The Problem of Warning:

Homeland Security and the Evolution of Terrorism Advisory Systems

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Abstract

In the decade after 9/11, the U.S. government attempted to construct two national warning systems for terrorism. The first, the Homeland Security Advisory System (HSAS), suffered from lack of credibility. The second, the National Terrorism Advisory System (NTAS), has been silent since its inception. Neither system has proved effective in providing protection and reassurance to the American public. *What explanation accounts for the evolution of the HSAS and its replacement, the NTAS?* Why did Washington create an institution that didn't work, and why did it replace it with an equally broken system?

This thesis uses three potential explanations to examine this evolutionary story: (1) policy streams and the policymaking process, (2) individual interests and leadership, and (3) organizational politics. A contingent explanation is ultimately necessary: based on the stage in the life cycle of the evolution of these warning systems, different factors prove to be most influential in shaping development outcomes. At the birth of the HSAS, policy streams proved most important: policymakers searched for a ready-made solution to deal with a brewing crisis. Later on, however, individual interests and bureaucratic politics played more prominent roles. The HSAS would never have been replaced had it not been for the leadership of certain individuals at DHS, and the growing bureaucratic interests surrounding the warning system.

Acknowledgements

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Taylor Grossman
May 22, 2015

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Acronyms and Abbreviations

2SR	Second Stage Review
CBP	Customs and Border Protection
CIA	Central Intelligence Agency
CRS	Congressional Research Service
CSIS	Center for Strategic and International Studies
DHS	Department of Homeland Security
DNOD	Domestic Nuclear Detection Office
DOD	Department of Defense
DOJ	Department of Justice
FEMA	Federal Emergency Management Agency
FBI	Federal Bureau of Investigation
HSAS	Homeland Security Advisory System
HSC	Homeland Security Council
HSPD	Homeland Security Presidential Directive
NSC	National Security Council
NSS	National Security Staff
NTAS	National Terrorism Advisory System
OHS	Office of Homeland Security
OMB	Office of Management and Budget
PSD	Presidential Study Directive
TSA	Transportation Security Administration

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Chapter I—A Tale of Two Warning Systems

INTRODUCTION

In the early fall of 1999, the U.S. Commission on National Security/21st Century issued the first in what would be a three-part series of reports. Better known as the Hart-Rudman Commission, this committee was formed by the Pentagon in 1998 and charged with the task of prophesy: they were to predict the world of 2025 and create policy options to prepare for this future. The first installment, entitled *New World Coming: American Security in the 21st Century*, concluded in no uncertain terms, "America will become increasingly vulnerable to hostile attack on our homeland, and our military superiority will not entirely protect us."[1] The commission argued that although America would remain the strongest country in the globe, it would not be able to dominate the international landscape as rising competitors constrained its opportunities. The report argued,

> American influence will increasingly be both embraced and
> resented abroad, as U.S. cultural, economic, and political power
> persists and perhaps spreads. States, terrorists, and other
> disaffected groups will acquire weapons of mass destruction and
> mass disruption, and some will use them. Americans will likely die
> on American soil, possibly in large numbers.[2]

This claim—that international terrorism and WMD use posed a vital and growing threat to the United States—was one of the central arguments of the report.

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[1]"New World Coming: American Security in the 21st Century," The Phase I Report on the Emerging Global Security Environment for the First Quarter of the 21st Century, *The United States Commission on National Security/21st Century*, September 15, 1999: 138.

[2] "New World Coming: American Security in the 21st Century," 138.

Yet, that fall, the commission's words fell on deaf ears. The report had well-respected, bipartisan credentials. The chairs were two prominent semi-retired politicians: Gary Hart, former Democratic Senator from Colorado, and Warren Rudman, former Republican Senator from New Hampshire. The study group members had been pulled from prominent think tanks and academic institutions and represented both parties fairly evenly. Still, the report was almost universally ignored. In the two weeks following the report's release on September 15, only one major U.S. newspaper mentioned the findings.[3] The most popular news story that summer and into the fall was the pronounced increase in shark attacks; indeed, in the same two-week period after the Hart-Rudman commission's release, there were at least 15 articles written on the subject.[4] The other major story of the time was the dot.com boom and the economic prosperity resulting from web technology. As John Hillen, a senior staffer on the committee and future Assistant Secretary of State for Political-Military Affairs under the Bush administration, reflected, "In 1999, this was a world in which the best minds said that one shaped the future of geopolitics via a technology deal or a trade deal, not through violence. It was the end of organized violence. And so in this world, where the most violent thing any American could ever have to worry about as far as the eye can see was a shark attack, in hop a bunch of tired old politicians warning about terrorism in the homeland… The world was intellectually unprepared for [the report's] reality."[5]

In hindsight, the Hart-Rudman report appears eerily prescient. In its final publication, issued on February 15, 2001, the commission suggested many of the organizational changes that would ultimately be implemented in the aftermath of 9/11, including the creation of a new

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[3] Peter Schweizer, "Terrorist attack in U.S.? Don't put military in charge," *USA TODAY,* September 30, 1999. This article was found using LexisNexis, and was the only within two weeks of the Hart-Rudman Commission's release to mention the report's findings.

[4] These articles were found using a LexisNexis search with the key words "shark attack." I searched all articles from September 15, 1999 to October 1, 1999.

[5] Interview with John Hillen by the author, January 15, 2015.

agency to deal with matters of homeland security.[6] The days, weeks, and months following the

attacks of September 11th would prove to be ones of immense institutional change, first with the

creation of the Office of Homeland Security within the White House, and then with the birth of a

national early warning system for terrorist threats. This system, the Homeland Security Advisory

System or HSAS, would shift organizational homes, change shape, and even be reborn under a

different name. The America of 1999 saw no need for such an institution—yet, like many of the

policies born out of 9/11, a singular terrorism warning system would become a persistent new

member of the security establishment in Washington.

THE RISE AND FALL (AND RISE) OF A WARNING SYSTEM

The process of augmenting and institutionalizing homeland security began immediately

after 9/11. On September 20, 2001, in an address to Congress, President George W. Bush

established the Office of Homeland Security (OHS). Originally headed by Pennsylvania

Governor Tom Ridge, OHS was placed inside the White House; although its name suggested a

broad purview, the primary emphasis of the office's efforts was, unsurprisingly,

counterterrorism.[7] On October 8, 2001, President Bush formed the Homeland Security Council

(HSC) through Executive Order 13228, which was intended to be a domestic-focused parallel

institution to the National Security Council. The council was established to "serve as the

mechanism for ensuring coordination of homeland security-related activities of executive

departments and agencies and effective development and implementation of homeland security

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[6] "Road Map for National Security: Imperative for Change," The Phase III Report of the U.S. Commission on National Security/21st Century, *The United States Commission on National Security/21st Century*, February 15, 2001: Chapter 1 (10-29).

[7] George W. Bush, "Address to the Joint Session of the 107th Congress," United States Capitol, Washington, D.C., September 20, 2001, in *Selected Speeches of President George W. Bush, 2001 – 2008,* 69-70.

policies."[8] The President, the Vice President, Secretaries of Treasury, Defense, Transportation,

Health and Human Services, the Attorney General, as well as others sat on the HSC; the head of

the OHS, the Assistant to the President for Homeland Security, was also responsible for

organizing Council meetings and setting a clear and coherent agenda.[9]

The Homeland Security Advisory System (HSAS) was the next major policy

implemented. On March 12, 2002, Homeland Security Advisor Tom Ridge announced the

creation of a new warning system for terrorism threats against the homeland. Named the

Homeland Security Advisory System (HSAS), this new institution was intended to alert

government, law enforcement and the public to the risk of terrorist attacks by issuing warnings

along five color-coded levels of intensity. Red was the highest level, correlating with a *severe*

risk of terrorist attacks; Green was the bottom, denoting a *low* risk of attack. The system was

introduced at Yellow, the middle tier.

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[8] George W. Bush, "Establishing the Office of Homeland Security and the Homeland Security Council," Executive Order 13228, October 8, 2001, http://fas.org/irp/offdocs/eo/eo-13228.htm (accessed January 5, 2015).
[9] Ibid.

Figure 1 - Homeland Security Advisory System Threat Levels

The system was introduced as an effort to codify the terrorist threat. In the months after 9/11, officials at all levels of government had gone public with warnings of an impending attack, from spurious claims by California Governor Gray Davis that al Qaeda was plotting to blow up the Golden Gate Bridge, to an F.B.I. terrorism warning that put 18,000 police agencies on high alert for over two months.[10] Gordon Johndroe, a former senior official in the Office of Homeland Security, noted, "We were constantly having to get out there and tell people that the threat had gone up again, and the likelihood of attack was high, but we didn't have specific information, etc. etc… There was no context to put behind the information. Was the threat greater this week than it was last week? There was no baseline for people to understand what we were saying. We'd go out there and we'd tell people to be vigilant. And this was often ridiculed."[11] The HSAS was meant to provide a framework for the public to understand the risks of a post-9/11 world.

The HSAS was implemented under Homeland Security Presidential Directive 3 (HSPD3), part of a series of directives dedicated to homeland security and counterterrorism in the months following 9/11.[12] Born well before the Department of Homeland Security was established, the HSAS was initially a bit of an institutional oddball. Ridge, the Director of OHS, announced the creation of the system to the public. Ridge also sat at the head of the Homeland

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[10] Philip Shenon, "A Nation Challenged: Domestic Security; Color-Coded System Created to Rate Threat of Terrorism," *The New York Times*, March 13, 2002, http://www.nytimes.com/2002/03/13/us/nation-challenged-domestic-security-color-coded-system-created-rate-threat.html, (accessed February 12, 2015).

[11] Phone interview with Gordon Johndroe, May 8, 2015.

[12] A note on Presidential Directives: according to a legal memo issued by the Department of Justice on January 29, 2000, "there is no substantive difference in the legal effectiveness of an executive order and a presidential directive that is not styled as an executive order. We are further of the opinion that a presidential directive would not automatically lapse upon a change of administration; as with an executive order, unless otherwise specified, a presidential directive would remain effective until subsequent presidential action is taken." Thus, although there are some stylistic differences, the Homeland Security Presidential Directives issued during this period have the same force and impact as any Executive Orders. See http://fas.org/irp/offdocs/predirective.html for more information on the distinction.

Security Council.[13] Both the OHS and the HSC offered recommendations in issuing alerts

through the HSAS. Yet, the final say for raising and lowering the threat level rested with the

Attorney General, not with Governor Ridge in his capacity as head of either Homeland Security

institution. Thus, the system was also integrally tied to the Department of Justice and therefore

the domestic law enforcement apparatus. From the very start, the HSAS teetered between

multiple institutions and straddled disjointed jurisdictions.

The HSAS was used frequently over the next four and a half years. The threat level was

raised and lowered a total of 16 times between March 2002 and August 2006. Initially,

explanations for threat level changes were quite broad. A typical warning looked something like

the one issued on December 21, 2003 from the White House:

> The U.S. intelligence community has received a substantial
> increase in the volume of threat-related intelligence reports. These
> credible sources suggest the possibility of attacks against the
> homeland around the holiday season and beyond.[14]

However, the system soon became a source of criticism, both scholarly and otherwise.[15]

Academics found the system provided warnings that were too vague and erratic. The system also

came under fire for possible political manipulation, particularly around the invasion of Iraq in

mid-2003.[16] Even late night comedians had begun to use the system as a punch line. Conan

O'Brien quipped, "Green means everything's okay. Red means we're in extreme danger. And

[13] George W. Bush, "Organizational and Operation of the Homeland Security Council," Homeland Security Presidential Directive-1, October 29, 2001, http://www.fas.org/irp/offdocs/nspd/hspd-1.htm (accessed January 10, 2015).

[14] "Chronology of Changes to the Homeland Security Advisory System," *Department of Homeland Security*, http://www.dhs.gov/homeland-security-advisory-system (accessed January 11, 2015).

[15] By mid-2003, many political scientists, sociologists, and psychologists had weighed in on the inefficacy of the HSAS system and on the difficulties of counterterrorism warning systems more generally. See Lee Herring, "How Would Sociologists Design a Homeland Security Alert System?" *ASA Footnotes*, April 2003; Baruch Fischhoff, "Assessing and Communicating the Risks of Terrorism," in A.H. Teich, S.D. Nelso and S.J. Lita (eds.), *Science and Technology in a Vulnerable World* (Washington, DC: AAAS, 2002).

[16] Jacob N. Shapiro and Dara Kay Cohen, "Color Bind: Lessons from the Failed Homeland Security Advisory System," *International Security*, Vol. 32, No. 2 (Fall 2007): 121-22, 128.

champagne-fuchsia means we're being attacked by Martha Stewart."[17] On his show, Jay Leno joked, "They added a plaid in case we were ever attacked by Scotland."[18] The system was adjusted to provide more specified warnings, denoting particular sectors (financial, mass transit, etc.) or regions (New York, Washington, D.C., etc.) as especially at-risk. Yet, these changes were not enough. By the end of 2005, the HSAS had become more of a target for derision than a valued policy tool.

In the summer of 2006, the HSAS was raised and lowered for the last time. On August 10, 2006, the system was elevated from Yellow to Red for any flights flying to the U.S. from the UK and from Yellow to Orange for ordinary flights. The alert was raised in light of a transcontinental bomb plot, which was subsequently foiled: U.S. and British authorities discovered that a group of terrorists had planned to blow up planes flying from Britain to America using liquid-based explosives. Twenty-four Muslim men were arrested in London, and over the next few years six were convicted of conspiracy to murder.[19] The liquid-bomb scare led to an escalation of airport security and the institution of a strict 3-ounce rule for liquids, which has only recently been quietly relaxed. Although these security measures would be long lasting, the elevated threat status was not: on August 13, the system was lowered back to Orange, the second-highest tier, for all commercial flights.

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[17] Conan O'Brien, quoted in Tom Ridge, *The Test of Our Times: America Under Siege, and How We Can Be Safe Again* (New York: St. Martin's Press, 2009); also quoted in John Schwartz, "U.S. to Drop Color-Coded Terror Alerts," *The New York Times,* November 24, 2010, http://www.nytimes.com/2010/11/25/us/25colors.html?_r=0 (accessed January 10, 2015).

[18] Schwartz, "U.S. to Drop Color-Coded Terror Alerts."

[19] Alan Cowell and Dexter Filkins, "Terror Plot Foiled; Airports Quickly Clamp Down," *The New York Times*, August 11, 2006, http://www.nytimes.com/2006/08/11/world/europe/11plot.html?pagewanted=all&_r=0 (accessed January 10, 2015).

For five years, the HSAS was silent, frozen on Yellow.[20] The Bush Administration largely ignored its existence, and for the public the system faded into relative obscurity. The Department of Homeland Security grew in size and importance, absorbing the Customs Service, the Federal Emergency Management Agency (FEMA), and 22 other institutions.[21] However, the HSAS became seemingly obsolete, retired in everything but name.

When the Obama Administration assumed office, it began an overhaul of homeland security institutions. On February 23, 2009, the administration released Presidential Study Directive 1, which launched a 60-day interagency review of the structure of the White House's homeland security and counterterrorism institutions. This review recommended that the President merge the National Security Council and Homeland Security Council into one body, which he did on May 26, 2009, creating the National Security Staff (NSS). Two months later, newly appointed Secretary of DHS Janet Napolitano launched a task force to evaluate the efficacy of the HSAS. The report found that "a national threat warning system for terrorist attacks is as central now as it was when [the system] was established in 2002," and launched a process for overhauling the HSAS.[22] A formal proposal for a new system was submitted to Secretary Napolitano in November 2010.[23] On April 20, 2011, Napolitano announced the implementation of the National Terrorism Advisory System (NTAS) to replace the HSAS.

The NTAS was intended to clarify the terrorism threat and the problem of warning the public. Introduced as a "robust terrorism advisory system that provides timely information to the public about credible terrorist threats," the new system had only two tiers – elevated, and

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[20] This designation was for everything except commercial flights, which quietly stayed heightened at Orange for the next five years.

[21] "Who Joined DHS," *Department of Homeland Security*, http://www.dhs.gov/who-joined-dhs (accessed January 20, 2015).

[22] "Homeland Security Advisory System: Task Force Report and Recommendations," *Homeland Security Advisory Council,* September 2009, 1.

[23] Schwartz, "U.S. to Drop Color-Coded Terror Alerts."

imminent.[24] An elevated threat alert "warns of a credible threat against the United States," while

an imminent threat alert "warns of a credible, specific, and impending terrorist threat against the

United States.[25]

Janet Napolitano announced that, "When we have information about a specific, credible

threat, we will issue a formal alert providing as much information as we can…The alerts will be

specific to the threat. They may recommend certain actions or suggest looking for specific

suspicious behavior. And they will have a specified end date."[26] The Administration framed the

new system as decisively distinct from the HSAS, particularly with the addition of the "sunset

provision," whereby NTAS alerts lasted for only two weeks. At the end of this time period, the

alert would automatically expire unless information regarding the threat necessitated otherwise.[27]

One might expect or even hope that over the course of almost a decade, policymakers had

moved toward improvement. However, that doesn't seem to be the case. Although the system

has now been operational for over four years, the NTAS has yet to issue a single warning.

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[24] "Chronology of Changes to the Homeland Security Advisory System."

[25] "NTAS Public Guide," *Department of Homeland Security*, http://www.dhs.gov/ntas-public-guide (accessed January 15, 2015).

[26] Secretary of Homeland Security Janet Napolitano, quoted in "U.S. replaces color-coded terror alerts," *CNN.com,* http://edition.cnn.com/2011/TRAVEL/01/27/terror.threats/ (accessed January 15, 2015).

[27] Alan Levin and Kevin Johnson, "New terror-alert system announced," *USA TODAY,* April 21, 2011, http://usatoday30.usatoday.com/news/washington/2011-04-20-government-terror-alerts-warnings.htm (accessed January 10, 2015).

Figure 2 – NTAS Facebook Page[28]
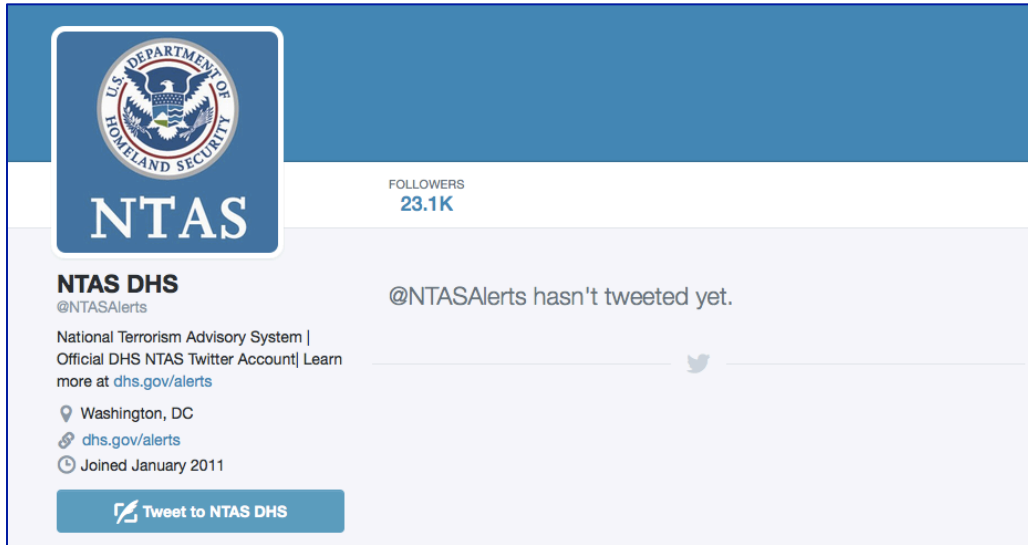
Figure 3 – NTAS Twitter Feed[29]

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[28] National Terrorism Advisory System (NTAS) Facebook Page, https://www.facebook.com/NTASAlerts?fref=ts (accessed May 21, 2015). This page was set up in 2011 and has over 32,000 followers, but as of May 2015 has yet to post.

[29] @NTASAlerts Twitter Feed, https://twitter.com/NTASAlerts (accessed May 21, 2015). @NTASAlerts joined Twitter in January 2011 and has over 23,000 followers, but as of May 2015 has not tweeted.

