

members of the executive branch—the State Superintendent of Public Instruction and the Attorney General.[109] The chart depicted below shows the departments appointed by the governor and the two headed by a part-time board.

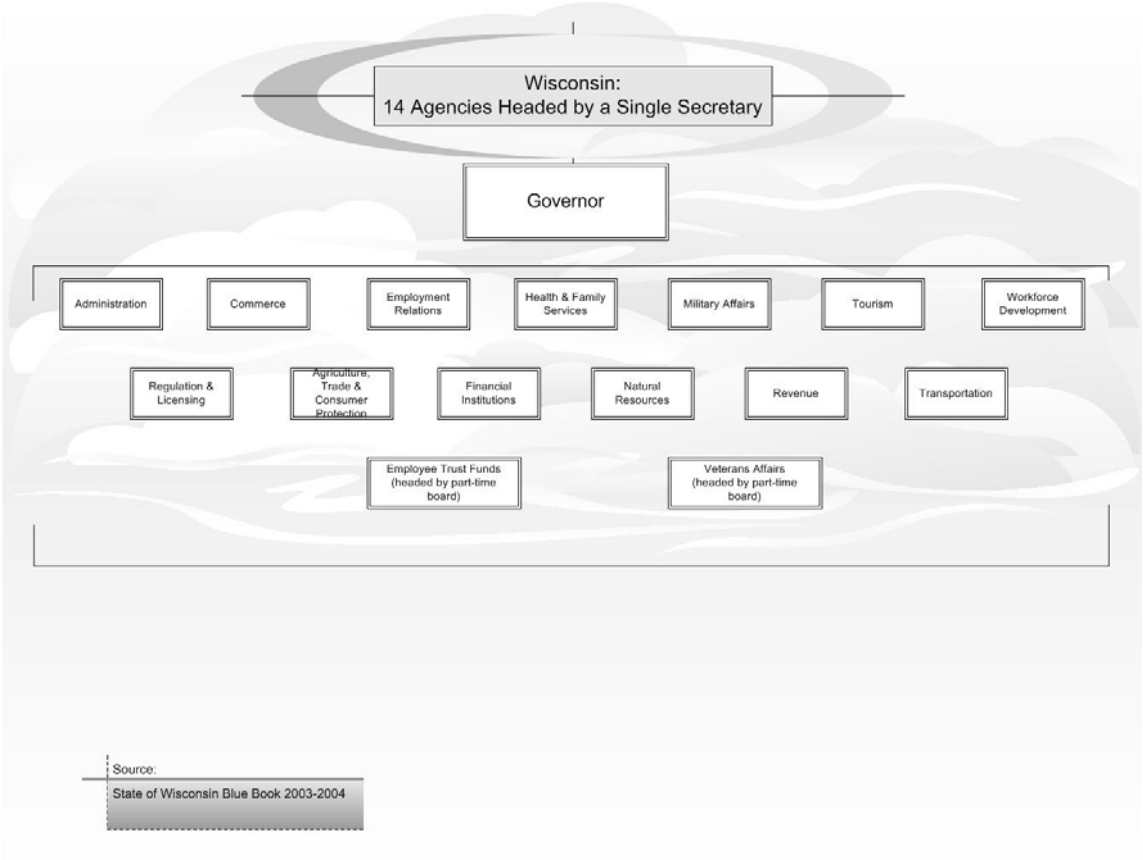

Figure 5. Wisconsin: 14 Agencies Headed by a Single Secretary

C. DEPARTMENTS

In Wisconsin, the term "department" designates a principal administrative agency within the executive branch.[110] Departments are structured hierarchically with the secretary reporting directly to the governor. The major subunit of a department is a division, headed by an administrator that reports to the secretary of that division. Smaller work units make up the divisions. Within this organizational structure, authority and information flow vertically. An examination of the Homeland Security Council and its

[109] Wisconsin Legislative Reference Bureau, comp., *State of Wisconsin 2005-2006 Blue Book* (Madison, WI: Wisconsin Legislature, 2005), 250.

[110] Ibid, 320.

interaction with other departments reveals that it sits atop a statutorily-defined and rigid infrastructure. That is, the members of the council are also members of one of the departments represented above, obligated to communicate through their respective chain of command and at the same time report non-emergency homeland security-related information to the Chair of the Council.

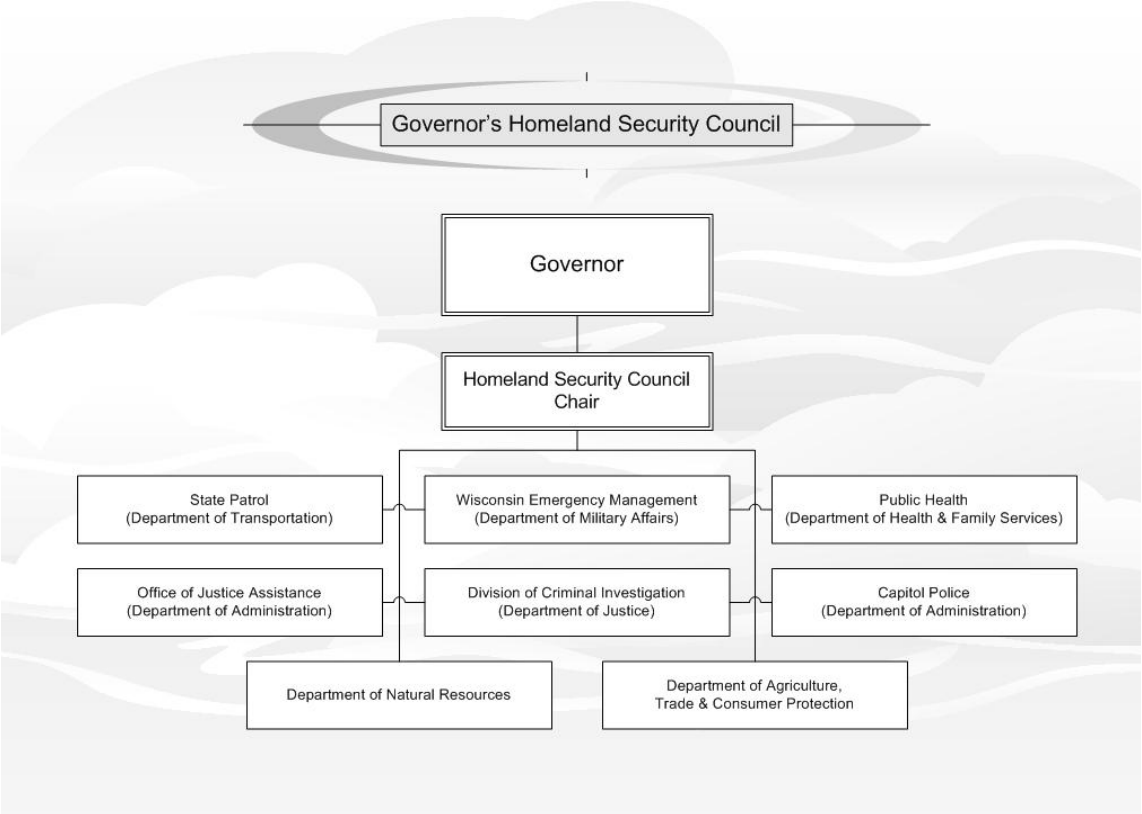

Figure 6. Governor's Homeland Security Council

D. HOMELAND SECURITY COUNCIL

Wisconsin State Statute, chapter 15.01(4) defines "council" as "a part-time body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government…"[111] That definition is reflected in the governor's Homeland Security Council Charter, dated 3 April 2003. The role of the council as reflected in the Council Charter, is "to advise the Governor and coordinate the efforts of state and local officials with regard to prevention of, and response to, threats to the homeland security of

[111] Wisconsin State Statutes Website, http://nxt.legis.state.wi.us/nxt/gateway.dll/Statutes%20Related/Wisconsin, [Accessed November 18, 2006].

Wisconsin…" The Homeland Security Council is the model Wisconsin has adopted for implementing the previously-identified and critical functions of designating an individual to coordinate activities related to homeland security responsibilities and establishing a multi-disciplined core response capability.

E. HOMELAND SECURITY COUNCIL MEMBERS

The council is comprised of nine members, including the chair. The Adjutant General of the Wisconsin National Guard, equivalent to a department secretary, chairs the council and, similar to the majority of other department heads, he receives an appointment from the governor. The Adjutant General, in addition to having oversight for the Air and Army National Guard, oversees the Division of Emergency Management, itself another member of the Council.

The Administrator of the Division of Emergency Management is a direct report to the Adjutant General for day-to-day functions and, therefore, for Homeland Security Council-related issues. This is the only member of the council within the chain-of-command of the Homeland Security Council Chair. The Administrator of Emergency Management, appointed by the governor with consent of the senate, under the general supervision of the Adjutant General, is responsible for coordinating emergency preparedness on a statewide basis.

