

Contact: [Chris Logan](#)
Program Director
Homeland Security and Technology
202/624-5379

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2007 State Homeland Security Directors Survey

Executive Summary

Since 2004, the National Governors Association Center for Best Practices (NGA Center) has tracked the states' progress in developing homeland security structures and programs through an annual survey of state homeland security officials. The 2007 survey, conducted from August to September 2007, retained many of the questions and metrics included in previous surveys in order to provide clear comparisons and opportunities to measure progress over the three years since the first survey.

For the 2007 survey, the NGA Center polled the 56 state and territorial homeland security advisors who, collectively, comprise the Governors Homeland Security Advisors Council. The survey results reflect the participation of roughly 80 percent of those officials; that is, 44 state homeland security officials completed the survey either in whole or in part, although the response rate for some questions was less than the full 80 percent.

This year's survey shows that the top five priorities for states in 2007 were, in order:

- Developing interoperable communications;
- Coordinating state and local efforts;
- Protecting critical infrastructure;
- Developing state fusion centers; and
- Strengthening citizen preparedness.

These priorities have remained stable for several survey years. The survey also revealed that:

- States continue to report unsatisfactory progress in their relationship with the federal government, specifically with the Department of Homeland Security (DHS);
- In the view of the states, federal homeland security grant programs are not adequately funded and do not strike an adequate balance among preparedness, prevention, response, and recovery;
- The majority of states said DHS should coordinate policies with the states prior to the release or implementation of those policies;
- States need federal funding to support personnel to implement and sustain initiatives that are national in scope but that are carried out locally;
- Federal agencies should coordinate their security clearances to ensure that a clearance issued by one agency is recognized by other agencies;
- Only about one-third of states have at least 75 percent of their National Guard forces available to respond to a natural or manmade disaster; and

- More than half the states have “significantly” involved local governments in the development of strategic plans, including grant funding allocation plans.

Introduction

Six years on from the terrorist attacks that launched the nation’s drive for improved security and preparedness, we can no longer label the states’ homeland security efforts as “nascent.” They are more accurately characterized as being in a state of ongoing evolution, as priorities, directives, and guidance from the federal government continue to affect structures, focus, and operations at the state—and local—levels.

Since 2004, the National Governors Association Center for Best Practices (NGA Center) has tracked the states’ progress in developing homeland security structures and programs and gauged the status of their relationship with federal agencies, primarily the Department of Homeland Security (DHS), through an annual survey of state homeland security officials.

The first survey, conducted in 2004, asked state homeland security advisors to describe their progress in five major areas of homeland security: structure, strategy, and governance; preparedness; coordination; communication; and information and intelligence. That survey, the results of which were published in January 2005, concluded that:

- All states had established statewide emergency operations centers;
- Most had designed exercises to train first responders and identify weaknesses in agency response plans;
- Most had focused at least some attention on bioterrorism preparedness and had reviewed or amended quarantine and isolation laws and policies; and
- The majority had developed mutual assistance agreements with neighboring states for sharing National Guard resources, equipment, and personnel.

In late 2005 and early 2006, the NGA polled the state homeland security advisors again. That survey reflected what by then had become a more mature policy area, in that shared priorities had begun to emerge across the states. The survey delved more deeply into the structure of homeland security operations at the state level; asked more detailed questions about the relationship between the states and DHS; and included new sections on states’ experience with various federal grant programs, guidance documents, and strategies. The 2005/2006 survey, published in April 2006, found that:

- Top priorities among state officials had remained relatively stable, although the 2005 hurricane season had propelled natural disaster preparedness to near the top of their list of concerns;
- States remained concerned about their lack of input into federal policy development;
- Many state National Guard forces were struggling with multiple demands that diminished their ability to respond effectively to emergencies; and
- State homeland security officials were generally dissatisfied with the specificity and actionable quality of intelligence received from the federal government.