This silence cannot be due entirely to the waning of the terrorist threat. In the first year of the NTAS's existence alone, over twenty terrorism-related plots were foiled, leading to dozens of individuals arrested on charges of conspiring to commit terrorist acts.[30] In each and every case, the government—either through federal, state, or local authorities—knew enough about a planned attack to arrest the suspects before they were successful. Senior officials have also issued warnings of credible terrorist threats to the homeland through other mechanisms. In the summer and early fall of 2014, the threat of the Islamic State of Iraq and Syria (ISIS) caused White House officials to issue warnings outside of the NTAS that the U.S. homeland might face attack.[31] Clearly, the view is that there is still some benefit to public warning, just *not* through the existing NTAS system.

Despite its lack of demonstrated use, the National Terrorism Advisory System appears to be here to stay. The NTAS has come under some skepticism, particularly after the raid that killed Osama bin Laden and the ISIS alerts in 2014. Yet, the system has largely remained out of the limelight. There have been no serious moves by the administration to alter the NTAS—at least publicly. According to David Heyman, former Assistant Secretary for Policy at DHS and a major architect behind the new system, "The current ways of communicating threat are so good that you will rarely if ever need to issue an NTAS warning... Right now, if there's a threat, you will hear it from the appropriate source at the appropriate time with the appropriate response recommendations."[32] The silence of the NTAS is actually evidence of a homeland security

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[30] "Terrorist Arrests and Plots Stopped in the United States 2009-2012," Report compiled by the Senate Intelligence Committee staff based on publicly available information from the FBI, the Congressional Research Service, and media reports, http://www.feinstein.senate.gov/public/index.cfm/files/serve/?File_id=adec6e10-68ed-4413-8934-3623edc62cef (accessed February 4, 2015).

[31] John Hudson, "Obama's Terrorism Alert System Has Never Issued a Public Warning—Ever," *Foreign Policy,* September 29, 2014, http://foreignpolicy.com/2014/09/29/obamas-terrorism-alert-system-has-never-issued-a-public-warning-ever/ (accessed February 4, 2015).

[32] David Heyman, interview with author, January 14, 2015.

warning and response infrastructure that is working as it should be. Yet others have reservations about its utility. According to Caryn Wagner, who formerly served as Under Secretary for Intelligence and Analysis at DHS under the Obama administration, "It's an improvement, but it was written by people who really didn't understand how intelligence worked… that's one of the reasons why it has candidly never been used."[33]

THE ANATOMY OF WARNING

Washington often creates institutions with suboptimal outcomes. Though perhaps disheartening, the initial phase of this story—the creation of a troubled and ineffective advisory system—is hardly unique. Yet, what is puzzling about this tale is not that policymakers created a terrorism warning system that was ineffective, but rather that officials created two deficient systems over the course of a decade. The first, the HSAS, was a source of mockery. Its successor, the NTAS, has been the source of only silence. Why did the federal government create a system that didn't work, and then replace it with a new system that is also apparently inadequate?

The story of the HSAS and its successor, the NTAS, is one of creation, destruction, and rebirth. Yet, this evolutionary tale is far from clear. What caused the first system to be implemented? What forces shaped its initial structure and institutional placement? And why, when the first system fell mute for half a decade, was it replaced with a new system that has simply continued this silence? This thesis examines the development of a national terrorism warning system and attempts to answer the following central question: ***What explanation best accounts for the evolution of the HSAS and its replacement, the NTAS?***

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[33] Caryn Wagner, interview with author by phone, February 5, 2015.

This thesis uses three explanatory models to investigate the evolution of terrorism warning systems over the decade from September 2001 to April 2011. The first, *policy streams*, suggests that the policymaking process itself led to the observed outcomes. Based on the work of John Kingdon, this framework contends that in times of crisis or substantial political upheaval, policymakers use off-the-shelf solutions to quickly solve a problem. The resulting solutions—in this case, two terrorism-specific national warning systems—were based on imperfect and even faulty analogies, which led to suboptimal terrorism warning systems. The second model, *individual interests and leadership*, is about people rather than institutions. In this framework, observed outcomes can be explained by the specific preferences, ideas, and motivated visions of leaders during these times of change. Had someone else been in charge, different systems would have resulted. The third and final model, *organizational politics*, contends that bureaucratic turf battles account for the birth of these two systems. Both intra-branch and inter-branch rivalries were significant: heads of agencies and leaders of Congress were fighting for control of the new, lucrative field of homeland security. In this framework, the position matters, not the person, because positions create incentives. According to this model, individual differences do not tell the story: in the same circumstances, any Secretary of Homeland Security or President would have acted in the same way, motivated by their organization's interests.

These three models were chosen because they represent three different levels of analysis. The first focuses on the issues themselves, and the political processes that result. It is agnostic both about the individual and the institution, but rather views all policymaking as a similar process-driven story. The second emphasizes the outsized role of the individual: leadership and personality, rather than situation or organization, are key. And the final focuses on institutional

preferences and bureaucratic politicking that occurs within and between organizations. These three levels of analysis—issues, individuals, and institutions—are three distinct modes of examining political developments. There is a much broader, long-standing debate on which lens holds the most analytical power. This thesis puts these three modes of understanding to the test by placing them over the evolutionary story of national terrorism warning systems. By examining the same tale from three different lenses, one can gain a much richer understanding of the driving processes behind each evolutionary stage. Chapter II will examine these models in full.

A "CASE STUDY" APPROACH

Ultimately, this thesis seeks to adjudicate between these three explanatory factors and determines which best accounts for the development of national terrorist warning systems. To do so, Chapters III, IV, and V will examine these factors through the lens of three pivotal moments in this evolutionary story. These episodes are not quite case studies, as they are interconnected historical events and thus cannot be considered distinct examples of phenomena. Rather, these three episodes will illuminate the general progression of the HSAS and NTAS throughout the first ten years after 9/11 (2001-2011), and will provide a basis for evaluating the three explanatory factors.

Chapter III examines the first episode, the birth of the HSAS, from September 2001 to December 2002. In this fifteen-month period, the Homeland Security Advisory System was developed and implemented by the White House in conjunction with the Office of Homeland Security, the Homeland Security Council, and the Department of Justice. Chapter III of this

thesis will place the three potential explanations side by side and parse out which offers the most compelling account of the forces at work in creating this system.

Chapter IV considers the period from March 2004 to September 2006, when the HSAS had its closest brush with death, but was eventually relegated to perpetual silence. In this two-year period, the HSAS began issuing fewer and fewer warnings of different kinds.[34] This was an era of experimentation, where new leadership in DHS was tinkering with an already ridiculed and seemingly defunct system. Finally, in mid-August 2006, the HSAS gasped its final warning. Although never officially retired, the HSAS became more of a pundit joke than a legitimate policy institution. Chapter IV will examine this critical period in the history of the HSAS and determine why the system was neither renovated nor retired.

Chapter V explores the rise of the new system, the NTAS, from January 2009 to April 2011. In a little over two years, the Obama Administration reexamined homeland security institutions, paying particularly close attention to the HSAS. Instead of removing a system that had been silent for almost three years, however, the incoming cabinet decided to create a new system that has yet to offer a single warning. Chapter V will explore the causes behind the decision to create the NTAS.

These three episodes highlight the three major potential turning points for the national terrorism warning system. Episode #1 saw the birth of the HSAS. Episode #2 witnessed the near death of the HSAS: during this period of significant transition (the reelection of President Bush, new DHS leadership), the system ceased to emit warnings and fell into disuse. Episode #3 was the rebirth of the HSAS under a new name and structure in the NTAS. These three time periods

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[34] Homeland Security Advisory Council, "Homeland Security Advisory System Task Force Report and Recommendations," September 2009, Appendix C: 12. In the history of the HSAS, the report notes, "In August 2004, DHS began identifying specific sectors to possible terrorist threats—including aviation, financial services and mass transit."

were selected from the first decade after 9/11, and were chosen because they were times in which the most significant changes either did occur, or could have occurred. Although transitions and evaluations of counterterrorism policy took place throughout this decade, these three episodes mark the most meaningful periods of change (or near-change) for the warning system.

METHODOLOGY AND SOURCES

The evaluations in this thesis are derived from a qualitative examination of several key types of materials. Interviews were conducted with key individuals who served in the Bush and Obama administration during the three time periods under investigation, as well as with subject matter experts. These included Phil Anderson, Director of the Homeland Security Studies and Analysis Institute; David Heyman, former Assistant Secretary for Policy from 2009 to 2014; John Hillen, member of the Hart-Rudman Commission and Assistant Secretary of State for Political-Military Affairs from 2005 to 2007; Gordon Johndroe, senior member of the Bush administration at both OHS and DHS; Daniel Kaniewski, a former Special Assistant to President Bush for matters of homeland security; Juliette Kayyem, Assistant Secretary for Intergovernmental Affairs at DHS from 2009-2010; and Caryn Wagner, former Under Secretary for Intelligence and Analysis at DHS under the Obama administration. Several other interviews were conducted on background. Over 350 relevant congressional hearings from this period were surveyed, including of all hearings held from 2001-2011 that mentioned terrorism or warning in the Senate Committee on Homeland Security and Governmental Affairs and House Committee on Homeland Security. Public remarks made by Presidents George W. Bush and Barack Obama, as well as DHS Secretaries Tom Ridge, Michael Chertoff, and Janet Napolitano were used to delineate the administration's priorities for homeland security, as well as progress toward

creating or changing the terrorism warning systems. Additionally, newspaper articles proved to

be an invaluable source for gaining insight into the public reception of warning system

developments.

Unfortunately, certain sources were not available. Internal memoranda from the Bush and

Obama administrations regarding the terrorism warning systems likely exist, but as of this

writing are not yet publicly available. Additionally, some information still remains classified.

Although memoirs and newspaper accounts give some insight into when policymakers

considered raising the warning systems but did not, much concrete data in this vein is still

missing. In particular, future scholarship should look at classified discussions regarding raising

the NTAS; although a qualitative analysis of available data suggests that such debates have

occurred, no substantive evidence is openly available.

FINDINGS AND CONCLUSION

Ultimately, the evolution of terrorism warning systems is a tale of the life cycle of

institutions. No one factor—issues, individuals, or institutions—motivated the entire process of

birth, death, and rebirth. Instead, as this thesis uncovers, a contingent explanation is necessary:

the stage of development of these systems determined which factors drove the story forward. The

initial system, the Homeland Security Advisory System, was forged during a genuine national

crisis; the policy streams framework best explains its creation. However, because policymakers

needed a solution quickly, they used off-the-shelf analogies that produced a deeply problematic

terrorism warning system. The subsequent near-death of the system can be best understood from

the organizational politics lens. DHS had an institutional incentive to keep the system in place,

and to implement minor improvements if possible. However, the Department had much deeper

concerns elsewhere. Although the HSAS was flawed, it was no longer a key issue. Pressures from Congress and the White House pushed the Department to instead focus its energies in other places. Finally, the birth of the new system, the NTAS, resulted from individual interests and leadership. Although a policy window opened with the entrance of the Obama administration in January 2009, terrorism warning was not an initial subject of discussion. Instead, concerted efforts by members of the DHS Office of Policy kept the debate alive, and pushed to create a new system. After more than two years, the NTAS was finally born.

Unfortunately, neither system has been effective: Washington has tried to solve the same problem twice with equally unsatisfactory results. This thesis will briefly address efficacy in Chapter II; however, the primary analytic focus of this work is on the forces behind the creation and development of these systems, not on why they have proved inadequate. The evolutionary story poses the much more interesting and policy-relevant question of how one builds and sustains institutions. By examining these warning systems' life cycles, one can better understand when and how to implement organizational changes elsewhere.

Chapter II—Building Homeland Security: Processes, Individuals, and Institutions

EXPLAINING WARNING SYSTEM EVOLUTION

The story of national terrorism warning systems may seem like a common tale of institutional failure, but it has a puzzling twist: policymakers resurrected the HSAS, a broken and dying system, only to replace it with the NTAS, a new system that was equally ineffective. Why was this the case? This thesis employs three frameworks—policy streams, individual interests and leadership, and organizational politics—to shed light on this evolutionary story. Ultimately, the stage of the organization's life cycle determined which factors—and therefore which framework—best accounts for the institutional outcome. This chapter will delve into the three frameworks to outline their explanatory value in this story.

(1) Policy Streams

This explanation is derived from a process-based approach to policymaking. Policymakers *wanted* to create a working system—one that provided both physical protection and psychological reassurance in the face of the terrorism threat—but fell victim to a process that left them with an inferior system. Instead of going to the drawing board and devising a brand new system that took into account the complexities of warning for terrorist threats, they used off-the-shelf solutions that relied on existing frameworks for public warning. This is not a unique phenomenon: policymakers use these kinds of shortcuts all the time, seizing on existing ideas

because time is short and demands are high.[35] In this case, however, existing models proved to

be wholly inadequate analogies for the purpose of creating a national terrorism warning system.

Thus, policymakers created an institution that was fundamentally defective from its birth.

This explanation draws heavily from the work of John Kingdon, who explains the

policymaking process as one of problems, political streams, and policy streams.[36] Policy streams

exist separately from particular problems or crises and the political environment in which these

events take place. He writes:

> In the policy stream, proposals, alternatives, and solutions float
> about, being discussed, revised, and discussed again. In contrast to
> a problem-solving model, in which people become aware of a
> problem and consider alternative solutions, solutions float around
> in and near government searching for problems to which to
> become attached or political events that increase their likelihood of
> adoption. These proposals are constantly in the policy stream, but
> then suddenly they become elevated on the governmental agenda
> because they can be seen as solutions to a pressing national
> problem or because politicians find their sponsorship expedient.[37]

Therefore, solutions are already in existence, and are "in search of a problem." The key to reform

is the opening of a policy window: these pre-existing answers become salient either when a

problem becomes critically important, or when the political conditions align in such a way to

open the door for change.

Later theorists have added to this policy process model, arguing that political institutions

react to distinct kinds of problems and conditions. Frank R. Baumgartner et al. elaborated on this

idea in a 2009 article on Punctuated Equilibrium in the policy process. Baumgartner et al. noted,

"Policy institutions do not react directly to the real world but to politically processed signals that

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[35]For example, Congress cut and pasted an existing Executive Directive into the National Security Act of 1947 in order to create the CIA. See Amy B. Zegart, *Flawed By Design*, Stanford, Calif.: Stanford University Press, 1999, Chapter 6.

[36]John W. Kingdon, *Agendas, Alternatives, and Public Policies*, 2nd ed. (New York: Longman, 2011): Chapter 1.

[37] Ibid., 172.

are already affected by the friction associated with processes of social mobilization."[38] Thus, not all problems and crises are equally poised to open a policy window: change only occurs when a problem or crisis has been translated into a political problem with a political vocabulary.

By this logic, the birth of the HSAS occurred because policymakers had a severe problem. After 9/11 occurred, they needed to create a system that would mitigate the consequences of another attack. The policy stream provided one such solution: the implementation of a national warning system specific to terrorism to protect and prepare the public in worst-case scenarios. However, the solutions that were already available were inadequate because they relied on improper analogies. Policymakers drew from existing systems, such as natural disaster warning systems and smaller-scale terrorism warning systems (such as the State Department's travel advisories). None of these models, however, dealt with the complexities of warning the entire country about a potential terrorist attack. Natural disaster systems dealt with phenomena that were much easier to predict and were nonreactive: hurricanes and earthquakes couldn't shift course. Terrorists, by contrast, operated covertly and responded to public warnings. Terrorists could change the time, place, or manner of attack in reaction to new defenses or public information. Attackers were in constant search of softer targets, and would adjust to a warning that made clear certain sectors or regions had been hardened. Other models dealt ostensibly with terrorism, but on a much smaller scope. The State Department travel advisories and Pentagon's Force Protection Conditions were tailored to specific sectors of society—those traveling abroad, or those on military installations. No model dealt *both* with the complexities of terrorist threats *and* with the mass public. Thus, the policy stream solutions that

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[38] Frank R. Baumgartner, Christian Breunig, Christoffer Green-Pedersen, Bryan D. Jones, Peter B. Mortensen, Michiel Nuytemans, Stefaan Walgrave, "Punctuated Equilibrium in Comparative Perspective," *American Journal of Political Science,* Vol. 53, No. 3, July 2009: 616.

eventually became embodied in the HSAS were deeply and fundamentally inadequate, and led to the system's ultimate retirement.

The NTAS was also a product of this policy stream process, whereby existing solutions are adopted to new problems in times of political change. The implementation of this new system was driven not by an immediate problem and but by a change in the political stream: the entrance of the Obama Administration. This political action-forcing event meant that the DHS infrastructure could be reevaluated and reengineered. A new administration needs new initiatives to showcase, and the Obama Administration chose DHS as a place to start. Yet, the new system still proved inadequate. Perhaps the shelf of solutions had absorbed some of the challenges and shortcomings of the HSAS over the course of its nine-year existence (2002-2011); however, these existing solutions were still imperfect, and resulted in a new system that did not fare much better than its predecessor.

(2) Individual Interests and Leadership

This explanation focuses on individuals and their role in the policy-making process. Specific outcomes are the products of the particular preferences, ideas, political power, and personalities of the leaders who are in positions of power at the time of change. In this story, individuals led the charge for the creation of both the HSAS and its successor, the NTAS, and were instrumental in shaping the specific warning systems that were implemented. Had different people been at the helm of OHS or DHS, different outcomes would have resulted.

In this model, "leaders are implicitly the center of group processes."[39] This emphasis on individual leadership is based on a long tradition in political science theory. Richard Neustadt argues that policymaking was driven by the power of persuasion: individual influence is the

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[39] Tracy Trottier, Montgomery Van Wart, and XiaoHu Wang, "Examining the Nature and Significance of Leadership in Government Organizations," *Public Administration Review*, Vol. 68, No. 2: 320.

essential "mark of leadership," and is fundamental to the creation of new, innovative policy.[40]

Bernard Bass later emphasized the importance of individuals in providing the influence, motivation, and intellectual stimulation for innovation and reform. He writes of the importance of transformational leadership—a type of leadership that is fundamentally different from the transactional leadership of day-to-day management. Transformational leadership "occurs when leaders broaden and elevate the interests of their employees, when they generate awareness and acceptance of the purpose and mission of the group, and when they stir their employees to look beyond their own self-interest for the good of the group."[41]

Tracy Trottier, Montgomery Van Wart, and XiaoHu Wang apply Bass's characterization of leadership to a study of government policymaking. They find that leadership is significant in creating employee satisfaction, and that transformational leadership in particular is fundamental to effective government functioning. Public organizations need inspirational and innovative leadership to be able to create effective and lasting institutional changes; however, Trottier et al. unfortunately find that "on average, federal managers are evaluated as better transactional leaders, and fall down noticeably in one key transformational area: inspirational motivation."[42]

Individuals can—and often do—play an outsized role in the policy process. Anyone in a position of political power would have seen the benefits of creating a warning system. As Jacob Shapiro and Dara Cohen note, the system was framed as a response to public frustration in the months following 9/11, as the government issued a series of very broad warnings to the nation.[43] However, this model suggests that the HSAS and NTAS also reflect the hand of their creators.

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[40] Richard E. Neustadt, *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan* (New York: The Free Press, 1990): 4, 30.
[41] Bernard Bass, *Leadership and Performance Beyond Expectations,* (New York: Free Press, 1985) 21-31.
[42] Trottier et al. 329-330.
[43] Jacob N. Shapiro and Dara Kay Cohen, "Color Bind: Lessons from the Failed Homeland Security Advisory System," *International Security,* Vol. 32, No. 2 (Fall 2007), 127.

Specific policy entrepreneurs within the Bush and Obama Administrations played decisive roles in crafting the resulting warning systems, and their vision and motivation is reflected in the resulting structures of the systems. In this model, individual motivations and leadership provides the key impetus for organizational change, and is responsible for shaping and implementing both the HSAS and its successor, the NTAS.

