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A FEDERAL EMERGENCY RESPONSE APPARATUS: A NEED FOR CHANGE?

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USAWC STRATEGY RESEARCH PROJECT

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ABSTRACT

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In the next decade, the United States, as the only world superpower, will face a strategic environment characterized by significant uncertainty and ambiguity. Inherent in this environment will be new, asymmetric threats to our national security, both at home and abroad. Transnational terrorist and criminal organizations, using the latest technology, will gain increased access and ability to employ weapons of mass destruction (WMD) within our borders. The Federal Response Plan is an over-complicated attempt at coordinating numerous federal departments and agencies for effective response to domestic crisis situations. Early warning and preemption would certainly be the best response to WMD attack, but bureaucratic rivalry within the US Intelligence Community hinders the focus necessary to consistently achieve that goal. This paper examines and recommends changes to the federal domestic crisis response apparatus, in a search for greater efficiency and unity of effort in preparing the nation for WMD attack.

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THE FEDERAL EMERGENCY RESPONSE APPARATUS:

A NEED FOR CHANGE?

> … Due to our military superiority, potential enemies, whether nations or terrorist groups, may be more likely in the future to resort to terrorist acts or other attacks against vulnerable civilian targets in the United States instead of conventional military operations. … The Federal Government will respond rapidly and decisively to any terrorist incident in the United States, working with state and local governments to restore order and deliver emergency assistance.[1]
>
> — William J. Clinton, A National Military Strategy for a New Century

The 1998 National Security Strategy (NSS) thus acknowledges the increasing threat to civilian targets and infrastructure within the borders of the United States. The document points to increasing globalization as a tool through which both traditional and new, transnational adversaries may avoid the conventional strengths of the United States and challenge the safety of our citizens and security of our borders.

The NSS defines vital interests as those of overriding interest to the "survival, safety and vitality" of the nation. It identifies homeland defense as one of these vital interests, in that protection of citizens and critical infrastructures at home is "an intrinsic and essential element of our security

strategy."[2] The document goes on to describe the focus of national preparedness efforts.

> The security challenges wrought by globalization demand close cooperation across all levels of government - federal, state and local - and across a wide range of agencies, including the Departments of Defense and State, the Intelligence Community, law enforcement, emergency services, medical care providers and others. … Forging these new structures and relationships will be challenging, but must be done if we are to ensure our safety at home and avoid vulnerabilities that those wishing us ill might try to exploit…[3]
>
> —1998 National Security Strategy

Despite the apparent focus of the 1998 NSS on domestic crisis response, and the newly voiced concerns of administration officials over emerging domestic threats, national preparedness remains sadly lacking, especially in response to attack by weapons of mass destruction. The voluminous Federal Response Plan (FRP), ostensibly the over-arching national contingency plan for domestic crisis response within the continental United States, assigns responsibility in exhaustive detail to a host of federal departments and agencies for response actions in domestic crisis situations. However, assignment of responsibilities on paper does not ensure that all actors will know their parts when called on to react. The fact that department deputies (or principals, for that matter) have

discussed issues across a table does not ensure cooperation and teamwork once a crisis has occurred.

To ensure success in homeland defense, the nation must approach the problem of adequate federal response in more aggressive, more constructive ways. We must be more efficient in attacking the problem, especially with current budget and resource constraints. We can achieve some of these efficiencies through unity of effort, but only if we are willing to drop some of the interdepartmental and interagency competition so characteristic of our governmental bureaucracy. This paper will examine the federal domestic crisis response apparatus as it currently exists, and attempt to identify some of the significant problems with that apparatus. Finally, it will make recommendations for change, in a search for greater efficiency and unity of effort.

THE NEW GLOBAL ENVIRONMENT

The ambiguous security environment in which we currently find ourselves only complicates the challenges of a world in which many of the "comfortable" mental crutches have been stripped from us. With the disappearance of the old paradigms of bipolarism, the only remaining constants seem to be rapid change and persistent uncertainty. While on one hand the world is experiencing unprecedented growth in global interdependence,

on the other, regional security threats remain, such as those posed by North Korea and Iraq. Concurrently, the threat of terrorism, both at home and abroad, continues to increase, along with both proliferation of weapons of mass destruction (WMD), and the apparent will of terrorist organizations to use them.

The 1998 NSS attempts to apply the three elements of national power - political, economic, and military - to the concepts of *shaping*, *responding*, and *preparing* as a formula for achieving our various national interests. The strategy is intended to provide a pro-active, long-term focus on preventing problems before they occur, or failing that, solving them quickly, and at minimum cost. In the context of this approach, *shaping* advocates global engagement, designed to deter and prevent aggression, and thereby foster a stable and secure world environment. *Responding* refers to quelling threats to that stability and security as they arise. Finally, *preparing* seeks to look farther into the future, anticipating and formulating responses to probable future threats to the nation in the years ahead.