The Superintendent of Wisconsin State Patrol is a division within the Department of Transportation. The position has numerous duties and responsibilities related to Homeland Security, including serving as a liaison with local law enforcement. In terms of policy development, budgeting initiatives, and day-to-day activities, however, the position reports to the Secretary of the Department of Transportation.

With one exception, each of the remaining members reports to a different department secretary with their individual chain of command and information flow. The administrator for Public Health reports to the Secretary of Health and Family Services.

The Capitol Chief of Police and the Administrator for the Office of Justice Assistance, both, report to the Secretary of the Department of Administration. The Administrator for the Office of Justice Assistance, the State Administrative Agency, is

also the individual designated to implement a critical core function: administering the funding that ties the homeland security-related activities together.

The Deputy Secretary of the Department of Agriculture, Trade and Consumer Protection, a councilmember, reports to the Secretary of that department. The administrator of the Division of Enforcement and Science, a councilmember, within the Department of Natural Resources reports to the Secretary of that department. Finally, the administrator for the Division of Criminal Investigation, the ninth member of the Council, has significant Homeland Security-related responsibilities. This position is the Council's liaison with the FBI Joint Terrorism Task Force as well as oversees the State Fusion Center, the information-sharing network for the state. This administrator reports to a different constitutional officer of the executive branch, the attorney general, who might also be a member of a different political party than that of the governor.

In addition to the distinct information flow patterns described here and the standard communication protocols that state agencies are familiar with, there are cautions in the statutes and other documents that influences coordination efforts and information flow patterns. For example, Article 1 of the Governor's Homeland Security Council Charter of 3 April 2003 states, in part, "The Council recognizes the authority and responsibility of local, state, and federal agencies in regard to Homeland Security." Wisconsin State Statute chapter 15.04(1)(a)(b) specifically provide heads of departments and independent agencies the powers and duties of planning, directing, coordinating and executing the functions vested in the particular department, including preparing the budget.

Finally, although the Adjutant General—the Homeland Security Council Chair—is equivalent to a department secretary and the Department of Military Affairs is designated as an administrative agency, state statute provides insight into the extent coordination is possible without consent of the individual department-head. Wisconsin Statutes, section 227.10, states, "An administrative agency cannot regulate the activities of another agency or promulgate rules to bind another agency without express statutory authority." This statute is what, seemingly, makes the current Wisconsin model particularly challenging. The designated Coordinator of Preparedness, as a peer of other

department heads or as the designated coordinator of response during a disaster does not have a solid basis for directing the activities or resources of other departments.

In conclusion, Wisconsin has identified the critical core functions related to homeland security as referenced in the literature and modeled in other states. There are, however, gaps between the current organizational structure and the organization that would yield optimal effectiveness. The next chapter compares Wisconsin's current state with the desired state of an effective organizational structure based on the critical functions identified in the literature. Gaps, or the variance between the identified functions and the current structure in Wisconsin, are examined for each of the critical functions.

V. COMPARISON OF DESIRED END STATE VS. CURRENT STATE

This chapter will examine the Wisconsin structure for addressing homeland security and compare that structure with the desired end state as envisioned by the literature. Perceived "gaps"—variances between the current state and the desired end state are identified.

As part of its assessment of states under the National Plan Review, DHS used the phrases "sufficient," "partially sufficient," or "not sufficient" in describing individual states' levels of preparedness in catastrophic planning.[112] Among Direction and Control annexes, a commonly- cited deficiency is a failure to define the operational structure for incident command and multi-agency coordination and the absence of a clearly-defined command structure.[113] Wisconsin was rated "partially sufficient" because its plans were inadequate for responding to a disaster of catastrophic proportions. For example, Milwaukee, Wisconsin's largest city, had an evacuation plan in place that had been exercised for a maximum of 2,000 people. Milwaukee is a city with a population of approximately 650,000; therefore, a plan to evacuate 2,000 becomes "partially sufficient." Similarly, Wisconsin's organizational structure has demonstrated the capacity to plan and respond to critical incidents, but the purpose of the Nationwide Plan Review was to assess the status of catastrophic plans and the planning process at the state level. Catastrophic planning, as defined by the Nationwide Plan Review, should address:

> Any natural or manmade incident, including terrorism, that results in extraordinary levels of mass casualties, damage, or disruption severely affecting the population, infrastructure, environment, economy, national morale, and/or government functions. A catastrophic event could result in sustained national impacts over a prolonged period of time; almost immediately exceeds resources normally available to State, local, tribal, and private-sector authorities in the impacted area; and significantly interrupts governmental operations and emergency services to such an extent that national security could be threatened.[114]

[112] DHS, *Nationwide Plan Review Phase 2 Report*, 4.

[113] Ibid, 18.

[114] Ibid, 1.

A. THE GAPS

Chapter III, based on the aggregate literature, described what an optimally-organized state government provides in order to meet its homeland security mission. Illustrated here is the desired end state versus the current state. The bold type indicates the critical function identified from the literature and the following text describes Wisconsin's status in relation to that function.

1. There should be a comprehensive strategy to heighten the jurisdiction's ability to prevent and protect against all forms of attacks on the homeland, and to respond to such attacks if prevention and protection fail.

Wisconsin has a comprehensive strategic plan developed with input from several stakeholders in the homeland security community. The strategic plan encompasses activities within the Urban Area Security Initiative (UASI). The strategy is updated on an annual basis to coincide with national priorities and state spending initiatives.

2. The jurisdiction should create a new and independent national homeland security agency with responsibility for planning, coordinating and integrating various government activities involved in homeland security.

Wisconsin does not have a single agency responsible for homeland security. The governor created the Wisconsin Homeland Security Council that is arguably Wisconsin's equivalent to a homeland security agency. The members are depicted in the chart below. The agencies that make up the Homeland Security Council are representative of the agencies that typically are included in a single agency organized for homeland security, as reflected in the organizational charts of West Virginia and Illinois.

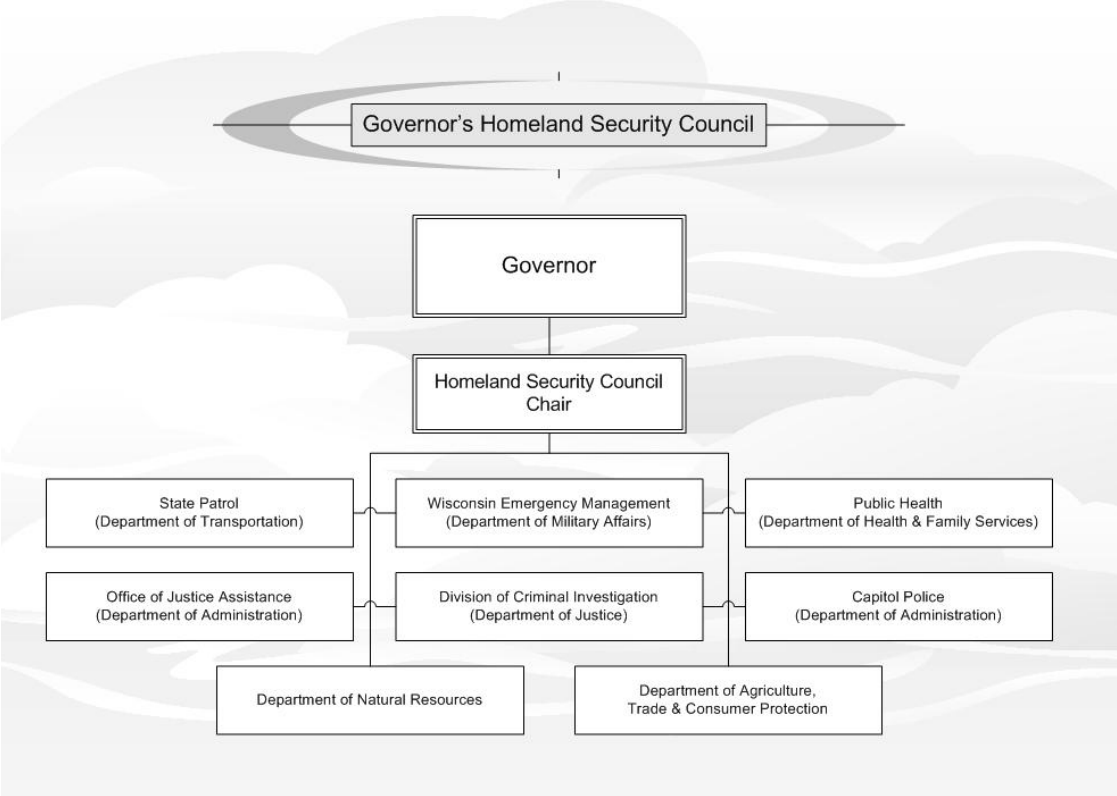

Figure 7. Governor's Homeland Security Council

3. Designate a single person, accountable to the president, to be responsible for coordinating and overseeing various U.S. government activities related to homeland security.