(3) Organizational Politics

In this explanation, organizational incentives provided the primary motivation behind the creation of the HSAS and its subsequent development into the NTAS. Washington was ill equipped to deal with the threat of terrorist attacks against the homeland.[44] After 9/11, the Bush Administration scrambled to respond, calling to use "every resource at our command — every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war."[45] Many organizations had a stake in preventing future attacks, including the National Security Council, the Department of Defense, the intelligence community organizations (particularly the CIA), and the Department of Justice. In addition to these already existing institutions, the President had recently created two new organizations—the Office of Homeland Security and the Homeland Security Council—whose primary roles were the detection and prevention of terrorist attacks on U.S. soil. The Homeland Security Advisory System arose out of this institutional quagmire, where jurisdictions were ambiguous and ill defined.

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[44] This argument has been put forth in several recent books on the subject: Steve Coll, *Ghost Wars: The Secret History of the CIA, Afghanistan, and Bin Laden, From the Soviet Invasion to September 10, 2001,* (New York: Penguin, 2004); Amy B. Zegart, *Spying Blind: The CIA, the FBI, and the Origins of 9/11* (Princeton: Princeton University Press, 2007.

[45] President George W. Bush, "Address to the Joint Session of the 107th Congress."

Graham Allison's work on bureaucratic politics is fundamental to this model. In this framework, the story of terrorism warning systems is one of bargaining by organizational elites. Policymakers who sit at the top of their respective institutions push for expansion of bureaucratic turf through the "pulling and hauling that is politics."[46] Organizations importantly shape an individual's outlook, defining what is important and what should be achieved. Leaders of institutions are therefore simultaneously freed from their respective personal interests, and constricted by their organization's interests. They behave based on where they sit within an existing institution, rather than based on their own personal goals and desires.[47]

Institutional fault lines are essential: both intra-branch and inter-branch rivalries characterize the new policy environment of homeland security, and cause organizational leaders to fight for control of a new and lucrative field. These rifts often emerge in the development of new security policy. William Newman argues that two divides are particularly important: (1) Executive vs. Legislative branch, and (2) Cabinet offices vs. Presidential staff. In the case of the development of the HSAS, a third and new rivalry also emerged: one between the new Homeland Security Council and its staff, and the older and well-established National Security Council.[48] Tensions also emerge between old and new institutions. As Barry Pump argues,

> Traditional principal-agent accounts of the relationship between policymaker and bureaucrat are unidirectional: policymaker sends signal to bureaucrat, and bureaucrat implements. Yet, in the complex policy environments like those found in the aftermath of widespread disruptions and crises, bureaucrats often have expertise that political masters can employ to make sense of messy problems. This gives the bureaucrat a promotion of sorts[49]

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[46] Graham T. Allison, "Conceptual Models and the Cuban Missile Crisis," *The American Political Science Review,* Vol. 63, No. 3 (Sept. 1969): 707.

[47] This argument is elaborated further in Bryan D. Jones and Frank R. Baumgartner, *The Politics of Attention: How Government Processes Information and Prioritizes Problems* (Chicago: The University of Chicago Press, 2005).

[48] William W. Newman, "Reorganizing for National Security and Homeland Security," *Public Administration Review,* Vol. 62, Special Issue (September 2002): 131-133.

[49] Barry Pump, "Beyond Metaphors: New Research on Agendas in the Policy Process," *The Policy Studies Journal,* Vol. 39, No. S1, 2011: 7.

Thus, during a time of institutional expansion after a crisis, older and well-established departments and agencies often have an edge in taking control of new areas of policy because they have the infrastructure already in place.

In this story, tensions within the Executive would prove incredibly salient in the beginning. The White House sought to maintain control over homeland-related institutional processes, while external Cabinets fought for expanded jurisdiction. In the fight over the HSAS, newly minted White House institutions (OHS and HSC) vied for control against deeply entrenched Departments, particular DOJ with its law enforcement focus. The DOJ had long stood as the cornerstone of the domestic law enforcement community. The 9/11 attacks confounded that position, as the tragedy brought to light key gaps between international security institutions and law enforcement agencies in stopping terrorist activities within the U.S. The HSAS provided an opportunity for the DOJ to assert its role in counterterrorism. DOJ also had an established institutional framework that could be reengineered to address these new concerns, and leveraged its existing bureaucracy as an asset in this time of political turmoil. At the same time, the Office of Homeland Security and the Homeland Security Council were new organizations within the White House with a defined mission but no real tools to execute it. The White House wanted to maintain control over homeland security, and centralize processes within these institutions. The HSAS was a highly visible measure that these institutions could adopt immediately, providing substantiation for their existence.

Later on, the rift between the executive and the legislature would prove to be consequential for the development of the terrorism warning system and its future home, the Department of Homeland Security. Issues of oversight, funding, and effectiveness all were taken

up by Congress throughout the course of the decade from 2001-2011, and would impact executive branch calculations as to where to place the HSAS and how to develop the new NTAS.

Importantly, in this model individual leaders operate within the confines of their respective institutions, and according to their respective positions. This model holds that any policymaker would act the same while holding a specific office; thus, organizational interests, rather than individual ones, are at the heart of this evolutionary story. Any senior member of the Bush and Obama administration would have recognized the benefit of creating an institutionalized warning scheme: it could protect his or her organization from future blame should another attack occur. John Mueller also highlights the acute political motivations behind terrorism warning systems. He argues,

> Threat exaggeration is additionally encouraged, even impelled, because politicians and terrorism bureaucrats have an incentive to pass along vague and unconfirmed threats to protect themselves from later criticism should another attack take place. There's a technical term for this behavior: CYA. And the result, as statistician Bart Kosko points out, is a situation in which 'a government plays safe by overestimating the terrorist threat, while the terrorists oblige by overestimating their power.'[50]

Mueller contends that the political impulse to institute protective measures such as warnings is a wasteful and ultimately useless enterprise. The warning system exists mainly because it operates to provide cover for politicians should another attack occur. Ian Lustick makes a similar argument that the expansion of counterterrorism infrastructure is vastly disproportionate to the actual threat posed by international terrorists.[51] All policymakers shared in this calculated risk aversion: the HSAS and NTAS would be beneficial to stave off later blame.

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[50] John Mueller, *Overblown: How Politicians and the Terrorism Industry Inflate National Security Threats, and Why We Believe Them,* (New York: Free Press, 2006): 37. Also quoting Bart Kosko, "Terror Threat May Be Mostly a Big Bluff, *Los Angeles Times*, September 13, 2004.

[51] Ian S. Lustick, *Trapped in the War on Terror* (Philadelphia: University of Pennslyvania Press, 2006). Lustick makes a much broader argument about the political motivations behind the War on Terror. He contends that

Each policymaker, then, had an incentive both to build a system *and* to expand the territory of his or her organization into the new field of homeland security. This model suggests that both the HSAS and later NTAS structures reflected nuanced bureaucratic compromises between entrenched interests. The position matters, not the person—any Attorney General or Secretary of Homeland Security would have acted the same in order to protect their institution's power, credibility, and purse strings.

A NOTE ABOUT EFFECTIVENESS

In examining this story of institutional growth, it is impossible not to also consider the efficacy of these warning systems. A perfectly functioning and effective terrorist warning system would fulfill two basic functions: (1) it would reduce the physical consequences of an impending attack[52], and (2) it would provide emotional/psychological reassurance to the population by demonstrating that the government can provide some degree of meaningful protection. Both of these core functions have various potential manifestations; scholars have found that the outcome of a warning is highly dependent on the way in which the warning is issued.[53] However, the general premise remains the same: an *effective* warning system should offer both physical and emotional safety from a threat. Yet, evaluating the efficacy of any public warning system is inherently complex because of the multitude of factors that go into an individual's response in

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politicians perpetuated a "calculated manipulation of post-9/11 anxieties that set off the spiral toward an extravagant and self-destructive War on Terror… Today, our system of government encourages virtually every American interest group, lobby, political party, and industry to redefine its particular vested interest as an objective crucially necessary for the accomplishment of the goal that has been blessed with an infinite willingness to expend resources—victory in the War on Terror" (6-7). This thesis does not delve into the broader political justifications for the War on Terror and its later implications, although it is certainly an interesting tangential topic.

[52] Physical consequences could be reduced in a variety of ways, including by reducing the probability of an attack by generating awareness that would deter aggressors.

[53] John H. Sorensen, "Hazard Warning Systems: Review of 20 Years of Progress," *Natural Hazards Review,* (May 2000), 121; Keith Smith, *Environmental Hazards: Assessing Risk and Reducing Disaster,* Sixth Edition (New York: Routledge, 2013).

times of crisis: a person is influenced not simply by the warning, but also by the media's coverage of the warning, information from trusted sources such as friends and families, and other underlying characteristics such as a person's socioeconomic status.[54]

Much has been written about these difficulties in developing effective systems. A long-standing literature exists for the development of natural disaster warnings, which bears on this discussion because its findings have often been misapplied to the case of terrorism. Although still imperfect, scholarship has generally distilled effective traits for risk communication in this vein.[55] The major findings of this field include the importance of a "people-centered" approach to warning, where warnings are tailored to community needs and understandings to maximize potential protective benefits.[56] This literature also asserts that more warnings from multiple channels are most productive in creating both protection and reassurance for the general populace.[57] Implicit or explicit in many of these arguments is the notion that "cry wolf" syndrome is nonexistent. Advanced by intelligence theorists such as Cynthia Grabo and Roberta Wohlstetter, the "cry wolf" phenomenon contends that when the government issues false warnings, the public begins to stop paying attention to any warnings.[58] For most natural disaster scholars, however, over-warning does not reduce credibility of government alert systems, but rather operates positively to increase public awareness.[59]

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[54] Kathleen J. Tierney, Michael K. Lindell, and Ronald W. Perry. *Facing the Unexpected: Disaster Preparedness and Response in the United States*, (Washington, D.C.: Joseph Henry Press, 2001), 29-30; 36-39.

[55] Sorensen, 119-124.

[56] Tierney et al.; Smith 125.

[57] Tierney et al.; Herring, "How Would Sociologists Design a Homeland Security Alert System?"

[58] Cynthia Grabo, "Anticipating Surprise: Analysis for Strategic Warning," *Center for Strategic Intelligence Research* (2002). Roberta Wohlstetter, "Cuba and Pearl Harbor: Hindsight and Foresight," *Foreign Affairs*, Vol. 43, No. 4 (July 1965). Wohlstetter notes that the "excess of warnings which turn out to be false alarms always induces a kind of fatigue, a lessening of sensitivity" (699).

[59] In *Environmental Hazards: Assessing Risk and Reducing Disaster,* Smith addresses the issue of credibility and "cry wolf" syndrome, and suggests one potential fix: a tiered warning system that has a "watch" phase, a "warning" phase, and an "all clear phase." This system could avoid massive mistakes like large-scale evacuations. However,

Public warning systems for terrorism are much newer, and also pose very different challenges. There is no academic consensus on the utility of warning for kinetic terrorist attacks. Instead, scholarship tends to fall into one of two major schools of thought in this field. The first asserts that warnings are useful and can be used frequently to promote public awareness. This general claim is defended through two primary rationales. First, many theorists draw upon natural disaster warning theory: these scholars find that terrorism warnings are similar in that they can be independently useful by raising public awareness and mitigating the costs of an actual attack.[60] However, these theories generally fall short because they do not incorporate the reactionary potential of the adversary in terrorism. Natural hazards cannot respond to a publicly broadcasted warning; terrorists can and often will, choosing softer targets or delaying the attack entirely.[61] This line of reasoning also neglects the importance of credibility and the potential impact of "cry wolf" syndrome. And finally, these theories neglect to account for the impulse to centralize terrorism warning: while natural hazards generally have small impact zones and can therefore be handled by state and local governments, terrorism is usually couched as a threat to the entire nation. The federal government will not want to give up its hold on the dissemination of warning information in the case of terrorism.[62]

The second rationale is used by counterterrorism scholars, who believe warnings are useful in so far as they are less costly than other types of protective measures that could be put in place. This school of thought is best exemplified by the work of John Mueller, who asserts that

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Smith is an outlier; for most natural disaster theorists, public trust is not a major concern in devising warning systems.

[60] Herring, "How Would Sociologists Design a Homeland Security Alert System?"; Fischhoff, "Assessing and Communicating the Risks of Terrorism."

[61] Richard K. Betts, "Surprise Despite Warning: Why Sudden Attacks Succeed," *Political Science Quarterly,* Vol. 95, No. 4 (Winter, 1980-1981): 551-557. Betts outlines some of the major obstacles of warning and the reasons why attackers often succeed even when evidence of intent has been gathered.

[62] Jacob N. Shapiro and Dara Kay Cohen, "Color Bind: Lessons from the Failed Homeland Security Advisory System," *International Security,* Vol. 32, No. 2 (Fall, 2007): 121-127.

the threat of terrorism has become dangerously overhyped.[63] However, Mueller believes that the "cry wolf" syndrome is actually a benefit of frequent warnings, by ultimately reducing the public's fear of potential attack. Although potentially a compelling psychological rationale, Mueller discounts the institutional incentives at the heart of warning: political leaders and government agencies have a clear desire not to issue continually false warnings, lest they lose their credibility. Delivering false warnings to the American public would not be in the best long-term interest of our national security institutions, even if it did help to reduce short-term public fear and anxiety in some measurable way.

The second general school of thought claims that public warnings for terrorism are rarely useful and should be employed infrequently, if at all. There are three main justifications for this model of warnings: warnings are not harmful but ineffective, warnings are psychologically distressing, and finally warnings discredit government institutions. First, risk analysts find that warnings are not harmful, but they are simply not effective. These scholars focus on the protective capabilities of warnings, determining that only private warnings can provide any real benefit. Public warnings are inherently non-specific due to intelligence uncertainties and a reactive adversary, and are therefore fruitless.[64] However, this approach completely discounts any potential palliative emotional or psychological aspects of public warning. Second, some political psychologists assert that warnings are dangerous because they create significant stresses on the mental well being of the public.[65] However, proposed solutions involve introducing almost complete transparency, which would be impossible both due to logistical uncertainties

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[63] John Mueller, *Overblown*; John Mueller, "Assessing Measures Designed to Protect the Homeland," *The Policy Studies Journal,* Vol. 38, No. 1, 2010.

[64] Edieal J. Pinker, "An Analysis of Short-Term Responses to Threats of Terrorism," *Management Science*, Vol. 53, No. 6 (June 2007).

[65] Rose McDermott and Philip G. Zimbardo, "The Psychological Consequences of Terrorist Alerts," in Bruce Bongar, Lisa M. Brown, Larry E. Beutler, James N. Breckenridge, and Zimbardo, eds., *The Psychology of Terrorism* (New York: Oxford University Press, 2006): 358.

and the sensitivity of intelligence involved in terrorism.[66] And third and finally, some

counterterrorism theorists find that warnings are counterproductive because they undermine the

credibility of U.S. government institutions. [67] This framework is most closely aligned to the

findings in this thesis; however, these scholars fall short in providing meaningful and adaptable

solutions for terrorism warning systems.

As of now, there exists no satisfactory way of understanding the effectiveness of

terrorism warning systems. Some scholars have discounted the political, institutional, and

intelligence difficulties inherent in warning the public about a terrorist attack. Others have

acknowledged these realities, while failing to provide a concrete, workable solution that will be

digestible to the average American citizen.

Determining the efficacy of the HSAS and NTAS, moreover, becomes even more

difficult. The HSAS called for general public responses, such as increased public vigilance. How

can one measure the degree to which individuals adopt such a response after a warning is issued?

As a result, evaluating the efficacy of the HSAS is all but impossible to do in any systematic and

methodologically rigorous way. Yet, despite the difficulties in quantitatively establishing its

failures, the HSAS has been almost universally condemned as an ineffective, unsuccessful

system. According to one senior policymaker in the Bush Administration, "The short story is, it

didn't work."[68] The system was ultimately replaced, which stands as a strong indication that the

original institution was not doing its job effectively.

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[66] Many specialists in the field of intelligence, including Grabo, Wohlstetter, and Betts, articulate the difficulty of transparency in intelligence warning. Shapiro and Cohen outline the difficulties in providing the public concrete and transparent warnings as well.

[67] Lawrence Freedman, "The Politics of Warning: Terrorism and Risk Communication," *International and National Security,* Vol. 20, No. 3, September 2005; Shapiro and Cohen.

[68] Interview with senior Bush administration official by author, January 12, 2015.

The NTAS, however, is more difficult to evaluate because it hasn't made any public warnings. What has the system been doing? Perhaps the system is working properly, but the threat of terrorism within the U.S. has declined to the point where no advance warnings have been necessary since the system's inception. However, this doesn't seem to be the case: the Office of the Director of National Intelligence consistently ranks terrorism among the top national security threats America faces.[69] Particularly in the wake of ISIS, fears of terrorist attacks on U.S. soil have become acute. Perhaps, instead, the threat of terrorism still exists, but the intelligence community has not been able to gather sufficiently specific and timely intelligence needed to issue an NTAS warning. Yet, FBI arrest records prove otherwise: as illustrated before, a number of U.S. citizens have been arrested on conspiracy to commit terrorist actions before being able to carry out an attack.[70] Or, finally, the warning system may just be silent because policymakers have deemed that warning the public is not advantageous. However, this too seems suspect: citizen actions have been critical in foiling a number of terrorist attacks, including the shoe bomber (2001), the underwear bomber (2009), and the Times Square bomber (2010). Clearly, engaging citizens can help prevent a catastrophe.

The only remaining explanation for this dearth of warnings, then, is that NTAS system itself isn't useful to policymakers. One academic argues that the NTAS process and its coordination with the DHS Counterterrorism Coordinator "represent a dramatic improvement in

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[69] As just one example, James R. Clapper, the Director of National Intelligence, released a Worldwide Threat Assessment in January 2014 that emphasized the "diverse array of [terrorist] actors" with the capability to threaten the U.S., and the "emergence of new power centers and an increase in threats by networks of like-minded extremist with allegiances to multiple groups" (4). The report also highlighted the severe threat posed by *homegrown violent extremists.* U.S. Congress, Senate, Select Committee on Intelligence, *Open Hearing on Current and Projected National Security Threats Against the United States,* 113th Cong., 2nd Session, January 29, 2014 (statement by James R. Clapper, Director of National Intelligence).

[70] "Terrorist Arrests and Plots Stopped in the United States 2009-2012."

timely and deliberate decision making at the strategic level."[71] However, the public facing side of the NTAS—the declassified side that justified the system's very existence—has produced no public dividends. The NTAS appears to be just as flawed as its predecessor, although with the decided advantage of under-warning and thus escaping the limelight.

CONCLUSION

The central question in this thesis is not the effectiveness of the HSAS and the NTAS. Rather, the remaining chapters focus on the institutional story behind the creation and evolution of the HSAS and NTAS: *How was the HSAS designed to provide protection and reassurance, and why did policymakers replace it? How was the NTAS designed to be effective, and what made it an appealing replacement?* In other words, what was the intention behind the two warning systems, and how did they come about? What forces—be they process-based, individual, or institutional—drove the evolutionary story of the HSAS and NTAS? And, most importantly, what can one learn from this seemingly bizarre trajectory? Chapters III, IV, and V will examine these questions using the three primary explanatory factors outlined above.

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[71] Roy B. Brush, "Silent Warning: Understanding the National Terrorism Advisory System," Thesis, *Naval Postgraduate School*, December 2014, 45.

Chapter III—"ROY G. BIV" to the Rescue[72]

The Origins of the Homeland Security Advisory System

September 2001 – December 2002

"Homeland security is not as simple as red light, green light… The federal
government must guide first responders so that they know what to look for
and what to do."

