

PLCY Issues to Resolve with OPS

After polling PLCY senior leadership, the following issues were flagged for clarification with OPS new leadership, Admiral Acton. The issues seem to fall into two categories, immediate and short term that affect current issue management and longer term, almost philosophical clarification for helping to "brighten the line" between PLCY and OPS.

The immediate and short term issues, by organizations flagging them include:

PDEV and OSP

Issue: Domestic Readiness Group (DRG) Participation

Background: The DRG is one of the Resilience Policy Directorate's two Interagency Policy Committees (IPC) (the Critical Infrastructure Protection IPC is the other). In the past, the DRG has served as a reviewing body for operational plans and for line-editing national policy documents (e.g. the National Response Framework). It has stayed largely at the operational level, rarely engaging in larger policy issues. Richard Reed, SAP and Senior Director for Resilience Policy, has announced the intent to bring the DRG to the policy level, using sub-IPCs to discuss the types of issues previously addressed at the DRG itself. After a dispute with FEMA, Deputy Secretary Jackson designated OPS as the DHS representative to the DRG. The HSC then gave FEMA its own seat at the DRG. PLCY often attends as a plus-one to OPS, and has a standing invitation from the National Security Staff to do so; however, as the plus-one, we cannot take a contrary position to OPS, nor are we the voice to the Secretary on the policy positions DHS should take at the DRG.

OPS Position/Rationale: OPS was designated as the DHS representative to the DRG, and believes that it should remain the representative. While White House staff has indicated the desire to bring the DRG to the policy level, its time is still largely consumed with plan review and similar operational issues. The DRG addresses responses to emergencies, and it is appropriate to have an operationally-minded component representing DHS

PLCY View: With the move to a policy-focused DRG, OPS is no longer the proper representative to the DRG. Sub-IPCs for H1N1, planning, and exercises are beginning to take on the operational-level work, and the DRG is beginning to focus on true policy issues. In addition, there are now four sub-IPCs to the DRG that were set up for QHSR. Moreover, the impact of true policy issues raised at the DRG is often lost on the OPS representatives. As the DRG becomes a true policymaking body, PLCY needs to be DHS's representative. Furthermore, PLCY believes that OPS's representation at the DRG has been uninformed by sound policy and has produced bad results. One example of this is the extensive scenario planning that OPS promoted within the DRG last year that is contrary to DHS doctrine for "all-hazards" planning.

Issue: PFO and OPS/FEMA Coordination

Background: OPS supports the Secretary in her role as principal Federal official for domestic incident management under HSPD-5. This role for the Secretary, and for her designated representative in the field (the PFO), is not without controversy, especially in relation to the role of the FEMA Administrator. FEMA has seen OPS's activities as an encroachment on its statutory responsibilities and as duplicative of its activities, a position with significant support on the Hill and in the homeland security stakeholder community. DHS lost several battles with the Hill on this issue and spend an enormous amount of political capital on the fight, including staking out several rather dubious positions on operational efficacy and operational need.

OPS Position/Rationale: OPS has repeatedly pushed for the institutionalization of the Secretary's HSPD-5 role. OPS sees its reason for existing tied closely to HSPD-5 and the Secretary's role in prevention, protection, response, and recovery.

PLCY View: PLCY believes the Secretary should more closely examine this question, and not blindly fight the Hill again on the PFO issue. PLCY believes that the Secretary must establish her desired working relationship with FEMA and new Administrator Craig Fugate, and then seek legislative changes consistent with her desires. PLCY believes that HSPD-5 needs to be re-examined and that changes to the basic understanding of the Secretary's role may be necessary.

OSP also notes that there are issues that demonstrate alignment of thinking between PLCY and OPS:

- Models of Operational Jointness (DHS Joint Task Forces and Homeland Security Interagency Task Forces, virtual regional activities, regional consolidation)
- Capabilities Planning (potential development of an OPS "J8" function – OPS as the coordinator of the voice of the operator in capabilities planning; being addressed in QHSR Strategic Management Study)
- DHS Analytic Agenda (potential DHS development of DOD-style analytic products and documents; being addressed in QHSR Strategic Management study)

PDEV

Issue: Counterterrorism Security Group (CSG) Participation

Background: The CSG during the former administration was led by the NSS Senior Director for CT, Juan Zarate, and moved among policy, operational and intel worlds. This was changed in October 2008, and the CSG made a policy-level body. It is now chaired by NSS Senior Director Nick Rasmussen, who has kept it entirely in the policy sphere. Prior to CT Plans being split up in early 2008, CSG participation from DHS was led by a Deputy Under Secretary from I&A backed up by a Director from PLCY as the Plus-One. During an interlude prior to DAS Warrick's appointment, OPS asked and S2 agreed that they would take the CSG seat previously held by PLCY. Over the past six months, while OPS has maintained its claim to lead, when the CSG agenda was tilted toward policy issues, they would invite PLCY to take the lead with I&A.

