Bioterrorism and U.S. Domestic Preparedness: Bureaucratic Fragmentation and American Vulnerability

Christine C. Fry-Pierce, *Washington State University*
Paul E. Lenze Jr., *Northern Arizona University*

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Abstract

This article takes a closer look at the United States' domestic preparedness program. Beginning in the mid-1990s, the domestic preparedness program has served as the United States' disaster response and management option in the case of a biological or chemical weapons attack. In its early years, the program focused solely on chemical weapons, but eventually expanded to cover the threat of biological weapons as well. The program, however, is fragmented, leaving authority in the hands of over a dozen different agencies. This leaves the authorities, capabilities, and resources needed to effectively implement the program divided across multiple bureaucracies. In addition, the program is essentially made up of a series of legislative initiatives, causing it to be desperately uncoordinated. Given this organizational fragmentation, we ask: does the domestic preparedness program really prepare the United States for a biological weapons attack?

In June 2001, the Johns Hopkins Center for Civilian Biodefense Strategies, the Center for Strategic and International Studies, the Analytic Services Institute for Homeland Security, and the Oklahoma National Memorial Institute for the Prevention of Terrorism held a tabletop exercise titled "Dark Winter." Using a simulated covert smallpox attack of conservative communicability levels, the exercise demonstrated the extensive lack of preparedness within the United States for a biological terrorist attack. [1]

This exercise, conducted only months before the 9/11 attacks, raised the level of awareness regarding U.S. policymakers experience dealing with domestic biological terrorism. This article will explore the history of the United States' Domestic Preparedness program as it pertains to biological weapons to provide a realistic picture of U.S. levels of preparedness. In analyzing the program's history and structure we will use Bureaucratic Politics and Crisis Management theories to evaluate the current Domestic Preparedness program and propose solutions to create a more fortified domestic preparedness strategy for the future.

Bureaucratic Politics & Crisis Management

The study of bureaucratic politics has been a focus of scholars for many years, dating back to the time of Max Weber and Woodrow Wilson. It has only been within the last 50 years, however, with the need to find alternative explanations for state behavior in international relations, that bureaucratic politics has become an acceptable explanatory variable. In public administration, bureaucratic politics sees policymaking as a pluralistic endeavor with multiple stakeholders—be it organizations or individuals, each vying to have their say. [2]

Today, scholars are still wrestling with how to use bureaucratic politics as an explanatory variable because "international relations scholars have tended to treat bureaucratic politics as an invariant feature of the foreign policy process instead of as a contingent phenomenon whose form and intensity vary across situations, policy domains, and national administrative systems." [3] Accordingly, scholars sought to study bureaucratic politics as a dependent variable. One example is Rosati (1981), who examines both the decision structure and the decision context. The decision structure is defined as the degree of top-level involvement in the decision-making process and the decision context is the

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[1] O'Toole, Tara, Michael Mair, Thomas V. Inglesby. (2002). "Shining Light on 'Dark Winter'". *Clinical Infectious Diseases*, 34.7, pp. 972-983.
[2] Uriel Rosenthal, Paul 't Hart, and Alexander Kouzmin (1991), "The Bureau-Politics of Crisis-Management, *Public Administration*, vol. 69, Summer, p. 211-232.
[3] Thomas Preston and Paul 't Hart, (1999), "Understanding and Evaluating Bureaucratic Politics: The Nexus Between Political Leaders and Advisory Systems," *Political Psychology*, vol. 20.1, p. 55.

critical and non-critical nature of the issue in the broader external setting. As a result, Rosati (1981) hypothesizes that bureaucratic politics will most likely emerge in middle-range issues. Here, moderate issue salience causes executive involvement to be low and many bureaucratic actors enter the decision-making arena.[4]

Moreover, the ubiquity of bureaucratic politics raises complex normative questions about the "legitimation and distribution of bureaucratic power in the administrative system".[5] These questions have been raised frequently in public administration and often refer to studies of actors' motivations based on Miles' law. In foreign policy and by extension, homeland security, bureaucratic politics is often described as a one-dimensional battle for power at the executive level whereby "[o]ne may, at best, respect the crafty gamesmanship of certain players, but underneath there is a fundamental unease with the idea of bureaucrats operating in self-consciously political ways"[6] Moreover, policymaking is also a goal-seeking activity and in policymaking values and goals are viewed through diverging interpretations.[7]