—Jane Harman (D-Calif.)
Ranking Democrat on the House Subcommittee
on Terrorism and Homeland Security
(March 13, 2002, one day after the new advisory system is announced)

INTRODUCTION

This first period following the 9/11 attacks, from September 2001 to December 2002,

marked the creation of a national terrorism warning system: the Homeland Security Advisory

System. Each framework—policy streams, individual interests and leadership, and organizational

politics—proposes a different outcome during this stage of development. While organizational

politics is useful in understanding the eventual shape of the system, the policy streams

explanation provides the most compelling account of the establishment of the HSAS. The system

was created in a policy window as a response to a crisis of political communication; it was

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[72] This chapter title was adopted from the title of an editorial written two days after the advisory system was
unveiled. The editorial was critical of the system; ROY G. BIV is an acronym for the colors of the rainbow in the
order that they appear (Red, Orange, Yellow, Green, Blue, Indigo, and Violet), and was used in this piece to point
out the futility of using a color-coding scheme to issue alerts for something as complex as terrorist threats. "ROY G.
BIV to the Rescue," *St. Louis Post-Dispatch,* editorial, March 14, 2002.

derived from ill-fitting solutions in a quick attempt to fill a gap in existing institutions. The

resulting terrorism warning system was defunct from the very start.

THE BIRTH OF A NEW WARNING SYSTEM

On September 20, only days after the September 11 attacks, Tom Ridge, took the helm of

the Office of Homeland Security. The former Governor of Pennsylvania, Ridge found his new

position was ambiguous at best. He was chosen for the task of orchestrating White House

homeland security policy in large part because of his close relationship to the President.[73]

However, devising coherent plans for homeland security was no small feat. As Robert Gates,

former Director of the CIA and future Secretary of Defense, wrote in *The New York Times* in

November 2001, "For all practical purposes, the federal government started homeland defense

from scratch on September 11."[74] Tens of dozens of federal, state, and local agencies had a stake

and a role to play in the emerging field of homeland security, and Mr. Ridge was suddenly in

charge of "trying to weld a mass of bureaucracies that were created for other purposes into a

coherent system."[75]

The Homeland Security Advisory System (HSAS) was born in this environment: an

America still recovering from the most serious attack on its soil since Pearl Harbor, and a mass

of agencies and institutions in Washington still parsing out rudimentary plans to organize for

homeland defense. Ridge announced the new system on March 12, 2002, from his position as

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[73] "Poor Tom. America's homeland security is still chaotic, but it isn't all Tom Ridge's fault," *The Economist,* April 18, 2002, http://www.economist.com/node/1087310 (accessed online March 12, 2015).

[74] Robert M. Gates, "The Job Nobody Trained For," *The New York Times*, November 19, 2001, http://www.nytimes.com/2001/11/19/opinion/the-job-nobody-trained-for.html, (accessed online April 20, 2015).

[75] "Poor Tom," *The Economist*; U.S. Congress, House of Representatives, Committee on the Budget, *Ensuring Domestic Security: Issues and Potential Costs: Hearing before the Committee on the Budget,* 107th Cong., 1st sess., November 7, 2001 (prepared Statement of David Walker).

Director of the Office of Homeland Security (OHS) within the White House. The system was intended to institutionalize government terrorism warnings in the fear-ridden post-9/11 environment. The Bush administration had issued a series of vague and ad hoc messages about terrorism in the months that followed the attacks on New York and Washington; the new warning system was developed in response to criticisms levied from state and local law enforcement that recent warnings were creating public confusion and panic.[76] According to Ridge,

> The Homeland Security Advisory System is designed to measure and evaluate terrorist threats and communicate them to the public in a timely manner. It is a national framework; yet it is flexible to apply to threats made against a city, a state, a sector, or an industry. It provides a common vocabulary, so officials from all levels of government can communicate easily with one another and to the public. It provides clear, easy to understand factors which help measure threat.[77]

The system had five color-coded tiers, where higher levels corresponded with "greater risk of a terrorist act, with risk including both probability and gravity."[78] Red was the highest level, and corresponded to a "severe" risk of terrorist attacks. Orange was next, indicating a "high" risk, followed by Yellow for "elevated," then Blue for "guarded," and finally Green for "low" risk.

The system was introduced at Yellow, the intermediate level, because of continuing evidence that al Qaeda was attempting to regroup after American military attacks in Afghanistan, and the likelihood that terrorists trained by al Qaeda were still operating within the U.S.[79] Ridge was frank about the prospects for lowering the threat level to "low" in the near future: "Chances

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[76] Shenon, "A Nation Challenged: Domestic Security; Color-Coded System Created to Rate Threat of Terrorism."

[77] "Remarks by Governor Ridge Announcing Homeland Security Advisory System, Washington, D.C.," *The White House,* March 12, 2002, http://georgewbush-whitehouse.archives.gov/news/releases/2002/03/20020312-14.html (accessed February 10, 2015).

[78] George W. Bush, "Homeland Security Presidential Directive 3," March 12, 2002, http://georgewbush-whitehouse.archives.gov/news/releases/2002/03/20020312-5.html (accessed February 10, 2015).

[79] Shenon, "A Nation Challenged: Domestic Security; Color-Coded System Created to Rate Threat of Terrorism."

are we will not be able to lower the conditions to green until, as the President said yesterday, the

terror networks of global reach have been defeated and dismantled. And we are far from being

able to predict that day."[80] The White House subsequently released Homeland Security

Presidential Directive-3, which outlined the new system in greater detail. In the initial set-up,

Attorney General John Ashcroft was responsible for setting the threat level. He operated in

coordination with Ridge's office within the White House, but was the ultimate decision-maker.

Although news outlets reported that "changes to the threat level [were] to be made public

immediately," this was actually not the case.[81] HSPD-3 made clear that the Attorney General

would make the decision to go public with threat level changes on a case-by-case basis.[82]

However, "Every effort shall be made to share as much information regarding the threat as

possible, consistent with the safety of the Nation."[83] After national security, informing the public

was the number one priority of the HSAS.

HSAS warnings were disseminated across the government, to federal departments, state

and local agencies, the private sector, and of course, the public.[84] Each threat level corresponded

to a particular set of suggested protective measures, to be implemented by federal as well as state

and local authorities.

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[80] "Remarks by Governor Ridge Announcing Homeland Security Advisory System."

[81] Shenon, "A Nation Challenged: Domestic Security; Color-Coded System Created to Rate Threat of Terrorism."

[82] "Homeland Security Presidential Directive 3."

[83] Ibid.

[84] Shawn Reese, "CRS Report for Congress: Homeland Security Advisory System—Possible Issues for Congressional Oversight," *Congressional Research Service*, January 11, 2005.

Threat Level	Risk of Terrorist Attack	Protective Measures
GREEN Low	Low	- Refine preplanned protective measures - Ensure personnel trained on HSAS and preplanned protective measures - Institutionalize a process for assuring all facilities are assessed for vulnerabilities and measures are taken to mitigate these vulnerabilities
BLUE Guarded	General	- Check emergency response communications - Review and update emergency response procedures - Provide information to public that would strengthen its ability to react to an attack
YELLOW Elevated	Significant	- Increase surveillance of critical locations - Coordinate emergency plans with other federal, state, and local facilities - Assess the threat and refine protective measures as necessary - Implement emergency response plans
ORANGE High	High	- Coordinate security efforts with federal, state, and local law enforcement agencies - Take additional protective measures at public events, changing venues, or consider cancelling if necessary - Prepare to execute contingency operations - Restrict facility access to essential personnel
RED Severe	Severe	- Increase or redirect personnel to address critical emergency needs - Assign emergency response personnel and mobilize specially trained teams - Monitor, and redirect transportation systems - Close public and government facilities

Table 1—Threat Level with Corresponding Protective Measures[85]

Raising the threat level corresponded with concrete security changes, which created fiscal costs for officials as they grappled with a heightened risk of terrorism.

After launching the HSAS, the White House instituted a 12-month period for state and local officials to offer feedback on the system.[86] However, within days of the unveiling, the system found both support and criticism. The HSAS received considerable media attention, with *The New York Times, The Washington Post,* and *USA TODAY* all writing in-depth stories about the system's creation that went to press the day after Governor Ridge's announcement.[87] William

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[85] Ibid., 2.

[86] Unfortunately, this feedback has not been made public as of this writing.

[87] Shenon, "A Nation Challenged: Domestic Security; Color-Coded System Created to Rate Threat of Terrorism"; Bill Miller, "National Alert System Defines Five Shades of Terrorist Threat; Ridge Expects U.S. to Stay at Heightened Awareness for Years," *The Washington Post,* March 13, 2002 (accessed through LexisNexis on

Berger, the head of the International Association of Chiefs of Police, was pleased with the steps the administration was taking. He told *The New York Times*, "I think it's a very workable system. Law enforcement certainly wanted more specificity."[88] At the same time, Jane Harman, a representative from California and the ranking Democrat on the House Intelligence Subcommittee on Terrorism and Homeland Security, offered measured praise, pressing that the federal government still needed to strengthen intelligence sharing mechanisms with local officials.[89] One editorial, entitled "ROY G. BIV to the Rescue," quipped, "The Federal Government now has a snappy five-colored 'Homeland Security Advisory System'… The CIA testifies, the FBI testifies, but Mr. Ridge issues color bulletins. Somehow, that doesn't make us feel any safer."[90] ROY G. BIV, an acronym for the colors of the rainbow, underscored just how arbitrary and unhelpful the new system seemed to many. Within days, the HSAS garnered a mixed response from policymakers and media commentators alike.

ORGANIZING FOR HOMELAND SECURITY:

THE DHS DEBATE AND THE FATE OF WARNING

Over the next few months, the creation of the HSAS was overshadowed by a much larger debate: whether to create a statutory agency devoted specifically to homeland security. Initially, the White House vehemently opposed creating a separate department, in large part because the president felt that keeping open and efficient lines of communication to Ridge and the homeland

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February 12, 2015); Andrea Stone and Kevin Johnson, "Chart aims to make warnings more useful," *USA TODAY,* March 13, 2002 (accessed through LexisNexis on February 12, 2015).

[88] Shenon, "A Nation Challenged: Domestic Security; Color-Coded System Created to Rate Threat of Terrorism."

[89] Ibid.

[90] "ROY G. BIV to the Rescue."

security office was key to effectiveness.[91] By placing homeland security issues within the White House—through both the Office of Homeland Security (OHS) and the Homeland Security Council (HSC), a parallel to the National Security Council (NSC)—the Bush administration argued that they could maintain flexibility and efficiency without disrupting the myriad of organizations that were involved in homeland security enterprises.[92]

Congress, however, took issue with the administration's approach. The idea of creating a separate federal agency for homeland security was alive in congress even before 9/11: H.R. 1158 was sponsored by Representative William Thornberry (R—Tex.) and introduced into the House on March 21st, 2001.[93] Thornberry and others were responding to the findings of the Hart-Rudman Commission, which had suggested the creation of a distinct agency to deal with homeland defense.[94] However, after 9/11, proposals for placing homeland security under more direct congressional scrutiny proliferated. One bill, S.1534, was introduced on October 11, 2001 by Senator Joseph Lieberman (D—Conn.) and called for the establishment of a Department of National Homeland Security with a Secretary subject to Senate confirmation.[95] Other bills were also introduced that proposed to keep OHS within the White House, but that nonetheless called for increased Congressional oversight.[96]

Congress was adamant about increasing oversight of Ridge in one way or another. The House and Senate fought publicly with the Bush Administration for Ridge to testify. Particularly

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[91] "Poor Tom," *The Economist.*

[92] Newman, 126-127.

[93] National Homeland Security Agency Act, H.R. 1158, 107th Cong., 1st Sess., March 21, 2001, https://www.congress.gov/bill/107th-congress/house-bill/1158 (accessed February 12, 2015).

[94] "Road Map for National Security: Imperative for Change," The Phase III Report of the U.S. Commission on National Security/21st Century, *The United States Commission on National Security/21st Century*, February 15, 2001: viii-ix, 15.

[95] Department of National Homeland Security Act of 2001, S. 1534, 107th Cong., 1st Sess., October 11, 2001, https://www.congress.gov/bill/107th-congress/senate-bill/1534 (accessed February 12, 2015).

[96] Newman 131; Office of Homeland Security Act of 2001, H.R. 3026, 107th Cong., 1st Sess., October 4, 2001, https://www.congress.gov/bill/107th-congress/house-bill/3026 (accessed February 12, 2015).

after President Bush called for $38 billion to be appropriated to OHS for domestic security programs, Congress demanded that Ridge speak on the record about this funding. [97] The White House claimed that because Ridge was an advisor and not a cabinet secretary or agency head, he was not required to appear before Congress. As expected, this answer proved inadequate for the legislature. Although Democrats were the first critics, overtime more and more Republicans also began to voice opposition to the White House policy of keeping Ridge out of their chambers. Senator Chuck Hagel (R—Neb.) stated, "'I don't think that is a wise way to do these things… The fact is we are a co-equal branch of government to the executive.'"[98] A bureaucratic war between the Executive and Legislature was brewing.

Eventually under a looming threat of subpoena, the administration allowed Ridge to give an informal, closed-door briefing to Congress in Spring 2002.[99] This action didn't pacify leaders in Congress, but rather incited further ire. Finally, seeing no other option, the administration began moving toward creating a new cabinet-level department. Mitch Daniels, the Director of the Office of Management and Budget (OMB), told reporters on April 12, 2002,"The President has said from the outset that the structure for organizing and overseeing homeland security may evolve over time as we all learn more and as circumstances change."[100] Ridge also stated on the record that he was open to creating a separate department.[101]

Unsurprisingly, once the Bush administration decided to support the creation of a new department, it moved quickly to commandeer the proposal process. President Bush instructed his

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[97] Alison Mitchell, "Letter to Ridge Is Latest Jab Over Balance of Powers," *The New York Times*, March 5, 2002, http://www.nytimes.com/2002/03/05/us/nation-challenged-congressional-hearings-letter-ridge-latest-jab-fight-over.html (accessed February 21, 2015).

[98] Mitchell, "Letter to Ridge Is Latest Jab Over Balance of Powers."

[99] Newman 132; Mitchell "Letter to Ridge Is Latest Jab Over Balance of Powers."

[100] Elizabeth Becker, "Bush Is Said to Consider a New Security Department," *The New York Times*, April 12, 2002, http://www.nytimes.com/2002/04/12/us/nation-challenged-domestic-security-bush-said-consider-new-security-department.html (accessed March 10, 2015).

[101] Becker, "Bush Is Said to Consider a New Security Department."

chief of staff, Andrew Card, to come up with a proposal in secret that offered maximal

flexibility. [102] Card worked rapidly, choosing not to field explicit feedback from congressional

leaders, agency directors, or cabinet secretaries; he consciously avoided those in positions most

affected in order to limit potential opposition.[103] As an alternative to Card's work, Ridge crafted

a more narrow consolidation plan, but his option was leaked to the press and subsequently failed

to garner much attention.[104] By May 21, Card had completed his proposal; by May 31, the

president had signed off on the new plan.

A battle thus ensued in Congress. Although the House quickly passed a bill that reflected

the White House proposal, the Democrat-controlled Senate had its own vision. Senator

Lieberman introduced a substitute bill that stripped the White House proposal of much of the

flexibility the Bush administration sought. This alternative passed committee on July 25, forcing

President Bush to threaten to veto any bill that did not match his own plan for the new

department. The Senate reached a stalemate until the November elections. Two Senate

Democrats (Jean Carnahan of Missouri and Max Cleland of Georgia) lost their seats to

Republican challengers, in large part because of damaging campaign attack ads that accused

them of opposing the creation of an important new department dedicated to homeland security.[105]

Right after the election, President Bush put the creation of a department at the top of his

legislative agenda, stating, "The single most important piece of unfinished business on Capitol

Hill is to create a unified Department of Homeland Security."[106] The final bill reflected the

majority of the White House's requests, including most controversially a statute allowing the

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[102] Donald P. Moynihan, "Homeland Security and the U.S. Public Management Policy Agenda," *Governance: An International Journal of Policy, Administration, and Institutions,* Vol. 18, No. 2, April 2005: 178.

[103] Ibid., 178.

[104] Newman 178.

[105] Moynihan, "Homeland Security and the U.S. Public Management Policy Agenda," 180.

[106] Keith Koffler, "White House Urges Quick Approval of Homeland Bill," *Government Executive,* November 7, 2002, quoted in Moynihan, "Homeland Security and the U.S. Public Management Policy Agenda," 181.

Secretary of Homeland Security to have final control of personnel decisions within the Department.[107] This bill passed the house on November 13 by a vote of 299 to 121, and the Senate on November 18 by 90 to 9. Under the Homeland Security Act of 2002, the Department of Homeland Security was born at last.

What did this mean for the HSAS? The warning system had a new home: a statutory department headed by the Secretary of Homeland Security. For the time being, this was still Tom Ridge, who was almost immediately confirmed as the new head of DHS. The Secretary of Homeland Security was now in charge of raising and lowering the HSAS threat level, in consultation with the HSC.[108] The role of DOJ and the Attorney General faded away entirely.[109]

With the move to DHS, the HSAS became further institutionalized as part of the emerging homeland security organizational apparatus. The Department codified a new series of steps for transmitting warning information after an HSAS alert level change. DHS first took several steps to alert federal, state and local departments and law enforcement agencies before making a public announcement:

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[107] This had been a major sticking point, as it allowed the Secretary to revoke union memberships when he or she believed that they threatened national security.

[108] Reese, "CRS Report for Congress: Homeland Security Advisory System: Possible Issues for Congressional Oversight."

[109] George W. Bush, "Management of Domestic Incidents," Homeland Security Presidential Directive 5, February 28, 2003, http://fas.org/irp/offdocs/nspd/hspd-5.html (accessed March 12, 2015).

	Sector	Action
1	Government: Federal, State/Local	Electronic notification goes through the National Law Enforcement Telecommunications System (NLETS) to state homeland security centers and federal, state, and local agencies
2	Government: Federal, State/Local	[Time permitting] Secretary of DHS or designated representative initiates conference call to governors, homeland security advisors in states, and mayors of selected cities about alert
3	Government: State/Local	[Time permitting] DHS Secretary initiates a second conference call to state and local law enforcement agencies
4	Private Sector	DHS notifies CEOs of top businesses using Business Roundtable's Critical Emergency Operations Communications Link (CEO COM LINK)
5	Public	DHS makes public announcement of threat level change through a press conference
6	Private Sector	Critical infrastructure associations and other business groups are alerted

Table 2—Order of Transmitting Information in Event of Threat Level Raise[110]

Yet, throughout the fight over DHS, criticism of the system continued to gain force. The HSAS was used irregularly throughout 2002: high-ranking government officials continued to issue warnings and advisories separate from the system, making actual threat level changes appear almost random. In May 2002, Vice President Cheney, FBI Director Robert Mueller, OHS Director Ridge, and Secretary of Defense Donald Rumsfeld all made public warnings about the threat of terrorist attack against nuclear power plants; however, the HSAS did not budge from Yellow, or "elevated" risk.[111] The same occurred in June and July: senior policymakers in the Bush administration went public with threats, but the HSAS did not move. Yet, the HSAS level was raised on the eve of the anniversary of 9/11, despite public pronouncements by the President and others there was no risk to an attack on the homeland, but rather of a terrorist strike on U.S.

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[110] Summarized from Reese, "CRS Report for Congress: Homeland Security Advisory System: Possible Issues for Congressional Oversight."

[111] Charles V. Pena, "Back to Yellow Alert – But What Changed?" *The Cato Institute,* September 25, 2002, http://www.cato.org/publications/commentary/back-yellow-alert-what-changed (accessed March 12, 2015).

interests abroad.[112] The general public was already beginning to lose trust in the system, questioning whether its purpose was not more for show than for real safety. Academics and commentators began making more forceful public pronouncements of skepticism. By the time the system moved to DHS, it had received much more negative press than positive.[113]

The fifteen months after 9/11, from September 2001 to December 2002, was a period of immense change in Washington. The HSAS was one of many new institutions that arose during this time, yet it was quickly overshadowed by the birth of its future home, the Department of Homeland Security. However, the system was perhaps the most public facing component of the Bush administration's counterterrorism policy. Intended to clarify an environment of fear and panic, the HSAS wrought confusion and then cynicism within months. Why did the Bush administration pour resources into creating a terrorism warning system in the months following 9/11? What organizational processes led to the creation of a system that seemed so promising, but ultimately failed to garner real public trust? The remainder of this chapter will examine these events through the explanatory frameworks introduced in the preceding chapters: (1) policy streams; (2) individual interests and leadership; and (3) organizational politics.

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[112] Pena, "Back to Yellow Alert."