The individual/entity delegated as responsible for coordinating Wisconsin's activities related to homeland security is the Adjutant General. The Adjutant General, the Commanding Officer of the WI National Guard, is also equivalent to a Department Secretary for the Department of Military Affairs, which encompasses the Division of WI Emergency Management. Chapter II, in reviewing some of the lessons learned in Hurricane Katrina, illustrated the potential negative consequences of not knowing who is in charge during a catastrophic incident. In addition, the chapter identified two possible models that eliminate this organizational deficiency: Illinois and West Virginia. Under the Illinois model, the homeland security function is coordinated above that of department heads for an individual agency. A Deputy Chief of Staff to the Governor—who also serves as Homeland Security Advisor to the Governor—coordinates the core responsibilities for homeland security. Coordination at this level appears to provide advantages in terms of unambiguous communication patterns and a clear delineation of

who has coordination responsibility and authority to act. Based on personal observations of the Illinois homeland security functions, it appears that the Homeland Security Advisor has a high level of awareness across the broad spectrum of homeland security-related activities and appears to be engaged in the discussions and decision-making process, yet provides agency-heads the autonomy to carry out their respective missions.

The West Virginia model entails the creation of a Department of Military Affairs and Public Safety, headed by a single secretary, appointed by and reporting directly to the governor. The department encompasses a multi-disciplined group of first responders. This model clearly illustrates who has responsibility for the activities of the homeland security responsibility. In addition, under this model, the secretary is responsible not just during a response—he/she has responsibility for coordinating the state strategy, prevention initiatives, and training and preparedness efforts.

Contrast those models to Wisconsin in which the Adjutant General has statutory authority over the National Guard and Emergency Management, but a provision in state law, similar to that which existed at the federal level during Hurricane Katrina, precludes the Adjutant General from regulating the activities or promulgating rules that bind another agency without express statutory authority. The Homeland Security Advisor serves as the Chair of the Homeland Security Council; however, that position does not have oversight authority in terms of resource allocation, funding priorities, or directing the formulation of the Wisconsin Homeland Security State Strategy.

4. Jurisdictions should consolidate certain homeland security activities to improve their effectiveness and coherence.

As previously noted, state governors arguably have the same responsibility to protect the citizens of their respective states as the president has for protecting the citizens of the United States. The optimal organizational structure to accomplish that mission continues to be debated, particularly at the federal level.

In deciding the organizational structure of the new Department of Homeland Security post 9-11, the president was answering the question, 'what is the rationale for such a tremendous reorganization'? The answer provided by the president and accepted by Congress was, "The establishment of a new Department of Homeland Security would ensure greater accountability over critical homeland security missions and unity of

purpose among the agencies responsible for them."[115] Although the Department of Homeland Security does not encompass all federal agencies that have homeland security-related responsibilities, the Homeland Security Act of 2002 transferred over twenty-two federal entities and 180,000 employees into the newly-created department.[116] Those entities provide a core planning and initial response capability to catastrophic disasters. They include the Office of the Secretary, Border and Transportation Security, Emergency Preparedness and Response, Information Analysis and Infrastructure Protection, Science and Technology, U.S. Citizenship and Immigration Services, U.S. Coast Guard, U. S. Secret Service and Office of Management.[117] The basic composition of the Department of Homeland Security has until very recently (as of March 2007) remained essentially unchanged.

A 2004 task force charged with assessing DHS efforts to meet its congressional mandates of (1) preventing terrorist attacks within the United States, (2) reducing the vulnerability of the United States to terrorism, and (3) minimizing the damage and assisting in the recovery from terrorist attacks that do occur within the United States.[118] The task force submitted over forty recommendations that, "…taken together …make the case for a significant reorganization of the department to empower the Secretary of Homeland Security and make the department a more effective and efficient instrument for preventing and responding to terrorist threats."[119] However, none of the recommendations called for the dismantling of the organization or removing/adding any significant components. The major recommendations include strengthening policymaking; empowering the secretary; rationalizing government spending; clarifying authorities; and improving departmental oversight.[120] On empowerment, the taskforce

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[115] Office of Homeland Security, *National Strategy for Homeland Security.*

[116] Carafano and Heyman, *DHS 2.0 Rethinking the Department of Homeland Security*, 7.

[117] Jill R. Aitoro, "Can You Handle it?—The Department of Homeland Security is primed to mirror the Department of Defense in the size and scope of procurements. How integrators will follow the opportunity remains to be seen," *VARbusiness* 2117 (Aug 8, 2005): G10, http://libproxy.nps.navy.mil/login?uri=proquest.umi.com/pqdweb?did=878958821&sid=1&Fmt=3&clientld=11969&RQT=309&VName=PQD. [Accessed March 10, 2007].

[118] Carafano and Heyman, *DHS 2.0 Rethinking the Department of Homeland Security*, 7.

[119] Ibid.

[120] Carafano and Heyman, *DHS 2.0 Rethinking the Department of Homeland Security*, 8.

recommended, "Empowering the secretary by establishing a 'flatter' organizational structure through (1) consolidating and strengthening agencies with overlapping missions; (2) eliminating middle-management (directorate) layers over border and transportation security, preparedness and response, and information analysis and infrastructure protection; and (3) having the agencies report directly to the secretary via the Deputy Secretary of Homeland Security."[121] Similarly, the remaining recommendations represent efforts to ensure an organization that is flexible and responsive to a constantly changing threat with an increased international dimension of security.[122] Many of the shortcomings of the department and the basis for a number of recommendations and observations by the task force surfaced during the response to Hurricane Katrina, which intersected the Homeland Security review process. The White House Report, in reviewing the Hurricane Katrina response, found that, "In terms of the Federal Response, our architecture of command and control mechanism as well as our existing structure of plans did not serve us well. Command centers in the Department of Homeland Security (DHS) and elsewhere in the Federal government had unclear and often overlapping roles and responsibilities that were exposed as flawed during this disaster."[123]

Although the discussion on the organizational structure of the Department of Homeland Security continues post-Katrina, many of the findings are consistent. For example, the House Katrina Investigation Committee concluded, "In responding to Hurricane Katrina, elements of federal, state, and local government lacked command, lacked control, and certainly lacked unity."[124] The committee recommends a reorganization of the Department of Homeland Security on a network model versus the hierarchical model on which it is currently organized.[125] One of the acknowledged

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[121] Carafano and Heyman, *DHS 2.0 Rethinking the Department of Homeland Security*, 8.

[122] Ibid., 7.

[123] Wise, *Organizing for Homeland Security after Katrina*, 66, 3; ABI/INFORM Global, Indiana University, 2006, 304.

[124] Ibid.

[125] Wise, *Organizing for Homeland Security after Katrina*, 66, 3; ABI/INFORM Global, Indiana University, 2006, 311, Networks: "Structures of interdependence involving multiple organizations as parts thereof, where one unit is not merely the formal subordinate of the other in some larger hierarchical arrangement."

weaknesses of the network model is that diffusion of accountability and performance assessment means assessing the performance of individual agencies in addition to the joint action of multiple agencies.[126] This characteristic appears particularly relevant given that much of the discussion following the Hurricane Katrina review has centered on the question of who was in charge. The model described below answers that question more definitively at the state level.

The State of West Virginia, similar to the federal agency for homeland security, has identified a multi-disciplinary cadre of state entities the governor uses to prevent, plan for, and respond to a catastrophic disaster. The organizational components obviously differ from those at the federal level and likely will differ from state to state, but the platform contains critical components for a comprehensive planning and response capability. Included in the list of entities within the department are, in the case of West Virginia, the Homeland Security State Administrative Agency (SAA), the Adjutant General's Office, Emergency Management, the State Police, and the State Fire Commission.

The management of West Virginia's Department of Military Affairs and Public Safety is unambiguous and clearly defined, with the governor at the top of the organizational chart, followed by the Cabinet Secretary, and all other components flowing into the office of the secretary. This structure, based on the hierarchical model, also has elements of the network model. West Virginia has an Interagency Coordination Planning Group, which is comprised of representatives from the member agencies and the state administrative agency. The Interagency Group reports to the Senior Advisory Committee, which reports directly to the secretary. The Senior Advisory Committee to Homeland Security Advisor *Mission* [emphasis added], not to the Department Secretary, is intended to enhance the integration and facilitate coordination among key agencies and disciplines receiving homeland security assistance and responsible for implementing homeland security initiatives.[127] The members include the Cabinet Secretary of the

[126] Wise, *Organizing for Homeland Security after Katrina*, 66, 3; ABI/INFORM Global, Indiana University, 2006, 311, Networks: "Structures of interdependence involving multiple organizations as parts thereof, where one unit is not merely the formal subordinate of the other in some larger hierarchical arrangement."

[127] State of West Virginia website. http://www.wvs.state.wv.us/dmaps/ [Accessed March 15, 2007].

Department of Military Affairs and Public Safety (the Governor's Homeland Security Advisor), two representatives from the Department of Health and Human Resources (the State Health Officer and the Bio-Terrorism Hospital Coordinator), Executive Director, National and Community Service, and Director of the WV Division of Homeland Security and Emergency Management. Under this model, the recommendations and decision made in the Senior Advisory Committee with respect to the Department of Military Affairs are final without referral to another agency or group of agencies except, obviously, the governor when indicated.