For its 2007 survey, the NGA Center kept in place many of the questions and metrics used in the 2006 survey in order to provide clear comparisons and opportunities to measure progress over that time period. In some cases, based on ongoing research and contacts with state homeland security officials, questions that no longer had resonance or applicability with the states were

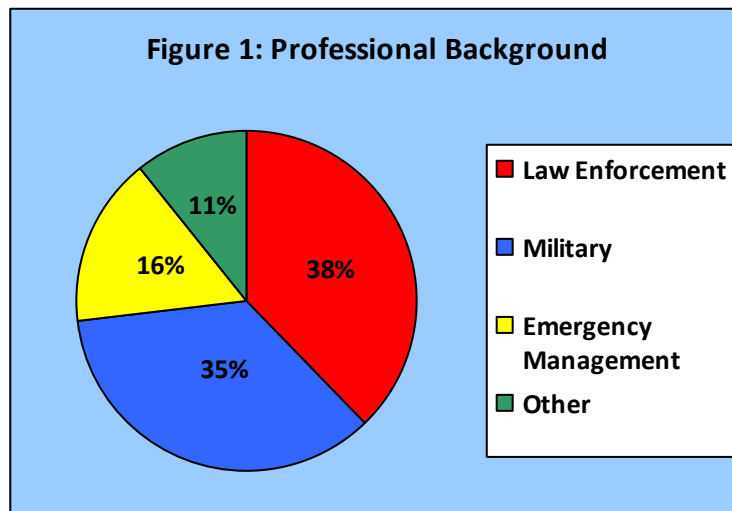
dropped from the 2007 questionnaire. Where year-to-year comparisons are useful or provide some insights, they are included in the analysis.

The current survey polled the 56 state and territorial homeland security advisors who, as a group, comprise the Governors Homeland Security Advisors Council. The council was created by NGA in July 2006 and includes the top homeland security official from each state and territory as designated by their governors as well as the mayor of the District of Columbia. Roughly 80 percent of state homeland security advisors participated in this year's survey; specifically, 44 state homeland security officials completed the survey in whole or in part, although for some questions the response rate was lower than that. This is a slight decline from 2006, when 49 state advisors—or 88 percent of the total—participated in the survey to some degree.

Governance and Priorities

The nation's homeland security advisors represent a variety of disciplines, from the military to law enforcement to emergency management (see Figure 1). Likewise, the structure and position of the homeland security apparatus varies from state to state:

- Forty-five percent of homeland security directors reported they serve a dual role in their states, both advising their governor on homeland security issues and managing a state agency such as an emergency management, state law enforcement, or homeland security department;
- Nearly a third, or 32 percent, are cabinet-level officials reporting directly to their governors;
- In 30 percent of the states, homeland security is an independent cabinet agency dedicated to homeland security, while in 27 percent of the states homeland security is a division or segment of a larger cabinet-level department; and
- In 25 percent of the states, the homeland security organization comprises an advisory group that coordinates budgetary and strategic decisions.

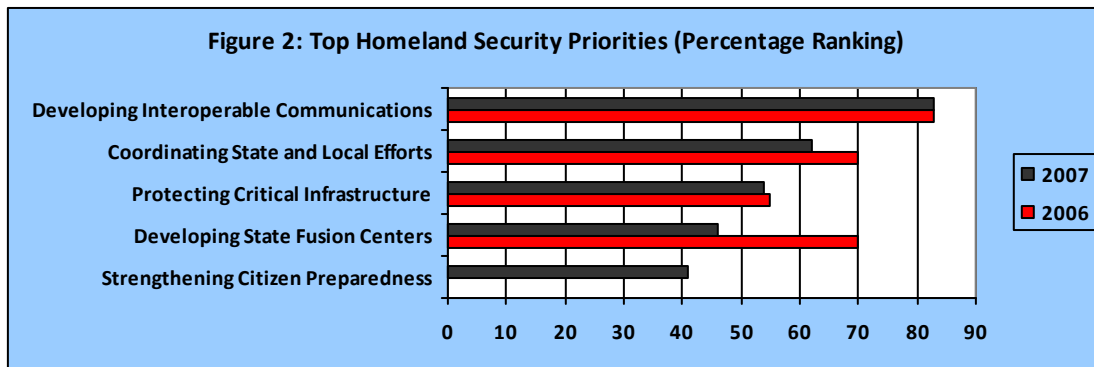


States' priority issues in the area of homeland security have remained relatively stable over the course of the past several years. Of the top five issues identified in the 2007 survey (see Figure 2), four—developing interoperable communications systems, coordinating the efforts of state and local agencies, protecting critical infrastructure, and establishing state intelligence fusion centers—have ranked among the top five state priorities in previous years.