[113] Scholars were already beginning to question the HSAS by the end of 2002; see Fischhoff. News was also becoming more critical. Of the 20 articles published between September 1, 2002 and December 31, 2002 that mentioned the warning system, 10 were outwardly critical of it. Only one framed the system in a positive light—an op-ed by Tom Ridge, the current Secretary of Homeland Security. Tom Ridge, "Alert system works," *USA TODAY,* September 26, 2002 (accessed on LexisNexis, May 18, 2015).

EXPLANATION 1: POLICY STREAMS

Expected Outcome: Immediate but Imperfect Change

First and foremost, the policy streams explanation contends, "events are usually the

impetus for public policy innovation and change."[114] The 9/11 attacks are a clear example of a

focusing event that shifted the landscape of American government and public policies. As

anticipated, the HSAS was born almost directly out of this crisis. The new system came amidst a

much larger policy window, whereby the White House had to reorganize its national security

institutions to respond to the new threat of international terrorism. Homeland security—an issue

no one had paid attention to only months earlier—suddenly became front and center. The White

House created the OHS and HSC within weeks of 9/11 (on September 20 and October 8,

respectively), the beginnings of a major institutional overhaul to coordinate homeland defense.

Eventually, as outlined above, this shift would lead to the creation of a new Department of

Homeland Security, compiled from 22 different agencies and organizations from across the

federal government.

The HSAS was implemented in reaction to a much narrower, though still pressing issue:

the problem of vague, ad hoc warnings of potential terrorism threats. Previously, government

officials had been going public with almost every potential attack. The FBI issued several major

public warnings of imminent attacks, including global alerts on October 11 and 30.[115] In January,

the FBI put 18,000 police stations on high alert for terrorist threat; in February, they went public

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[114] Newman 127; Kingdon, *Agendas, Alternatives, and Public Policies*.

[115] Dan Eggen and Bob Woodward, "FBI Issues 2nd Global Attack Alert; Credible Reports Indicate Strikes on U.S. Possible In Next Week, Agency Says," *The Washington Post,* October 30, 2001 (accessed on LexisNexis on April 15, 2015).

with warnings of an imminent attack based on the confessions of prisoners in Afghanistan.[116]

These kind of public announcements had become the norm, ranging from California Governor Gray Davis's warning in 2001 that al Qaeda planned to blow up the Golden Gate Bridge, to a flurry of warnings issued by Ridge and other senior White House officials. The general population had no baseline for understanding the threat of terrorism, let alone the meaning and context behind these continual threat assessments. The country was oscillating between fear and confusion.

The Bush administration recognized a need to codify these warnings to avoid both the potential for public hysteria, and the possibility that the public would eventually lose trust in its government. The White House was already operating at a loss, having failed to prevent the most catastrophic attack on U.S. soil in decades, and the first serious attack against the continental homeland since the War of 1812. Instilling public confidence was paramount. The administration was very clear in noting that the HSAS was a response to public demands. Indeed, in his remarks announcing the system's creation, Ridge stated, "States encouraged us to act. And now they have a template to guide their actions."[117] The creation of the HSAS constituted a clear reaction to a new problem and an open policy window.

As predicted by the policy streams model, the system was also created very quickly. The HSAS was put in place in March 2002, *before* formal feedback was solicited. Rather than wait for state and local agencies to weigh in during the creation or implementation stage, the Bush administration worked at warp speed to erect the HSAS only six short months after 9/11. The priority was to create *something*, and quickly. No task forces were established to discuss the idea.

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[116] Shenon, "A Nation Challenged: Domestic Security; Color-Coded System Created to Rate Threat of Terrorism." Dan Eggen and Bill Miller, "Terror Alert Stems From Data Gained In Afghanistan; Officials Say Prisoner Interviews Provided Target Date of Tuesday," *The Washington Post*, February 13, 2002 (accessed on LexisNexis on April 15, 2015).

[117] "Remarks by Governor Ridge Announcing Homeland Security Advisory System."

Emergency management specialists and security experts were brought in to consult, but the

HSAS was created without much feedback outside of the White House, the Office of Homeland

Security and select federal departments such as DOJ. The Bush administration first solicited

feedback *after* the HSAS was announced: a 12-month period was opened for agencies and local

officials to provide commentary and suggestions.[118]

Most importantly, the policy streams model suggests that because policy changes happen

quickly in these policy windows, the resulting institutions are often imperfect or even

inadequate. Institutions are created from "solutions in search of a problem." This proved exactly

the case with the birth of the HSAS. The system was not brand new per se; rather, it was an

amalgamation of pre-existing systems that constituted improper analogies. Almost every federal

agency had some form of advisory system at the time, including the Department of Defense, the

Federal Aviation Administration, and the Customs Service (the predecessor to the Customs and

Border Protection). As Gordon Johndroe, a senior official at OHS and later at DHS, noted,

> Almost every federal agency at the time had its own system—the
> FAA had one system, DOD had a system, and Customs had a
> system… But basically, every federal agency and I think some
> states had their own version of this with different levels meaning
> different things… So we looked across all the federal agencies and
> all the levels they had, and then also looked overseas, at what the
> Brits were doing.[119]

The OHS drew heavily from a number of different sources, including the Force Protection

Conditions system used by the U.S. military, as well as Defense Department and State

Department warning systems for terrorism.[120]

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[118] "Homeland Security Presidential Directive 3."

[119] Interview with Gordon Johndroe by Author, May 8, 2015.

[120] Jacob Shapiro and Dara Cohen, "Color Bind: Lessons from the Failed Homeland Security Advisory System," *International Security*, Vol. 32, No. 2 (Fall 2007), 127-9.

However, these systems each had a very different mission than what the new Homeland Security Advisory System hoped to achieve. DOD's terrorism warning system was put out by the Defense Intelligence Agency and issued alerts of threats in *other* countries. Similarly, the State Department's Worldwide Caution terrorism warning system also assessed the risk of terrorist attacks abroad. These systems were updated periodically, and could mark a country as high risk for months or even years at a time. They were not calibrated to assess situations rapidly or frequently. Both alert systems were updated online, rather than through public press conferences or announcements. Although these systems certainly affected travel and business, they did not have an immediate impact on the average American. These systems were dramatically different from a nation-wide homeland-based terrorism advisory system, which was to be updated publicly, and which would introduce a variety of security measures to be implemented across the U.S.[121]

The Defense Department's Force Protection Condition system was another inadequate model used in the creation of the HSAS. This system assessed the likelihood of a terrorist attack on U.S. soil, but was limited in application to military installations. Although raising and lowering the condition level created both a visible and fiscal impact on military service members, their families, and anyone who traveled regularly through a DOD installation, these warnings once again did not apply to the entire nation's infrastructure.[122] The Customs Service had a similar warning system before becoming part of the Customs and Border Protection in

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[121] Reese, "CRS Report for Congress: Homeland Security Advisory System: Possible Issues for Congressional Oversight," 2.

[122] Julian Santistevan, "Force Protection Conditions," *Nellis Air Force Base,* September 25, 2009, http://www.nellis.af.mil/news/story.asp?id=123169728 (accessed May 10, 2015).

2003; however, this system only applied to border regions, and affected inspection protocols for entering cargo.[123] This system also did not affect the general American public.

Senior policymakers recognized that terrorism warning was fundamentally different from natural disaster warning systems, and made note of these differences in public remarks.[124] However, the policymakers drew upon other systems that, although they dealt with terrorism, were vastly different in scope and purpose than the HSAS. A system aimed at a certain sector of government procedures or property is fundamentally distinct from a warning system meant to address the entire nation. The HSAS was reactive, rather than reflective. The Bush administration chose to put together a system quickly in response to a pressing problem, rather than take the time to devise a new system calibrated to the unique problems of terrorism warning.[125] The HSAS was pieced together from existing warning systems in a classic policymaking shortcut. Bush administration leaders reached into a policy stream filled with existing "solutions in search of a problem," inadequate though these off-the-shelf fixes would turn out to be.

EXPLANATION 2: INDIVIDUAL INTERESTS AND LEADERSHIP

Expected Outcome: Quick, High Profile Implementation

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[123] Yonah Alexander and Tyler B. Richardson, *Terror on the High Seas: From Piracy to Strategic Challenge*, Vol. 1 (Santa Barbara, Calif.: ABC-CLIO, 2009): 163-170.

[124] "Remarks by Governor Ridge Announcing Homeland Security Advisory System."

[125] Shapiro and Cohen offer a different perspective: "Many observers assume that the HSAS was developed ad hoc, put together in a slapdash manner under severe political pressure and time constraints. Our research suggests that HSAS was not rushed to deployment and that the process was largely a thoughtful attempt to construct a graduated alert system whose terms would be clearly understood by its many users" (127). However, they do not directly address whether the analogies used by policymakers were adequate. Even if the Bush administration had taken a long time to put together the warning system, that doesn't mean that they used appropriate models for formulating a terrorism-specific scheme.

Because of the catastrophic events of 9/11, policymakers would be driven to *do something* to create reassurance among the public. As this model suggests, the HSAS was implemented rapidly, publicly, and at fairly low cost. Announced as part of a presidential directive, it did not require legislation or appropriations form Congress. The system was paid for out of the OHS's pre-existing $38 million dollar budget, and did not constitute a substantial monetary investment.[126] The HSAS was also a relatively high-profile venture. Governor Ridge, then-director of OHS, announced the system publicly in Washington in a large ceremony, and a variety of print outlets covered the event and the subsequent system.[127]

However, the rapid and high profile implementation of the HSAS can also be explained through other lenses—particularly through the policy streams lens. The unique predictive power of the individual interests and leadership explanation is that it anticipates that specific people in power would have a clear imprint on the system, separate from their organizational prerogatives. An individual would seek to shape the structure of the system beyond simply protecting or expanding institutional turf; rather, he or she would hope to assert a certain vision in order to reap political benefits.

Yet, this was not the case. The HSAS was not the result of outsized individuals pressing their own personal agendas, but of organization heads fighting for jurisdiction over the system.[128] The system was born from a bureaucratic compromise between the interests of the newly established OHS within the White House, and the long-established and deeply entrenched DOJ.

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[126] I could find no figures on the cost of the system, but was never mentioned as a particularly costly venture when Congress was haggling with OHS about its budgeting and programs. The system also never arose in budget hearings during this period.

[127] As noted before, *The Washington Post, The New York Times,* and *USA TODAY* all published stories on the advisory system. A total of nine articles were published on the system within its first week of existence (LexisNexis Search Results).

[128] Benigno E. Aguirre, "Homeland Security Warnings: Lessons Learned and Unlearned," *International Journal of Mass Emergencies and Disasters,* Vol. 22, No. 2, 2004.

The HSAS teetered between the two organizations from the start, whereby the OHS was in charge of providing guidance on threat level changes but the Attorney General had the final say on any shifts.

Individual leaders clashed in the crafting of the HSAS, but not over the general framework of the system. Instead, Ridge fought for the OHS to have control over the system in order to legitimize this new organization. At the same time, Attorney General John Ashcroft fought for a place for law enforcement within the warning system, using the "bureaucratic clout" of the DOJ.[129] Ridge and Ashcroft did not argue over the substance of the system, such as its color-coded, tiered structure. The colors only provoked a fight when the Bush administration tried to decide at what level to unveil the HSAS.[130]

Even if Ridge had hoped to assert his own interests in the creation of the HSAS, he likely lacked the political capital necessary. Ridge proved to be fairly weak as Director of OHS. He fought and often lost against other cabinet members as he tried to make changes to homeland security infrastructure.[131] Even in the discussion to create a new Department of Homeland Security—a discussion that should have been Ridge's to manage—Andrew Card, the Chief of Staff, was put in charge of the process to organize a proposal for Congress. Ridge offered up his own outline, but the plan was not given much thought after it was leaked to the press.[132]

If individual leadership had played a prominent role in the creation of the HSAS, then its substantive structure would reflect the hand of its creators. Ashcroft or Ridge would have fought publicly for particular schema in order to reap the personal political benefits. Instead, Ashcroft and Ridge fought not as individuals, but as dueling organizational heads. They clashed over

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[129] "Poor Tom," *The Economist.*

[130] Ridge 99-103.

[131] Moynihan, "Homeland Security and the U.S. Public Management Policy Agenda," 177.

[132] Ibid., 178.

issues that were tied directly to their institutional jurisdictions, not to their own personal

interests.

EXPLANATION 3: ORGANIZATIONAL POLITICS

Expected Outcome: A Bloody Turf War

After 9/11, homeland security had already become a bureaucratic battlefield, as both the

White House, Congress, and various departments struggled to define their place in a rapidly

expanding field.[133] As expected, the advent of a new, visible warning system precipitated yet

another bureaucratic fight, as different agencies attempted to lay claim to the most public piece

of the emerging homeland security apparatus. Both DOJ and OHS fought to control the initial

system. Although Ridge, the head of OHS, announced the HSAS, it was the Attorney General

and head of DOJ who had final control of when the threat level would be raised and lowered.

Ridge emphasized that DOJ would work in consultation with OHS and the Homeland Security

Advisory Council, but that the Attorney General would be "responsible for communicating the

threat to law enforcement, state and local officials, and the public."[134]

The split jurisdiction of the system reflected important bureaucratic compromises. Ever

the politician, Ridge publicly characterized this organizational fight as an example of teamwork

across agencies:

> If you want an example of why collaboration and cooperation and
> partnership are so important in our collective effort against
> terrorists and terrorism, look no further. This is a perfect example
> of what happens when we cooperate and collaborate and work

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[133] Newman 131-33.

[134] "Remarks by Governor Ridge Announcing Homeland Security Advisory System."

together toward a common solution, once we've identified the problem.[135]

Even though Ridge was the head of OHS, Ashcroft and DOJ remained very publicly involved in the initial system.[136] Ashcroft and Ridge continued to offer public warnings throughout 2002. After the threat level was raised on the anniversary of 9/11, Ashcroft and Ridge issued a joint statement when the level was once again lowered to Yellow.[137] And, perhaps more troubling, both continued to issue cautionary alerts outside the structure of the HSAS.[138]

Indeed, the HSAS was only one of many turf battles that arose from the creation of the OHS and the elevation of Ridge to a senior presidential advisor. Ridge lost "a succession of high-profile battles with his 'colleagues,'" including a dispute over border security. Ridge had pushed for consolidation of organizations that worked on border security, drafting up plans that were then leaked to the press and "then kicked to death by a posse of cabinet secretaries," not least of which was Ashcroft at DOJ.[139] Ridge also attempted to take a lead role in the creation of DHS, only to have his proposal leaked to the press and then generally ignored.

Both Ashcroft and Ridge acted as any leader would have in their positions: as heads of organizations, they each sought to stake a claim to homeland security and protect their institutional interests in the process. The rivalries that emerged were hardly out of the ordinary.[140] The national security apparatus has always been plagued with disputes between the NSC, with its proximity to the president, and cabinet secretaries with statutory and budgetary

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[135] "Remarks by Governor Ridge Announcing Homeland Security Advisory System."

[136] Aguirre 137.

[137] Charles V. Pena, "Homeland Security Alert System: Why Bother?" *The Cato Institute,* October 31, 2002, http://www.cato.org/publications/commentary/homeland-security-alert-system-why-bother (accessed March 12, 2015).

[138] Pena, "Back to Yellow Alert – But What Changed?"

[139] "Poor Tom," *The Economist.*

[140] Newman 132.

powers but geographically removed from the central seat of decision-making. The creation of the

HSC and OHS introduced yet another point of friction. Homeland security was shaping up to be

a very lucrative field: OHS had already been apportioned $38 billion dollars for 2002, with $5.1

billion for supplemental security.[141] Homeland security responsibilities were spread across

dozens of organizations, each offering a new rationale for more funding to beef up defenses.[142]

As Robert Gates pointed out in *The New York Times* a few months after 9/11,

> …While bureaucracies do not have a reputation as hotbeds of
> creativity, that does not apply to budgeting or protecting turf. The
> ability of other agencies to craft homeland-defense associated
> programs that fall outside a specified mandate of the homeland
> defense office should not be underestimated.[143]

However, the real bureaucratic battle arose not between the cabinet secretaries and the

newly created OHS, but between the White House and Congress. While the friction between

DOJ and OHS certainly shaped the initial development of the advisory system, it was quickly

overshadowed by a much larger dispute between the Bush administration and Congress over

oversight of new homeland security institutions. Congress fought heartily to create a separate

department whose secretary would be confirmed by the Senate, and whose senior officials would

be obligated to testify before the legislature.[144]

This fight subsumed the previous intra-Executive branch turf wars around the HSAS. The

Executive had to focused on finagling what it wanted out of the resulting Homeland Security Act

of 2002, which meant setting aside departmental rivalries. While Ridge continued to find

opposition from other cabinet secretaries, the White House sought to keep discrepancies across

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[141] Becker, "Bush Is Said to Consider a New Security Department."

[142] U.S. Congress. House, Committee on the Budget, *Ensuring Domestic Security: Issues and Potential Costs: Hearing before the Committee on the Budget,* 107th Cong., 1st sess., November 7, 2001.
(prepared Statement of David Walker) November 7, 2001).

[143] Gates, "The Job Nobody Trained For."

[144] Newman 126-133; Mitchell, "Letter to Ridge Is Latest Jab Over Balance of Powers"; Becker, "Bush Is Said to Consider a New Security Department."

the executive to a minimum. Andrew Card initiated a clandestine round of negotiations and proposals (and although Ridge's proposal was leaked, the majority of discussion remained out of the press room). Although the fight to create a stand-alone department was fairly brutal, the placement of the HSAS was not publicly debated or discussed. It quietly transferred over to the new DHS, and Ashcroft and DOJ's role dissipated.

Additionally, by the time the Homeland Security Act passed in November 2002, Ashcroft no longer wanted a public role in the HSAS. As one senior Bush administration official noted, "given how fraught the system was, I don't think anyone wanted to retain responsibility for it."[145] The Homeland Security Act also mandated a legal responsibility to the new department to inform the public and law enforcement about homeland related threats.[146] DHS was the logical place for the HSAS to go, and it was no longer in the best interest of DOJ to maintain a piece of a broken and failing system.

CONCLUSION

Even as it was unveiled, the Homeland Security Advisory System proved problematic. The new system found critics in congressional leaders, risk management specialists, and a myriad of pundits and public commentators. The system even became unloved by its own creators. Upon leaving DHS in February 2005, Tom Ridge told reporters that he and others in the Department often butted heads with Bush administration officials on the use of the system. Ridge remarked,

> More often than not we [DHS] were the least inclined to raise it.
> Sometimes we disagreed with the intelligence estimate. Sometimes

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[145] Phone interview with author, May 8, 2015.

[146] *Homeland Security Act of 2002,* Public Law 107-296, 107th Cong., 2nd Sess. (November 25, 2002).

we thought even if the intelligence was good, you don't necessarily put the country on [alert]… There were times when some people were really aggressive about raising it, and we said, 'For that?'[147]

Ridge recognized, "'You have to use that tool of communication very sparingly,'" otherwise the system lose credibility and public trust very quickly.[148]

However, the system was not simply overused: it was also poorly devised. The policy streams framework best explains the creation of the HSAS and its subsequent failings in 2001 and 2002. During a public relations crisis in the months after 9/11, the Bush administration needed a way to codify and systematize the way it dealt with terrorism threats to the homeland for the general public. Officials were in a rush to find a solution, and thus relied on poor analogies—the DOD Force Protection Conditions system, the State and Pentagon terrorism warning systems, the Customs Service warnings—which provided publicly available but narrowly targeted alerts. Although these systems ostensibly dealt with terrorism, they were not calibrated to deal with the threat of attacks in the broader population.

The organizational politics model does offer insights into this period: it helps explain the initial implementation of the system, as old cabinets and new White House offices fought for jurisdiction of a highly visible public tool. However, those tensions soon subsided and were eclipsed by a much deeper fight: the war with Congress to create a statutory Department of Homeland Security. Meanwhile, individual interests and leadership played a negligible role in this stage of the evolution of warning systems. Although Ridge and Ashcroft clashed over the implementation of the system, they acted on behalf of their respective organizations, rather than on their own initiative. Ashcroft wanted to protect the role of law enforcement agencies in

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[147] Mimi Hall, "Ridge reveals clashes on alerts," *USA TODAY,* February 10, 2005 (accessed on LexisNexis, March 10, 2015).