Recognizing the right of each state to organize according its specific preference, contrast the West Virginia model to the Wisconsin model. Wisconsin's equivalent to West Virginia's Senior Advisory Committee to Homeland Security Advisor Mission is the Wisconsin Homeland Security Council. The Adjutant General of the Department of Military Affairs and the Homeland Security Advisor chair the council. The council is comprised of the following entities: the Superintendent of the State Patrol; Administrator, Division of Emergency Management; Administrator & Public Health Officer; Director, Office of Justice Assistance – Stand-alone State Office; Administrator, Division of Criminal Investigation; Chief, Capitol Police; Administrator, Department of Natural Resources; and Deputy Secretary, Department of Agriculture, Trade and Consumer Protection.

The Homeland Security Advisor in Wisconsin has no mechanism to ensure follow-up or compliance with any recommendation of the Council unless it is a function of Emergency Management, which is under the direction of the Adjutant General. The significance here, as the Homeland Security Advisor—with coordinating responsibility for overall activities related to homeland security—the authority to direct overall policy is uncertain.

Pre-disaster planning and a comprehensive response to major disasters became global priorities. On December 26, 2004, a tsunami occurred in Sri Lanka.[128] The lack of pre-disaster preparation led to a large number of human casualties and massive

[128] The University of Peradeniya, *Resettlement, Rehabilitation and Reconstruction in the Aftermath of Tsunami Disaster in Sri Lanka [preliminary working paper]* (University of Peradeniya, 2005), 2.

destruction.[129] Recommendations for future planning include being "…bold and innovative and must think afresh so that we can convert this massive disaster into an opportunity."[130] Sri Lanka does not subscribe to the network model, rather the recommendation is for…" strengthening of the national disaster management authority with appropriate powers and resources to plan, coordinate, and implement all aspects of disaster management...."[131]

The difference between two philosophical perspectives, one advocating a platform capable of launching a coordinated and comprehensive planning and response capability under the leadership of a single authority versus a diffuse model where accountability is difficult to establish and performance is difficult to measure represent the gap between what is desired and what exists in Wisconsin.

One might pose the question, if the current structure is sub-optimal, what purpose does it serve? Certainly, the state has demonstrated its capacity to handle a tornado, a flood, a snowstorm, or even a building explosion. However, with the introduction of terrorism into the planning, what the National Response Plan is designed to address and what the National Plan Review was designed to assess is a jurisdiction's capacity to handle *catastrophic* disasters. For a reasonable impetus for change in Wisconsin, it is useful to turn again to a parallel between Wisconsin and the Department of Defense. "As part of its transformational efforts, the Department of Defense (DoD) must adapt not only to the post-Cold War, post-911 security environment but also must cope with many 'hidden failures' that, while not preventing operational success, stifle necessary innovation and continue to squander critical resources in terms of time and money. Many organizational structures and processes initially constructed to contain a Cold War superpower in the Industrial Age are inappropriate for 21st century missions in an Information Age."[132] Is that assessment likely to generate furious debate or is it more likely to motivate a nodding of heads in assent? In Wisconsin, are the "hidden failures"

[129] The University of Peradeniya, *Resettlement, Rehabilitation and Reconstruction in the Aftermath of Tsunami Disaster in Sri Lanka [preliminary working paper]* (University of Peradeniya, 2005), 2.

[130] Ibid.

[131] Ibid.

[132] Murdock et al., *Beyond Goldwater-Nichols*, 14.

associated with tracking homeland security funding or not having a fully representative fusion center preventing operational success? No, but they do result in time lost repeatedly searching for the information or diminished situational awareness regarding intelligence that potentially affects non-law enforcement entities.

5. Jurisdictions should develop a funding mechanism that is tied to the individual with responsibility for coordinating the homeland security-related overall mission.

The funding gap in Wisconsin, to the extent that it exists, lies primarily between the current homeland security grant funding mechanism and the Homeland Security Advisor's ability and authority to influence the funding decisions relevant to homeland security-related initiatives. In the absence of any definitive guidance on structuring a model for expending homeland security funds at the state level, it is necessary to look to the literature and existing federal and state models.

The *National Strategy for Homeland Security* recognizes the link between decisions on homeland security activities and costs. In achieving the optimal balance between benefits and costs, the strategy identifies two overarching goals: to devote the right amount of scarce resources to homeland security and to spend these resources on the right activities.[133] This suggests that there ought to be a strong nexus between the decision-maker, the individual with responsibility for preparing the nation or state for the challenges to meet homeland security goals, and the necessary funding to do so. Based on those criteria alone, an objective assessment in Wisconsin of the nexus between the Homeland Security Advisor, responsible for coordinating the state response to homeland security preparedness through the Division of Emergency Management, and the State Administrative Agency (SAA), responsible for receiving and disbursing federal funds, illustrates a significant departure from these goals. Essentially, the Homeland Security Advisor makes requests and recommendations on funding initiatives subsequently decided by the SAA, elevated to a third party, or left unresolved.

First, a look at the federal sector model—one of the primary considerations in the establishment of a new Department of Homeland Security—was to ensure greater accountability over critical homeland security missions and unity of purpose among the

[133] *National Strategy for Homeland Security*, 63.

agencies responsible for them.[134] In the context of tying funding to the oversight of homeland security-related activities, three components of the Department of Homeland Security have particular relevance here. The Office of the Secretary has responsibility for overseeing "activities with other federal, state, local, and private entities as part of a collaborative effort …and to create a comprehensive response and recovery system."[135] In order to track expenditures, the department has a Management Directorate. This component, among other responsibilities, has oversight for administering department budgets and appropriations, expenditure of funds, accounting and finance, procurement, human resources, information, and tracking of performance measurements.[136] While the Management Directorate has responsibility for the internal budget, another department component is more analogous to the State Homeland Security Advisor and the State Administrative Agency. That component is the Directorate for Preparedness. The Secretary, who has responsibility for developing, with direction from the president and input from other appropriate stakeholders, and executing the National Strategy, also has oversight of that entity that funds the various homeland security initiatives carried out at the state and local levels. The Directorate for Preparedness, the entity from which State Administrative Agencies receive homeland security funds, works with state, local, and private sector partners to identify threats, determine vulnerabilities, and target resources where risk is greatest.[137] This Directorate represents an important tool that the Secretary of the U.S. Department of Homeland Security possesses to carry out his coordination responsibilities at the national level—a tool that the Wisconsin Homeland Security Advisor does not possess.

West Virginia has a Department of Military Affairs and Public Safety, which has a Cabinet Secretary appointed by the governor. The secretary, in addition to having a multi-disciplinary corps of first responders under his command, also has oversight of the State Administrative Agency. In comments during a telephone conversation with the author, Secretary Spears indicated that the individuals he has delegated as grant

134 *National Strategy for Homeland Security*, vii.

135 U.S. Department of Homeland Security website, "Department Subcomponents and Agencies," http://www.dhs.gov./xabout/structure. [Accessed: December 21, 2006].

136 Ibid.

137 Ibid.

managers, who ensure adherence to guidelines, grant monitors, who periodically check equipment and programs to ensure they are on course, and an auditor share space within voice-calling distance of his office.[138] In this model, similar to the federal model, the individual with responsibility for coordinating the homeland security response to potential terrorist acts also has oversight for the funds allocated to finance those efforts.

Florida is an example of an alternate model; here, the State Administrative Agency designee is the Emergency Management Director—a model previously implemented in Wisconsin. The Illinois model designates the Emergency Management Director as the State Administrative Agency. However, in Illinois a multi-disciplined and multi-jurisdictional task force makes recommendations on the funding priorities that the Deputy Chief of Staff approves in a very transparent process.

An illustration of tying funding to the coordinating responsibility of a particular entity on a micro level is the Wisconsin Division of Emergency Management (WEM), for which the Adjutant General has oversight, which administers the Emergency Management Performance Grant. Essentially, WEM sets its strategic plans for the upcoming year to ensure alignment with any shortfalls in preparedness or areas identified as not sufficient in the National Plan Review and directives contained in the grant guidance. The division meets with the counties to negotiate and finalize the 'activities and performance targets,' described as the Plan of Work the counties will be responsible for during the upcoming funding year. Upon agreement, each county receives its respective budgets based on a formula for individual counties, which totals approximately two thirds of the total grant. Regional Directors work closely with county emergency directors and monitors the progress for the plan of work—recommending adjustments as indicated. In a corresponding final phase, counties file a status report six months into the work plan. Failures on the part of counties to meet the terms of the work contract, deemed not in good faith, are subject to withholding of funds. This process strongly suggests a link between the budget—administering of homeland security grants—and the entity with responsibility for coordinating homeland security-related activities. It is also apparent that, based on the literature, the models reviewed, and, particularly, personal

[138]James W. Spears, Secretary Department of Military Affairs and Public Safety, telephone conversation on 9/14/2006.

observation of the Illinois Terrorism Task Force going through the process of determining funding priorities, there is a gap between the desired and the current funding structure in Wisconsin.