Preston and 't Hart (1999) sought to marry these two interpretations by providing an empirical and normative conceptualization of bureaucratic politics. They take into account the structure of the policymaking arena as well as the policymaking process in their development of an operational definition of bureaucratic politics. Bureaucratic politics has six key features:

1. There are multiple bureaucratic actors in the policymaking arena (structure).
2. These actors have diverging and conflicting interests, and they are involved in multiple-n game contexts with one another, requiring cooperation in areas of disagreement because of the necessity for future policy interaction (structure).
3. Power relationships between these actors are diffuse; for example, some institutional, bureaucratic, or inner-circle actors are more powerful than other actors in certain policy contexts, and not as powerful in others (structure).
4. Interaction is characterized by continuous "pulling and hauling" and bargaining between (clusters of) actors (process).

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[4] Ibid.

[5] Ibid.

[6] Thomas Preston and Paul 't Hart, (1999), "Understanding and Evaluating Bureaucratic Politics: The Nexus Between Political Leaders and Advisory Systems," *Political Psychology*, vol. 20.1, p. 55.

[7] Ibid.

5. Decisions are reached by bargaining, coalition formation, and compromise building between different parties (process).
6. Decisions outcomes tend to be sensitive to temporal slippage (e.g., time gaps and delays between decision-making and actual implementation) and content slippage (e.g. post-decisional modification of the content of the policy) (process).[8]

Throughout the decision-making process, each of these features occurs at varying times and intensity. Thus, Preston and 't Hart (1999) argue that bureaucratic politics can be viewed as a continuum. On one end, bureaucratic politics can be viewed as bureaucratic consensus seeking—consisting of low intensity, with relatively few players whose views and interests differ only gradually, bargaining toward consensus within a closed policy arena featuring clear rules of the game and a relatively transparent power structure.[9] On the other end of the continuum, is bureaucratic confrontation—there are many players vigorously pushing and hauling their parochial viewpoints in a "relatively open and ill-structured constellation of forces".[10]

This conceptualization of bureaucratic politics offers a useful framework to discuss domestic preparedness. As discussed above, there are multiple actors who have a stake in the Domestic Preparedness Program—a program whose primary purpose is to defend our country against crises such as a WMD attack. Therefore, it is useful to examine the crisis management literature to offer additional insight into the bureaupolitics of the Domestic Preparedness Program.

Crises are focusing events that turn attention to a policy failure or policy problem.[11] During crises, the public "look(s) at their leaders: presidents and mayors, local politicians and elected administrators, public managers and top civil servants….to avert the threat or at least minimize the damage of the crisis at hand."[12] This is crisis management. As Arjen Boin, Paul 't Hart, Eric Stern, and Bengt Sundelius (2005) argue, "….[P]olicymakers must supervise operational aspects of the crisis management operation, communicate with stakeholders, discover what went wrong, account for their actions, initiate ways of improvement, and (re)establish a sense of normalcy. The notion 'crisis management'…is therefore shorthand for a set of interrelated and extraordinary governance challenges."[13]

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[8] Ibid

[9] Ibid

[10] Ibid

[11] John W. Kingdon. (1995). *Agendas, Alternatives, and Public Policies*, 2nd edition. New York: Harper Collins, 94-100.

[12] Arjen Boin, Paul 't Hart, Eric Stern, and Bengt Sundelius. *The Politics of Crisis Management*. Cambridge University Press, 2005, p 1.

[13] Ibid.

Accordingly, leadership plays a significant role in crisis management. Crisis leadership involves five critical tasks: sense making, decision making, meaning making, terminating and learning to understand the political dimensions inherent in crisis management.[14] In sense making, leaders must appraise a threat and decipher the crisis from "vague, ambivalent, and contradictory signals".[15] Crisis decision making is made at multiple levels and requires interagency and intergovernmental coordination "….of many different groups or agencies involved in the implementation of crisis decisions; these organizations are all under the pressure to adapt rapidly and effectively"[16] In a crisis, leaders are supposed to reduce uncertainty, inform the public what is going on, and what response is needed. In other words, leaders "impute 'meaning' to the unfolding crisis in such a way that their efforts to manage it are enhanced."[17] Crisis termination is a process whereby emergency is shifted back to the routine while simultaneously taking account of what has happened.[18] Finally, leaders must learn from crises. As Boin et. al. argue, "The crisis experience offers a reservoir of potential lessons for contingency planning and training for future crisis."[19]