The fifth priority identified in 2006, “preparing for an influenza pandemic,” fell to twelfth in the list of state priorities in 2007. This is likely due to a combination of factors: the progress states

have made in preparing for pandemic disease outbreaks; the decline in media focus on so-called “bird flu;” overall “pandemic fatigue” after several years of high-intensity focus; the view among some officials that pandemic preparedness is primarily a public health concern; and the general move away from scenario-based planning to a more sustainable, all-hazards approach to preparedness.

The new Number Five issue for state homeland security officials, according to the survey, is “strengthening citizen preparedness.” In contrast, “preparing for natural disasters”—the Number Six priority identified in 2006, just months after hurricanes Katrina and Rita—slipped to Number 10 on the list of state priorities for 2007.



Interoperability

Public safety interoperable communications once again topped the list of homeland security advisors’ concerns in 2007 as states continue to work to ensure that first responders from various agencies, jurisdictions, and levels of government can speak to each other during emergencies or at the scene of a disaster. Increasingly, the campaign for interoperability has expanded beyond voice communications to encompass data and video interoperability as well. According to the survey, nearly every state now has a statewide interoperable communications governance structure in place, and nearly three quarters (about 70 percent) report having a full-time interoperability coordinator at the state level. However, achieving interoperability has, until recently, been hampered by a lack of clear guidance from the federal government and an associated lack of designated funding to develop interoperable systems.

In 2007, several actions at the federal level affected states’ ability to achieve interoperable communications. First, DHS in February 2007 released the criteria it will require every state to address in statewide interoperability plans which are due in early December 2007.¹ The criteria focus on elements such as governance, technology, and usage, but also require states to consider interstate planning and data interoperability. While the guidance had long been anticipated, the task of developing statewide plans is proving challenging for some states given the large number of stakeholders involved in interoperable communications.

In addition, the U.S. Department of Commerce National Telecommunications and Information Administration (NTIA), in cooperation with DHS, in July 2007 announced a \$1 billion Public Safety Interoperable Communications (PSIC) grant program.² To access funding under the PSIC program, states were required to submit investment justifications, in addition to their statewide plans, by December 3, 2007.

State-Local Coordination

Interagency, and intergovernmental, coordination has been one of the hallmark challenges of homeland security at all levels of government since the September 11, 2001, terrorist attacks. Although the interstate Emergency Management Assistance Compact (EMAC) was ratified by Congress in 1996,³ before 2001 formal coordination of preparedness and response efforts was largely a local issue, with memoranda of understanding governing such issues as hot pursuit by law enforcement, co-dispatching of fire and rescue units across jurisdictional lines, and mutual aid arrangements among various first responder agencies.

The need for more robust cooperation and coordination took on new urgency as a result of the 2001 terrorist attacks and, later, in the aftermath of the devastating 2005 hurricane season. As noted above, the issue has been a priority of the states in each of the three years this survey has been conducted.

In the 2007 survey, states were asked specifically about their interaction with local governments, tribal governments, the private sector, and other states. More than half—54 percent—said they “significantly” involved local governments in the development of strategic plans, including grant funding allocation plans. Roughly one third of the states, or 32 percent, said local involvement in those activities was “fair,” while 14 percent reported local involvement as “minimal.” Coordination with tribal governments was less common: Only a third of the states reported that tribal governments have been invited and participate in state strategic planning and grant distribution plan development, while nearly 20 percent said tribal governments have been invited, but do not participate.