6. Homeland security agencies should ensure that the organizational structure adopted provides an organizational information flow pattern that gets information to decision makers in a timely manner

Information contributes to every aspect of homeland security and is a vital foundation for the homeland security effort.[139] The literature and the case states share a commonality in terms of establishing information policies: identifying who needs to get what information. An optimal information flow pattern results from designating the individual or position with responsibility for coordinating that organization or function.

In West Virginia, for example, the Department of Military Affairs and Public Safety has a hierarchal organizational structure with the position of Secretary of the Department at the top of organization. All of the other divisions within the department enjoy distinct lines of communication and authority to and from the office of the secretary. This type of structure facilitates a formalized process for the routine flow of information to the decision maker(s). In addition, this structure allows the Secretary of the Department of Military Affairs and Public Safety, the decision-maker in our example, to go directly to any Division Head and ask for additional information or to adjust a particular aspect of the Department instantly. This organizational structure, appropriately interfaced with the federal sector, allows flexibility to respond rapidly and effectively to in-state emergencies in a coordinated manner, and work efficiently with federal partners and others involved in catastrophic incidents.

In order to illustrate the stark contrast between the West Virginia and Wisconsin systems, it is necessary to revisit Wisconsin and its process for sharing homeland security-related information: the mechanism is the Wisconsin Homeland Security Council Chair who also serves as the Governor's Homeland Security Advisor. The Council meets on a monthly basis unless the Chair calls a special meeting. With the exception of the Administrator of Emergency Management, who reports directly to the Adjutant General for day-to-day oversight, each member of the Council formally reports

[139] *National Strategy for Homeland Security*, 55.

to a secretary within his or her respective chain of command. The structure of the council depicted in a hierarchal organization chart with the Adjutant General at the top of the organization is, in fact hollow.

A demonstration of the effectiveness of the structure involves a past controversy over funding out of homeland security grant funds positions integral to the state's preparedness efforts, for which the Adjutant General has oversight. In that instance the Director of the Office of Justice Assistance (OJA) and the Administrator of the Division of Emergency Management was unable to resolve the conflict and it passed to the Adjutant General, the Homeland Security Advisor, and the individual ostensibly with responsibility for coordinating the state's preparedness and response capability. Because of subsequent meetings with the named entities and a representative from the Office of the Governor, the situation was temporarily resolved in favor of the Adjutant General's recommendation; however, on a long-term basis the situation is unresolved to date.

During the monthly WI Homeland Security Council, there is a closed session and an open session. The closed session is the mechanism for providing the Homeland Security Advisor with sensitive information regarding the activities of member agencies. Each member chooses whether and to what extent information from their respective agency is shared with the Chair and other members. This does not imply that members deliberately withhold information, but organizational structure is potentially a factor in what information is shared or not shared. Fleming and Kaiwi discuss the use of *shared and unshared information* and *unshared information* in group decision-making situations.[140] They draw two basic conclusions and comments from the available literature:

> (1) People are not very effective in communicating unshared information—groups tend to focus their discussion on information that is already shared, with the result that little, if any, unshared information moves into the shared environment, and (2) when unshared information does move into the shared environment, participants tend to ignore or discount this information and not factor it into their decision process in an

[140] Where shared information = Information known to all group participants, and unshared information = Decision-relevant information that is uniquely held by one (or more, but not all) of the group participants. R.A. Fleming and J.L. Kaiwi, *The Problem of Unshared Information in Group Decision-Making: A Summary of Research and the Implications for Command and Control*, Technical Document 3149, (San Diego, CA: United States Navy Spawar Systems Center, 2002), iii.

> effective manner. The net result is that many group decisions are based upon incomplete information, i.e., decisions do not take into account information that would be available to the group if they were optimally exchanging and integrating unshared information. Group decisions can easily be sub-optimal when critical information is held by individuals and is not effectively shared.[141]

The members of the Wisconsin Homeland Security Council are not part of a formally-constituted organization. Rather, they are representatives from a disparate group of state agencies with individual homeland security-related responsibilities and without the benefit of an umbrella organizational structure to facilitate the routine sharing of information.

Another aspect of the information-sharing challenge in Wisconsin is associated with the Wisconsin Fusion Center, designated the Wisconsin Statewide Intelligence Center (WSIC).[142] The Wisconsin Fusion Center is relatively new and, therefore, not fully functional.

The principal function of a fusion center is to compile, blend, analyze, and disseminate criminal and other information (including but not limited to threat assessment, public safety, law enforcement, public health, social service, fire, and public works) to support efforts to anticipate, identify, prevent, and/or monitor criminal activity.[143] The Wisconsin Fusion Center, notwithstanding the recommended inclusion of the above sectors and disciplines, consists primarily of law enforcement entities. A statement incorporated into the document disseminated to members of the WI Homeland Security Council identifies the participants. The document contains the statement: "The WSIC Intelligence Bulletin is a collaborative effort of the Wisconsin Department of

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[141] Where shared information = Information known to all group participants, and unshared information = Decision-relevant information that is uniquely held by one (or more, but not all) of the group participants. R.A. Fleming and J.L. Kaiwi, *The Problem of Unshared Information in Group Decision-Making: A Summary of Research and the Implications for Command and Control,* Technical Document 3149, (San Diego, CA: United States Navy Spawar Systems Center, 2002), iii.

[142] Fusion Center: A collaborative effort of two or more agencies that provide resources, expertise, and/or information to the center with the goal of maximizing the ability to detect, prevent, apprehend, and respond to criminal and terrorist activity. *U.S. Departments of Justice and Homeland Security, Fusion Center Guidelines: Developing and Sharing Information and Intelligence in a New World: Guidelines for Establishing and Operating Fusion Centers at the Local, State, Tribal, and Federal Level: Law Enforcement Intelligence Component,* Version 1.0 (Washington, D.C., 2005), 3.

[143] Ibid., 67.

Justice, Division of Criminal Investigation; United States Department of Justice; Federal Bureau of Investigation; Milwaukee Police Department Wisconsin Joint terrorism Task Force; the Eastern and Western Districts of the United States Attorney's Office, Anti-Terrorism Advisory Council."[144] In addition to the somewhat limited inclusion of agency participation in the fusion process, fusion center guidelines recommend that all investigative or intelligence personnel, as well as nontraditional collectors of intelligence such as fire, emergency management, and health personnel receive awareness training.[145] The rationale for such training is to ensure those personnel are appropriately equipped to identify suspicious activities or threats and provide such information to fusion center staff. This also allows fusion centers to collect information from a broad range of disciplines with homeland security-related responsibilities that can be processed and turned into actionable intelligence and disseminated to all stakeholders based on their individualized needs.

Inquiries into why the center focuses almost exclusively on law enforcement-related information generates a response that the goal is to get the law enforcement piece in place first and then reach out to the other agencies. This might not be a prudent strategy when viewed in the context of the debates involving the creation of the Department of Defense. In that case, history informs us that political opposition and service parochialism prevented fixing fundamental problems in joint operations for almost forty years.[146] The lesson is clear: Fix it at the beginning or live with the mistakes for a long time.[147]

All the agency-heads and top managers with homeland security-related responsibilities in Wisconsin know each other, engage in regular dialogue, and exhibit high levels of professional courtesy toward one another. But collegial relationships and

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[144] Fusion Center: A collaborative effort of two or more agencies that provide resources, expertise, and/or information to the center with the goal of maximizing the ability to detect, prevent, apprehend, and respond to criminal and terrorist activity. *U.S. Departments of Justice and Homeland Security, Fusion Center Guidelines: Developing and Sharing Information and Intelligence in a New World: Guidelines for Establishing and Operating Fusion Centers at the Local, State, Tribal, and Federal Level: Law Enforcement Intelligence Component*, Version 1.0 (Washington, D.C., 2005), 67.

[145] Ibid.

[146] Carafano and Heyman, *DHS 2.0 Rethinking the Department of Homeland Security*, 8.

[147] Ibid.

command and control are not the same. "It" *is* about relationships; however, it is not *all* about relationships. For example, one would appropriately consider an individual not fit for command who did not possess the intellectual acuity to recognize the value of relationships in coordinating high-level and complex missions. Similarly, one would not expect the Adjutant General to conduct the business of a state National Guard Bureau based solely on strong relationships. Therefore, upon the designation of State Adjutant General the individual is bestowed the rank of Major General—typically, the only two-star general in the state—signifying his undisputed command of that Guard Unit.

Finally, in an illustration of the gap that exists in Wisconsin between what is desired and what is in place presently can be found in an assessment of Wisconsin's catastrophic planning capacity. In the Nationwide Plan Review Command and Control section, Wisconsin received a rating of "partially sufficient:" "The actual mechanism need to be formalized so there is no room for misinterpretation, or misdirection, during a catastrophic event. Formalization will then complement the strengths already depicted."[148]

Having the necessary resources available is not sufficient; they must be effectively coordinated, as illustrated by the Department of Defense under competent authority, i.e. Secretary of Defense. Having the resources under a single authority without the necessary authority to coordinate and deploy them, as in the case of the Department of Homeland Security and reflected in the Katrina response, is also not desirable. State agencies executing their respective homeland security-related responsibilities independently and at their discretion, and needing only to inform the Homeland Security Advisor is, at best, only partially sufficient.