[148] Hall, "Ridge reveals clashes on alerts."

homeland security, while Ridge wanted to assert the importance of a new and separate institution—an Office of Homeland Security, and later a stand-alone federal Department.

Rather, the policy streams explanation best accounts for the development of the HSAS, and for its subsequent shortcomings. The system was created in a policy window to respond to an acute problem, but it proved deeply problematic because it was based off of faulty analogies. While bureaucratic rivalries certainly played a substantial role in shaping the system's split jurisdiction, the policymaking process itself was responsible for the early failings of the Homeland Security Advisory System.

Chapter IV—The Death of Warning?

The Silencing of the HSAS

March 2004 – September 2006

"Americans have come to understand that protecting our nation involves trade-offs. We do not pursue the illusion of perfect security obtained at any price. We want security that is strong, but consistent with our freedoms, our values, and our way of life."

—Michael Chertoff, Secretary of Homeland Security
September 12, 2006[149]

INTRODUCTION

In the first period, the Homeland Security Advisory System was born from a turbulent environment, where the crisis of 9/11 dominated political thinking and action. The policy streams model provides the best explanation for the rise of a new dedicated terrorism warning system. The second period in the evolution of terrorism warning systems lasted from March 2004, when Congress began significant investigations into the effectiveness of the HSAS, to September 2006, after the existing system finally fell silent. During this period, the embattled rainbow colored warning system that had been operating since shortly after 9/11 lapsed but still lingered. The moment for reform seemed to arrive with the entrance of a new Secretary of

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[149] U.S. Congress, Senate, Committee on Homeland Security and Governmental Affairs, *Homeland Security: The Next Five Years,* 109th Cong., 2nd sess., September 12, 2006 (statement of Michael Chertoff, Secretary of Homeland Security).

Homeland Security in 2005: Michael Chertoff. And yet, the system was not overhauled. Chertoff

made small adjustments, tinkering with the dysfunctional HSAS, but eventually it was left to

fade away.

As this chapter will demonstrate, organizational politics best explain why a period of

potential reform ended up leading only to minor changes that were too small to save the system.

Although the other two frameworks—policy streams and individual interests and leadership—

offer some insights into this evolutionary stage, organizational politics provides the most

compelling explanation to the eventual stifling of the HSAS.

ALL QUIET ON THE HOME FRONT

On March 16, 2004, the House Committee on Government Reform's Subcommittee on

National Security, Emerging Threats and International Relations held a hearing on the Homeland

Security Advisory System. Chairman Christopher Shays (R-Conn.), called the session to order

by announcing,

> After a series of vague warnings and alarms, the utility of the
> Homeland Security Advisory System [HSAS], is being questioned
> by State and local officials, first responders and the public. Even
> Department of Homeland Security Secretary Tom Ridge recently
> acknowledged the need to refine the code, five-color scheme that
> seems to me to be losing both its credibility and its audience.
> Seeing no difference between a perpetually elevated state of risk,
> code yellow, and a high risk of terrorism at code orange,
> Americans risk becoming blind to the signals that are supposed to
> prompt public awareness and action.[150]

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[150] U.S. Congress, House, Committee on Government Reform, Subcommittee on National Security, Emerging
Threats and International Relations, *Homeland Security Advisory System: Threat Codes and Public Responses*, 108th
Cong., 2nd sess., March 16, 2004, http://babel.hathitrust.org/cgi/pt?id=pur1.32754076883481;view=1up;seq=3
(accessed March 20, 2015): 1.

The system had been operational for almost exactly two years, but had hovered between two levels: yellow, the middle tier, and orange, the second highest. The system had been raised to Orange four times based on intelligence of possible al Qaeda attacks.[151] Only once had an increase in threat level been accompanied by specific target information: On February 7, 2003, Secretary Ridge suggested that al Qaeda meant to target "apartment buildings, hotels, and other soft skin targets."[152] However, no particular regions of the country were identified, making this warning almost as vague as the preceding ones.

The March 2004 hearing highlighted many of the issues of the HSAS, including the lack of public credibility and the enormous public costs associated with raising the threat level. General Patrick Hughes, Assistant Secretary for Information Analysis at DHS, came to the system's defense, highlighting how seriously the Department took the warning system and how much the system had improved since its original implementation in 2002. In particular, Hughes rebutted claims that the warning system issued advisories that were too vague to be useful. When pressed by Congressman Turner (R-Ohio) as to why, when DHS had specific intelligence about which areas of the country were most at risk, the advisory system still released a blanket national warning, Hughes countered, "When something is threatened in New York City, the idea seems to be that you can divorce that from events in Seattle, but you cannot. The two are inextricably interconnected now electronically, by transportation, by the features of our social order. We are interdependent; and, indeed, the vector that the threat comes from may not be precisely known."[153]

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[151] Ibid., 45.

[152] Ibid., 15; Reese, "Homeland Security Advisory System: Possible Issues for Congressional Oversight," 5.

[153] *Homeland Security Advisory System: Threat Codes and Public Responses*, 53.

Hughes also challenged the committee's accusation that the system did not give the

public useful guidance on how to behave in response to increased threats. The retired three-star

General insisted vehemently, "We do change actions, the actions of people, everyday people at

airports, at ports of entry, at transit points. We change the condition in which they act often in

connection with threats to the homeland. To me, it is *very similar to asking people to evacuate*"

[italics added].[154] To Hughes, the system remained a useful policy tool. However, he was

referring to security changes instituted at each heightened warning level, which then impact

Americans' lives.[155] The system still did not provide explicit directions to the population on how

to act in preparation for a potential attack.

Congress, however, remained unconvinced. This hearing was the second held by the

House of Representatives on the advisory system in just two months.[156] The HSAS was a

recurring point of interest for the legislature: the House and Senate had each toyed with the idea

of mandating changes to the system. Indeed, in 2003 alone, two independent bills were

introduced proposing the consolidation of warning systems into one all-hazard scheme.[157]

Although General Hughes and other senior DHS officials came to the system's defense when

standing before Congress, the Department had long known that the HSAS was a problem. In

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[154] Ibid., 53, 58.

[155] Reese 2.

[156] The first, on February 4 in the Select Committee on Homeland Security, included testimony by Admiral James Loy, the Deputy Secretary of DHS. Loy, like Hughes, offered support for the system, stating, "we have reached a threshold in that evolution where the system serves the nation well. U.S. Congress, Senate, Select Committee on Homeland Security, *The Homeland Security Advisory System: Improving Preparedness through Effective Warning,* 108th Cong., 2nd sess., February 4, 2004 (testimony of Deputy Secretary James Loy, ADM, USCG ret.).

[157] Emergency Warning Act of 2003, H.R.2537, 108th Cong., 1st sess., June 19, 2003, https://www.congress.gov/bill/108th-congress/house-bill/2537 (accessed March 21, 2015); Emergency Warning Act of 2003, S.118, 108th Congress, 1st sess., January 9, 2003, https://www.congress.gov/bill/108th-congress/senate-bill/118 (accessed March 21, 2015).

June 2003, Secretary Tom Ridge told reporters, "We worry about the credibility of the system. We want to continue to refine it because we realize it has caused some anxiety."[158]

The system was continually being refined, but only at the margins. On August 1, 2004, the HSAS released its first region-specific alert. The system was moved to Orange for the financial sectors in New York City, Northern New Jersey, and Washington, D.C. The accompanying press release noted, "This afternoon, we do have new and *unusually specific information* about where al-Qaeda would like to attack" [italics added].[159] Yet, interestingly enough, while this was the most specific threat level change to date, it also lasted the longest. Earlier elevations had been in place for weeks; this increase to Orange lasted over three months, until November 10, 2004. DHS officials cited the permanent implementation of protective measures as the reason for lowering the threat level, not an abating of the dangers posed by al Qaeda.[160]

On February 15, 2005, Michael Chertoff was sworn in as the second Secretary of Homeland Security. Chertoff, a former criminal prosecutor at the Department of Justice, left a lifetime appointment as a federal judge on the Third Circuit Court of Appeals to become the head of DHS. Chertoff was well respected as a seasoned public servant, but he was not known for his political acumen.[161] He faced an uphill battle: Chertoff was taking the helm of an oft-abused and deeply problematic Department, cobbled together from 22 different independent organizations only two years earlier. One *New York Times* reporter noted,

> While politicians and security experts generally agree that Mr.
> Chertoff is off to a worthy start, it is unclear if he has the political

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[158] John Mintz, "Ridge Seeking Fewer Changes In Terror Alerts," *The Washington Post*, June 6, 2003 (accessed on LexisNexis, March 20, 2015).

[159] "Chronology of Changes to the Homeland Security Advisory System."

[160] Ibid.

[161] Eric Lipton, "For New Chief, a New Approach to Homeland Security," *The New York Times*, July 18, 2005, http://www.nytimes.com/2005/07/18/politics/18chertoff.html?pagewanted=all (accessed March 18, 2015).

skills to win over Congress and the managerial skills to correct the
internal rivalries, gross misspending and haphazard initiative that
critics from both parties say have made the agency
dysfunctional.[162]

In the first few months of Chertoff's tenure at DHS, the Department began to reexamine

the question of the HSAS. Leaders within the department considered a variety of changes,

including issuing lower-profile warnings on the Department website, similar to the system used

by the State Department for communicating travel advisories, or changing the color-coded

system to a metric of numbers or letters. DHS also toyed with the idea of launching a new

educational campaign, aimed at creating more public understanding about the threats posed by

terrorism and the difficulties in culling and communicating sensitive intelligence regarding

possible attacks.[163]

However, Chertoff was not directly involved in this first stage of deliberation. In fact,

officials at DHS were careful to distance the Secretary from any investigation into the HSAS.

Aides noted that Chertoff could easily decide against changing the system, and was likely to

retain many of its current procedures for issuing terror bulletins to state, local, and private sector

entities.[164] In an interview on *The Today Show,* Chertoff stated that he was open to exploring

making changes to the system, but did not say how extensive those changes would be.[165]

Instead, Chertoff focused his public energy elsewhere. In July 2005, he launched an

extensive reorganization of DHS. These institutional changes, unveiled to the Senate Committee

on Homeland Security and Governmental Affairs on July 14, were the result of Chertoff's

Second Stage review (2SR), a comprehensive evaluation of the Department's structure and

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[162] Lipton, "For New Chief, a New Approach to Homeland Security."

[163] John Mintz, "DHS Considers Alternatives To Color-Coded Warnings," *The Washington Post,* May 10, 2005,
http://www.washingtonpost.com/wp-dyn/content/article/2005/05/09/AR2005050901128.html (accessed March 18,
2015).

[164] Ibid.

[165] Ibid.

organizational mission. Chertoff launched the 2SR as soon as he arrived at the Department of

Homeland Security. Interviews were conducted with more than 250 members of DHS staff and

hundreds of public and private partners of the department at all levels, from federal and

international, to state, local, and tribal entities. After five months, the review came out with six

imperatives:

1	*Increase preparedness, with particular focus on catastrophic events.*
2	*Strengthen border security with interior enforcement and reform immigration processes.*
3	*Harden transportation security without sacrificing mobility.*
4	*Enhance information sharing with our partners, particularly with state, local and tribal governments and the private sector.*
5	*Improve DHS stewardship, particularly with stronger financial, human resource, procurement and information technology management.*
6	*Realign the DHS organization to maximize mission performance.*

Table 3 – 2SR Review[166]

To Congress, Chertoff stressed the need to invest wisely in the security of the nation. He

opened his remarks by telling the committee, "Our goal is to maximize our security, but not

security 'at any price.'" The 2SR flattened the Department significantly so that more agency

heads reported directly to the Secretary, including the head of the Transportation Security

Administration, Customs and Border Protection, and the Coast Guard.[167] Chertoff also proposed

creating a new distinct policy shop, headed by an Under Secretary that would outline a vision for

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[166] U.S. Congress, Senate, Committee on Homeland Security and Governmental Affairs, *Hearing on U.S. Department of Homeland Security: Second Stage Review,* 109th Congress, 1st sess., July 14, 2005 (statement of Michael Chertoff, Secretary of Homeland Security): 3-4.

[167] Harold C. Relyea and Henry B. Hogue, "Department of Homeland Security Reorganization: The 2SR Initiative," *Congressional Research Service,* August 19, 2005: 16.

the future of homeland security. He planned to integrate the Department's intelligence efforts so that DHS had "a common picture… of the intelligence that we generate and the intelligence we require." Finally, the new Secretary stressed the importance of consolidating all preparedness activities under a single directorate, led by its own Under Secretary. DHS was an "all hazards" department, and needed to operate as one.[168]

Despite Chertoff's concerted emphasis on improving preparedness and on instituting an integrated approach to hazards, his 2SR did not include any mention of the Homeland Security Advisory System. Although DHS officials had spoke of reexamining the system in April and May, the HSAS was featured neither as a success nor a failure of the young Department—it was simply left out entirely. Instead, the new secretary was focusing his attention elsewhere, and for good reason. Chertoff's structural and procedural reforms were already creating a stir in Congress. The Senate began mounting opposition to his changes almost immediately. Chertoff had already stoked the ire of Senate leadership by proposing to create a new metric for DHS to deliver local and state antiterrorism funding which was based on risk, removing the existing system whereby each state received a sizable minimum grant.[169] Senator Susan Collins (R-Maine) and other leaders from small states resisted this new plan, which Chertoff had introduced in May 2005 and included in the 2SR.

This funding plan was only the beginning of Congressional hostility. The Senate also took issue with whether Secretary Chertoff had the necessary authority to reorganize the department. Chertoff claimed that most of the structural realignments in 2SR were

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[168] *Hearing on U.S. Department of Homeland Security: Second Stage Review, Before the Committee on Homeland Security and Governmental Affairs* (statement of Michael Chertoff, Secretary of the Department of Homeland Security): 2.

[169] Eric Lipton, "For New Chief, a New Approach to Homeland Security," *The New York Times*, July 18, 2005.

administrative, with only a few requiring legislation.[170] The Homeland Security Act of 2002,

which established DHS, gave the Secretary authority "to reorganize functions and organizational

units within DHS, subject to specified limits."[171] However, Senator Susan Collins, the

Chairwoman of the Committee on Homeland Security and Governmental Affairs, and Senator

Joseph Lieberman (I-Conn.), the ranking member, both voiced concerns. Collins told Chertoff

that he was "pushing the boundaries" by trying to make "some truly fundamental changes to the

department without requesting legislative authority to do so."[172]

The Secretary spent much of the rest of 2005 pushing for this reorganization. Despite

initial antagonism in Congress, Chertoff was largely successful in implementing this massive

structural overhaul of DHS. Yet, even with these expansive changes, Chertoff was still at the

helm of a struggling Department, which received an almost daily dose of critical skepticism from

the legislature. Representative Bennie Thompson (D-Miss.) told Chertoff during a hearing, "If

the department was a house, what you've done is the equivalent of patching the walls.

Unfortunately, the joists of the house were cracked and left untouched."[173]

Then, toward the end of 2005, Chertoff faced his biggest challenge yet: Hurricane

Katrina. The natural disaster caused over 1200 deaths and $108 billion dollars in damages.[174] For

Congress and the public, Katrina called into question the very nature of DHS's ability to mitigate

and manage catastrophic events. Chertoff received much of the blame for the government's

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[170] *Hearing on U.S. Department of Homeland Security: Second Stage Review, Before the Committee on Homeland Security and Governmental Affairs* (statement of Michael Chertoff, Secretary of the Department of Homeland Security): 11.

[171] Relyea and Hogue 1.

[172] Relyea and Hogue 14.

[173] Lipton, "For New Chief, a New Approach to Homeland Security."

[174] Eric S. Blake, Christopher W. Landsea, and Ethan J. Gibney, "The Deadliest, Costliest, and Most Intense United States Tropical Cyclones From 1851 to 2010 (And Other Frequently Requested Hurricane Facts)," *National Weather Service, National Hurricane Center,* August 2011, http://www.nhc.noaa.gov/pdf/nws-nhc-6.pdf (accessed March 15, 2015): 7, 9.

troubling response, and by March 2006 rumors ran rampant that the Secretary was going to be forced to resign.[175] As it turned out, Chertoff managed to hold onto his post. However, for much of 2006 he remained embroiled in fallout from Katrina, including a fight with Congress to keep FEMA whole.[176] This battle resulted in the Post-Katrina Emergency Reform Act of October 2006, which significantly reorganized the agency.[177]

Throughout Chertoff's tenure as Secretary, the Homeland Security Advisory System faded farther and farther into the background. The system was used only twice while Chertoff was at the helm of the agency. First, the HSAS was raised from Yellow to Orange on July 7, 2005 in response to a series of bombings on the London subway system. In his press conference, Chertoff announced that the alert was

> …Targeted only to the mass transit portion of the transportation
> sector – and I want to emphasize that – targeted only to the mass
> transit portion of the transportation sector. This includes regional
> and inner city passenger rail, subways, and metropolitan bus
> systems. We are also asking for increased vigilance throughout the
> transportation sector.[178]

Chertoff was careful to underscore the narrow nature of the warning: the U.S. had no specific or credible intelligence of an imminent attack against its own soil.[179] In many ways, the heightened threat level was a precaution because of a dramatic terrorist attack suffered by an ally. Chertoff tried to create an atmosphere of calm: of his own news conference, he noted, "'It was not a sense

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[175] Dana Milbank, "A 'Unified Command Structure' in Search of a Leader,' *The Washington Post,* March 21, 2006.

[176] Spencer S. Hsu, "Senate Report Urges Dismantling of FEMA," *The Washington Post,* April 27, 2006, http://www.washingtonpost.com/wp-dyn/content/article/2006/04/26/AR2006042602576.html (accessed March 20, 2015).

[177] "About the Agency," *Federal Emergency Management Agency,* https://www.fema.gov/about-agency.

[178] Michael Chertoff, "Threat level change targeted to mass transit sector," transcript of press briefings on July 7, 2005, http://www.fayettenewspapers.com/contentitem/148386/1664/threat-level-change-targeted-to-mass-transit-sector (accessed March 18, 2015).

[179] "Chronology of Changes to the Homeland Security Advisory System."

of breathless alarm, but as kind of a common-sense thing.'"[180] Five weeks later, on August 12,

the threat level was lowered back to Yellow.

The second alert on Chertoff's watch was also the system's final warning: on August 10,

2006, the HSAS was raised from Yellow to Red for flights originating from the UK headed to

the U.S., and from Yellow to Orange for all other commercial aviation flying within or destined

for America. This threat level change was in direct response to the foiling of a transatlantic bomb

plot. Twenty-four men were arrested in Britain suspected of plotting to blow up airplanes bound

for the U.S. using liquid-based explosives. In his press conference, Chertoff told the public that

the plot had been foiled, but that necessary precautions needed to be taken:

> There is currently no indication of any plotting within the United
> States; nevertheless, as a precaution, the federal government is
> taking immediate steps to increase security measures, with respect
> to aviation. First of all, the United States government has raised the
> nation's threat level to our highest level of alert – Severe, or Red –
> for commercial flights originating in the United Kingdom and
> bound for the United States. We've made this adjustment to
> coordinate our alert level with that currently enforced in Britain…
> Second, as a precaution against any members of the plot who may
> still be at large, and recognizing the fact that we still have yet to
> take this investigation to its conclusion, we want to make sure that
> there are no remaining threats out there, and we also want to take
> steps to prevent any would-be copycats who may be inspired to
> similar conduct. Accordingly we are raising the threat level… with
> respect to aviation in general, to High, or Orange.[181]

Chertoff explained that TSA would be implementing a liquid ban until security measures could

be recalibrated to account for this new type of explosive. However, he also stressed that the

thwarting of the bomb plot was a "remarkable example of interagency coordination" in the

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[180] Lipton, "For New Chief, a New Approach to Homeland Security."