The United States may well be able to influence the *shaping* of the global environment for a safer, more secure world. We may also realize success in *preparing* to meet the external challenges of a multi-polar, international community, and in *responding* to those challenges when they occur. However,

shaping, preparing, and *responding* must be more than merely an international strategy. Against the new, emerging threats, the United States must successfully implement the strategy at home, to ensure the security of our citizens, our infrastructure, and our national institutions.

THE CURRENT RESPONSE FRAMEWORK

The Federal Response Plan (FRP) is the mechanism through which local authorities receive federal assistance when overwhelmed by catastrophic disaster conditions. The system is designed to be "bottom up," with authorities at the local level first requesting support from state, then federal level. The amount of support provided is based on the resources available at each level to meet the requirements of the specific situation. The FRP is intended to provide a flexible and rapid federal response in domestic emergency situations.

As the plan currently exists, no fewer than twenty-seven federal departments and agencies, plus the American Red Cross, provide support to the nation's disaster relief framework. These designated FRP partners each contribute representatives to the Catastrophic Disaster Response Group (CDRG), which acts as the national coordinating group addressing policy concerns and support requirements. One of the twenty-eight FRP partners, the

Federal Emergency Management Agency (FEMA), chairs the CDRG. Figure 1 depicts the current federal response structure.

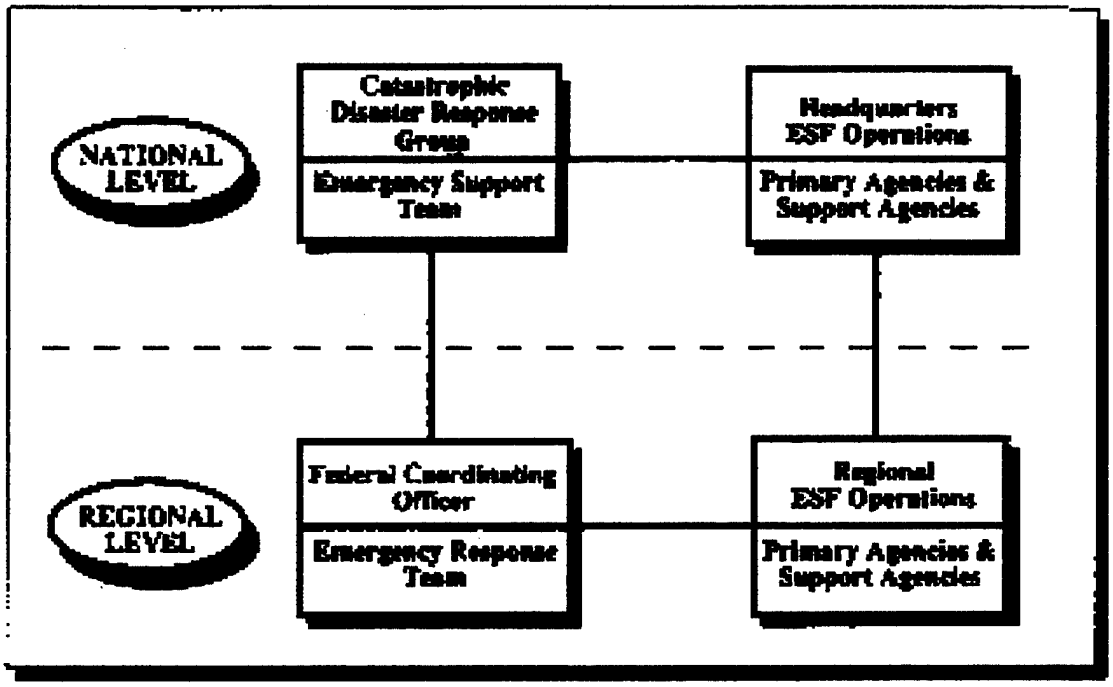

Figure 1: Federal Response Structure

Planning assumptions. The FRP makes several assumptions under which response planning and execution is to occur. It assumes that a disaster may occur with little or no warning, and that the number of casualties or amount of infrastructure damage may require direct federal assistance to conduct lifesaving and life-supporting efforts, as well as to minimize further casualties or damage. The plan assumes that the emergency declaration process will be carried out in accordance with Public Law 93-288, subsequently amended and retitled as the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Under the Stafford Act (as amended), the Governor of the affected state, based on the severity of the situation, will request that the President issue a Declaration of Emergency, setting into motion the federal response apparatus. Title V, Section 501.b) of the same law allows the President to declare a state of emergency without a Governor's request, if he determines that "an emergency exists for which the primary responsibility for response rests with the United States…"[4]

Concept of operations. The FRP groups federal resources into twelve Emergency Support Functions (ESF). Each ESF is further assigned to one of eleven FRP partners designated as Primary Agencies (PA) for a particular function. The remaining agencies are designated as support agencies for various ESF. The twelve ESF and the respective Primary Agencies responsible for them are listed in Table 1.