In addition to studying the role of leadership in crisis management, a bureaupolitics approach is used to understand the interagency tensions that exist in the planning, response, and post-crisis stages of crisis management.[20] Bureaupolitics in crisis management, according to Rosenthal, et. al. (1991), has four causes: First, in crisis situations government leaders and agencies do not lose interest in the ranking order of power and prestige. Second, government leaders and agencies are aware and may anticipate the re-allocation of personnel and budgetary resources after the crisis based on their performance during the crisis. Third, bureaupolitics could result from leaders and agencies who have not worked together. Fourth, in a crisis, bureaupolitics may flourish because all parties involved are convinced they are making a positive contribution to the public cause."[21]

Bureaupolitics is an ever-present force in crisis management, and the Domestic Preparedness Program is not exempt from its influence. To better understand its impact on our national security, we now turn to an examination of bureaupolitics present in U.S. domestic preparedness. This examination will

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[14] Arjen Boin, Paul 't Hart, Eric Stern, and Bengt Sundelius. *The Politics of Crisis Management*. Cambridge University Press, 2005, p 1.
[15] Ibid.
[16] Ibid
[17] Ibid
[18] Ibid
[19] Ibid
[20] Uriel Rosenthal, Paul 't Hart, and Alexander Kouzmin (1991), "The Bureau-Politics of Crisis-Management, *Public Administration*, vol. 69, Summer, p. 211-232.
[21] Ibid

highlight fragmentation in the program and the potentially deadly consequences of a biological terrorist attack.

History of the U.S. Domestic Preparedness Program

The United States' Domestic Preparedness program began following a series of high profile terrorist attacks in the early 1990s, including the 1993 World Trade Center bombing, the 1995 nerve gas attack in the Tokyo subway, and the 1995 bombing of the Oklahoma City federal building.[22] These three incidents, occurring within a two-year span, created intense interest in terrorism and a growing concern about the threat that terrorism posed to the American people. Following the Oklahoma City bombing in 1995, the White House issued presidential decision directive 39 (PDD-39), which called for increased federal agency efforts in terrorism preparedness, but did not provide any funding outside the agencies' existing budgets to do so.[23] This directive did little more than demonstrate a growing awareness by the Administration of the threat posed by terrorism.

First responders, Congress, and the Defense Department took much more decisive steps than the executive branch in creating practical policy initiatives. Following the Tokyo subway attacks, the U.S. Marine Corps created the Chemical and Biological Incident Response Force (CBIRF), which consolidated the bulk of USMC's existing chemical and biological defense capabilities into a single unit.[24] Around this same time, first responders from New York City and Washington, D.C. began to advocate for better equipment and training.[25]

Following the push towards greater preparedness on the domestic front, Congress passed the Defense against Weapons of Mass Destruction Act of 1996, better known as the Nunn-Lugar-Domenici amendment. This legislation made $100 million available in FY 1997 for training for federal, state, and local personnel, regarding emergency response to weapons of mass destruction.[26] While this program was originally established within the Department of Defense, the act contained a provision allowing the president to transfer the program to

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[22] Falkenrath, Richard. (2001). "Problems of Preparedness: U.S. Readiness for a Domestic Terrorist Attack." *International Security*, 25.4, pp. 147-186.

[23] Falkenrath, Richard. (2001). "Problems with Preparedness: U.S. Readiness for a Domestic Terrorist Attack." *International Security*, 25.4, pp. 147-186.

[24] For more information on CBIRF, see "Chemical/Biological Incident Response Force," http://www.maxwell.af.mil/au/awc/awcgate/CBIRF/cbirf.htm

[25] Falkenrath, Richard. (2001). "Problems of Preparedness: U.S. Readiness for a Domestic Terrorist Attack." *International Security*, 25.4, pp. 147-186.