OPS-C position/rationale: The CSG discusses operational plans.

PLCY view: The CSG was changed by the NSC in October 2008 to be a policy and strategy level body, and is no longer operational nor an intelligence body as it had been before. It is now the CT equivalent of an Interagency Policy Committee (IPC). PLCY should be the regular DHS representative at the table, with the plus-one chosen by PLCY depending on the issues on the agenda for each meeting.

Issue: Senior Interagency Strategy Team (SIST) Lead

Background: The SIST is chaired by the Deputy Director of the NCTC for Strategic and Operational Plans (DSOP). The SIST is an interagency advisory coordination and strategic planning body that informs the NCTC and CSG with strategy/policy options and takes on tasks from the CSG and NCTC related to CT strategy and policy. It is described in the interagency CT architecture as having a facilitating, not operational, role.

OPS-C position/rationale: The SIST discusses operational plans. Note: SIST members are SES or GS-15 level. OPS-C has made a number of attempts to take over the SIST role by trying to get other SIST members whose agencies don't have a policy/operational split to change the job description for SIST representatives.

PLCY view: The SIST and NCTC DSOP do not coordinate operations, nor plan operations. CT operations are usually carried out by CIA or Special Operations Forces, not DSOP. The SIST policy/strategy role is best handled by PLCY.

Issue: Countering Violent Extremism (CVE) Roles

OPS-C position/rationale: OPS-C asserts itself as lead for the DHS efforts on CVE, based on coordinating monthly DHS CVE working group meetings; having been involved in 2007-era attempts at a DHS CVE strategy; having developed a DHS inventory of CVE activities; and having a working relationship with CRCL and others in roundtables with community leaders, and having participated in related NCTC-led efforts. Note: Part of the problem stems from the early 2008 split of CT Plans into CT Policy and CT OPS, because the woman in CT Plans with the CVE portfolio was required to go to OPS-C (over her objection). She took the CVE portfolio with her in the name of continuity. She then left DHS for NCTC. There is no reason for the CVE policy lead to stay with OPS-C. CRCL is uncomfortable with the CVE policy lead, because that would be inconsistent with CRCL's civil rights and civil liberties focus.

PLCY view: Senior DHS officials, including the Deputy Secretary and the Assistant Secretaries for Policy and Policy Development want to recast CVE efforts, including DHS's role in CVE. DHS Policy should be the lead in defining the DHS roles, strategic planning, and level of participation in efforts to counter violent extremism. CRCL should have the operational lead on engagement. OPS-C's role should be in coordinating meetings and ensuring DHS headquarters and components are aware of what each other is doing to carry out DHS CVE policy. Currently, USG CVE policy is being formulated at the NSC level, and it is important that DHS Policy retain the DHS lead to help shape it in a manner consistent with all of DHS's authorities and capabilities in this area.

PSO

Issue: Stakeholder Communications

OPS position/rationale: The SEC/DEPSEC asks them to get connected to stakeholders whenever there is a crisis (i.e. A Governor; an Airline CEO).

PLCY view: The OPS staff should be aware of the stakeholder managers for various PS groups and associations and a process established for communicating through them rather than setting up separate channels. As OPS personnel deploy around the country to S/L environments this will become more confusing and careful attention to how and who is contacting leaders in the PS and SLTT (State Local Tribal Territorial Private Sector) communities should be clarified and codified.

OSP

Issue: Planning

Background: OPS began as the Homeland Security Operations Center. Secretary Chertoff and Deputy Secretary Schneider approved the expansion of OPS to the "Office of Operations Coordination and Planning," including the establishment of a "J3/J5" concept (referring to the Operations (J3) and Strategy and Policy (J5) functions of the Joint Chiefs of Staff). The J3/J5 concept was meant to add a planning function to OPS. However, the "J5" function has caused confusion between OPS and PLCY because of the potential overlap of responsibilities for strategic planning (a function that in DOD is split between the Office of the Secretary of Defense (U/S for Policy) and the J5). OPS has also pushed the development of the Integrated Planning System, a scenario-based planning process based closely on DOD's Joint Operational Planning and Execution System.

OPS Position/Rationale: OPS is the interagency lead for homeland security strategic planning. HSPD-8 Annex I describes "Strategic Plans" as one of the elements of the single-scenario plans that DHS should develop through the Integrated Planning System, and OPS is the lead for development of these "Strategic Plans." OPS has begun developing intra-departmental "Department Guidance Statements" and "Strategic Plans" for intra-departmental contingency planning as well. OPS believes that the Integrated Planning System should be institutionalized in law. From a larger perspective, OPS sees themselves as

the equivalent of the DOD Joint Chiefs of Staff, and have structured themselves with a J2 (Intelligence), J3 (Operations), J5 (Planning), and J9 (Doctrine) staffed with a mix of OPS employees and DHS component detailees.