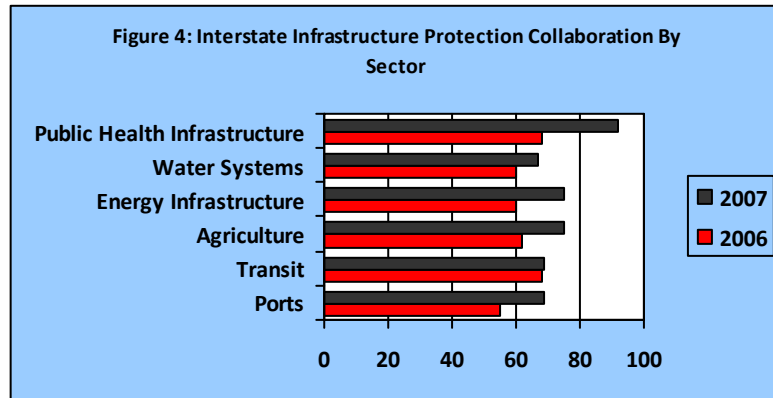
State-local coordination extends beyond generalized planning to include scenario-specific response planning. Nearly all the respondents reported having completed or being in the process of developing coordinated response plans with local agencies for a range of disasters (see Figure 3). In addition, coordination of security plans and procedures with the private sector also remains a priority, with 100 percent of states reporting that they either have or are in the process of developing security plans with the privately owned infrastructure in their states.

As mentioned, state-to-state coordination of emergency response and recovery plans and strategies has some history, dating to the early 1990s and the aftermath of Hurricane Andrew, when the Southern Governors Association developed a regional state-to-state mutual aid agreement that eventually became EMAC.

Despite the success of EMAC and its proven utility in large-scale events such as Hurricane Katrina (97 percent of states surveyed in 2007 said EMAC was very or somewhat efficient), the coordination of pre-event planning—or, the “prevention and preparedness” phase of emergency management—remains a work in progress.

Critical Infrastructure Protection

According to the survey, the percentage of states working together to develop coordinated preventive measures in a number of critical infrastructure sectors is growing (see Figure 4). In fact, more than half the states reported some level of interstate coordination in all the sectors identified in the 2007 survey, including ports, transit systems, intelligence fusion centers, agriculture, cyber security, nuclear facilities, chemical facilities, energy infrastructure, water infrastructure, banking and financial institutions, public health infrastructure, emergency services, and the defense industrial base.



Developing State Fusion Centers

States have been working to establish intelligence fusion centers—central locations where local, state, and federal officials can work together to receive, integrate, and analyze information and intelligence—since soon after the September 11 terrorist attacks. As the survey results illustrate, however, these centers remain a work in progress.

Most states report that their fusion systems comply with guidelines developed by the Global Justice Information Sharing Initiatives, including:

- Adherence to the tenets of the national Criminal Intelligence Sharing Plan;
- Creation of a collaborative environment for sharing of intelligence and information among local, state, tribal, and federal law enforcement officials;
- Inclusion of databases and systems available from participating agencies to maximize information sharing;
- Development and publication of, and adherence to, a privacy and civil rights policy; and
- Clearly defined expectations and performance measures.

The 2007 survey results also reflect an improvement in the federal-state information-sharing relationship. More than half of the states (56 percent) said they were satisfied with the timeliness of the intelligence they are receiving; 47 percent said they were satisfied with the specificity of that intelligence; and 50 percent said they were satisfied with the “actionability” of that intelligence. In addition, 82 percent said the terrorism-related information they receive from the federal government is very helpful, helpful, or somewhat helpful for operational purposes.

Nonetheless, nearly two-thirds of the states said they will be unable to sustain their fusion center operations without federal funding. Several states also pointed out that current DHS rules preclude them from using federal grants to pay for fusion center intelligence analysts for more than two years, which means that states must replace and retrain their analysts every 24 months.

States also were generally critical of information-sharing networks established by DHS and other federal agencies. About half the states (48 percent) said they had little participation in key information-sharing initiatives such as the Homeland Security Information Network (HSIN), DHS Alert, and the Disaster Management Information System. One state reported it has received no HSIN outreach or training and has had no contact from HSIN operators in more than a year. While that state views HSIN information, it does not actively participate in or count on the network for information.

