

EMERGENCY SERVICES SECTOR COORDINATING COUNCIL

EXECUTIVE COMMITTEE

CHAIR, JOHN THOMPSON, NATIONAL SHERIFFS' ASSOCIATION

Emergency Services Sector and the CIKR Public-Private Partnership: Goals and Recommendations for Moving Forward

The Executive Committee of the Emergency Services Sector Coordinating Council (ESSCC) offers the following recommendations to the Obama Administration for consideration in their efforts to address the nation's critical infrastructure protection needs. This paper specifically outlines the perceived needs and recommendations of the Emergency Services Sector (ESS) only.

Through this feedback and future collaboration, the ESSCC hopes to work with the federal government; state, local, tribal and territorial governments; and the private sector to achieve:

- 1. Clarity of the ESS role in Critical Infrastructure Protection.** This applies to both internal (ESS, government) expectations and goals, and external (private sector, public) understanding of the ESSCC mission and focus.
- 2. Consistency.** To set definitive goals, promote coordination among DHS offices and federal agencies' programs and messages, and achieve low staff turnover.
- 3. A truly collaborative process** that will support realistic and sustainable efforts to protect the nation's critical infrastructure.
- 4. Actionable products for emergency personnel on the ground.** Efforts must reflect the real needs of emergency personnel, and provide them with actionable information, tools and resources.

Difficulty in obtaining the objectives in the past stem from the fact that the current partnership model, based on the private sector model, has little or no application to emergency services because of the unique situation of the sector which creates a role of both protector and protected. The ESSCC has a dual-protection mission that makes the so-called "business" mission of the sector (to prepare, respond and protect) nearly indistinguishable from its critical infrastructure and key resources (CIKR) mission (also to prepare, respond and protect, albeit itself). For over five years, the SCC has attempted to overcome the following conflicts that arise from trying to fit a proverbial square peg into a round hole.

- **ESSCC believes in a strong focus on human assets (responders, dispatchers, correction officers, etc.) of the sector, whereas most other sectors focus primarily on physical or cyber assets.** It has been made consistently clear that even the other CIKR sectors have an expectation that emergency services personnel will be available to assist in protecting other sectors' assets. While recent DHS staff within the Sector Specific Agency Executive Management Office (SSA EMO) has embraced this position, the focus on human assets has been a historical subject of contention with the Bush Administration's White House and DHS staff. In the current framework, it is subject to the interpretation of individual staff.
- **Protecting the private sector assets of stakeholders is incomparable with protecting the lives of people.** While certainly the criticality of many other sectors stems from their ability to provide

services or products critical to life (such as food, water, power), the partnership model is based on a clear corporate business case to protect the ability of the sector to provide goods and services. Additionally, no other sector must seek to protect assets that are as a matter of course intentionally and deliberately put in harm's way in order to directly save life and property, including that of the other sectors.

- **Operational issues (including membership, information sharing, and funding) are based on corporate assumptions** regarding revenue and competition, creating an environment that is ineffective and inefficient for emergency services.
- **Most ESS issues that could be labeled as part of the CIP construct are actually one piece of a larger issue already being addressed through alternative programs, creating confusion, frustration and redundancy.** For example, mutual aid issues certainly apply to an ESS CIP discussion; however the CIP aspects of this issue are only one piece of a larger issue that needs to be – and successfully is – addressed in a broader context by other DHS offices and a broad range of stakeholders, including those involved with the SCC.
- **Similar to multifaceted issues, there is a wide variety of the offices that are responsible for emergency service sector issues.** Coordination between federal offices that impact state, local, tribal and territorial responders continues to be a problem. Further complications may arise with the layers of DHS offices that support CIP and the partnership framework, a growing number of contractors that support various CIP functions, and the establishment of additional IP councils that also include emergency services as stakeholders such as the State, Local, Tribal, Territorial Government Coordinating Council (SLTTGCC), and the Regional GCCs.