[26] The Defense against Weapons of Mass Destruction Act was part of the FY 1997 defense authorization act signed on September 23, 1996, P.L. 104-201. Falkenrath, Richard.

another federal agency in two years.[27] When the legislation was written, most assumed that FEMA would take over the agency when the two-year time period was up. When the time came, however, FEMA choose not to take over the program for budgetary reasons. FEMA's budget was significantly smaller than DOD's and they feared that if they accepted responsibility for the program, they would not receive the resources necessary to implement it.[28]

FEMA's refusal to take over the program meant that the agency only played a minor role in the Domestic Preparedness Program and that the domestic preparedness program did not have a home for most of 1997-1998. In 1999, the Clinton Administration transferred authority for the program to the Department of Justice.[29] The DOJ had played a central role in U.S. counterterrorism efforts with the FBI serving as the lead agency for crisis management of terrorist incidents. The FBI and the DOJ had the ability to investigate and prosecute crimes, but they do not have the ability to provide technical and financial assistance to state and local agencies, which further complicates the fragmentation of authority.

In FY 1997, the National Institute of Justice, an arm of DOJ, which supports state and local law enforcement agencies, received a Congressional earmark of $10 million to develop new counterterrorism technologies.[30] During this same time the Bureau of Justice Assistance began a training program to equip emergency service personnel to handle mass disasters and, the following year, Congress gave $17 million for a new program called the Special Equipment and Training Grant Program, which was implemented by the DOJ. In order to implement this program, however, the DOJ had to establish the Office of State and Local Domestic Preparedness Support, which had an identical mission to that of the Nunn-Lugar-Domenici program.[31] Also during the late 1990s, the FBI increased its counterterrorism efforts by investing in specialized capabilities like Hazardous Materials Response Unit and enhancing their analytical capabilities for nuclear, biological, and chemical weapons. In 1998, they even created the National Domestic Preparedness Office (NDPO) within the FBI.[32] The goal of NDPO was to provide a single contact point for state and local agencies who were

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[27] Falkenrath, Richard. (2001). "Problems of Preparedness: U.S. Readiness for a Domestic Terrorist Attack." *International Security,* 25.4, pp. 147-186.

[28] Ibid

[29] Office of the White House Press Secretary, *Memorandum on Emergency Response Assistance Program,* "Subject: Designation of the Attorney General as the Lead Official for the Emergency Response Assistance Program under Sections 1412 and 1415 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201)," April 6, 2000, http://www.pub.whitehouse.gove/uri-res/I2R?urn:pdi//oma.eop.gov.us/2000/4/7/7.text.2.

[30] Falkenrath, Richard. (2001). "Problems of Preparedness: U.S. Readiness for a Domestic Terrorist Attack." *International Security,* 25.4, pp. 147-186.

[31] Ibid

[32] Ibid

seeking federal preparedness assistance. NDPO failed, however, largely due to a lack of Congressional funding.

In addition to the bureaucratic posturing and apparent focus on WMD preparedness, the Defense Science Board (DSB) examined the DOD's role in domestic preparedness and suggested that the National Guard would be best-suited for WMD civilian support.[33] The creation of National Guard teams for WMD support and the DOD's Joint Task Force Civilian Support helped redefine the role of domestic preparedness and meant that the DOD would no longer provide training and equipment for civilian responders within the DOJ programs. Instead, they would develop and maintain specialized domestic response capabilities.[34]

As the fragmentation within the domestic preparedness structure increased, experts became more vocal in their criticism. They attacked the program for duplication, poor coordination, incoherence, and unclear or incorrect priorities.[35] One of the largest points of confusion was the almost non-existent role played by FEMA. Many of these problems were caused by the ad hoc nature of the program, which meant that the executive branch had no authority to coordinate the program as a whole. In 1998, the White House finally did take some initiative, however, by issuing PDD-62, which upgraded and enlarged the National Security Council's (NSC) responsibility for coordinating federal counterterrorism, domestic preparedness, and critical infrastructure protection programs. The NSC still had no authority over budgets or programs, but gave a sense of national cohesion and helped direct greater effort towards the threat of biological weapons.

Since its fragmented construction, the U.S. Domestic Preparedness Program has been strongly criticized for its redundancy, lack of coordination, and lack of a clear mission.[36] Many of these issues are due to its ad hoc beginnings and its fragmented authority and funding structure. These weaknesses received renewed attention in 2001, occasioning the creation of a new government agency, the Department of Homeland Security to oversee domestic preparedness.