Federal Relations

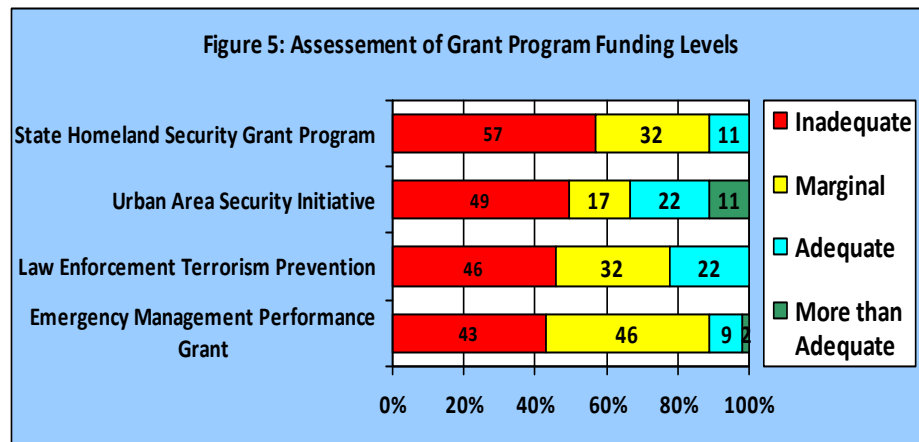
If there is an area where states are reporting unsatisfactory progress, it is in their relationship with the federal government, specifically with DHS. More than half the states (57 percent) reported being dissatisfied or somewhat dissatisfied with their overall communications with DHS, and 60 percent said the quality of their communications with the department had either not changed or had deteriorated since 2006. Only slightly more than one-third, or 34 percent, said their communications with DHS had improved in that one-year period.

The survey asked how DHS could improve its communications with the states. Seventy-two percent said the department should designate a single point of contact in each state and use that contact as the information channel into the state. Sixty-eight percent said the timeliness of information coming from the department could be improved, and a similar number said DHS should ensure the information it provides to the states is consistent with information coming from other agencies.

In anonymous comments, survey respondents offered additional observations about their ability to communicate with the department. One state official noted that high turnover rates have created “turbulence” among the department’s senior leadership that results in poor communications. Another asserted that despite department officials’ stated desire to improve their relationship with the states, DHS’ approach “remains adversarial.” A third official suggested that DHS officials “lack an understanding of what really transpires in the states.”

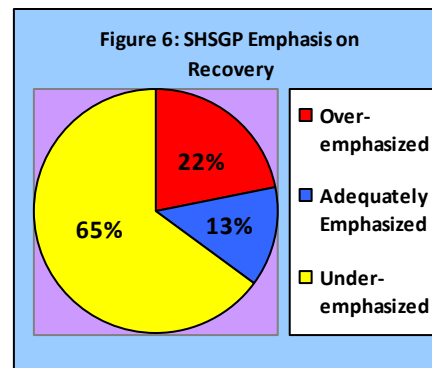
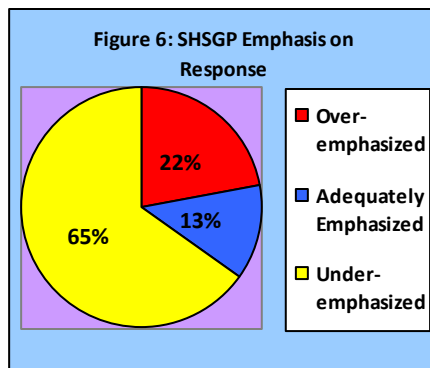
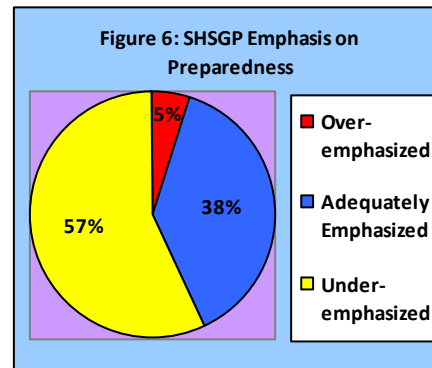
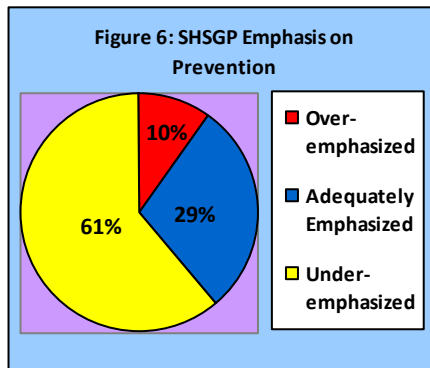
States also were asked to assess DHS grant programs according to funding level, balance, and emphasis on an

“all-hazards” approach to planning. Perhaps not surprisingly, few respondents felt the grant programs were adequately funded (see Figure 5).