The SCC and the SSA EMO have – at times – attempted to play a coordinating role in such issues; but, as CIP is usually a subset of the whole, that is not effective. Recently SSA EMO has made progress in reaching out to other offices; this needs to continue, but cannot be the responsibility of only SSA EMO or the larger Office of Infrastructure Protection (OIP) in which it is housed. Other federal offices clearly need to recognize the role of OIP and seek the staff's input on related issues as well.

- **Lack of clarity has led to a lack of ability to identify specific projects relatable to emergency services personnel on the ground.** While there are some good activities specific to CIKR, few offer specific and sustainable programs that currently make a real difference in the lives of responders. Most are academic in nature, or provide general planning guidance, although even some of these documents are directed more toward federal actions than responder actions. One of the few meaningful initiatives is the sector-specific pandemic planning guide released in December 2008. While the creation of the document was not a perfect process, it is a solid collaborative document that offers thoughtful, scaleable planning recommendations without crossing the line to unfunded and unrealistic federal mandates.

That is not to say that some academic work is not warranted. In fact, there have recently been a number of seemingly useful research projects, such as Tier 1 / Tier 2 asset identification and the Strategic Homeland Infrastructure Risk Analysis (SHIRA) process. Where these academic exercises often fail from a sector perspective, is the lack of ability to get final assessments back to the sector to be incorporated in “real world” planning or programs. The 2009 process for both of these initiatives was the most collaborative and functional thus far. We are hopeful that final data will be provided in a U/FOUO format that can be shared with sector leaders.

The Emergency Services Sector’s inability to fit it within the public-private partnership framework certainly creates a challenging environment for both the sector and federal staff. These issues are often compounded by the administrative challenges created by conforming to the framework structure and federal pressure to accomplish pre-determined federal objectives that may or may not support the sector’s needs. Consistent roadblocks include:

- **Lack of SCC funding continues to be a problem, and will only heighten as professional associations that comprise the SCC are faced with difficult choices in the economic downturn.** The professional associations have a professional responsibility to help provide relevant and timely resources to the public safety community (not just members) that ensure emergency services personnel have the tools and information they need on the ground. Associations’ shrinking budgets must be applied to support programs that are fulfilling this mission. Unfortunately, there is currently little produced from the CIKR activities that fulfill this mission distinctly. It is increasingly difficult for a handful of organizations to justify to their boards and members their sole-support of the growing sector, as well as to present the value of contributing time and resources to organizations and individuals being requested to join the SCC. In fact, much of the ESSCC’s most productive CIKR work currently happens by ensuring CIKR concepts are included in broader-based preparedness and response efforts already funded by our organizations, grants or other funding mechanisms.
- **Similarly, increasing demands on the SCC are overextending the available SCC staff resources.** DHS provides the sector with secretariat support services, contracted to DHS. While this has been very helpful, it does not support the daily sector management and tasks from DHS. There has been pressure to expand the SCC membership so that there are more people to share the work, but growth demands greater coordination and project management hours. It also demonstrates a lack of knowledge about the limited resources available to professional associations and the practitioner volunteers who are vital to CIKR program success.
- **In the case of the ESS, the CIKR partnership is largely a federally-driven agenda, not always reflective of the needs of state and local first responders.** Projects and working groups are identified by DHS staff, and assorted task assignments flow directly to the sector as well as through engagement with PCIS. Even membership has been subject to federal pressure and bureaucracy.
- **The SCC has had the privilege to work with some outstanding, intelligent and well-meaning DHS staff.** However, the pressure in

OIP seems more extreme than in other areas of DHS, and the intense need to “check the boxes” often seems to prevail.

Recommendation:

- ✓ **Create an environment that enhances honesty and transparency, beginning with the creation of clear goals for the emergency services sector.**
 - This should include an articulation of what DHS hopes to accomplish, what the sector hopes to accomplish, frank discussions about expectations and available resources. It is important to identify clear objectives that can be achieved together within those parameters. Collaborative language should not be used to veil real expectations.
 - An organizational chart should be established and kept current, along with a companion description of each office, what its mission is, who has authority for what, where intersections are with other offices (for example S&T, NIMS, etc.), and who the lead contacts are in those offices. This document also should include specific information on GCC members and contractors. This is particularly important if there are structural changes made during the presidential transition. The organizations that participate in the SCC can provide contact information as well as present an understanding of what other, non-CIP programs they have which may contribute to this work (for example, most of the ESSCC organizations have a homeland security committee).
- ✓ **The new DHS leadership, the SSA EMO staff, ESS GCC and the ESSCC should work together to evaluate the emergency services sector fit within the CIP construct** and the partnership model and determine how to best address emergency services infrastructure protection.
- ✓ Assuming emergency services remains within the current CIP framework, efforts need to be made to:
 - **support a sector-driven agenda**, including a human-asset focus;
 - **conduct a gap-analysis** with other emergency service-oriented offices and programs;
 - **work together on educational tools/resources** that reflect reality and responder needs;
 - **continue to collaborate** with the SLTTGCC and Regional GCC; and
 - **officially include public works as an official discipline of the emergency services sector.** While not first-responders or public safety officials, emergency response is a part of the public works mission and public works assets are vital to many emergency response scenarios.
- ✓ **Continue to support and enhance successful programs such as the Emergency Management and Response – Information Sharing and Analysis Center (EMR-ISAC).**
- ✓ **Determine federal funding options for the SCC.** Each of the organizations within the SCC is either stewards of or participants in efficient and productive federally-funded programs and consortiums. Dedicated

funding would support establishing clear deliverables, expectations and a reporting structure, alleviate pressure from bureaucracy (such as 30-45 day advance notice to fund working group travel), and address SCC staff and resource shortages.

- ✓ **Evaluate staffing models** for federal emergency service CIP efforts, particularly to address the high-pressure environment of the staff and ensuring those with emergency management or response field experience are appointed to leadership levels of the critical infrastructure team.
- ✓ Both funding and staff considerations should include an **evaluation of the widespread use of private contractors** in both staff and high-level advisory capacities.

Conclusion

The members of the Executive Committee of the ESSCC have invested many years toward supporting improved emergency services infrastructure protection, and are hopeful that – given the right leadership, and enhanced support and coordination – we can work with DHS and other stakeholders to bring about a successful program that is meaningful both at the national and local level.

The ESSCC is available to answer any questions or provide additional feedback on either the specific challenges of the emergency service sector, or about the larger partnership framework. We look forward to working with President Obama, Secretary Napolitano, and our colleagues on the SSA EMO staff to enhancing critical infrastructure protection for the emergency services sector and those we protect.

About the Emergency Services Sector

The Emergency Services Sector (ESS) is a system of prevention, protection, preparedness, response, and recovery elements that forms the Nation's first line of defense for preventing and mitigating the risks presented by all hazards events. As the first line of defense and primary protector of the public and – in the direct context of national CIKR protection efforts, the other CIKR sectors – the loss or incapacitation of ESS capabilities would clearly impact the Nation's security, public safety, and morale.

Thus, the mission of the ESS in regards to its own critical infrastructure protection is to provide an inward-looking perspective that focuses on maintaining the ability of the response community to engage in its mission activities during an all-hazards event.

The emergency services sector encompasses all fire, rescue and emergency, sworn law enforcement, EMS, and emergency management personnel. The extent of the sector extends beyond "first responders" to those who provided specialized, prevention, or investigative capabilities, and personnel and services that directly support emergency services capabilities, including but not limited to emergency services administrative/operational staff, public safety answering points and dispatch, corrections and public works. The sector is primarily a public sector, but does include private sector holdings such as industrial fire departments, sworn private security officers, private EMS providers, etc. It should be noted that the ESS *does not* include emergency rooms and their personnel, which are health care sector assets. The ESSCC and the Health Care SCC are in agreement that the transfer of a patient to definitive care represents a transfer point between the two very-interdependent sectors.

About the ESSCC

The Emergency Services Sector Coordinating Council (ESSCC) is an independent, unfunded coalition of organizations that represent the emergency services sector. It represents emergency response and security elements primarily across *State, local, tribal and territorial* emergency responder communities. The **Emergency Services Government Coordinating Council** (ESGCC) represents the Federal component of this system.