Introduction to Homeland Security

Chapter 2
Historic Overview of the Terrorist Threat

Emergency Management in the United States

- At different times, emergency management (EM) concepts have been applied in different ways
- The field of EM has expanded and contracted in response to:
  - Events
  - Congressional desires
  - Leadership styles

Emergency Management

- It is the discipline dealing with risk and risk avoidance
- It is integral to the security of our daily lives and should be integrated into our daily decisions—not just called upon in times of disaster
- It must be recognized as an essential role of government
Early History: 1800-1950

- 1803 – A Congressional Act was passed to provide financial assistance to Portsmouth, NH after a devastating fire
- 1930s
  - Reconstruction Finance Corporation and the Bureau of Public Roads given authority to make disaster loans after disasters
  - Tennessee Valley Authority (TVA) created to produce hydroelectric power and reduce flooding
  - The Flood Control Act of 1934

1950s: The Cold War and the Rise of Civil Defense

- The potential for nuclear war and nuclear fallout seen as the principal disaster risk
- Civil Defense programs proliferated
  - Most communities had a civil defense director
- People encouraged to build bomb shelters
- Quiet time for natural disasters

1950s (cont.)

- Federal emergency management activities were vested in the Federal Civil Defense Administration (FCDA)
- Office of Defense Mobilization (ODM) established in the Department of Defense (DOD)
  - Primary function was to allow for quick mobilization of materials and production and stockpiling of critical materials in the event of a war
- In 1958, these two offices were merged into the Office of Civil and Defense Mobilization (OCDM)
1950s (cont.)
- Local and state civil defense directors became the first recognized face of emergency management in the U.S.

1950s (cont.)
- Congressional response to disasters continued to be ad hoc
- Primarily involved financial assistance to affected areas

1960s: Natural Disasters Bring Changes to EM
- 1960
  - Hebgen Lake earthquake, Montana
    - 7.3 quake
  - Hurricane Donna, Florida
    - 364 killed
    - $22.48 billion in damage (2006 USD)
- 1961
  - Hurricane Carla, Texas
    - 43 killed
    - $2.19 billion in damage (2006 USD)
1960s: Natural Disasters Bring Changes to EM (cont.)

- In response, Kennedy administration created the Office of Emergency Preparedness w/in the White House

1960s: Natural Disasters Bring Changes to EM (cont.)

- 1962: Ash Wednesday Storm (Eastern US)
  - 620 miles of coastline damaged
  - $1.3 billion in damage (2000 USD)
- 1964: Prince William Sound earthquake (Alaska)
  - 9.2 quake
  - 123 people killed

1960s: Natural Disasters Bring Changes to EM (cont.)

- 1965: Hurricane Betsy, New Orleans
  - 76 people killed
  - $9.1 billion in damage (2006 USD)
- 1969: Hurricane Camille, AL/MS/LA
  - 259 people killed
  - $7.8 billion in damage (2006 USD)
1960s (cont.)

- Disaster response was the same--primarily in the form of passing ad hoc legislation for funds
- However, financial losses from Hurricane Betsy started a discussion about insurance
  - Led to the National Flood Insurance Act (NFIA) of 1968 and the National Flood Insurance Program (NFIP)
  - NFIP responsibilities given to local planning dept.'s and state dept.'s of natural resources, not civil defense dept.'s

1970s: The Call for a National Focus to EM

- During the 1970s, EM responsibilities were spread out among more than five federal departments and agencies
  - Dept. of Commerce
    - Weather, warning, and fire protection
  - Govt. Service Administration (GSA)
    - Continuity of govt., stockpiling, federal preparedness
  - Treasury Dept.
    - Import investigation
  - Nuclear Regulatory Commission (NRC)
    - Power plants
  - Dept. of Housing and Urban Development (HUD)
    - Flood insurance and disaster relief

1970s: The Call for a National Focus to EM (cont.)

- Disaster Relief Act of 1974
  - Prompted by previous hurricanes and San Fernando earthquake
  - Gave HUD the most significant authority for natural disaster response and recovery
    - Defense Civil Preparedness Agency and US Army Corps of Engineers retained military EM responsibilities
  - However, more than 100 other federal agencies were still involved in some aspect of risk and disasters
1970s: The Call for a National Focus to EM (cont.)

