



WHITE PAPER: PROPOSED DHS OFFICE OF INTERGOVERNMENTAL COORDINATION

PROBLEM

The mission to secure the homeland is a complex undertaking involving all levels of government. In practice, the Secretary and Department of Homeland Security (DHS) have responsibilities for leading, executing, or supporting numerous efforts, but in some cases they also must facilitate and advocate for crosscutting integration of non-federal stakeholders across homeland security policy, programs and operations. Communication and coordination among stakeholders must be constant and occur across various levels – from those who establish policy and lead the Department to those who execute front-line operations. DHS and national efforts cannot be successful without well coordinated and strong intergovernmental relationships.

The absence of a robust department-level intergovernmental coordination office inextricably linked to the Secretary impedes the ability to ensure national success in meeting homeland security imperatives. In many cases, a single entity at the state and local level may be the focal point of multiple DHS component interactions. These contacts often receive stove-piped, uncoordinated, and conflicting information that is not presented in the context of a comprehensive approach to homeland security. In addition, state, local and tribal leaders with crosscutting homeland security responsibilities – ranging from issues such as immigration to emergency management to infrastructure protection – lack a primary point of contact at the DHS Secretariat level for information, policy input, and issue coordination among the various DHS components. This results in significant confusion among the myriad DHS-led and other federal efforts, and impedes essential input from state, local, and tribal leaders who have both a vested role and inherent responsibility for executing many national homeland security responsibilities.

SOLUTION

Establish an Office of Intergovernmental Coordination (OIC) at DHS in the Office of the Secretary to serve as the Secretary's coordinating office for all matters involving state, local, and tribal governments. While this office could be created under the Secretary's standing authority, Congress has disallowed using funds from the 2009 appropriation for such reorganization. Provided the office can be created without using FY2009 funds, the Secretary should consult closely with Congress beforehand in order to explain the criticality of this office.

The current Office of Intergovernmental Programs and the statutorily-created Office of State and Local Law Enforcement (the successor offices to the Office of State and Local Government Coordination) would be removed from the Directorate level and be made a part of the OIC, which would once again be a part of the Office of the Secretary. In the long term, the Secretary should seek to have the OIC created in statute.

For the Office to be viewed as credible by state, local, and tribal stakeholders, it must have effective, consequential “in-reach” within DHS and across the component agencies. OIC’s responsibilities and authorities should include those for the Office of State and Local Government Coordination, as originally set forth in the Homeland Security Act of 2002:

- (1) Serve as the Secretary’s principal advisor concerning state, local, and tribal government issues on homeland security policies and programs;
- (2) Coordinate DHS policies, programs, and activities relating to state, tribal, and local governments, including direct oversight of state and local offices of DHS components, similar to the oversight and tasking authority over public affairs issues and employees in the component agencies in the case of Public Affairs;
- (3) Coordinate and, as appropriate, consolidate the federal government's communications and systems of communications relating to homeland security with state, local, and tribal government personnel and agencies;
- (4) Distribute or, as appropriate, coordinate the distribution of warnings and information to state, local, and tribal government personnel and agencies through the National Operations Center;
- (5) Oversee the DHS-wide processes to assess and advocate for resources needed by state, local, and tribal governments to implement the *National Strategy for Homeland Security*;
- (6) Provide regular information and research to assist state, local, and tribal efforts in securing the homeland; and
- (7) Develop a process, in coordination with the Assistant Secretary for Policy, to receive meaningful and consistent input from state, local, and tribal governments to assist in the development of national homeland security policy and programs.

DHS component organizations interact daily with state, local, and tribal officials on a range of tactical and operational issues, and the OIC would enhance – not inhibit or interfere with – those relationships.

The Office’s credibility and effectiveness with state, local, and tribal governments is dependent on its leadership, capability, and influence with the Secretary and other DHS components. Accordingly, the OIC should be headed by an Assistant Secretary for Intergovernmental Coordination, who could be either a presidential appointee (PA) or a presidential appointee requiring Senate confirmation (PAS). The Office should be staffed at a capacity of 25-30 personnel. Most important, strong support from the Secretary will be critical.

CONCLUSION

Because state, local, and tribal governments are vital to the success of the DHS mission, the Department must establish and operate a headquarters-level OIC that integrates and coordinates DHS efforts affecting these key partners.