Emergency Support Functions	
ESF 1: Transportation	Department of Transportation
ESF 2: Communications	National Communications System
ESF 3: Public Works and Engineering	Department of Defense
ESF 4: Fire Fighting	Department of Agriculture
ESF 5: Information and Planning	Federal Emergency Management Agency
ESF 6: Mass Care	American Red Cross
ESF 7: Resource Support	General Services Administration
ESF 8: Health & Medical Services	Department of Health & Human Services
ESF 9: Urban Search and Rescue	Federal Emergency Management Agency
ESF 10: Hazardous Materials	Environmental Protection Agency
ESF 11: Food	Department of Agriculture
ESF 12: Energy	Department of Energy

Table 1: ESF Primary Agencies

The national disaster response framework includes numerous actors working through ten designated FEMA regions, who are responsible for coordinating the federal disaster relief effort. Following the occurrence of a disaster potentially requiring federal response, the director of FEMA provides information to the President and other senior federal officials, as required. All or part of the FRP may be activated, depending on the nature of the emergency.

Once a state of emergency has been declared, FEMA directs the primary agencies to begin identifying, mobilizing, and deploying resources to the affected area to assist the state in lifesaving and life-supporting efforts. The FEMA Associate Director may then convene the CDRG and activate the Emergency Support Team (EST), as appropriate. If required, a Joint Information Center (JIC) will be established.

The EST, an interagency group comprised of representatives of all primary agencies, support agencies, and FEMA Headquarters staff, convenes in the Emergency Information and Coordination Center (EICC), at FEMA Headquarters in Washington, DC. The team's primary function is to provide support to the CDRG and act as a principal coordinating node for information and resource allocation to the overall response effort. Figure 2 graphically depicts the sequence of response actions.