- Same situation existed down to the state and local level
- Caused confusion and turf wars, especially during disasters
- National Gov.’s Assoc. and state directors lobbied for federal EM activity consolidation

1970s: The Creation of FEMA

- Pres. Carter pushed for EM consolidation
  - 3-Mile Island highlighted EM disconnects
- 19 Jun 1978
  - President Carter sent Congress his Reorganization Plan Number 3
  - Congress approved plan
- 31 Mar 1979
  - Federal Emergency Management Agency (FEMA) officially established by Executive Order 12127

FEMA Consolidations – Agencies and Functions

- National Fire Prevention Control Administration
- Federal Insurance Administration
- Federal Broadcast System
- Defense Civil Preparedness Agency
- Federal Disaster Assistance Administration
- Federal Preparedness Agency
FEMA Consolidations – Preparedness and Mitigation functions

- Oversight of the Earthquake Hazards Reduction Program
- Coordination of dam safety
- Assistance to communities in the development of readiness plans for severe weather-related emergencies
- Coordination of natural and nuclear disaster warning systems
- Coordination of preparedness and planning to reduce the consequences of major terrorist incidents

FEMA Consolidations

- Made sense, but was not without problems
  - Integration of diverse programs, operations, policies, and people
  - Would now have to answer to 23 Congressional committees and subcommittees
  - No organic legislation to support operations
  - No clear support during appropriations process

1980s: FEMA—The Early Years

- FEMA dept.’s continued to operate as individual entities
- No significant natural disasters to bring attention to FEMA’s lack of cohesion
- FEMA suffered from:
  - Conflicts with its partners at state and local levels
  - Morale problems
  - Disparate leadership

- Several natural disasters began to expose FEMA's weaknesses
  - 1989: Hurricane Hugo (NC, SC)
    - FEMA slow to respond
  - 1988: Loma Prieta Earthquake (CA)
    - FEMA not prepared to respond, but state and local agencies were


- 1992: Hurricanes Andrew (FL, LA) and Iniki (HI) - FEMA not ready; neither were state agencies
  - Failures became widely publicized
  - Calls were made to abolish the agency altogether
  - Investigations revealed need for major reforms


- Pres. Clinton appointed James Lee Witt to head FEMA
  - First FEMA director with prior EM experience
- Witt initiated sweeping reforms
  - Reached out to employees
  - Implemented customer service training
  - Reorganized to reduce "stovepipes"
  - Utilized new technologies re: delivery of disaster services
  - Strengthened partnerships with state/local agencies
  - Built new relationships with Congress

- FEMA/State/Local agencies faced wide variety of natural hazards
  - Tornadoes/Hurricanes
  - Ice storms
  - Drought
  - Floods
  - Wildfires
- Clinton elevated the position of FEMA Director to the Presidential Cabinet


- FEMA and others moved to improve disaster mitigation
  - FEMA launched Project Impact: Building Disaster Resistant Communities
  - FEMA emulated around the world
  - Private-sector and business continuity programs were flourishing
  - EM became more professionalized

WTC and Oklahoma City Bombings

- WTC – 23 February 1993
  - First large-scale terrorist attack on US soil
  - 6 adults and one unborn child killed; 1000 injured
  - Damaged seven floors (six below ground)
- Murrah Federal Building OKC – 19 April 1995
  - 168 killed; 674 injured
  - Murrah building destroyed; 25 additional nearby buildings damaged
WTC and Oklahoma City Bombings (cont.)

- Nunn-Lugar legislation of 1995 left open the question of which agency would be lead in terrorism
- Inter-agency squabbles following OK City bombing
- FEMA failed to step up and take lead despite its "all hazards" approach to EM
- FEMA also did not have the needed resources and technologies to deal with terrorism issues

Khobar Towers Bombing

  - Large truck bomb detonated outside of US forces housing complex
  - 20 killed; 372 injured
  - US military and intelligence officials were criticized for lack of preparation for such an event

The Three Commissions

1) Hart-Rudman Commission

  - Goal: Design a national security strategy for domestic terrorism
  - Recommendation: Create a National Homeland Security Agency responsible for planning, coordinating, and integrating federal activities
    - Responsible for safety of American people
    - Oversees protection of critical infrastructure (to include information technology)
  - Commission’s recommendations largely ignored
The Three Commissions
2) Gilmore Commission

- The Gilmore Commission
  - Produced series of annual reports between 1999 and 2003
  - Presented a growing base of knowledge concerning the Weapons of Mass Destruction (WMD) risk
  - Recommended a course of action to counter that risk

The Three Commissions
3) Bremer Commission

- The Bremer Commission (aka – National Commission on Terrorism)
  - Addressed international terrorist threat
  - Evaluated laws, policies, and practices for:
    - Preventing terrorism
    - Punishing terrorists
  - Produced “Countering the Changing Threat of International Terrorism” report in 2000

The Three Commissions
3) Bremer Commission (cont.)