September 11, 2001 is the largest terrorist attack on the American homeland in United States history. It shocked the country and made us realize that we are not as safe as we like to believe. Shortly after the attacks of 9/11 there was another high profile terrorist incident, this time involving biological weapons. This heightened threat level promoted the creation of the Department of

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[33] Defense Science Board, *DoD Responses to Transnational Threats* (Washington, D.C.: GPO, 1997).

[34] Falkenrath, Rickard. (2001). "Problems of Preparedness: U.S. Readiness for a Domestic Terrorist Attack." *International Security,* 25.4, pp. 147-186.

[35] Ibid

[36] Ibid

Homeland Security (DHS) and an effort to strengthen the United States' preparedness capabilities.

In December 2003, Homeland Security Presidential Directive-8 (HSPD-8) directed the Secretary of Homeland Security to develop a national domestic preparedness goal.[37] In September 2007, DHS finally released *National Preparedness Guidelines*, which contained four critical elements. The first element was the National Preparedness Vision, which provides a statement of the core preparedness goal for the nation. The second element of the *Guidelines* is the National Planning Scenarios. These scenarios depict a diverse set of "high-consequence" threat scenarios of both potential terrorist attacks and natural disasters. This contains fifteen different scenarios designed to facilitate planning for homeland security preparedness at all levels of government and the private sector. The third element is the Universal Task List, which contains approximately 1,600 unique tasks that can "facilitate efforts to prevent, protect against, respond to, and recover from the major events that are represented by the National Planning Scenarios."[38] The fourth and final element of the National Preparedness Guidelines is the Target Capabilities List. This list defines 37 capabilities that communities, the private sector, and all levels of government must collectively possess in order to respond to disasters effectively.[39] These Guidelines involve more than 1,500 federal, state, and local officials, and over 120 national organizations, yet it is unclear whether it solves the problems of fragmentation within the domestic preparedness program.

The Guidelines rely heavily on a calculation of threat, vulnerability, and consequence for specific regions to help determine the exact design of disaster preparedness for that area. They outline ways to expand regional collaboration, identification of national priorities, and strengthen communication capabilities. These Guidelines also work to establish a hierarchy of command in cases of domestic terrorist attacks. The Guidelines, however, still must be implemented over time through a wide range of preparedness programs and activities. The DHS must work with a variety of other homeland security-like agencies to implement the suggestions and there is no expanded funding or financial support attached to the implementation of the Guidelines.

The National Preparedness Guidelines did create new agencies designed to provide readiness training and information—the Urban Areas Security Initiative, the Emergency Management Assistance Compact, the Cities Readiness Initiative, the Intelligence and Information Sharing and Dissemination, the Information Sharing Environment, the Office of Emergency Communications, and dozens of

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[37] U.S. Department of Homeland Security. "National Preparedness Guidelines." September 2007.
[38] Ibid
[39] Ibid

others.[40] While this was a well-intentioned attempt to fill in the gaps in the domestic preparedness plan, it only served to add more actors and agencies to an already overly complicated preparedness structure.

The most recent development regarding Domestic Preparedness is Presidential Policy Directive-8 (PPD-8), which was put forth by the Obama Administration on March 30, 2011. This directive is aimed specifically at systematically increasing the United States national preparedness for acts of terrorism, cyber attacks, pandemics, and natural disasters.[41] PPD-8 stipulates that within 120 days of the release of the directive, the Secretary of Homeland Security will develop and submit a national preparedness goal that is informed by specific risks and vulnerabilities. This developed goal will also include objectives that can help mitigate and reduce these risks and vulnerabilities.[42] As the most recent development in United States Domestic Preparedness, PPD-8 takes a step in the right direction by working to identify threats and develop an integrated system to mitigate the risks posed by those threats.

Despite the recent potential progress made with the announcement of PPD-8, many changes made after 9/11 only increased the fragmentation in the domestic preparedness program and have done even less to help the nation prepare for a biological weapons attack. One of the main challenges posed by biological weapons is the difficulty in detecting an outbreak and need for an increased index of diseases, which would allow for symptoms to be recognized earlier.[43] None of these issues have yet to be addressed in the changes made to the domestic preparedness program after 9/11.