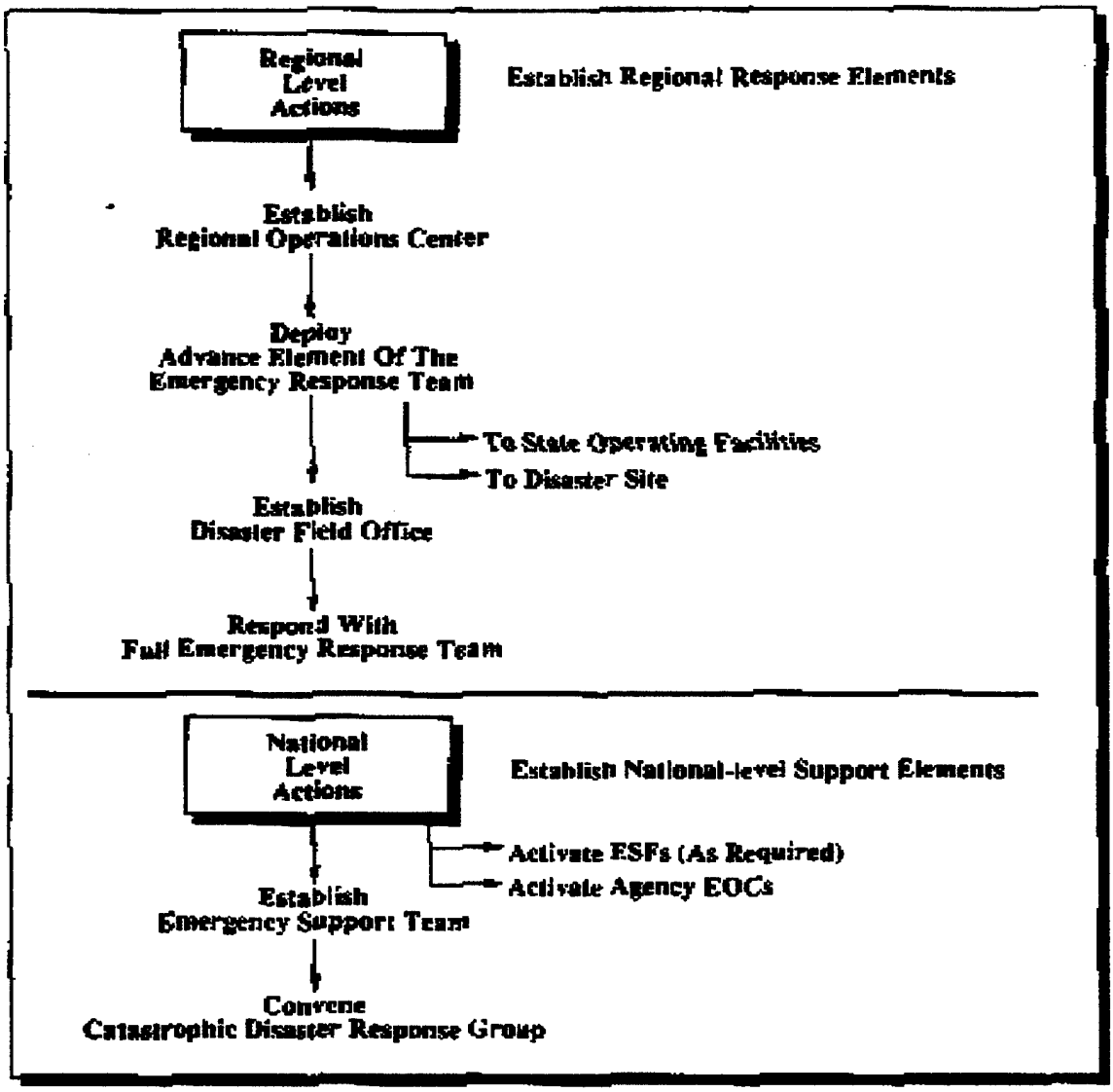

Figure 2: Sequence of Response Actions

The President appoints a Federal Coordinating Officer (FCO) to coordinate the federal response effort in each declared state. The FCO works with the State Coordinating Officer (SCO) to identify immediate and emerging requirements to be coordinated through the various ESF. The FCO also assists in coordinating public information efforts, Congressional and

community liaison, humanitarian contribution activities, and dissemination of information to appropriate users. Concurrently, federal departments and agencies may activate their respective Emergency Operations Centers (EOC) to provide direction and coordination to the developing response effort.

Federal response activities at the regional level begin with the FEMA regional director, who activates the Regional Operations Center (ROC) at a designated FEMA Regional Office or Center (see figure 3). The ROC is staffed by FEMA and ESF representatives, and acts as the initial regional contact node for the affected state(s), the national EST and involved federal agencies until the Disaster Field Office (DFO) in the vicinity of the crisis site is established.

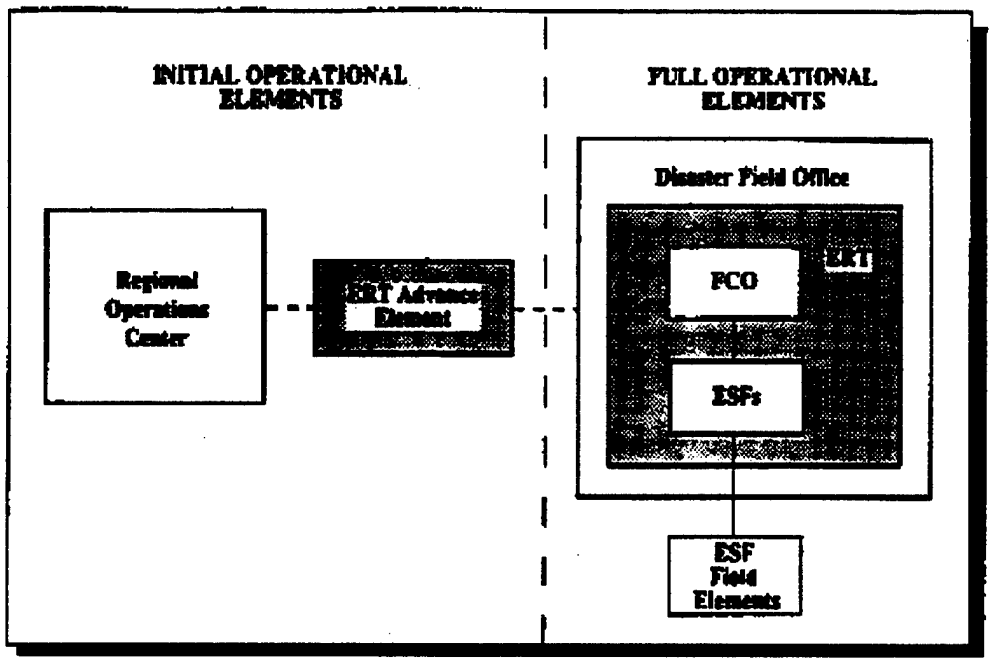

Figure 3: Regional Response Structure

The Emergency Response Team (ERT), a regional interagency group composed of applicable ESF representatives and support staff, and headed by the FCO, deploys to the DFO and provides initial response coordination with the affected state at the state Emergency Operations Center (EOC). The ERT is designed to be a key player in coordinating allocation of federal resources among the ESF.

Several other actors play key roles in the federal response apparatus. The Secretary of the Army (SECARMY) acts as the Department of Defense (DOD) executive agent for Military Support to Civil Authorities (MSCA) and Military Support to Civil Disturbance (MSCDIS), and is the approval authority for emergency support to natural or manmade disaster response involving DOD assets. The Director of Military Support (DOMS) is the DOD primary point of contact (POC) for all federal agencies and departments involved in MSCA, MSCDIS, and consequence management response support. To assist in the coordination of military support requests from the field, DOD provides a Defense Coordinating Officer (DCO) to co-locate with the FCO, and serve as the single DOD point of contact for military support.