A significant majority (66 percent) said the State Homeland Security Grant Program (SHSGP) does not strike an adequate balance among preparedness, prevention, response, and recovery activities (see Figure 6). More than half the states (54 percent) said the SHSGP adequately emphasizes an all-hazards approach, but almost as many (46 percent) said they either have been unable to perform

all-hazards activities using SHSGP funding or do not believe the program adequately emphasizes all-hazards planning.



States did provide some recommendations on how the federal-state relationship in homeland security could be improved. The majority, about 88 percent, said DHS should coordinate policies with the states before the release or implementation of those policies; 79 percent said there should be more coordination among DHS and other key federal agencies, including the departments of Justice and Health and Human Services; and 71 percent said the relationship could be improved with additional grant funding.

Other recommendations for improving the state-DHS relationship included:

- Coordinating federal security clearances through a unified database to ensure that a clearance issued by one agency is recognized by other agencies;
- Decentralizing DHS to regional offices;
- Providing funding to support personnel to implement and sustain initiatives that support missions that are national in scope but that are carried out locally;
- Involving states in the design phase of initiatives rather than consulting with them after the department's contractors have developed a product; and
- Reducing the number of unfunded mandates being imposed on the states.

Role of the National Guard

The role and availability of National Guard forces in the initial response to and recovery from a man-made or natural disaster continues to be a concern for governors and their homeland security advisors. Nearly all states—89 percent—reported having a homeland security role for their National Guard, and another 8 percent said they were in the process of designating one. Increasingly, the National Guard is the governor’s “go to” resource in the immediate aftermath of a disaster or emergency, particularly in the three to four days prior to federal assistance arriving on the scene. California’s response to the massive wildfires in the southern part of the state in October 2007, for example, included an initial deployment of 1,500 National Guard members and four helicopters.⁴ Nationally, state guard forces also are being considered for limited roles in response to a pandemic influenza outbreak—for example, to enhance security for antiviral and vaccine distribution clinics or provide logistical support to state agencies during outbreaks.

However, only one-third of the states said they had at least 75 percent of their National Guard forces available to respond to a natural or manmade disaster, and less than 40 percent said they had at least half their guard forces on hand. To fill that gap, nearly all the states—97 percent—reported having mutual aid agreements in place with other states to share National Guard resources, including equipment and personnel.

The presence of National Guard forces in state intelligence fusion centers also illustrates the problem many states face in intelligence sharing. Federalized National Guard forces—that is, those under the control of the Department of Defense (DoD) and the President of the United States—have access to a broad range of federal intelligence databases, including those maintained by the Pentagon. But forces deployed under the control and authority of the governor are denied access to some of that same intelligence. Some states have worked around this issue by deploying their National Guard forces under the auspices of a joint state-federal counternarcotics operation, which allows the guard to remain under the authority of the governor while having access to intelligence generated by the DoD.

The availability of National Guard forces and resources, their deployment rate, and their role in homeland security in general and in state fusion centers specifically will be examined in greater detail in the 2008 survey.

¹ U.S. Department of Homeland Security, SAFECOM, *FY 2007 Statewide Planning Criteria*. Available at: <http://www.safecomprogram.gov/SAFECOM/library/grant/1304_fy2007.htm>.

² National Telecommunications and Information Administration, Public Safety Interoperable Communications Grant Program. Available at: <<http://www.ntia.doc.gov/psic/>>.

³ *Joint Resolution Granting the Consent of Congress to the Emergency Management Assistance Compact*, Public Law 104-321, Oct. 19, 1996.

⁴ Office of Governor Arnold Schwarzenegger, "Governor Schwarzenegger Orders California National Guard to Southern California Fires," *News Release*, Oct. 22, 2007.