Domestic Preparedness Moving Forward

The first, and arguably the largest problem with the domestic preparedness program is that it has—for the most part—failed to address the threat of biological terrorism. Though some argue that biological terrorism is not an eminent threat, history has proven otherwise. The anthrax attacks of 2001 demonstrated that the United States is not immune to the threat of biological attack. The 2001 attack resulted in 21 cases of anthrax contamination and several deaths. This is just one example of biological weapons usage, but they have been used for centuries because of their low cost of production, ease of transmission, and difficulty to detect. In addition, biological terrorism can be particularly difficult to prepare for

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[40] Department of Homeland Security. "National Preparedness Guidelines." September 2007.
[41] Department of Homeland Security. "Presidential Policy Directive/ PPD-8: National Preparedensess." March 2011.
[42] Ibid
[43] Leggiadro, Robert J., MD. (2000). "The Threat of Biological Terrorism: A Public Health and Infection Control Reality." Infection Control and Hospital Epidemiology 21.1, pp. 53-56

in the public policy arena because "inputs to biological weapons are inherently 'dual-use'…The same equipment used to produce beer, for example, could be used to produce biological agents."[44] To be effective, federal, state, and local governments must understand the restrictions and find the best ways to protect the public.

If the United States is to have a completely effective domestic preparedness policy there are several elements that must be changed. The first is to transform our policy into one of preparedness instead of reactiveness. The second is to develop leadership in the area of domestic preparedness. The third, though along the same vein as the second, is to create a centralized department under which all domestic preparedness elements falls. This will help do away with the fragmentation issues and the lack of leadership. The final element that must be changed to create an effective domestic preparedness program is greater intergovernmental communication as, currently, authority for many elements of the domestic preparedness program fall under a host of different state, local, and federal agencies. Even if authority was centralized under one federal department, intergovernmental communication would remain a vital element to proper preparedness and response. We now address each element in turn to offer prescriptions for a more effective domestic preparedness policy.

Preparedness Instead of Reactiveness

All of the United States preparedness programs—biological, chemical, nuclear, or otherwise—are reactive in nature. As a nation, we are always fighting the last war and, therefore, are never really prepared for the next. For example, we have significantly heightened our security at airports following the 9/11 attacks and have implemented a law mandating passports to travel between the United States and Canada, but we have not addressed the serious security failings of our seaports. Because there has not yet been an incident at our ports, it has not become a top priority for policy-makers.

In order to create a greater domestic preparedness system, we must look towards the future to recognize what the threats of today and tomorrow may be. This is not an easy task, as it requires recognizing and preparing for the unimaginable. Before 9/11, few Americans would have thought that terrorists hijacking an aircraft and crashing it into the World Trade Center was a viable threat, but that is exactly what happened. To prevent such tragedies in the future we need to think more like the terrorists we are fighting. Once something has been tried it will likely not be tried again. We need to analyze our areas of national security and find the most likely places for terrorist to target next—such

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[44] Stern, Jessica (2003). *Terror in the Name of God: Why Religious Militants Kill.* NY: HarperCollins Publishers.

as our sea ports or our subway systems. The lack of security at ports (with approximately 1% of cargo being inspected) makes it a perfect environment to move nuclear, chemical, or biological weapons into the country. Additionally, our subway and metro systems, particularly throughout the Northeast, make an excellent target for an aerosol biological attack because the wind from the moving cars would push the disease throughout the transportation system. Moving away from reactiveness will require us to step outside our metaphorical boxes and imagine the unimaginable.

To accomplish this we must use our resources, such as terrorism experts, disease experts, and economic experts and take seriously their prognosis of what the greatest threats to the United States are and will be. They can give us information about vulnerable infrastructures and economic systems that will help us understand the most vital places to put our limited resources. This will require taking risks and providing funding for crises that haven't happened yet, an often difficult task for policy-makers to justify to their constituents. However, this is the only way that we will be prepared for the next attack instead of being reactive to it. As Kettl notes, "It is hard for responders to plan a response without closely coordinating their work with the officials analyzing the threats. It is even harder to develop the critical close partnerships among all the participants if there are artificial dividing lines between preparedness and response."[45] Thus, to address this "'deficiency of federalism'" we need to build organizations that are nimble and "….can rise to the challenges of the problems we face."[46]

Centralized Organization

The most severe problem with the current domestic preparedness program is its lack of centralized authority. As previously mentioned, because each portion of the program was created by separate legislation, agencies only have leadership and funding authority over small portions of the program. This creates an inefficient, duplicated, and fragmented program. The lack of coordination within the various elements will make it nearly impossible to have an effective response if the United States is ever the subject of a significant bioterrorism attack.