Other military actors supporting federal crisis response activities include the Joint Staff, with responsibility for

crisis management response support, and the various Commanders in Chief of the Unified Combatant Commands (CINCs), who are responsible for validating military support requests within their respective areas of responsibility. While various CINCs have planning and support responsibilities under the plan, of particular importance is US Atlantic Command, with responsibility for four plans concerning:

- Domestic Disaster Relief (2501-96)
- Civil Disturbance (2502-96)
- Support of DOJ/INS Mass Immigration Plans (2503-96), and
- Response to a Radiological Accident (2504-96).

PROBLEMS WITH THE CURRENT FRAMEWORK

New initiatives and funding. Some progress appears to have been made in at least raising the level of awareness of policy makers with respect to US vulnerability to WMD attack. This is not surprising given the impact of recent domestic terrorism incidents on the national psyche. The bombings at the New York World Trade Center, the Atlanta Olympics, and the Federal Building in Oklahoma City brought domestic terrorism from a vaguely perceived possibility into national focus as a very real threat.

The Nunn-Lugar-Domenici amendment to the 1997 Defense Authorization Act took a much-needed first step toward redressing some of the shortfalls in domestic emergency preparedness. The legislation addressed the need to better train emergency personnel designated as first responders to nuclear, chemical, or biological incidents. It provided additional funds and equipment to assist the US customs service in preventing smuggled weapons and materials from crossing the borders. Additionally, it established a national coordinator for counter-proliferation strategy at the National Security Council level.

The Nunn-Lugar-Domenici legislation prompted further actions on the part of the federal government. These include Presidential Decision Directive (PDD) 62, signed in May 1998, which establishes overall policy and updates departmental responsibility for response to acts of domestic terrorism involving WMD. The 1998 NSS includes a special section on emerging threats at home, with emphasis on managing the consequences of WMD incidents and protecting national infrastructure. It outlines the Domestic Preparedness Program, designed to provide WMD crisis response and consequence management training to first responders in 120 US cities.[5]

Within DOD, the Rapid Assessment and Initial Detection (RAID) program was established. The program calls for the

establishment of ten teams, within the National Guard and based in each of the FEMA regions, to provide support to FEMA, acting as military first responders to a WMD incident scene. Current plans are to augment the RAID teams with sixty-five additional decontamination teams, twenty-two reconnaissance teams, and 100 additional medical support personnel.

The initiatives outlined above, while certainly a move in the right direction, fall short of effective long-term solutions to the problem of domestic preparedness for WMD attack. First, the Domestic Preparedness Program establishes a training program designed to bring first responders in 120 cities to a base level of training. It does not address long-term funding or a program to provide sustainment training for the highly perishable skill sets involved. The program also begs the question - what if the attack occurs elsewhere than in one of the chosen 120 cities?

Unanswered questions also exist within the RAID program. First, significant competition exists among the states for basing locations of the teams. It stands to reason that each governor would want his own state team. Additionally, while sponsorship of the teams, with their emphasis on homeland defense, is logically within the National Guard, the personnel authorizations to man them must come from somewhere within the DOD personnel authorization structure.

Long-range funding for the RAID program is another issue. With an estimated initial cost of $49 million annually, it remains to be seen, in a time of reduced manpower and budgets, where long-term manning and funding will come from. It would appear that somewhere along the line, Peter would have to be robbed to pay Paul.

Complication and redundancy. As can be seen by the large number of actors and agencies with key roles in the federal disaster response process, the potential exists for considerable redundancy at all levels of the command and control architecture. This redundancy would only be magnified if a major disaster were to cross state or worse, regional lines. Redundancy is especially evident in the designation of the twelve ESF, in which operationally overlapping functions are separated and assigned to different agencies for primary responsibility.

The unwieldy organization of the plan tends toward ad'hoc'ism at all levels. This is evident in the disaster specific, case-by-case designation of lead federal agency and FCO, and in the sequential nature of the appointment process. For example, if a disaster were to cross state lines, then an FCO for the newly affected state would be required. Should at some point the disaster, or possibly worse, a separate but related crisis, cross regional lines, then a separate regional

response, with all associated actions, would be required. It would appear that a system essentially reactionary in nature would be hard-pressed to adequately anticipate crises in order to maximize response capabilities.

Military Support. Currently, the general officer designated as the DOMS is dual-hatted, with his or her primary responsibility focused elsewhere in DOD. Although DOD is the designated primary agency in only one ESF, the quick response capability inherent within DOD makes the military a likely major participant in any disaster of magnitude. Based on the probability of significant military involvement in disaster response activities, the dissolution of effort caused by dual-hatting the DOMS is unacceptable.

Additional difficulty exists within DOD, in that lines of responsibility for crisis versus consequence management are split between DOMS and the Joint Staff. As crisis and consequence management operations are likely to occur simultaneously, this blurring of lines of responsibility is likely to lead to increased confusion and duplication of effort.