[181] "Remarks By Homeland Security Secretary Michael Chertoff, United States Attorney General Alberto Gonzalez, FBI Director Robert Mueller And Assistant Secretary For TSA Kip Hawley," *Transportation Security Administration,* August 10, 2006, http://www.tsa.gov/press/speeches/remarks-homeland-security-secretary-michael-chertoff-united-states-attorney-general, accessed March 20, 2015.

federal government and cooperation with the British. The American public was safer now than it had been in the past, and would continue to be protected by its government.[182]

Chertoff received high praise for his handling of the thwarted plot. Senator Collins, an early critic of Chertoff, noted that "'until this threat, the department had fallen short of the promise that its creation held. This time we saw a crisp, confident and competent response, and Secretary Chertoff was clearly front and center.'"[183] Representative Thompson lauded the Secretary for avoiding creating hysteria among American travelers, and for providing a clear and assertive message of American strength.[184] Three days later, on August 13, the HSAS was lowered from Red to Orange for all flights out of the UK. The system remained at Orange for all other commercial flights.

This was the last time that the HSAS was ever used. This period—from March 2004 to September 2006—could have been one of immense reform. Chertoff entered the department amid buzz that the system would be reevaluated. Policy alternatives existed to the HSAS, proposed by academics and Congressional leaders alike.[185] A joint Heritage Foundation and CSIS report entitled *DHS 2.0* proposed enhancing the existing system by replacing it with "regional alerts and specific warnings for different types of industries and infrastructure."[186] Interestingly, this report, published in December 2004, proposed several of the changes that were *actually* adopted by Chertoff in his Second Stage Review, including consolidating protection and preparedness activities into one coherent directorate and creating a separate policy planning

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[182] Ibid.

[183] Eric Lipton, "Homeland Security Department Gets Better Grades in 2nd Major Test," *The New York Times,* August 14, 2006, http://www.nytimes.com/2006/08/14/washington/14chertoff.html?n=Top%2FReference%2FTimes%20Topics%2FSubjects%2FD%2FDetainees (accessed March 18, 2015).

[184] Lipton, "Homeland Security Department Gets Better Grades in 2nd Major Test."

[185] James Jay Carafano and David Heyman, "DHS 2.0: Rethinking the Department of Homeland Security," *The Heritage Foundation* and *The Center for Strategic and International Studies*, December 13, 2004; Aguirre, "Homeland Security Warnings: Lessons Learned and Unlearned."

[186] Carafano and Heyman 14.

directorate headed by an undersecretary.[187] Others had proposed creating a unified, all-hazards warning system.[188] The Washington policy stream was filled with possible solutions to the problem of the existing HSAS. Chertoff was certainly aware both of the shortcomings of the system and of these potential fixes. Yet, Chertoff chose neither to reform the system nor to ignore it.

Instead, the new Secretary soon focused his energy elsewhere, and the system was ultimately allowed to wither away. After two alerts over the span of two years, it finally went silent. Why wasn't the HSAS reformed or replaced? The three explanatory frameworks—policy streams, individual interests and leadership, and organizational politics—each suggest different answers. However, the evidence demonstrates that organizational politics offers the most compelling account of this period of minor change.

EXPLANATION 1: POLICY STREAMS

Expected Outcome: A Static System

The policy stream explanation predicts that change will only occur during specified times: when a policy window opens. These openings are caused from major shifts in the political or problem streams. Either there is a dramatic shift in the political makeup of Washington, i.e. a change in Presidential administration (usually with a change in party) or a huge fluctuation in the composition in Congress, or there is a significant crisis forcing policymakers to take immediate action. However, during this period from 2004 to 2006, neither of these changes occurred. The only significant political shift was a change in the leadership of DHS: Tom Ridge resigned, and

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[187] Carafano and Heyman 14, 11. There were minor differences between what was proposed in this report and what was ultimately adopted, but the basic emphasis of these recommendations were eventually implemented.
[188] Aguirre, 137.

Michael Chertoff was sworn in as the new head of DHS. However, although consequential, this political shift was not large enough to produce a policy window wide enough for reform of the HSAS.

Instead, inertia set in. The bias was to keep doing things the same way in the absence of a major, action-forcing event. The HSAS was dysfunctional but still useful enough in that it provided political cover in case of a future homeland terrorist attack. Instead, the HSAS was left largely untouched during this period: policymakers were well aware that the system was broken, but they were never motivated by external events to invest significant time and resources into fixing it.

Instead, events led to the opening of other policy windows. In particular, Hurricane Katrina created a significant debate within Congress and the Executive about the fate of FEMA and disaster management systems. This issue consumed Chertoff and DHS leadership for months after the disaster occurred, and led to legislation at the end of 2006 that significantly reformed the way in which the federal government dealt with disaster relief.

Interestingly, terrorism was kept largely out of this debate. Although Chertoff and others pushed for the department to focus on its "all-hazards" mission, the Post Katrina Emergency Management Reform Act of 2006 only mentioned terrorism twice. The act established an Office for the Prevention of Terrorism within FEMA, and modified the "definition of 'major disaster' under the Stafford Act to include major acts of terrorism."[189] However, the HSAS and other mechanisms of terrorism warning were not directly addressed by these reforms.

The warning system was eclipsed by these other action-forcing events. The HSAS had been a source of Congressional inquiry in mid-2004: both the House and Senate held hearings to

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[189] Post-Katrina Emergency Management Reform Act of 2006, S.3721, 109th Congress, 2nd sess., July 25, 2006, https://www.congress.gov/bill/109th-congress/senate-bill/3721 (accessed March 18, 2015).

discuss its utility. However, this pressure from the legislature to reform the systems began to dissipate. The system continued to be a source of criticism and confusion, but it became less and less of a focus for Congress and the public. During Chertoff's time in office, pressures were building elsewhere.

The policy streams model provides a useful framework for understanding why no major overhaul of the system occurred during this period. Yet, this explanation expects complete continuity. This was not exactly the case. Instead, Chertoff made minor adjustments to the system throughout his first two years at DHS. Departmental leadership was considering changing the system; although Chertoff had not looked explicitly at the institution yet, he was contemplating a formal evaluation of the efficacy of terrorism warning.[190]

The policy streams explanation does not explain the new Secretary's efforts to tweak the system. Pressure from congress had largely subsided. The House and Senate had held hearings on the issue in mid-2004, but had remained relatively quiet ever since. In fact, the system itself had been quiet since it was raised to Orange in August 2004—a full six months before Chertoff took over at DHS. Why, then, was there talk of revising the system?

Indeed, Chertoff did make changes to the HSAS and to the broader logic behind communicating terrorism threats. He did not drastically reform the system, but he did set about to make it much more targeted in its scope. The first warning issued on Chertoff's watch was directed only to mass transit—not even to the entire transportation sector. Chertoff recommended this narrowed alert to the President, diverging from the tradition under Tom Ridge of issuing warnings that covered the entire nation.[191] Chertoff also worked carefully to reduce panic and concern about terrorism. Chertoff continually emphasized the work done by the Department and

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[190] Mintz, "DHS Considers Alternatives To Color-Coded Warnings."
[191] Lipton, "Homeland Security Department Gets Better Grades in 2nd Major Test."

the U.S. Government in reducing the dangers posed by terrorism, and was often blunt in telling the public that alerts or warnings were more precautionary than anything else.[192]

He was sometimes criticized for downplaying the threat posed by certain kinds of attacks, as when he remarked, "a plan used as a missile could kill 3,000 people, while a subway bomb 'may kill 30 people.'"[193] Senator Schumer and other Democrats condemned him for misunderstanding the potential damages caused by terrorism. However, over time his more measured approach to terrorism garnered him the respect of many Congressional leaders. Particularly after the HSAS was raised to Red for flights entering the U.S. from the UK after the thwarted transcontinental bomb plot, Chertoff was praised for putting the threat into perspective and explaining the causes of increased security cogently to the public.

Chertoff had the benefit of being the *second* Secretary of Homeland Security, during a time when the immediate, visceral dangers of 9/11 had somewhat receded. Yet, he also worked diligently to try and further contextualize and reduce the public's concerns about terrorism, including through tweaking the HSAS. The policy streams explanation cannot account for Chertoff's adjusted approach to the HSAS and to terrorism in general. While this framework can help illuminate the reasons why Chertoff did not invest substantial energy in inventing a new system or significantly reforming the existing one, this explanation cannot fully clarify the institutional changes that unfolded during this time period. Instead, it is important to turn to the other explanations for further insight.

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[192] Ibid.
[193] Ibid.

EXPLANATION 2: INDIVIDUAL INTERESTS AND LEADERSHIP

Expected Outcome: Either Dramatic Change, or Stasis

This model is predicated on the notion that both policy change and stasis is driven by the efforts of individuals, who are operating out of their own self-interests and ideas, and bring individual political capabilities and personalities to bear on their battles over policy. Politicians want to create a legacy at an institution, or are champions of a particular cause, and thus invest in projects that achieve these set goals. The HSAS, however, was a fraught system from the start. Thus, this model would predict that as the new leader of DHS, Chertoff would only approach the warning system if he firmly believed that there was a visible and attainable solution to the problem of warning. Otherwise, Chertoff would focus his energy and leadership on other compelling reforms.

As anticipated, Chertoff largely avoided the system. Upon arriving at DHS, he began a major overhaul of the Department, initiating an internal review of many of the existing programs.[194] In July 2005, only five months after his arrival, Chertoff launched the Second Stage Review (2SR), which introduced a series of broad scale reforms to both the structure and purpose of the Department. As previously mentioned, the 2SR included creating three new Directorates and collapsing existing ones, and developing a new Domestic Nuclear Detection Office (DNDO). The HSAS was not included in any of these changes.

In fact, from the very start of Chertoff's tenure at the Department, aides were very careful to stress that he was not set on examining the system.[195] Instead, Chertoff focused on other initiatives. He rarely, if ever, publicly mentioned the HSAS. In his major addresses to Congress during this time, including the launch of the 2SR and his budget request statements for fiscal

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[194] Mintz, "DHS Considers Alternatives To Color-Coded Warnings."
[195] Ibid.

years 2006 and 2007, the advisory system was not mentioned once.[196] When listing the major accomplishments of the Department, Chertoff unsurprisingly left off the HSAS.[197] The Secretary concentrated on making DHS an all hazards department, and on creating one "national integrated strategy to fight the war on terror through awareness, prevention, protection, response, and recovery."[198] He therefore downplayed the importance of the HSAS. DHS was focused on a range of initiatives aimed at making the public safer; warning was only one. Even when the system was raised—as happened in July 2005 and August 2006—Chertoff stressed that many other measures were being taken, and that the HSAS was more precautionary than anything else.

This model provides an understanding for why Chertoff kept his distance from the broken system: as the new Secretary, Chertoff was busy directing his attention and resources elsewhere. Chertoff wanted to create a legacy at the Department. He had left a lifetime appointment as a federal judge to become the head of a fractured and stigmatized institution. From the start, Chertoff worked hard to energize his organization, beginning with the 2SR. However, Chertoff saw no potential payoff from engaging with the HSAS. He applied precious political capital and leadership to other priorities. The withering warning system was simply not a compelling focus.

However, this model does not explain why Chertoff made adjustments to the system. As a leader, Chertoff was already stretched thin. He was trying to craft and implement a new vision for the Department, while simultaneously contending with constant Congressional scrutiny. Yet, while Secretary, Chertoff did work on improving the system—at least marginally. Chertoff's warnings were directed to particular sectors: mass transit and later aviation. They lasted for

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[196] U.S. Congress, Senate, Committee on Homeland Security and Governmental Affairs, *Hearing on the Department of Homeland Security's Budget Submission For Fiscal Year 2007,* 109th Congress, 2nd sess., March 1, 2006; *Hearing on U.S. Department of Homeland Security: Second Stage Review* (statement of Michael Chertoff).

[197] *Hearing on the Department of Homeland Security's Budget Submission For Fiscal Year 2007* (testimony of Michael Chertoff, Secretary of Homeland Security): 7-9.

[198] Ibid., 7; *Hearing on U.S. Department of Homeland Security: Second Stage Review* (statement of Michael Chertoff, Secretary of Homeland Security): 14.

relatively shorter periods of time (one for a little over a month, the other for only thee days).

They were also expressly reactionary to attacks that had already happened overseas. While Ridge

had often issued warnings based on intelligence (which frequently proved flawed) of a potential

attacks, Chertoff only used the system as a precaution after a massive attack had occurred.

Chertoff was more transparent about the causes behind raising the threat level: he was open

about the inconvenience created for average Americans by raising the alert level, and stressed

that the government was handling the threat and would return levels back to normal as soon as

possible.

Chertoff was invested in increasing public trust in the HSAS, at least marginally. He did

work to use the system sparingly, but credibly. Why did Chertoff bother with the system at all?

Why, when his resources and political capital were already strained, did Chertoff embark on a

half-hearted effort to change the system? Chertoff was a compelling leader of DHS, with his own

vision for the Department. That vision did not include remaking the HSAS. The individual

interests and leadership explanation falls short in explaining Chertoff's decision to tinker with

the system. For this, the organizational politics model provides a much more compelling answer.

EXPLANATION 3: ORGANIZATIONAL POLITICS

Expected Outcome: Minor Change, but No Overhaul

Traditional models of organizational politics suggest that institutional change occurs

incrementally. Change does not occur in huge bursts, but rather accumulates over time through

minor tinkering and tweaking by seasoned bureaucrats. Such is the story with this phase of the

HSAS. As head of DHS, Chertoff—a "model technocrat"—did what any Secretary would have

done.[199] He created a number of minor changes to the warning system, narrowing the focus of alerts, coupling warnings with more public information, and using the system more sparingly than his predecessor. Yet, his attention was elsewhere. He faced a host of other bureaucratic pressures that needed to be addressed. The HSAS was simply not important enough to merit more resources and attention.

Chertoff could afford neither to ignore nor overhaul the warning system. The HSAS had been a new and visible product of the Bush counterterrorism apparatus, making it difficult for members of the same administration to pour resources into overhauling or removing it. Although the system had proved problematic by 2004, new leaders would have a hard time trying to reform the system without thereby criticizing the administration's homeland security reforms. Yet, at the same time, the warning system was a clear problem and a prominent symbol of the Department's other failings.

As this model suggests, Chertoff could not help addressing the system. He may have wanted to avoid it—in fact, early press coverage of his administration suggested that the new Secretary tried not engaging with the deeply problematized system. However, the HSAS had been the subject of substantial criticism throughout 2003 and 2004, particularly in the legislature. Chertoff acted defensively: he wanted to appease Congress *before* they had a chance to interfere with the system.

Chertoff thus made as many changes as were necessary to make the warning system semi-functional. He tinkered with the HSAS, working to narrow the alert structure and introduce a "common-sense" tone to the Department's counterterrorism efforts. He knew that the HSAS had been a prominent public icon of the Department. No longer in joint-custody with DOJ, the

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[199] Milbank, "A 'Unified Command Structure' in Search of a Leader."

HSAS was fully owned and operated by the Department of Homeland Security. Its performance was therefore an emblem of the Department's performance, a litmus test for DHS's counterterrorism efforts. Importantly, Chertoff also recognized that the best way to reduce criticism of the HSAS was to remove it from the spotlight. Chertoff therefore began to use the system less frequently, and only reactively—when, ostensibly, he had no choice to employ the system. His press releases focused on a myriad of other counterterrorism defenses being put in place; even when the warning system was raised, it took a backseat to other security initiatives. Chertoff stressed that the country was fundamentally safer now than it had been before, and that the HSAS was a precaution more than anything else.

Interestingly, as noted earlier, Chertoff received some flak from Congress and the public for his early efforts to tweak the system and change the tone surrounding counterterrorism. His blunt approach to prioritizing some threats over others was characterized by many in the legislature as a shocking attempt to downplay the potential risks of terrorism. Ultimately, however, his actions with the warning system and with counterterrorism in general were lauded. Chertoff received favorable reviews for removing the "ominous" tone that had characterized earlier HSAS threat level changes.[200] In particular, Chertoff's approach to the August 2006 warnings, whereby he pursued only a focused alert to the aviation sector, was praised. Congressional leaders who had earlier stood in opposition to him, including Senator Susan Collins and Representative Bennie Thompson, found his even-tempered performance a commanding example of how homeland security should be handled.[201] Chertoff succeeded in keeping Congress at bay: while in 2004, the legislature had contemplated introducing new measures to reform the HSAS, by 2006 they had largely left the system in the hands of DHS.

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[200] Lipton, "For New Chief, a New Approach to Homeland Security."
[201] Lipton, "Homeland Security Department Gets Better Grades in 2nd Major Test."

However, Chertoff invested the minimum possible to mollify the legislature and the public. Chertoff couldn't expend the time and energy necessary to completely reform the system: fundamentally, his organization's priorities lay elsewhere. DHS was a struggling institution, with an incoherent internal structure that made it at best ineffective, and at worst completely incompetent. Chertoff thus had to focus on integrating the Department, cobbled together from disparate agencies across the federal government, into a coherent whole. When possible, Chertoff expended his own political capitol on introducing major structural reforms to the Department, particularly through the 2SR.

Yet, most of his time was spent reacting to crises and pressures from the White House and Congress. He had to contend with the repercussions of Hurricane Katrina, which led to a Congressional investigation into the failings of FEMA, and almost cost Chertoff his place at the helm of DHS. [202] He was blamed for insufficient domestic defenses, the Dubai port fiasco, and a host of ongoing homeland security organizational issues.[203] Chertoff's actions toward the HSAS reflect these organizational priorities and continual bureaucratic stresses. As the memory of 9/11 faded, the importance of the Homeland Security Advisory System did as well.[204]

CONCLUSION

The period from 2004 to 2006 could have been one of change. DHS leadership knew of the problems inherent in the HSAS, and was even aware of potential solutions. However,

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[202] Milbank, "A 'Unified Command Structure' in Search of a Leader."

[203] In February 2006, the Bush administration tried to sell port management of six U.S. seaports to a company based out of the United Arab Emirates. This caused an uproar in the American public, and ended when Congress blocked legislature of the deal.

[204] Phone interview with Gordon Johndroe by author, May 8, 2015.

Chertoff chose to focus on other, more pressing reforms within the Department. By and large, the HSAS was left alone.

The policy streams framework helps account for why there was no massive overhaul: there was no policy window opened during this period. Although the policy stream was filled with potential reforms, there had been no major shift in the political or problem streams. The Bush administration was still in the Executive, and Congress had not changed substantially. Nor had a pressing problem arisen. No major homeland-related terrorism crisis had occurred since the 9/11 attacks. Thus, Chertoff and DHS leadership chose to leave well enough alone. However, this first potential explanation does not adequately account for why *some* change does occur during this period. Without a policy window, why was there any tinkering at all?

The individual interests and leadership explanation also helps illuminate why Chertoff chose not to devote massive amounts of time and resources into overhauling the system. He calculated that the political payoffs would not be substantial; his legacy could be built elsewhere, by reforming the internal structure of the Department through the 2SR. Yet, again, this model does not explain why Chertoff made minor adjustments to make the system more effective. Chertoff did invest *some* energy into improving the HSAS, although it was not substantial enough to completely fix the system.

This leaves the organizational politics model. This explanation provides the framework for understanding why there was some change, but not complete overhaul. The HSAS is a classic case of incremental change. As head of DHS, Chertoff had a myriad of pressures to contend with. The HSAS was one problem that needed to be fixed, but it was neither the easiest nor the most urgent. Thus, Chertoff followed the priorities of his organization. He concentrated primarily on making major structural reforms to DHS in order to appease both Congress and the

White House (and, consequently, to try and hold on to his job). Yet, he also saw that the HSAS was a visible failure that needed to be addressed. Chertoff worked to improve the credibility of the system, with altogether favorable results. Although he was unable to save the HSAS, he did improve its public image by narrowing the scope of alerts and providing the public with more information as to the scope of the potential threat.

And yet, despite Chertoff's adjustments, the Homeland Security Advisory System fell silent in August 2006, and faded into relative obscurity. Revealingly, in Chertoff's own account of DHS, *Homeland Security: Assessing the First Five Years*, he does not mention the advisory system once.[205] Indeed, system was seldom discussed during the last few years of the Bush Administration. The issue of terrorism warning only reappeared with the entrance of the Obama administration in January 2009.