This is not a problem that can be solved easily, but there is an established agency that would be best suited for taking on the duties of domestic preparedness authority. The Department of Homeland Security, created after the 9/11 terrorist attacks, is tasked specifically with protecting the American homeland. Although it can be argued that DHS has its own coordination issues, it is the most effective place to bring all of the elements of the current domestic preparedness program

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[45] Kettl, Donald F. (2007). *System Under Stress: Homeland Security and American Politics: Second Edition*. Washington, D.C.: CQ Press., p. 78-9.
[46] Ibid

together. DHS already has departments and programs in: analyzing and sharing information; protecting infrastructure, aviation security, chemical security, law enforcement, and more. They also have 13 different organizations that focus specifically on different areas of preparedness, including FEMA. If we are to have an effective domestic preparedness program, FEMA will have to take a significantly larger role.

FEMA is our government's Federal Emergency Management Agency—as the name implies—and already has established lines of communication and command spanning state, local, and federal governments. The United States must take advantage of this existing structure. Additionally, FEMA's mission is to respond to federal emergencies, under which a biological attack would fall. Without FEMA taking up a larger management role, the Domestic Preparedness Program will have a difficult time meeting its full preparedness and response potential.

Centralizing the Domestic Preparedness Program under the Department of Homeland Security and giving FEMA a role in the program are the best chance for the United States to have a strong preparedness policy with all of the military and financial backing it would need to be effective. There also needs to be a biological security division added under DHS to prepare for threats that extend beyond chemical and aviation security, as there is currently no portion of DHS dedicated solely to the threat of bioterrorism. Without this element of centralization of authority, the United States cannot have maximum effectiveness in our domestic preparedness program.

Thus, in order to achieve maximum effectiveness, improved leadership is needed within government agencies. Leaders in crises need to be able to make sense of events, and make decisions to coordinate response. As Boin, et. al. argues "To be sure, planning the organization of crisis decision-making and implementation can benefit the effectiveness of crisis management efforts. The secret lies in the planning *process*: by working on response issues, participants become sensitive to problems that may emerge during a crisis."[47] This additional planning allows leaders in one agency to understand the needs of leaders in other agencies within Homeland Security. Ideally, a leader is someone who will "establish partnerships among the players: to define the mission that had to be met; to identify the contributions of each organization to that mission; and to motivate everyone to contribute their part"[48] This is known as creating unity of effort.

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[47] Arjen Boin, Paul 't Hart, Eric Stern, and Bengt Sundelius. *The Politics of Crisis Management.* Cambridge University Press, 2005, p 1.
[48] Kettl, Donald F. (2007). *System Under Stress: Homeland Security and American Politics: Second Edition.* Washington, D.C.: CQ Press., p. 78-9.

Intergovernmental Communication & Response

Following the 9/11 terrorist attacks, one of the biggest criticisms was the lack of coordination and communication between agencies. Even if the program was consolidated under a centralized authority, the process could not be effectively managed without better intergovernmental and intra-agency communication. As Donald Kettl argues:

> The key to an effective homeland security system is, in fact, connecting the dots—ensuring strong coordination among those responsible for prevention and those charged with response. No single agency, no single level of government—indeed, no government itself, without the active partnership of its citizens—can hope to forestall attack. Should an attack occur, no one agency, level of government—or even government itself—can adequately respond. Homeland security is, indeed, at its core a problem of coordination.[49]

Therefore, an important necessity in reforming domestic preparedness is communication between federal, state, and local government particularly with first responders.