PLCY View: The plans produced by OPS are not strategic plans. They include no concrete objectives or measurable outcomes, and they do not focus on building capabilities to fill gaps; instead, they focus solely on contingency plans using current capabilities. Moreover, in their current form, they provide very little strategic guidance beyond "write a plan for this scenario." Moving forward, there needs to be clarity that PLCY has the responsibility for DHS strategic planning; OPS has the lead for intra-departmental operational planning. PLCY believes that over time, PLCY needs to assume responsibility for interagency development of strategic guidance for homeland security planning activities. PLCY should be responsible for the "what," and OPS for the "how." PLCY also believes that the Integrated Planning System is flawed and that any statutory authorization of homeland security planning should wait for the results of the QHSR Homeland Security Planning and Capabilities Study. Finally, to avoid repeating DOD's problematic OSD-Joint Staff relationship, PLCY and OPS must jointly determine roles and responsibilities, eliminate both perceived and actual overlaps, and describe how the two organizations support one another and the DHS mission, in a document that can be ratified by DHS leadership.

OIA

Issue: Creation of a DHS Senior Advisor at SOUTHCOM and one at EUCOM (S2 agreed in Germany to placing someone at EUCOM)

OPS position/rationale: DOD has requested a DHS Senior Advisor be placed at the Southern Combatant Command (SOUTHCOM) as well as at EUCOM and AFRICOM. OPS recommendation is the reporting structure for the position should be to OPS with a coordination role to OIA.

PLCY view: OIA recommendation was to establish the positions and designate dual reporting to both OIA and OPS or with primary reporting to OIA. These positions come with full position reimbursement by DOD. A reporting structure to OPS does not fit with the needs/desires of SOUTHCOM or EUCOM, which have specifically asked for the position to be policy focused with the Senior Advisor having full access to DHS headquarters and field elements.

Issue: OPS International

OPS position/rationale: OPS established an International Operations Office to coordinate the international aspect of the operations and plans coordinated by OPS.

PLCY view: OIA should be the single DHS HQ point of contact for all international affairs and activities. The line between international policy and operations is less clear than in the domestic context and the bifurcation of the roles leads to unnecessary and detrimental confusion. If the issue is having an international perspective injected into the work that OPS does, then OIA should participate more actively in the OPS-led decision-making, planning processes, and the crisis action team.

Note: Ops International has hired Booze-Allen-Hamilton to provide an analysis of and recommendations regarding what Ops International's role should be in DHS. OIA has reviewed the initial powerpoint and will be discussing with Ops, but overall the analysis does not sufficiently define Ops International's role and points to major overlap with OIA.

Issue: International capacity building / training and technical assistance coordination

OPS position/rationale: OPS International has a coordinating function but is unclear what their mandate and projects could be; international capacity building / training and technical assistance is a grey area in between ops and policy.

PLCY view: OIA should serve as the single point of contact for requests for DHS international assistance and training. The task of coordinating and maintaining a picture of the Department's international capacity building should be led by OIA because if and when DHS provides international assistance are policy decisions. In addition, coordinating DHS international assistance involves decisions on country / regional priorities and budget allocations, both of which are policy issues. OPS has role in identifying who and how DHS provides assistance once the decision has been made to do so.

This includes OIA lead on Reconstruction and Stabilization IPC, the Security Sector Reform Working Group under the Development IPC, and the Shared Security Partnership IPC, as well as the S/CT-led international capacity building discussions.

The longer term, philosophical issues that should be resolved to clarify roles and "brighten the line" between PLCY and OPS (all of which were suggested by the CT team) include:

Issue: Terror Finance

OPS-C position/rationale: OPS-C has long been the program manager for terror finance efforts for DHS. OPS-C has had a seat on Sub-CSG terror finance working groups and has a close working relationship with ICE and CBP in this venue. Policy on terror finance has been static (from DHS's perspective), with cash courier training the main DHS offering to countries where terror finance is a concern.

PLCY view: Senior DHS officials, including the Deputy Secretary, want to re-think policy options on terror finance, recognizing that the present approach has been about as successful as it can get, with policy changes needed to make additional progress. This will require PLCY to lead DHS efforts to achieve changes to overall USG policy on terror finance. DHS Policy should have access to information about what components are doing in order to make needed changes to USG (and DHS) terror finance policy. A different approach is needed to advance further with key Middle Eastern states where cash couriers are considered normal business, not a sign of terror or criminal finance. As with CVE, the decision in early 2008 to move this portfolio to OPS-C was a result of the individual taking the issue with them to OPS-C, and not a considered decision by DHS leadership. PLCY needs to lead the DHS effort to formulate a new policy on terror finance, working with other interagency policy stakeholders.

