

**Statement before the U.S. House of Representatives
Committee on Homeland Security,
Subcommittee on management, Investigations and Oversight**

***“READY TO LEAD?
DHS AND THE NEXT MAJOR CATASTROPHE”***

A Statement by

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Chairman Carney, Ranking Member Rogers, and Members of the Subcommittee, thank you for inviting me to testify on the readiness of the Department of Homeland Security to manage the next catastrophe. It is a subject of critical importance.

In my view, America is not ready for the next catastrophe. We are not ready as a nation – it is not just DHS and the rest of the federal government. We have certainly made progress since the September 11 attacks and the response to Hurricane Katrina in 2005, but we have a ways to go. I would like to focus on seven problem areas and recommendations that I believe would make the nation more prepared for the next catastrophe. Our new report, *Managing the Next Domestic Catastrophe: Ready (Or Not)* discusses these recommendations in much more detail and can be found on the CSIS website.

DHS has a very complex mission and is a very young bureaucracy, but it has made progress toward preparing the nation for a future catastrophe. It published a new and much clearer National Response Framework, it is strengthening FEMA and revitalizing its regional offices, and it has devoted considerable time and attention to planning for catastrophes in the last 2 years – although this effort has not yet resulted in a set of concrete plans that could take off the shelf be used during a crisis. In short, much work remains.

Problems

So let me turn to the problems.

First, because the mission of securing the homeland and preparing to manage a domestic catastrophe is inherently an interagency mission at the federal level – and no one Cabinet Secretary has authority over another – it is essential the White House play a strong role in these areas. For many reasons, this Homeland Security Council and staff has not been able to play this role. The next administration would be well served to merge the HSC and NSC and their staffs

into a single strong organization. A merged, strong NSC would be the empowered partner that DHS needs to ensure the interagency is working together to do things like build integrated plans.

Second, DHS is not sufficiently empowered to function as the federal coordinator for domestic incidents, in part because on paper and in practice, federal relationships in this area are still unclear and somewhat confusing. The actual division of labor between DHS and the Attorney General in terms of preventing terrorist attacks in the US is not entirely clear, and in a similar vein, short of direction from the President, the Secretary of Defense has considerable leeway under HSPD-5 to determine whether to provide military forces during a catastrophe.

The Secretary of Defense should retain command and control over military forces, and the Attorney General should have primacy in law enforcement issues, but the next President should revise HSPD-5 to make clear that as the federal coordinator for incident management, the Secretary of Homeland Security is the “first among equals” in the Cabinet and has the responsibility to manage competing priorities during a catastrophe.

To further empower the Secretary of Homeland Security in his incident manager role, the chain of command inside DHS needs to be clarified.

As the federal coordinator for incident management, the Secretary of Homeland Security is the official accountable during a crisis to the President. The FEMA Administrator is the principal adviser to the President and the Secretary of Homeland Security on emergency management and can advise the President directly on these matters. That said, as the overall incident manager, the Secretary of Homeland Security has the authority to put the advice of the FEMA Administrator into a larger context. This should be made clearer than it is today.

Third, DHS’s ability to manage the next catastrophe is constrained by the fact that the traditional Stafford Act mechanisms to respond to disasters are probably not sufficient to manage something

like the detonation of a nuclear device or the multiple, simultaneous explosions of dirty bombs around the country. The formal Stafford Act processes are simply too slow and linear to be effective during a catastrophe. Moving beyond these mechanisms is very sensitive because it gets into the balance of power between the federal government and the fifty states, but given the threats we face in the post-9/11 environment, it is important that we start talking more openly about these issues.

The next Administration should work with Congress and state governors to develop a more streamlined process to provide federal help during a true catastrophe. A minimalist approach might be to explore how to revise current policies to better reflect federal government authorities already granted in the Stafford Act. A more fundamental approach might be to amend an existing law, such as the Defense Against Weapons of Mass Destruction Act, and create a sort of analogue to the Stafford Act explicitly designed for truly catastrophic events.

Fourth, for a variety of reasons, the federal government still does not have a working process to develop detailed catastrophic plans. To be truly prepared, DHS and the rest of the interagency need plans that describe what tasks need to be done, what capabilities are needed to execute the tasks, and how quickly capabilities need to be put on the ground. More detailed plans would at least provide a baseline for action that could be modified as needed during a crisis.

Developing these kinds of plans is fundamentally an interagency undertaking. We need a strong, merged NSC to take a leadership role in ensuring these plans are developed. Federal plans then need to be linked to plans at the state and local level in meaningful ways.

Fifth, and very closely related to the planning issue, is the lack of defined requirements at the federal level for responding to catastrophes. DHS has got to take the lead in identifying what capabilities are needed, what we already have, what gaps might need to be filled, and which agencies should be responsible for which capabilities.

Sixth, DHS faces a byzantine oversight structure in Congress. DHS is overseen by more than 70 committees and subcommittees – maybe more. Every single Senator and almost every member of the House of Representatives have some degree of oversight over DHS business. DHS officials spend an inordinate time on the Hill trying to be responsive to their many masters, and Congress has struggled to develop a core group of Members with deep expertise in homeland security matters because there is no center of gravity for oversight. Reform is very much needed.

Finally, DHS has almost been reorganized to its knees. Turf battles have raged, the morale of the DHS workforce ranks among the lowest in the entire government, and turnover of senior DHS officials has been substantial. DHS will be a very tempting target for a major reorganization by the new administration, but I believe another reorganization right out of the gate would be one of the worst ways to try to improve the nation's preparedness. Major structural reforms right away would be highly disruptive, painfully time-consuming and at the end of the day would probably yield little in the way of results. DoD took 60 years to get where it is today. DHS has to make more progress in the next few years than it has so far, but reorganization is not a panacea. DHS should be allowed to mature.

Concluding Thoughts

Progress has been made, and people have worked hard to get it. At the same time, what matters to most Americans is not how far we have come, but how far we still have to go in terms of being prepared for the next catastrophe. Implementing these recommendations would not solve all of the problems we face, but they would move us closer to being more truly prepared in the future. Thank you very much for the opportunity to share these views with you; it is a privilege to be asked to comment on such an important issue for our country.