The next chapter identifies potential policy options and recommendations. The policy options include maintaining the status quo, a network adaptive management model, a unified command model, and a research-based hierarchal model that focuses on the critical functions where gaps exist.

[148] Carafano and Heyman, *DHS 2.0 Rethinking the Department of Homeland Security*, 8.

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VI. POLICY OPTIONS AND RECOMMENDATIONS

A recommendation for change, accompanied by a recommended solution, is typically the preferred packaging by decision-makers for new ideas. This report began on the premise that states in general and Wisconsin in particular benefit from an organizational structure that facilitates the effective and efficient flow of information among homeland security practitioners.

Much of the literature reviewed for this report references the tragedies of 9-11 and Hurricane Katrina. Although those catastrophes might continue to represent lessons learned well into the future, a general observation is possible now. Organizational design, government processes, and disaster planning did not function adequately in either of those incidents to meet the demands of the situation; hence the ongoing discussion as to how government at all levels might better prepare to respond to catastrophic incidents.

Relevant literature suggests that organizational design, whether at the federal or state level, represents the focal point for optimizing the capacity to communicate planning for, responding to, and recovering from catastrophic disasters. Recommendations for reorganizing state government, however, must recognize that states have the authority and the responsibility to organize in a manner that serves the best interest of their citizens. In Wisconsin, that authority and responsibility reside primarily with the State Chief Executive—the Governor and the Legislature. Given these, the following policy options are presented in ranked order with the least desirable offered first.

A. STATUS QUO

A Latin term meaning the present, current, existing state of affairs, or perhaps, more appropriately in this instance, *status quo ante bellum*, meaning "as it was before the war." The organizational structure of Wisconsin State Government remains substantively unchanged post 9-11; changes have consisted of the establishment of a single repository for incoming federal funds and of a Wisconsin Homeland Security Council. Each of those changes, undoubtedly, was indicated and appropriate at the time of implementation. However, as we have often looked to the aftermath of 9-11 and Hurricane Katrina for

lessons learned in preparedness and response, we must also periodically look internally for lessons learned in administrative procedures and make the necessary adjustments.

A lesson learnable from the State Administrative Agency designation is that it has the undesirable and unintended outcome of diverting focus from operational issues related to homeland security to extended interagency discussion on funding priorities. This is a *con* to the status quo. Another disadvantage is that the status quo supports a Homeland Security Advisor who does not possess authority commensurate with the designation of being in charge of coordinating homeland security activities on a statewide basis. The Homeland Security Council does not provide a sufficient platform to sustain a Chair who speaks definitively on issues, including funding, across a broad spectrum of homeland security disciplines. A final disadvantage is that the status quo is unstable in terms of responding to a catastrophic incident.

In the field of engineering, the concept of a fragility curve implies that a building, as an engineered structure, does not fail all at once, but is subject to strains and stresses that accumulate until it reaches a point where it loses structural viability and collapses.[149] Organizational systems, as socially-designed structures, are similarly subject to stresses and strains that accumulate until they reach a point of losing viability and collapsing, or of no longer being able to function effectively.[150] The goal of maintaining operational performance under varying conditions, however, is the same for both types of systems.[151] Lessons learned from two of the nation's most horrific incidents indicate that responding to a catastrophic disaster, combined with cumulative existing stress, is a sufficient stressor to nudge an organization into collapse. Wisconsin has demonstrated, and continues to do so, the capacity to respond to disasters of moderate severity involving in-state resources. Planning to respond to moderately severe disasters, particularly, when the opportunity exists to negotiate desired outputs, is an argument for maintaining the status quo. Another argument for the status quo, and one often commented on by outside visitors, is the manner in which agencies seemingly work together—keeping issues from

[149] Louise K. Comfort, *Governance Under Fire: Organizational Fragility in Complex Systems* (NY: Governance & Public Security, Campbell Public Affairs Institute, 2002), 115.

[150] Ibid.

[151] Ibid.

the scrutiny of outsiders and senior leadership, maintaining what one former senior state leader has described as a façade. Therefore, while the status quo in terms of homeland security appears adequate and functional, based on organizational structure and processes, it is also, based on reasoned and measured evaluation, a candidate for collapse in the face a catastrophic disaster.

B. THE NETWORK ADAPTIVE MANAGEMENT MODEL

The network model starts with the presumption that public functional fields are populated by a variety of organizations, government agencies, nonprofits, and for-profits.[152] "Networks are structures of interdependence involving multiple organizations as parts thereof, where one unit is not merely the formal subordinate of the other in some larger hierarchical arrangement."[153] In introducing the Network Model, Charles Wise here articulates some of the failures of the structure in responding to Hurricane Katrina. Among these is a White House Report that found, "In terms of the Federal Response, our architecture of command and control mechanism as well as our existing structure of plans did not serve us well. Command centers in the Department of Homeland Security (DHS) and elsewhere in the Federal government had unclear and often overlapping roles and responsibilities that were exposed as flawed during this disaster."[154] The House Katrina Investigation Committee concluded, "In responding to Hurricane Katrina, elements of federal, state, and local government lacked command, lacked control, and certainly lacked unity."[155] The author further reports that a major issue addressed in the creation of DHS was to specify *who is in charge*.[156] Congress failed to answer that question in the creation of DHS by refusing to give the head of the department authority to realign or direct the activities of other cabinet departments. Instead, Congress merely mandated that the DHS secretary call on other cabinet departments for their assistance in homeland security tasks.[157] Therefore, during Hurricane Katrina's response and recovery, many of

[152] Wise, *Organizing for Homeland Security after Katrina*, 311, quoting Agranoff and McGuire 2003; Keast et al. 2004; Kickert, Klijn, and Koppenjan 1997; Milward and Provan 2000; O'Toole 1997; Wise 1990.

[153] Ibid., 45, quoting O'Toole 1997.

[154] Ibid., 304.

[155] Ibid.

[156] Ibid.

[157] Ibid.

the federal agencies relied on networking and Memorandums of Understanding (MOUs) developed between the various federal agencies. One reported limitation of that arrangement was the time involved with the Department of Homeland Security Secretary or his designee attempting to task another federal agency with an assignment and approval needing to travel up the chain of command of the requested agency for approval and back to point of required action. Nevertheless, most, if not all, of the reviews associated with the performance of government, at all levels, have debated the issue of who was in charge or who should have been in charge.

Prior to making his argument for the Network Adaptive Model, Wise defines the Hierarchical Model and acknowledges a number of its advantages. "Hierarchy uses authority (legitimate power) to create and coordinate a horizontal and vertical division of labor. The advantages provided for this model include:

> (1) it provides a form for employing large numbers of people and preserves unambiguous accountability for the work that they do. (2) It has the formal authority to compel. (3) It can provide institutional support for the current bundle of routines, information systems, values, and other key elements that influence production—offering a crystallization of stable, cooperative effort, the operational status quo.[158]

After introducing the Network Model, he identifies one of the weaknesses as follows:

> One of the weaknesses of the network model is that accountability is diffused, and assessing performance means that not only must the performance of individual agencies be measures but also the joint action of multiple agencies (Wise and Nader 2006). Thus in an area such as homeland security, when performance gaps are experienced, it is difficult for policy makers to isolate and pinpoint fault.[159]

Does this failure to hold leaders accountable for their actions (or lack thereof) also extend down to subordinate members of the organization? Will they not be held accountable either for their actions, or will we have a system that holds one segment of the preparedness apparatus responsible and not another? Wise further complicates the model by defining the broad categories of emergency management, i.e. preparedness, response,

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[158] Wise, *Organizing for Homeland Security after Katrina*, 311, quoting Agranoff and McGuire 2003; Keast et al. 2004; Kickert, Klijn, and Koppenjan 1997; Milward and Provan 2000; O'Toole 1997; Wise 1990.

[159] Ibid, 311.

recovery, and mitigation, and suggesting that preparedness, recovery, mitigation be managed under the network model and response—during emergencies, under the hierarchical model. It is a strong consensus in the preparedness community that we fight as we train, we respond as we exercise—which leaves little opportunity to negotiate actions whether in preparedness or response.

The Network model does appear to have efficacy in establishing relationships between varying jurisdictions; however, the hierarchical model with commensurate authority not just to coordinate but to act, appears best suited for homeland security missions at individual jurisdictional levels.

C. THE UNIFIED COMMAND MODEL

The Unified Command Model might appear strikingly similar to the Network Model at first glance, but there is a distinct difference, particularly as implemented in the State of Florida.[160] The Unified Command Model is similar to the Network Model in the sense that prior to an incident agencies work together under whatever structure organizes them. However, during a disaster, multiple agencies in a single jurisdiction or multiple jurisdictions responding to a single incident decide who will comprise the unified command and, typically, who will function as the Incident Commander.