- “Countering the Changing Threat of International Terrorism” report concluded the following:
  - International terrorism poses an increasing threat to US
  - Counteracting that threat required significantly stepping up US efforts
  - #1 priority was to prevent terrorist attacks
  - US policies must firmly target states that support terrorists.
    - Private and logistical support must be prosecuted
  - Terrorist attacks involving WMD could profoundly affect the entire nation
  - President and Congress should review system for reviewing and funding CT programs
The Three Commissions

- Despite each commission’s conclusions and recommendations, no major programs were initiated to combat the growing risk
- Lack of recognition of a terrorist threat within the country’s borders contributed to inaction


- PDD-62: “Combating Terrorism”
  - Called for the establishment of the Office of the National Coordinator for Security, Infrastructure Protection, and Counterterrorism
  - Goal: create systematic approach to fighting terrorism
  - Tasked with overseeing a broad variety of policies and programs to include:
    - Counter-terrorism (CT)
    - Critical infrastructure protection
    - WMD preparedness
    - Consequence management

Presidential Decision Directive (PDD) 63

- PDD-63: “Protecting America’s Critical Infrastructure”
  - Tasked all federal departments with:
    - Assessing the vulnerabilities of their cyber and physical infrastructures, and;
    - To work to reduce their exposure to new and existing threats
**Attorney General’s 5-Year Interagency Plan**

  - FBI emerged as the principal counter-terror agency for response and investigation
  - Plan represented a substantial inter-agency effort
    - Recommended specific agency action to help resolve interagency issues
    - But, plan failed to tear down the walls that prevented interagency sharing of information

**Govt. Accounting Office (GAO) Findings**

- GAO reviewed PPDs and AG 5-yr Plan and concluded that a comprehensive national security strategy was lacking
  - No measurable outcomes
  - Lacked goals for improvement of state/local responsibilities
  - No single entity acting as top federal official accountable to both the POTUS and Congress for terrorism hazard
  - No coordination in domestic preparedness programs and the development of a national strategy

**GAO Findings (cont.)**

- Federal Government ill-equipped and unprepared to counter a major terrorist attack
- From sharing intelligence to coordinating a response, the government had failed to put in place an effective critical infrastructure system
To prevent terrorist attacks the GAO recommended:

- A national strategy to combat terrorism and computer-based attacks
- Better protection for the nation’s infrastructure
- A single focal point to oversee coordination of federal programs

To prevent terrorist attacks the GAO recommended (cont.):

- Completion of a threat assessment of likely WMD and other weapons that might be used by terrorists
- Revision of the AG’s 5-Year Interagency Counterterrorism and Technology Crime Plan to better serve a national strategy
- Coordination of research and development to combat terrorism

USS Cole Bombing

- USS Cole, Aden, Yemen – 12 Oct 2000
  - Suicide bomber in a boat loaded with explosives detonated next to a US Navy destroyer
  - 17 killed; 39 injured
  - Al Qaeda suspected
  - As a result, the US Navy changed its force protection measures

USS Cole Bombing

- USS Cole, Aden, Yemen – 12 Oct 2000
  - Suicide bomber in a boat loaded with explosives detonated next to a US Navy destroyer
  - 17 killed; 39 injured
  - Al Qaeda suspected
  - As a result, the US Navy changed its force protection measures
9/11 Attacks

- WTC and Pentagon – 11 Sep 2001
  - 2,974 killed; 2,337 injured
  - Al Qaeda responsible
- Attacks led to the reconsideration of all aspects of EM in the U.S.
- Resulted in the creation of the Dept. of Homeland Security (DHS)


- 20 Sep 2001 – President Bush announced that an Office of Homeland Security would be established in the White House
  - Also established a Homeland Security Council.
  - PA Governor Ridge Tom Ridge named as director
- Criticized for its small staff and budget

The Creation of (DHS): 2001-2001 (cont.)

- 24 Sep 2001 – President Bush announced that he will be seeking passage of the "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act" (USA PATRIOT Act of 2001)
- 8 Oct 2001 – President Bush signed executive order creating Office of Homeland Security
The Creation of (DHS): 2001-2001 (cont.)

- 26 Oct 2001 – President Bush signed USA PATRIOT Act into law
- 29 Oct 2001 – President Bush issued first of many Homeland Security Directives (HSDs)
  - Designed to “record and communicate presidential decisions about the homeland security policies of the US”

The “USA PATRIOT” Act

- Introduced to deter and punish terrorist acts and to enhance law enforcement (LE) investigatory tools
- Principle focus is:
  - To provide LE authorities with the proper legal authority to collect information on suspected terrorists
  - To detain those suspected of being or aiding terrorists
  - To deter terrorists from entering and operating within the US
  - To limit terrorist money laundering

The “USA PATRIOT” Act (cont.)