Intelligence. One of the most important functions of an intelligence system is to provide Indications and Warning (I&W) of potential hostile action against the nation. During the Cold War, the numerous organizations making up the United States Intelligence community used an extensive network of indicators

and activities to give leaders the information they needed to determine the probable intentions of the adversary. Based on large, identifiable force structure and massive arsenals, the system was effective enough to prevent open hostilities between the superpowers.

Arguably, the I&W system developed during the Cold War will remain sufficient for nation-states retaining significant force levels and conventional methods of force employment. However, attack from conventional military threats, with a few notable exceptions, appears to be somewhat less likely today than is asymmetric attack from a continuously more aggressive and robust set of transnational organizations and actors. The question is whether the current architecture of the US Intelligence Community is adequate to meet the different sorts of challenges posed by the new threat.

The most spectacular intelligence failures are usually those occurring with little or no warning. Because of the unsuspecting and often unprepared nature of the target in such situations, they can also be the most damaging, leaving deep scars on the national psyche. In fact, the current organization of the US Intelligence Community is largely attributable to lessons learned from the Japanese surprise attack on Pearl Harbor in 1941. When the adversary becomes a transnational

actor, operating in the shadows, as opposed to a recognizable nation-state, I&W difficulties increase exponentially.

International terrorist groups and organized crime networks, working in concert and possessing modern technology, adequate funding, and the will and resources to use them, pose a dangerously increasing level of threat to the security of traditional nation-states. The inherent openness of a democratic society increases its vulnerability to asymmetric attack, in that the civil safeguards protecting the rights of individual citizens from government interference actually compound the difficulty of conducting successful I&W operations.

> Timely and accurate information about the activities, capabilities, plans, and intentions of foreign powers, organizations, and persons and their agents, is essential to the national security of the United States. All reasonable and lawful means must be used to ensure that the United States will receive the best intelligence available.[6]
>
> —Ronald Reagan, Executive Order 12333

Executive Order (E.O.) 12333, under the Reagan administration, began to set forth the goals and responsibilities of the US Intelligence Community. The document defines the roles of the various US Intelligence agencies and organizations. Ostensibly, all national intelligence organizations and agencies come under the general purview of the Director of Central Intelligence (DCI).

As the Director of the Central Intelligence Agency (CIA), the DCI is the primary intelligence advisor to the President. Theoretically, this arrangement should provide central direction and unity of effort to national intelligence activities. In reality, however, this is not always the case. Extensive bureaucratic and jurisdictional barriers exist, which instead of streamlining the interagency process, often intensify and compound traditional interagency turf battles.

Under E.O. 12333, the role of the CIA is to collect, produce and disseminate foreign intelligence and counterintelligence. The collection of foreign intelligence or counterintelligence within the United States is to be coordinated with the FBI as required by procedures agreed upon by both the Director of Central Intelligence and the Attorney General.[7] Thus, the CIA's role is generally relegated to foreign intelligence and counterintelligence operations.

Within the United States, the responsibility for conducting intelligence and counterintelligence operations falls to the Department of Justice (DOJ). E.O. 12333 specifically defines the delegated powers of the Attorney General with respect to domestic intelligence operations.

> …to approve the use for intelligence purposes, within the United States or against a United States person abroad, of any technique for which a warrant would be required if undertaken for law enforcement purposes, provided that such techniques shall not be undertaken

> unless the Attorney General has determined in each case that there is probable cause to believe that the technique is directed against a foreign power or an agent of a foreign power.[8]
>
> —Executive Order 12333

DOJ implements E.O. 12333 through the auspices of the Federal Bureau of Investigation (FBI). The order states that the "Director of the FBI shall: …Within the United States conduct counterintelligence and coordinate counterintelligence activities of other agencies within the Intelligence Community."[9] Though the delegation of appropriate authorities appears to be clearly delineated within the document, considerable ambiguity remains.

Significant difficulty arises when intelligence and, more specifically, counterintelligence operations are conducted within the borders of a democratic society such as our own. In a totalitarian state, the simple existence of opposition groups would be of interest to the government's intelligence apparatus, and would thus be targeted for collection. In a democracy, however, opposition is a basic tenet of the governmental system, and as such, would be beyond the scope of national intelligence interest. The real difficulty in a democratic society is in determining true national security threats from legitimate opposition activities protected under the governmental system.

In essence, the question is in what the government legitimately needs to know in order to protect national security.

In the mid-1970's, in an effort to resolve the dilemma of identifying legitimate intelligence targets, Attorney General Edward Levi established a set of guidelines intended to specify circumstances under which the FBI could employ various surveillance techniques and investigative methods. The guidelines were divided into two parts - foreign intelligence and counterintelligence, and domestic security.

While the foreign intelligence and counterintelligence guidelines were largely issued as classified documents, unavailable for general review, they imply that normally legal activities in a democratic society may be considered legitimate intelligence targets if they are conducted under the direction of a foreign power. Fund-raising activities, organization of opposition groups and the conduct of political propaganda campaigns are examples of this sort of activity. Under the Foreign Agent Registration Act (FARA), individuals participating in these activities are required to register as foreign agents.