As implemented in Florida, during a disaster the governor declares a State of Emergency and names a State Coordinating Officer (SCO), the Emergency Management Director, who has responsibility for carrying out the authorities vested in the governor for the duration of the emergency.[161] In the event that the declaration is for a specific threat, i.e. terrorism, pandemic, animal disease outbreak or a combination of threats, the Secretary for the respective area(s) forms a unified command with the SCO.[162] The disadvantage of this model is that prior to a declaration, similar to the Network Model,

[160] Unified Command: In incidents involving multiple jurisdictions, a single jurisdiction with multi-agency involvement, or multiple jurisdictions with multi-agency involvement, unified command can be implemented. Unified command allows agencies to work together effectively without affecting individual agency authority, responsibility, or accountability. U.S. Department of Homeland Security, *National Standard Curriculum Training Development Guidance* (Washington, D.C.: GPO, 2005), 5.

[161] Craig Fugate, *Re: Organizational Structure*, email dated December 1, 2006.

[162] Ibid.

there appears to be ambiguity as to who is in charge. Conversely, unlike the network model, this model includes the recovery phase of the disaster; there is certainty as to who is in charge.

D. HIERARCHICAL MODEL WITH COMMENSURATE AUTHORITY TO ACT

The establishment of the new Department of Homeland Security (DHS) was meant to ensure greater accountability over critical homeland security missions and unity of purpose among agencies responsible for them.[163] The issue of who is in charge was a major issue of discussion during the creation of DHS, with proponents arguing for fixing accountability with the secretary and giving him the power to act and not just coordinate.[164] Opponents argued against empowering the secretary to that extent and Congress, unable or unwilling to write a law giving the head of a department of homeland security what some equated with presidential authority to direct the activities or realign the resources of other cabinet departments.[165] The authority of the secretary was revisited in 2004 when a task force represented by academia, research centers, the private sector, and congressional staff was tasked with assessing the effectiveness of the newly created Department of Homeland Security. The task force developed forty recommendations that, "…taken together…make the case for a significant reorganization of the department to empower the Secretary of Homeland Security and make the department a more effective and efficient instrument for preventing and responding to terrorists threats."[166] A consistent theme and a bright line in the literature, including after-action reports following Katrina, is recognition of the need, particularly at the federal level, to fix accountability for our nation's preparedness and response to catastrophic disasters and empower that individual with authority to act.

Even as the *National Strategy for Homeland Security* was building managerial, budgetary, and structural flexibility into the federal government homeland security-structure, there was recognition that in order for this strategy to be successful similar measures were required at state and local levels of government. The United States,

[163] *National Strategy for Homeland Security*, vii.

[164] Wise, *Organizing for Homeland Security after Katrina* , 306.

[165] Ibid.

[166] Carafano and Heyman, *DHS 2.0 Rethinking the Department of Homeland Security*, 7.

however, enjoys a federalist form of government that basically provides that each level of government have certain activities on which it makes the final decision.[167] With that limitation, the *National Strategy* can merely "suggest" similar measures for the rest of the nation.[168] Nevertheless, within the discretionary authority of individual states, organizing in a manner that affords maximum compatibility with the federal government and other states specifically in the area of homeland security provides the highest level of state preparedness and promotes a truly national framework for homeland security. Therefore, it is in the context of increasing the capacity for preparedness in Wisconsin, supporting a national framework for Homeland Security, and providing a model and a rationale for other states that this author offers the following recommendations.

Recommendation #1: Create, by decree of the governor and concurrence by the legislature, a Wisconsin Department of Homeland Security and Public Safety.

Rationale #1: Critical Function: The jurisdiction should create a new and independent National Homeland Security Agency with responsibility for planning, coordinating and integrating various government activities involved in homeland security

A Wisconsin Department of Homeland Security and Public Safety provides a basic yet comprehensive platform from which to address in-state disasters and a predictable mechanism for interfacing with the U.S. Department of Homeland Security and other states for planning, exercising, and responding to catastrophic disasters. In addition, a stand-alone department, versus a collection of state agencies coordinated from a higher level, promotes cohesion and unity of purpose.

Rationale #2: Other Wisconsin state agencies that mirror or closely align with federal counterparts provide an historical perspective for comparing this recommendation. Those agencies include the WI Department of Health & Family Services, WI Department of Transportation, WI Department of Justice, WI Department of

[167] About.com. "Federalism: National vs. State Government. http://usgovinfo.about.com/od/rightsandfreedoms/a/federalism.htm, [Accessed December 31, 2006].

[168] *National Strategy for Homeland Security*, 4.

Public Instruction, and others. Each of these agencies represents a duly authorized and staffed agency versus, as in the case of Homeland Security, a virtual or theoretical agency.

Recommendation #2: A secretary appointed by the governor and confirmed by the legislature with collection of member agencies to lead the newly-created Department.

Rationale #1: Critical Function: Designate a single person, accountable to the President, to be responsible for coordinating and overseeing various U.S. government activities related to homeland security.

Recommendation #3: Combine the below listed agencies into the newly created department.

Rationale #1: Critical Function: Jurisdictions should consolidate certain homeland security activities to improve their effectiveness and coherence. The organizational structure would be as illustrated here:

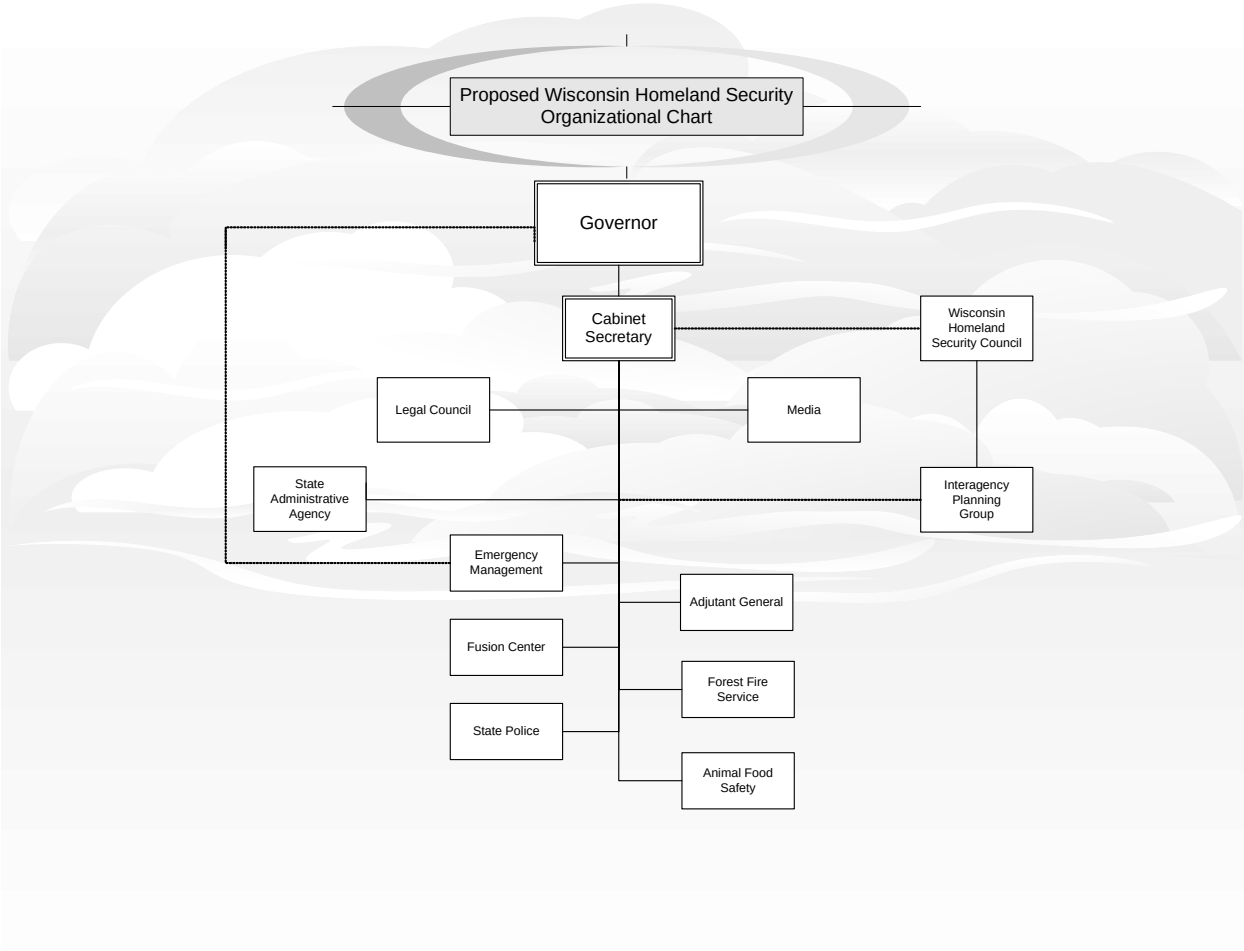

Figure 8. Proposed Wisconsin Homeland Security Organizational Chart

Homeland Security Advisor – The Secretary serves as the Principal Advisor to the Governor on homeland security-related issues.