- Major provisions:
  - Relaxed restrictions on info sharing between LE and intelligence agencies
  - Made it illegal to knowingly harbor a terrorist
  - Authorized roving wiretaps
  - Allowed US govt. to detain non-citizens suspected of terrorism for up to 7 days w/o specific charges
  - Allowed greater govt. access to e-mail records
  - Tripled number of border patrol, customs inspectors, and INS inspectors at the northern US border
  - Eliminated statute of limitations for the most serious terrorist acts
The “USA PATRIOT” Act (cont.)
- Act passed with little deliberation
- Sparked concern over the protection of civil rights
  - Govt. powers have been expanded without corresponding appropriate checks and balances
- DOJ countered that authority was necessary to effectively track and detain terrorists
- Numerous communities have passed resolutions opposing part or all of the act’s contents

Homeland Security Act of 2002
- Signed into law by President George W. Bush on 25 Nov 2002
- Provided authorization for the establishment of the Department of Homeland Security (DHS)
- Established DHS as an executive branch agency
  - DHS Secretary reports directly to the President
- Outlined the DHS management structure

Homeland Security Act of 2002 (cont.)
- Identified those agencies and programs to be migrated to DHS
  - Secret Service
  - Coast Guard
- Called for the transfer of Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) from Treasury Dept. to DOJ
- Detailed the roles and responsibilities of the five directorates that comprise DHS
  - Information Analysis and Infrastructure Protection
  - Science and Technology
  - Border and Transportation Security
  - Emergency Preparedness and Response
  - Management
Homeland Security Act of 2002 (cont.)

- Also established the:
  - Homeland Security Council
    - Advises the president on homeland security matters
  - Office for State and Local Coordination and Preparedness
    - Reports to the DHS secretary

Homeland Security Act of 2002 (cont.)

- DHS mission:
  1) Protect US from further attacks
  2) Reduce US vulnerability to terrorism
  3) Minimize damage from potential terrorist attacks and natural disasters

DHS Tasks

- Prevent terrorist attacks within the United States
- Reduce the vulnerability of the U.S. to terrorism
- Minimize the damage, and assist in the recovery, from terrorist attacks that occur within the U.S.
- Carry out all functions of transferred entities
- Ensure that the agencies’ functions that are not related directly to homeland security are not diminished/neglected
- Ensure that the overall economic security of the U.S. is not diminished by efforts, activities, and programs aimed at securing the homeland
- Monitor connections between illegal drug trafficking and terrorism, coordinate efforts to sever such connections
9/11 Commission

Created by Pres. Bush to:
- Allow for a full investigation into the 9/11 attacks
- Make recommendations as to how such attacks can be prevented in the future

Released on 22 July 2004
- Found government failures in diplomacy, the intel community, and the FBI
- Permeable borders
- Problems with aviation security
- Also faulted Congress for its failure to financially support counterterrorism programs and confusion over oversight

9/11 Commission (cont.)

Recommendations
1) Attack terrorists and their organizations
2) Prevent the growth of Islamic terrorism
3) Protect against and preparing for terrorist attacks
4) Establish a National Counterterrorism Center
5) Appoint a National Intelligence Director
6) Encourage info sharing among govt. agencies and with state and local officials


Hurricane Katrina and Its Aftermath

DHS was criticized during its first few years for focusing on terrorism and not on an “all hazards approach”

Aug. 2005: Hurricane Katrina hits LA, MS, and AL
- 1,836 killed
- 705 missing
- $81.2 billion in damage (2008 dollars)
Hurricane Katrina and Its Aftermath: 2005-2006 (cont.)

- The failed response to the disaster exposed the weaknesses of the EM System at all levels
- Recovery effort equally plagued with problems
- Prompted Congress to address the problems

Post-Katrina Emergency Management Reform Act (PKEMRA) 2006

- Established several new leadership positions w/in DHS
- Moved additional functions into or back to FEMA
- Created and reallocated functions to other DHS components
- Amended the Homeland Security Act in ways that directly/indirectly affected the organization and functions of the various entities w/in DHS

Obama Administration

- Many expected Obama would make dramatic changes relative to homeland security issues
- In recognition of border security importance, Obama nominated Janet Napolitano, the AZ Governor, to be Secretary of DHS
- "Underwear Bomb" highlighted ongoing challenges
- 2011 DHS report highlighted accomplishments in meeting the 9/11 Commission recommendations
- 2 May 2011 – Osama bin Laden killed