In any attack, first responders, as the name implies, are the first on the scene and every effort must be done to ensure the free flow of information. In many cities and counties in the U.S., as analyst Stephen Flynn notes, "….[T[here is no interoperable communications system to facilitate police, fire departments, and county, state, regional, and federal response personnel communicating with one another during a major emergency."[50] Moreover, there is a lack of communication equipment for first responders to have secure communications with county, state, and federal emergency preparedness officials as well as National Guard leaders.[51] A 2003 Council on Foreign Relations report declared that funding for emergency responders at all levels was vastly underfunded and the funds that were allocated "were sidetracked and stalled due to a politicized appropriations process, the slow distribution of funds by federal agencies, and bureaucratic red tape at all levels of government, according to GAO reports."[52]

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[49] Ibid

[50] Stephen Flynn. (2005). *America the Vulnerable: How Our Government is Failing to Protect Us from Terrorism*. New York: Harper Perennial, 127.

[51] Ibid

[52] Charles Perrow (2007). *The Next Catastrophe: Reducing Our Vulnerabilities to Natural, Industrial, and Terrorist Disasters*. Princeton: Princeton University Press, 98-9.

Also, the use of the National Guard poses an important dilemma for intergovernmental cooperation. The National Guard is commanded by state governors unless called up for federal service. As Frances E. Winslow argues, "[T]he WMD/NBC mission was announced by federal authorities without consultation with state organizations responsible for the Guard. While Guard units are actively seeking missions in the post-Cold War era, the WMD/NBC mission may not be a good use of the $49 million being assigned"[53] Winslow wrote the above statement prior to 9/11, and could not have taken into account the economic, political, and emotional impact resulting from multiple deployments in the War on Terror to Iraq and Afghanistan. As a result of the wars, the multiple deployments of six months or more left the National Guard's state duties strained with limited troops and equipment available, as was evidenced in the aftermath of Hurricane Katrina in 2005.[54]

Most importantly, if the program were to be centralized underneath the Department of Homeland Security it would require effective and efficient intra-agency communication to ensure that the process is better managed than before it was centralized. Without the establishment of a hierarchy and reporting structure within the, what would be, newly expanded DHS, the fragmentation would most likely continue. To be most effective there would need to be a department focused solely on the threat of biological weapons, as mentioned earlier. Within this department there would need to be individuals that reported directly to: the Transportation Security Administration; U.S. Customs and Border Protection; U.S. Citizenship and Immigration Services; U.S. Immigration and Customs Enforcement; FEMA; and the U.S. Coast Guard. In turn, there would need to be specialists within each of these aforementioned organizations that would report directly to the Office of the Secretary of Homeland Security. This specialization in biosecurity and biological threats, combined with high-level access, would allow for the Domestic Preparedness Program to be better managed.

Conclusion

From its inception, the U.S. Domestic Preparedness Program was strongly criticized for its redundancy, lack of coordination, and absence of a clear mission. The current fragmented and uncoordinated system is piecemeal at best with many areas of authority lacking funding or the physical ability to carry out their duties. Duplication of programs in several areas also added to the confusion. The threat

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[53] Frances E. Winslow, (2001), "Planning for Weapons of Mass Destruction/Nuclear, Bilogical, and Chemical Agents: A Local/Federal Partnership", *Handbook of Crisis and Emergency Management,*, ed. Ali Farazmand, New York & Basel: Marcel Dekker, Inc., p. 688.
[54] Kettl, Donald F. (2007). *System Under Stress: Homeland Security and American Politics: Second Edition*. Washington, D.C.: CQ Press., p. 78-9.

of biological terrorism is real and becoming an even greater threat with our increasingly globalized world. The United States must recognize this threat and commit to making the necessary changes to truly protect our population.

Unfortunately, domestic preparedness today is a crisis in the making. However, we have the ability to be proactive instead of reactive to this threat, but it will require a substantial overhaul of our current preparedness policy. The fragmentation currently present in the program, the disparate number of actors and agencies involved is a bureaucratic problem that can be remedied if preparedness is emphasized through a centralization of the Domestic Preparedness Program into the Department of Homeland Security.

DHS offers the opportunity for greater leadership and intergovernmental cooperation between the federal, state, and local levels of government regarding biological weapons. The establishment of a department whose sole focus is on the threat of biological weapons would pool the knowledge and expertise of a number of different agencies responsible for security and disaster response. Furthermore, centralization affords leaders opportunities for inter-agency coordination and cooperation taking advantage of lessons learned to create unity of effort and, ultimately, effective domestic preparedness.

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