Emergency Management – This position is pivotal for coordinating preparedness for natural as well as manmade disasters. The position, although under the administrative authority of the secretary, reports directly to the governor during disasters and on critical issues related to preparedness. The newly-created Federal Emergency Management Agency (FEMA), as it is a part of the Department of Homeland Security, represents an excellent model for the placement of the Division of Emergency Management within a Wisconsin Department of Homeland Security and Public Safety. It falls within the department, but it has the autonomy to coordinate and fund all-hazard preparedness at the state level—along with the necessary and commensurate authority. In addition, as FEMA

is the president's mechanism for responding to Incidents of National Significance, the FEMA Administrator has a dotted line of coordination to the president on issues of prevention, preparedness, response, recovery, and mitigation. Emergency Management is the governor's mechanism for responding to disasters at the state level. Wisconsin Emergency Management should reflect that placement and empowerment within a Wisconsin Department of Homeland Security and Public Safety, serving as the principle advisor to the governor on preparedness and issues arising out of response to a disaster.

State Police – The State Patrol should be renamed the State Police and given full law enforcement authority to investigate crimes in addition to enforcing traffic laws. The actual act of statutorily re-tasking State Patrol would not necessarily affect Wisconsin County Sheriffs. There is currently statutory language that that permits Wisconsin law enforcement agencies to operate in the same geographical area without diminishing the authority of any agency. The State Patrol, as currently authorized, represents a state asset that in an era of scarce resources is underutilized.

Division of Criminal Investigation – This division is organized under an independently- elected member of the Executive Branch; nevertheless, the division represents a critical asset for homeland security in terms of investigative and information sharing capability. Therefore, The Fusion Center should be realigned and made a Homeland Security Asset. Under that structure, the Division of Criminal Investigations could assign staff as well as the State Police and other law enforcement entities that have prevention responsibilities. Other disciplines, including health, agriculture, emergency management, and the public sector, that have critical all-hazards preparedness, response and mitigation responsibilities would become active members of the Fusion Center.

National Guard – The Guard is a valuable asset in responding to a terrorist act or a manmade disaster. The practice of having the agency with responsibility for tasking the asset during a crisis report to that asset on a normal basis can be problematic. A better model, at the federal level, can be found in the New FEMA. Each FEMA office has a military member, typically a colonel, assigned to each office. Personal observation and conversation with a representative of that position indicate that the role of the position is to coordinate the military potential response to a major disaster with FEMA—the federal

agency for coordinating that response and state representatives—the likely recipient of those planning and coordination efforts. Models at the state level include Alabama and, post-Katrina, Louisiana.

Recommendation #4: Reassign the State Administrative Agency (SAA) to align more closely with the responsibility for coordinating preparedness and response to disasters.

Rationale #1: Critical Function: Jurisdictions should develop a funding mechanism that is tied to the individual with responsibility for coordinating the homeland security-related overall mission. The State Administrative Agency (SAA) is the repository for federal homeland security funds and the critical link between the individual responsible for coordinating preparedness and response and the funding necessary to accomplish the related activities. Two models support this recommendation in the research. First, West Virginia has a model in which the Secretary has oversight of the SAA in addition to Emergency Management. In West Virginia, the SAA function is a direct report to the Secretary, but that function has coordination responsibility with an Interagency Coordination Planning Group that has a coordination responsibility with the Senior Advisory Committee, which reports directly to the Secretary. This ties all of the critical functions together—funding, interagency input, and review by a senior advisor committee, analogous to Wisconsin's Homeland Security Council, with final sign-off by the Secretary. Illinois has adopted a model in which the Emergency Management Director is the designated SAA; however, an Illinois Terrorism Task Force is specifically tasked with aligning available funds with the state strategy, and makes recommendations on prioritization for allocating the funds. The task force is comprised of state agencies, representatives from local agencies and the private sector. The process generates very candid discussion, including periodic challenges on an individual issue, but is very transparent and in the end, there is very strong group consensus. In addition, OJA coordinates the Citizen Corps Council—the entity that promotes citizen involvement and preparedness which is critical to overall preparedness.

Capitol Police – Capitol Police has jurisdiction within state facilities and would be a responder for terrorist attacks against state-owned property.

Recommendation #5: Ensure that the newly created organization provides clear lines of communication.

Rationale #1: Critical Function: Homeland security agencies should ensure that the organizational structure adopted provides an organizational information flow pattern that gets information to decision-makers in a timely manner. A single department comprised of multiple disciplines, similar to currently existing state departments, establishes unambiguous lines of authority and communication familiar to individuals who would staff the new agency and does not set up conflict between the parent agency and an important but "pseudo" agency.

Additional state agencies currently represented on the Wisconsin Homeland Security Council are Division of Public Health, Department of Agriculture, Trade and Consumer Protection, and Department of Natural Resources. Although typically not considered first responders, these agencies within their respective areas are responsible for critical missions in the event of a disaster involving their discipline. Therefore, my recommendation is to include them, or minimally, require a formal liaison with the office of the Secretary or his/her designee.

Rationale #2: The agencies recommended for inclusion within the department do not represent all of the state agencies with potential homeland security-related responsibilities during a disaster, as it is not practical to do so. However, as pointed out in the *National Strategy*, after an attack occurs, our greatest chance to minimize loss of life and property lies with our local first responders—police officers, firefighters, emergency medical providers, public works personnel, and emergency management officials.[169] A request for state resources is most likely by one of these disciplines when their resources have been overwhelmed. This corps of responders who plan, train, and exercise together and with local responders represents the most effective response to the majority of disasters to occur within the state.

Recommendation #6: Appoint a Task Force to develop a detailed plan on the creation of a Wisconsin Department of Homeland Security with a report due to the governor in ninety days.

[169] *National Strategy for Homeland Security*, 3.

Rationale #1: The details of such reorganization, similar to those of the creation of federal counterparts, represent a major undertaking. Issues requiring additional discussion include recommendations on the makeup of the department, a fiscal analysis, consultation with the numerous stakeholders, and operational mandates for the department. While ninety days might prove an insufficient period, the idea is not a novel one for Wisconsin and there is a certain urgency to the decision and the implementation. The discussion of reorganizing state government to better align homeland security-related functions might be fortuitous in that discussions are currently ongoing in Congress related to homeland security at the state level. One recommendation by a Senate Committee significantly increases funding for Emergency Management Program Grants (EMPG) and allows portions of that funding to upgrade Emergency Operations Centers (EOC) with a 75/25 federal/state match. A comprehensive state strategy for organizing homeland security capabilities in a manner that promotes closer coordination with federal resources, undoubtedly, makes a strong argument for federal funding.

These recommendations will require significant effort to achieve buy-in from the impacted stakeholders, but they represent a solution for ninety percent of the issues associated with developing and implementing a comprehensive homeland security-response in Wisconsin.

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VII. CONCLUSION

Relevant literature, including reported lessons learned from previous disasters, similar models in government, personal observations, and professional experience combine to form the basis that strongly support the recommendations contained here. Political opposition at various levels of government and service parochialism represent significant challenges. It is not the intent of the previous recommendations to represent organizational restructuring as a panacea, but there are benefits to such reorganization. First, a Secretary/Homeland Security Advisor empowered to act will provide a truly coordinated approach to homeland security-related initiatives. The proposed structure promotes meaningful information sharing and unity of purpose among the team members. Second, while some might argue that Wisconsin is not at risk for a terrorist attack, we must recognize that a significant attack anywhere in this country—and most believe that there will be another attack somewhere—will reverberate and require a response throughout the nation. A well-trained, multi-disciplinary team of first responders not only enhances our ability to prevent a terrorist attack and minimizes loss in the event that we do not; it also prepares the state to meet its other public safety responsibilities more effectively. Conventional wisdom suggests that in the future, homeland security will have evolved into the routine way we provide public safety. Such an evolution will require a much higher degree of coordination within specific jurisdictions and those jurisdictions networked nationally. This proposal represents significant movement in that direction. Timing appears optimal for initiating change of this magnitude for two reasons. First, as the Nation and states ponder when the next terrorist attack or the next natural disaster of catastrophic proportions will occur, there is general concern among homeland security and emergency management practitioners regarding jurisdictions' level of preparedness that permits an effective response—these recommendations, in terms of command and control, facilitates preparedness. Second, Congress, apparently, recognizing the importance of increasing funding for the emergency management function in catastrophic disasters, has increased funding in that area and has discussion under way to increase funding specifically related to upgrading state Emergency Operation Centers (EOC). An initiative that reorganize state government to be more

effective during disasters and that integrates federal partners into that initiative seems a likely candidate for favorable funding. Therefore, to the question of can Wisconsin agencies continue to operate with the status quo and meet their responsibility for homeland security, the answer is yes? To the question of would any state, including Wisconsin, benefit from organizing their homeland security responsibilities in accordance with these recommendations, the answer is absolutely?

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