Issue: Charter for CT Weekly SVTS (We think this is dead, but may pop back up)

OPS-C position/rationale: OPS-C attempted to establish a "DHS OPS CT Charter", a document designed to self-designate the OPS-C CT Branch Director as the DHS lead for DHS in nearly every working group and interagency CT activity, and establish the OPS-C CT chair as the head of a network of DHS CT component elements.

PLCY view: DHS Policy non-concurred with the charter on the basis that it transcends operations coordination, and tries to involve itself in policy and strategy. This was an attempt to establish OPS-C as the CT lead for the department, and to establish a written document to realign functions from Policy to OPS-C. OPS-C maintained that the charter was necessary to ensure components continued to participate in its weekly STVSes, as attendance was lagging.

Issue: Regional Interagency Coordination Groups (RICG) (international CT working groups)

OPS-C position/rationale: OPS-C attempted to establish itself as the lead for State's S/CT-led RICGs, which also includes the Department of State's RSI program. OPS-C views international efforts as already

underway by the DHS components, and that OPS-C should coordinate these efforts. The RICG and RSI are both venues that establish priorities for international efforts, particularly when there are competing regional demands for resources.

PLCY view: DHS Policy should have the lead for formulating how DHS can contribute to international counterterrorism capacity building.

Issue: Joint Staff CT Fed

OPS-C position/rationale: OPS-C has not shown an interest in this yet, however, it involves CT strategic direction for efforts overseas and includes SES, General Officer and Flag Officer level participation by DOD, at the Joint Staff and Combat Commanders level.

PLCY view: DHS Policy should have the lead for formulating how DHS can contribute to DOD-led efforts.

Issue: Staffing Designations to Meetings

OPS-C position/rationale: OPS-C tries to reach out to whom in PLCY they should attend interagency CT meetings. This is usually done by OPS-C reaching out to the person they select, then failing to notify regular CT Policy officers known to OPS-C to be responsible for coordinating the issue in question.

PLCY view: DHS Policy should work within PLCY to determine the right representative for each meeting. OPS-C should not have a veto over who represents PLCY at interagency meetings.

Issue: International DHS personnel

OPS position/rationale: OPS has the lead for knowing who's where and keeping a situational picture of DHS employees at all times.

PLCY view: If the International OPS Office remains, then OIA supports the OPS Int'l lead on maintaining the overseas staffing picture. However, Blue Force doesn't yet meet all of the requirements OIA would want for international awareness, such as funding source, ICASS costs, associated support personnel, AOR, etc.

Issue: Coordination of DOD Requests

OPS position/rationale: OPS is the best single point of contact for DoD requests for DHS expertise given their coordination role.

PLCY view: OIA and/or PLCY is the best point of contact and entry point for most DoD requests for DHS expertise, including JCS, OSD and Global Combatant Command (GCC) country / regional planning and exercises and experiments. The relationship should be led by PLCY and/or OIA because if and when DHS dedicates resources to exercises, planning engagements, international assistance, and other discussions are policy decisions. PLCY and/or OIA should maintain the coordinating function given the policy implications of country / regional planning and prioritization and the budget implications.

OIA currently leads DHS engagement in a number of GCC theater campaign planning processes each year. OIA also serves as the POC for DoD requests for DHS participation in exercises and is holding the first Department-wide meeting to coordinate DHS responses to exercise requests Friday, July 10.

Issue: Training DHS personnel for international mission

OPS position/rationale: Don't know.

PLCY view: In response to the Office of Inspector General Report OIG-08-71, OIA plans to co-chair with the Chief Learning Officer a Department-wide working group to identify and recommend short-, medium-,

and long-term solutions to train DHS personnel to best fulfill the international aspects of their missions. We look forward to Ops' engagement.

Issue: International reach-back

OPS position/rationale: OPS should be the main reach-back entity for DHS and other USG personnel posted internationally.

PLCY view: Although there is some rationale for OPS maintaining a key reach-back role given their 24/7 capabilities, a more effective and coordinated process should be developed to ensure policy is appropriately engaged and included.

Issue: International planning

OPS position/rationale: OPS should be the lead planning entity for the Department, including on international plans. OPS Incident Management Planning Team / Department Plan has an "Africa Plan" written on their to-do list, but was instructed to hold off as International Ops ramps up.

PLCY view: OIA should lead international planning for DHS. Once the international policy and priorities are in place, an OPS-facilitated Departmental planning process would add significant value by ensuring the plan becomes actualized and helping identify international capability and capacity requirements to fulfill the mission. But OPS should not lead the DHS process to develop an international plan.