The second, unclassified set of guidelines addresses domestic security concerns. Commonly known as the Levi guidelines, they are directed mainly against groups that: are hostile to the constitutional structure and its basic principles; are dedicated to depriving the civil rights of

specific classes of persons; seek governmental change through the application of violence. The basic premise of the Levi guidelines is that domestic intelligence investigations can only be used when the law has been, or is about to be violated. These specific guidelines, based on the tenets of United States criminal law, are the essence of the *criminal standard* as it exists in the nation today.

In an era in which transnational threats within the borders of the United States are increasing, an architectural arrangement that inherently transfers intelligence and counterintelligence responsibilities at the border presents a potentially dangerous seam for potential exploitation by non-state actors. The Congressional hearings conducted by Senator Nunn following the Tokyo subway bombing by Aum Shinrikyo in March 1995 illuminated some of the problems arising from poor interagency coordination and cooperation, in this case between the CIA and FBI, and between internal departments of the CIA itself.

The subcommittee investigation revealed serious deficiencies in intra- and interagency coordination, both in proliferation threat assessment and prevention strategy. Agencies were found to be hesitant to work closely with one another, even in areas so basic as in the delineation of various investigational responsibilities. While interagency rivalry and competition are

not restricted to the relationship between the CIA and FBI, or to internal departments within a single agency, the following excerpt is a good example of how organizational rivalry can exacerbate the problem of adequate I&W.

> The FBI viewed the Aum as a CIA problem; the CIA viewed it as a domestic police problem for the Japanese; and, within the CIA, bureaucratic divisions slowed progress. The subcommittee learned that the CIA's Counter Proliferation Center viewed the Aum as a terrorist problem to be handled by the CIA Counter Terrorism Center. The Counter Terrorism Center, however, classified it as a proliferation or regional problem falling under the purview of the agency's regional desks. The regional desks, in turn, shifted the responsibility to others. Meanwhile, no one in the CIA was focusing on the Aum and their WMD development program - until after Tokyo.[10]

—Senator Sam Nunn, Congressional Subcommittee Report following the Tokyo subway bombing by Aum Shinrikyo, 1995

RECOMMENDATIONS

Intelligence. The best defense against terrorist attack within our borders rests on awareness, followed by preemption. A truly coordinated national intelligence effort, synthesizing all intelligence disciplines, both open and sensitive source, are the best chance of giving our leaders this awareness in time to effectively act. While complete awareness can never exist, centralized direction and unity of effort, free of competition over traditional turf lines, is essential if we are to meet the enemy on ground of our own choosing - before the attack.

A good first step toward resolving this problem may be in a close study of the Canadian intelligence system. Under Canadian law, the Canadian Security Intelligence Service (CSIS) is authorized to collect information on activities "that may on reasonable grounds be suspected of constituting threats to the security of Canada."[11] These activities include:

- espionage or sabotage, or activities directed toward or in support of either.
- clandestine or deceptive foreign-influenced activities that are detrimental to Canadian interests, or threaten any person.
- activities directed toward or supporting the threat or use of serious violence to achieve political ends.
- activities directed toward or leading to the ultimate destruction or violent overthrow of the Canadian government.

The United States government lacks formalized policy regarding the purpose of domestic intelligence operations, and on the types of information they should provide. The government must develop functional guidelines focusing on the goals, as opposed to the means of domestic intelligence operations. Only by focusing on which information actually needs to be collected, as opposed to the techniques by which it is collected, can we begin to unravel the puzzle of identifying legitimate intelligence targets in a democratic state. Further, only by

unraveling this puzzle can we maximize the efficiency and coordinate the focus of the many organizations in the US Intelligence Community.

The Federal Response Plan. The organizational structure and command and control architecture of the FRP should be simplified and streamlined, along the following lines:

- Change the focus of FEMA by renaming it the Federal Emergency *Operations* Agency (FEOA), responsible for planning, coordinating and *executing* all crisis and consequence management operations in CONUS. Make the director of FEOA a participating member of the National Security Council, on par with the DCI.

- Transform the FEOA headquarters into a standing Joint Task Force (JTF), composed of representatives of all FRP partners, and organized functionally along the lines of a joint military staff. Consolidate the twelve ESF into these functional areas, combining them where appropriate.

- Establish direct links between FEOA and a revitalized, refocused National Intelligence Community, in order to provide early warning of impending WMD threats. The byword here should be "preemption is the best response."

- Task FEOA with preparing and *exercising* contingency plans based on likely response scenarios, along the lines of CINC tasking in the Joint Strategic Capabilities Plan.

Military Support. The nature of the relationship between the United States military and the federal government has long been predicated on civilian control of the military apparatus. This honored and, to most Americans, cherished relationship should be maintained. However, it should be understood that the considerable capability inherent in DOD for short notice crisis response, especially following a WMD incident, practically guarantees the likelihood of military involvement. Because of this, primary military responsibility for domestic crisis response should lie within the National Guard.

