

## **Needed from DHS: An Institutional Commitment to Change**

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The last thing the United States probably needs during the current period of uncertainty is an additional entitlement program, especially in a field that prevents catastrophic attacks on the U.S. homeland itself. In 2003, the Bush Administration released Homeland Security Presidential Directive-8 (HSPD8), which outlined the role of the U.S. Department of Homeland Security (DHS) in establishing national standards for disaster preparedness. Unfortunately, HSPD8 never gained much traction. In the eight years since it was released, DHS has done a meager job of adhering to any real standards, a deficiency that has left the nation vulnerable in its ability to prevent and recover from other attacks, and/or from natural disasters.

In accordance with its HSPD8 role, DHS released an Interim National Preparedness Goal in April 2005 and a Target Capabilities List (TCL) in September 2007. The TCL was to be the resource for states and local communities to use as a blueprint in applying for and receiving homeland security grants. Unfortunately, DHS failed to adequately use the TCL capabilities to drive grant funding, and that failure resulted in a haphazard pork-barrel approach to building the capabilities needed for the nation to be prepared.

After HSPD8 and TLC failed to make significant progress in upgrading the nation's preparedness, the Obama Administration in April 2011 released Presidential Policy Directive-8 (PPD8), which is intended to update and improve national preparedness policies. The directive's aim to emphasize capabilities-based planning deserves applause. But what the directive fails to do is recognize the work done during the previous eight years. For instance, there is no mention of the TCL, which is more or less the template for the PPD8. Attempting to recreate the wheel is not an effective use of resources (time and money).

Today, almost ten years after the 9/11 terrorist attacks, DHS is still unable to state with any degree of certainty the preparedness capabilities that now exist, where they exist, the level of those capabilities, and the remaining capability gaps that still need to be filled. As the Government Accountability Office stated in a March 2011 report, "[I]f the problems regarding preparedness grant applications and capabilities are not addressed ... [the Federal Emergency Management Agency] could spend billions of dollars without the ability to identify duplication of effort and prioritize the development and maintenance of the most important preparedness capabilities."

Since the 9/11 2001 terrorist attacks, DHS has allocated roughly \$40 billion in homeland security grants to various agencies and organizations across the nation.

But with no real accountability evident, DHS appears, to some, to be dedicated to primarily pork-barrel security.

Recently, through, DHS showed at least one sign of positive reform. Since the inception of the Urban Area Security Initiative (UASI) grant program, the number of cities eligible for UASI grants had more than doubled – from 30 to 63. This not fully documented, unexplained, and perhaps unjustified increase resulted in funding being spread too thinly, with many truly high-risk cities not receiving the funds needed to protect their citizens. In May 2011, DHS released the fiscal year 2011 allocations for UASI, which cut the number of eligible cities back to 31.

This development is undoubtedly a step in the right direction, but the problem is not limited to UASI grants. According to work carried out at The Heritage Foundation, one of the nation's largest public policy research organizations, recent budget requests allocate an estimated \$3.8 billion to a broad spectrum of demonstrably ineffective grant programs – including \$1 billion for State Homeland Security grants, \$2 billion for state preparedness programs, and \$670 million for the SAFER (Staffing for Adequate Fire and Emergency Response) and FIRE (Assistance to Firefighter) grant programs. DHS obviously should take a more pro-active role in reforming the entire grant system to prevent the needless spending of taxpayer dollars and ensure that these programs are actually making the nation more secure.

To accomplish the twin goal of being fiscally sound and making the nation more secure, individual states, cities, and other jurisdictions must be heard by DHS as and when – preferably beforehand – its funding policies are developed and approved. The current process – whereby DHS issues grant requirements and sets policy with little or no input from state and local governments – is simply not working. As Los Angeles County Sheriff Lee Baca has pointed out in a 20 September 2010 Heritage Foundation report [co-authored by Matt Mayer]:

“Given the wide array of 21st-century risks, this structure makes no sense since it disconnects those with the primary responsibilities, personnel, resources, and, most critically, experience from developing the policies under which they will have to work. If Americans want a truly national homeland security enterprise, they must empower the state and local governments that largely make up that enterprise to fully partake in it.”

DHS also must find a new way of allocating funds – with a greater use of cooperative agreements, to cite one already proven example. With cooperative agreements, the federal government and the states can sit down as equal partners and negotiate capability outcomes at the beginning of the process, and then direct funds to achieve those desired outcomes without the need for yearly applications and continued reviews. Allocating grants based on the rather subjective metric of “effectiveness” is, frankly, ineffective. For instance, from 2007 to 2008, the allocation of the funding provided to most of the cities receiving UASI grants decreased by exactly 3 percent – a result mathematically almost impossible if DHS had actually been using a

defensible formula based on effectiveness and improved capabilities rather than a pre-fixed percentage.

Given the fact that homeland security grants are meant to close capability gaps, not knowing the existing capabilities – or the location of those capabilities, and/or the capability gaps remaining – does an enormous disservice to the security of the nation as well as to American taxpayers. DHS should therefore, once and for all, conduct an independent and verifiable audit of all state and local agencies and organizations that have received homeland security funds in the past. Such an audit should be mandatory, in fact, to ascertain: (1) the capabilities bought or created with those funds; and (2) the remaining capabilities that still need to be created in the nation's highest-risk jurisdictions.

Whether it is through better use of the TCL or another capabilities-centric template, DHS must attain the transparency and accountability it has lacked thus far. The accompanying audit that also should be required cannot be another self-reporting – self-serving, some critics would say – exercise such as those used in the Cost to Capabilities Program or the National Incident Management System Compliance Assistance Support Tool. After the steps outlined here have been completed, future funding must focus primarily on the capability gaps in the highest-risk cities.

Finally, DHS must show its own institutional commitment to change by permanently setting the number of UASI-eligible cities. For one unexplained reason or another, DHS made a decision to decrease the number of UASI-eligible cities for the current fiscal year – but that decision could easily be changed again, many times, in future years. Congress itself should take whatever legislative action is needed to limit the number of urban areas eligible for the UASI grant program in any given fiscal year, and at the same time ensure that only the highest-risk jurisdictions receive the funds allocated. This change alone would improve public confidence that the federal government is finally kicking its pork-barrel funding habits.

DHS has taken the first step toward resolving the mismanagement and inefficiency problems associated with the homeland security grant process. That is an encouraging sign. The next step should be that the Obama Administration, working in close cooperation with Congress, begin to assess the current grant structure in its entirety and take whatever actions are needed to focus federal dollars exclusively on closing gaps in capabilities, thereby making the nation not only safer against terrorism but also much better prepared for any weather-related or other natural disasters as well. If progress is not made in fixing the current system, the country will remain in a compromised state.

Fortunately, there is no need to wait until another catastrophic attack occurs and an investigating commission once again documents the collective failures associated with it. What needs to be done has already been fully documented – and it is already past the time to “just do it.”

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