With the above considerations in mind, the general officer assigned as DOMS should be a National Guard officer. The position should be made the primary responsibility for the officer assigned, not a dual-hatted position requiring focus of attention elsewhere. To further underscore the primacy of civilian control, DOMS should be moved into the standing FEOA JTF, to function as the DOD component of that headquarters. Additionally, to further clarify lines of responsibility, both crisis *and* consequence management activities should be consolidated within DOMS.

CONCLUSIONS

The 1996 Atlanta Olympics offered an excellent opportunity to lay the groundwork for the beginnings of a more effective

federal emergency response apparatus. Planning for the event lasted more than a year, eventually culminating in a massive coordination effort including all FRP partners and thousands of law enforcement officials. Over 14,000 military personnel of both the reserve and active components assisted in, among other things, providing support to security operations at over ninety-six venues at ten different locations in Georgia, Alabama, Florida, Tennessee and the District of Columbia. During the course of the games, DOD Emergency Ordinance Disposal (EOD) personnel responded to 490 calls regarding suspicious items found in various locations.

Despite the immensity of the overall security effort, which brought numerous complaints of over-tight security from among the 2,000,000 visitors, the event was marred by the explosion of a pipe bomb at Centennial Park, near the Olympic village, at 1:25 a.m. on July 27th. Two died and 113 were injured in the blast, which occurred in a crowded venue filled with late-night revelers.

Response to the attack was swift, partly due to an anonymous telephone call received at 1:08 a.m., warning of the impending attack. EOD personnel were actually enroute to the site when the bomb exploded. Local responders effectively evacuated all casualties to hospitals within forty-five minutes of the blast.

Because there was no visible evidence of any chemical agent associated with the bomb, the WMD consequence management response structure was not officially activated. Though chemical/biological incident response personnel were present and standing by within minutes after the blast occurred, there is no evidence indicating that security officials ever considered the possibility of *biological* contamination. Consequently, it was two hours before soil, shrapnel and textile samples were brought back to the Science and Technology Center laboratory for confirmation that, indeed no biological agents were present at the scene.[12] Despite the massive planning effort to ensure efficient crisis response, the oversight of security officials with respect to possible biological contamination underscores the continuing potential for disconnect between the multitude of agencies involved in the response plan.

It is a given that early warning, followed by preemption is the best defense against terrorist attack. Even the best intelligence system, however, cannot be expected to expose every threat to national security, and thereby aid in establishing the conditions for preemptive action. This is especially true when the threat is transnational and using asymmetric means to prosecute its plans, making it difficult to identify and defend against.

In the absence of early warning, it would seem that the only reasonable response to the problem of providing maximum protection for both the public at large and our national infrastructure lies in a truly efficient governmental response apparatus. That apparatus must be based on a standing framework that encompasses the case-by-case requirements of specific events. It must be a sustained, well-rehearsed effort, founded on a genuine desire to raise the level of knowledge and awareness of the general public with respect to the consequences of WMD attack, and not on the short-term, political motivations of the current administration.

The future threat will not afford us the luxury of years to prepare extensive plans based on known requirements. Only through *constant preparedness* will we be able to achieve the unity of effort and level of cooperation necessary to minimize the damage from WMD attack, and respond quickly and efficiently to save lives and property. If we, as a nation, do not effectively meet this new and uncomfortable challenge, we most assuredly will pay the price. *When*, not *if*, the attack comes, the question is whether we will have had the maturity and foresight to put aside our differences and work together to build effective responses to that challenge.

Word count: 5401

ENDNOTES

[1] William J. Clinton, A National Security Strategy for a New Century, (Washington, D.C.: U.S. Government Printing Office, October 1998), 19.

[2] Ibid., 2.

[3] Ibid.

[4] Federal Response Plan (For Public Law 93-288, As Amended), Section 501.(b).

[5] Clinton, A National Security Strategy for a New Century, 19.

[6] Ronald Reagan, Executive Order 12333, United States Intelligence Activities (The White House, December 4, 1981), 1.

[7] Ibid., Part 1.8(a).

[8] Ibid., Part 2.5.

[9] Ibid., Part 1.14(a).

[10] John F. Sopko, "The Changing Proliferation Threat," Foreign Policy, No. 105, Winter 1996-97, reprinted in entirety by the U.S. Army War College in Course 2 Core Curriculum, Vol. 5, august 1998, 342.

[11] *Canadian Security Intelligence Act*. Assented to June 28, 1984, Ottawa: Acts of the Parliament of Canada, 2d session, 32d parliament, 32-33, Elizabeth II, 1983-84, sects. 2,12 as cited in *On Course: National Security for the 1990s* (Ottawa: Minister of Supply and Services, 1991), 38.

[12] Chris Seiple, "Consequence Management: Domestic Response to Weapons of Mass Destruction," Parameters, Autumn 1997, 125.

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