Why the silence? Many insiders claimed that the threat of domestic attack had subsided: there was no major intelligence received between 2006 and 2008 that would have called for the raising of the threat level.[206] Leaders within DHS also argued that the protective measures in place by this time were much more substantial than they had been at the birth of the HSAS— thus, the Yellow of 2006 was essentially the Orange of 2003.[207] However, if there was such a significant decrease in the terrorism threat, why was the system never lowered below Yellow during this time period? Gordon Johndroe, a senior official in the Bush administration during this period, stated,

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[205] Michael Chertoff, *Homeland Security: Assessing the First Five Years* (Philadelphia: University of Pennsylvania Press, 2009).

[206] Phone interview with senior Bush administration official by author, May 8, 2015; interview with Phil Anderson and Daniel Kaniewski by author, January 13, 2015.

[207] Phone interview with Gordon Johndroe by author, May 8, 2015; *Homeland Security Advisory System: Threat Codes and Public Responses* (statement of General Patrick Hughes, Assistant Secretary for Information Analysis, Department of Homeland Security): 10.

…The Blue of 2006 was the Yellow of 2003, but as far as lowering it to blue, I believe that the feeling was that given that there still were plenty of threats against the United States, lowering it to blue would have been false. It would've given people a false sense of security or some sort of false belief that the war on terror was diminishing in some way, because the threat was still there. Lowering to Blue was kind of like spiking the ball in the end zone, and saying wow, we've basically beat terrorism, when that was absolutely untrue. [208]

And, indeed, there were terrorism-related arrests on U.S. soil during this period.[209] The War on Terror was not entirely over, although the domestic threat seemed to have subsided to some degree.

Chertoff and the Bush administration thus faced a dilemma. By leaving the HSAS at Yellow, denoting a "significant risk of terrorist attack," they were anesthetizing the public to the dangers of terrorism. Yet, to lower the system would have signaled that the terrorism threat had abated, which was politically infeasible: if an attack did occur, policymakers would face enormous heat for suggesting that the threat had somehow been diminished. Thus, they could neither dismantle nor properly use the existing system. Chertoff's adjustments were not enough: the HSAS was too broken to be viable. It would take the entrance of a new administration to bring about reform.

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[208] Phone interview with Gordon Johndroe by author, May 8, 2015.

[209] Jerome P. Bjelopera, "The Domestic Terrorist Threat: Background and Issues for Congress," *Congressional Research Service,* January 17, 2013.

Chapter V—A New Name for an Old Problem

The Origins of the National Terrorism Advisory System

February 2009 – April 2011

"The terrorist threat facing our country has evolved significantly over the past ten years, and in today's environment – more than ever – we know that the best security strategy is one that counts on the American public as a key partner in securing our country."

—Janet Napolitano, Secretary of Homeland Security
April 20, 2011
(The day of the NTAS announcement)[210]

INTRODUCTION

Organizational politics defined the period of near death for terrorism warning systems.

DHS was focused on other priorities; Chertoff invested in incremental changes, but eventually

abandoned the system in the face of other pressures. In this third and final stage of development,

the Homeland Security Advisory System was investigated and ultimately replaced with a new

National Terrorism Advisory System (NTAS). Although the entrance of the Obama

administration in January 2009 created a clear policy window for potential system reform, the

NTAS was not implemented until more than two years later. As this chapter will illustrate,

individual interests and leadership are at the core of this stage in the development of a new

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[210] "Secretary Napolitano Announces Implementation of National Terrorism Advisory System," *Department of Homeland Security,* April 20, 2011, http://www.dhs.gov/news/2011/04/20/secretary-napolitano-announces-implementation-national-terrorism-advisory-system (accessed January 18, 2015).

system. While policy streams and bureaucratic politics each provide some insight into this period, they fall short of telling the whole story. The NTAS would not have resulted had it not been for the dedicated leadership of the head of the DHS Office of Policy, David Heyman.

REBIRTH: THE RISE OF THE NTAS

Janet Napolitano was confirmed as Secretary of Homeland Security on Tuesday, January 20th, 2009 in a voice vote. Her confirmation hearing in the Senate Committee on Homeland Security and Governmental Affairs was relatively uneventful. The Governor of Arizona fielded one question from Chairman Joe Lieberman on her inexperience with counterterrorism and a few from Ranking Member Senator Susan Collins on emerging terrorism threats. Otherwise, the majority of the hearing focused on immigration and management reform of DHS. Napolitano made no promises regarding public warning systems. In fact, in her confirmation hearing, she didn't once address the Homeland Security Advisory System or its prolonged silence.[211]

Nor did Napolitano prioritize the system during her first few months in office. A review of DHS public speeches found that the Secretary made *no mention* of the HSAS in her first five months at the helm of the Department, from January 28, 2009 to June 30, 2009. Napolitano made 135 public remarks during this time period, but not one included the word "warning," let alone discussion of the HSAS.[212] In that time, the new Secretary did introduce a series of reforms, including an action directive on protection that was launched on her first day in office, as well as

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[211] U.S. Congress, Senate, Committee on Homeland Security and Governmental Affairs, *Hearing on the Nomination of the Honorable Janet A. Napolitano to be Secretary, U.S. Department of Homeland Security,* 111th Cong., 1st sess., January 15, 2009.

[212] Data based on 135 public speeches and press releases from January 28, 2009 to June 30, 2009 on the DHS website, http://www.dhs.gov/news.

an extensive efficiency review.[213] She began her tenure at the Department with a concerted push for organizational and procedural reforms. Yet, she never included the Homeland Security Advisory System in any of these first initiatives.

Instead, reform of the HSAS began elsewhere, with President Obama's Presidential Study Directive 1 of February 2009. In it, President Obama called for a 60-day interagency review of the White House's homeland security and counterterrorism structures. One of the primary objectives of the Task Force was to "ensure seamless integration between international and domestic efforts to combat transnational threats such as terrorism, organized crime, and narcotics trafficking."[214] Here, the focus was on the inner organizational workings of the White House, not the functioning of cabinet agencies. This White House-centric approach was fairly standard: the President generally did not become involved in the internal structures of Departments unless prompted by a major crisis or Congressional investigation. The organization of Agencies was typically left to the Cabinet Secretary.[215]

However, the review did have consequences for the Homeland Security Advisory System, a DHS-managed institution. On May 26, 2009, President Obama announced that based on these recommendations, he would embark upon the "full integration of White House staff supporting national security and homeland security," whereby the Homeland Security Council

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[213] "Secretary Napolitano Issues First in a Series of Action Directives," *Department of Homeland Security,* January 28, 2009, http://www.dhs.gov/news/2009/01/28/secretary-napolitano-issues-first-directives-protection (accessed January 10, 2015). The press release states, "On her first official day as Secretary of the Department of Homeland Security (DHS), Janet Napolitano issued five Action Directives, all centered on one of the primary missions of DHS: Protection"; "Secretary Napolitano Issues Bold Efficiency Review Initiative," *Department of Homeland Security,* February 17, 2009, http://www.dhs.gov/news/2009/02/17/secretary-napolitano-issues-bold-efficiency-review-initiative (accessed January 10, 2015).

[214] Barack Obama, "Organizing for Homeland Security and Counterterrorism," Presidential Study Directive 1, February 23, 2009: 2.

[215] For example, the President became involved with the intricacies of the State Department in the aftermath of the Benghazi attacks, which became a national scandal. In this case, the White House and State worked together to formulate a response. However, without an exogenous shock, such involvement by the White House is atypical.

and the National Security Council would become one "National Security Staff" (NSS). [216] The

Obama Administration asserted, "homeland security is indistinguishable from national security";

yet, simultaneously, President Obama maintained a position for an Assistant to the President for

Homeland Security and Counterterrorism and affirmed the importance of putting homeland-

related issues at the forefront of the NSS.[217] Yet, this structural change of merging the NSC with

the HSC had repercussions on the interagency process, and on the administration of the HSAS.

Whereas before the raising and lowering of the HSAS threat level was conducted with input the

Homeland Security Council, now the process was unclear. Would the new National Security

Staff play a substantive role in terrorism warnings? Would the HSAS be raised and lowered

without White House involvement? President Obama made no explicit mention of the fate of the

warning system.

At this point, of course, the HSAS was hardly a prominent policy tool: the system had

been silent for almost three years, since August 2006. Yet, shortly after these changes in the

White House, DHS began to reexamine its own faulty system. On July 14, 2009, Secretary

Napolitano announced the formation of a bipartisan task force to conduct a 60-day review of the

Homeland Security Advisory System. The Task Force met periodically over the next two months

in person and over teleconference, gathering input from the public as well as key federal

agencies, state and local governments, and private sector stakeholders. In September 2009, the

Task Force released its findings, which consisted of six primary themes. The first, on page 1 of

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[216] "Statement by the President on the White House Organization for Homeland Security and Counterterrorism," *The White House,* May 26, 2009, https://www.whitehouse.gov/the_press_office/Statement-by-the-President-on-the-White-House-Organization-for-Homeland-Security-and-Counterterrorism (accessed January 5, 2015). Unfortunately for this study, the recommendations themselves have remained classified.

[217] Ibid; Alan G. Whittaker, Shannon A. Brown, Frederick C. Smith, and Ambassador Elizabeth McKune, "The National Security Policy Process: The National Security Council and Interagency System," August 2011, 19.

the report, was simple: "Enduring Merit of a Dedicated Terrorism Advisory System."[218] The HSAS, in one form or another, was here to stay.

Over the next year, Secretary Napolitano and members of the Department of Homeland Security worked on crafting a successor system. DHS finished its internal work in early 2010, in consultation with other agencies including the Attorney General at DOJ. When the warning system recommendations were passed along to the White House, the reform momentum began to slow down.[219] Finally, on January 27, 2011, Napolitano announced the beginning of the implementation stage for a new system to replace the HSAS: the National Terrorism Advisory System. On April 20, 2011, the system became a reality.

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[218] Homeland Security Advisory Council, "Homeland Security Advisory System: Task Force Report and Recommendations," September 2009, 1.

[219] Interview with David Heyman by author, January 14, 2015.

National Terrorism Advisory System

Alert

www.dhs.gov/alerts

DATE & TIME ISSUED: XXXX

SUMMARY

The Secretary of Homeland Security informs the public and relevant government and private sector partners about a potential or actual threat with this alert, indicating whether there is an "imminent" or "elevated" threat.

DURATION

An individual threat alert is issued for a specific time period and then automatically expires. It may be extended if new information becomes available or the threat evolves.

DETAILS

- This section provides more detail about the threat and what the public and sectors need to know.

- It may include specific information, if available, about the nature and credibility of the threat, including the critical infrastructure sector(s) or location(s) that may be affected.

- It includes as much information as can be released publicly about actions being taken or planned by authorities to ensure public safety, such as increased protective actions and what the public may expect to see.

AFFECTED AREAS

- This section includes visual depictions (such as maps or other graphics) showing the affected location(s), sector(s), or other illustrative detail about the threat itself.

HOW YOU CAN HELP

- This section provides information on ways the public can help authorities (e.g. camera phone pictures taken at the site of an explosion), and reinforces the importance of reporting suspicious activity.

- It may ask the public or certain sectors to be alert for a particular item, situation, person, activity or developing trend.

STAY PREPARED

- This section emphasizes the importance of the public planning and preparing for emergencies before they happen, including specific steps individuals, families and businesses can take to ready themselves and their communities.

- It provides additional preparedness information that may be relevant based on this threat.

STAY INFORMED

- This section notifies the public about where to get more information.

- It encourages citizens to stay informed about updates from local public safety and community leaders.

- It includes a link to the DHS NTAS website http://www.dhs.gov/alerts and http://twitter.com/NTASAlerts

If You See Something, Say Something™. Report suspicious activity to local law enforcement or call 911.

The National Terrorism Advisory System provides Americans with alert information on homeland security threats. It is distributed by the Department of Homeland Security. More information is available at: www.dhs.gov/alerts. To receive mobile updates: www.twitter.com/NTASAlerts
If You See Something Say Something™ used with permission of the NY Metropolitan Transportation Authority.

Figure 4—Sample NTAS Alert from NTAS Public Guide[220]

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[220] "NTAS Guide: National Terrorism Advisory System Public Guide," *Department of Homeland Security*, April 2011: 6.

DHS announced that the new system would be "robust" and would provide "timely information to the public about credible terrorist threats." The warning levels were decreased from five under the HSAS to just two under the NTAS—"elevated," which warned of "a credible terrorist threat against the United States," and "imminent," which warned of "a credible, specific, and impending terrorist threat against the United States."[221] Unlike the HSAS, which was a fairly blunt instrument consisting almost exclusively of warnings made to the entire public, the NTAS operated on several levels—it could issue alerts to law enforcement, specific areas of the private sector, or the public at large. DHS also launched an extensive website for the NTAS, including a public guide to the program, and links to pages that would be updated with alerts. DHS devised widgets available for import to other websites, as well as links signing users up to NTAS notifications on Facebook, Twitter, and email. And yet since the inception of this new system, the NTAS has yet to issue a single alert, tweet or Facebook posting.[222] By all accounts, the NTAS has been silent.[223]

The creation of the NTAS raises an important puzzle. Why did policymakers go through the effort of reconstituting a terrorism public warning system that never actually warns? The threat of terrorism had not dissipated entirely; indeed, the period from 2011 to the present has been one of dozens of thwarted attacks against the homeland. Officials have even warned of potential attacks on U.S. soil—just not through the NTAS.[224] Why did Napolitano and DHS pour resources into reforming a system that has yet to produce any visible public benefits? David Heyman, former Assistant Secretary for Policy and a key player in the creation of the NTAS, has

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[221] "Secretary Napolitano Announces Implementation of National Terrorism Advisory System."

[222] National Terrorism Advisory System (NTAS) Facebook Page, https://www.facebook.com/NTASAlerts?fref=ts (accessed May 21, 2015); @NTASAlerts Twitter Feed, https://twitter.com/NTASAlerts (accessed May 21, 2015).

[223] The NTAS was created in conjunction with the Counterterrorism Advisory Board (CTAB), which had some private functions and warning capabilities. However, this thesis looks purely at the public facing side of the NTAS, which was its most prominent component.

[224] Hudson, "Obama's Terrorism Alert System Has Never Issued a Public Warning—Ever."

suggested that the NTAS reform process led to many other benefits in intelligence coordination and warning, rendering the actual public NTAS less important. He noted,

> As a general principle, we've evolved the system to such a degree of fidelity … it would be rare when you need to issue a formal NTAS warning. That said, the discipline of regularly reviewing and evaluating risks as part of the NTAS system, is still important for institutional credibility and institutional fortitude.[225]

Yet, this explanation seems lacking. How can the NTAS, an inherently public-facing system, be considered a success if it remains dormant? If the real benefit of creating the NTAS was the improvement of private information sharing, then the expressed goal of the system—a codified public warning system for terrorism—was still not achieved.

How do we arrive at this second, suboptimal outcome for terrorism warning systems? What organizational processes led to the creation of the NTAS in the first place? The policy streams model provides the weakest potential explanation. While organizational politics offers a compelling understanding of parts of the story—including Secretary Napolitano's decision to keep a system in place, and further institutionalize the resulting NTAS—it too falls short. Ultimately, as the evidence will suggest, the rebirth of a terrorism warning system was the result of individual incentives and leadership, particularly the work of David Heyman and the Department's Office of Policy.

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[225] Interview with David Heyman by author, January 14, 2015.

EXPLANATION 1: POLICY STREAMS

Expected Outcome: Immediate Change or Long-Term Inertia

According to Kingdon, "A change of administration is probably the most obvious window in the policy stream."[226] Thus, this model suggests that if the Obama administration planned to act, it would need to do so quickly before it settled into place and lost the momentum of being "new." Instead of immediate change, however, the NTAS was the result of a long and drawn-out process. During the first few months of 2009, there was no public push by Secretary Napolitano or the White House to make the HSAS a central issue. Napolitano did not mention the advisory system once during her confirmation hearing: she made promises to work on cybersecurity initiatives and border control, but was neither chastised nor encouraged to make the HSAS a central piece of her tenure as secretary.[227] The word "warning" was not used once, while the word "cyber" came up 14 times, and the term "border security" arose 17 times. Her priorities as the new Secretary of DHS simply did not include the HSAS.

In fact, Napolitano received no significant public pressure from Congress on the issue. While the Senate Homeland Security and Governmental Affairs committee held 159 hearings during the 111th Congress, from January 2009 to December 2010, not a single hearing focused on public warning systems, let alone warning systems for terrorism.[228] Nor did President Obama make the issue a priority. While he did institute an overhaul of White House homeland security structures, he made no mention of the advisory system. The pressure could perhaps have been implicit: while Obama was cleaning house, he could have been sending a message to other

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[226] Kingdon, 168.

[227] *Hearing on the Nomination of the Honorable Janet A. Napolitano to be Secretary, U.S. Department of Homeland Security*.

[228] Review of hearings by the Senate Committee on Homeland Security and Governmental Affairs found no hearings on the topic of warning. Hearings can be found at: http://www.hsgac.senate.gov/. The 111th Congress lasted from January 3, 2009 to January 3, 2011.

Secretaries to do the same. However, contrary to the policy streams model, the issue of the

HSAS was not made public early on. Publicizing the issue, if it was one that President Obama

cared about, would have served his political and policy interests well by demonstrating that he

was doing something to reform the defunct system. Yet, the President did not make the HSAS a

central issue. Although the political stream has shifted, there had been no significant crisis or

change in national mood toward terrorism warning to accompany the changeover in

administration. The HSAS had been dormant since August 2006, and no major terrorist attack,

successful or foiled, had garnered national media attention up through January 2009 to resurrect

the issue of warning. The 2008 Election had focused mainly on the state of the economy. In the

realm of foreign affairs, terrorism had taken a backseat to the Iraq War and negotiations with

Iran and North Korea.[229]

The HSAS only arose as a policy issue much later on. Five months after Napolitano was

confirmed, she finally initiated what would become a very long process of transforming the

HSAS into the NTAS. When Napolitano initiated investigations into the HSAS, she did so

without guaranteeing change. She launched a task force, a tool often used without result: forming

a task force signals that an issue is important, but does not suggest that change is certain or

inevitable. This task force stood in stark contrast to other initiatives that Napolitano had already

launched which pushed for immediate reform. Napolitano did not fully capitalize on the

momentum of the new administration to press the issue of the HSAS to the forefront of her

agenda. Her announcement garnered little public attention. Four articles were written on the

subject in the month following the task force's creation. Only one piece was in a major

newspaper: *The Washington Post* wrote a succinct article that noted that the "Obama

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[229] Political Communication Lab, "Campaign 2008," http://pcl.stanford.edu/campaigns/. Very few ads related to terrorism; the vast majority of campaign ads had to do with the economy.

Administration is *considering* changing a color-coded terrorism warning system" [italics added].[230] The media, it seemed, did not believe that Napolitano or the administration was committed to changing the HSAS. An editorial from *Sentinel & Enterprise*, a small paper out of Fitchburg, Massachusetts, expressed surprised that the issue was even being raised again. The article stated bemusedly, "It's hard to image now but the Homeland Security Advisory System—who knew it had a name?—was a point of considerable controversy."[231] Napolitano made no public comments about the task force or the HSAS after the initial announcement.

When the task force presented its findings in September 2009, there was also very little public fanfare.[232] Even Napolitano made no comments on its findings. On December 15, 2009, Napolitano gave an address to employees of DHS emphasizing the year's accomplishments; while she mentioned gains made in cyber issues and border security, she made no mention of the task force or any steps made in reforming the HSAS.[233] Clearly, the terrorism advisory system was not a top priority—or even a reform worth noting.

Instead, the NTAS took almost two years to implement, from Napolitano's announcement in July 2009 to its unveiling in April 2011. This timeframe runs contrary to the logic of the policy streams model, which suggests that reforms will occur either in policy windows, or not at all. Napolitano and the Obama Administration did not push vigorously for change during the policy window opened by the changeover in executive leadership. Nor did they let the HSAS whither and die. Instead, Napolitano led a cautious and measured reform

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[230] Spencer S. Hsu, "Nation Digest: Homeland Security —Threat-Level Warnings Being Reconsidered," *The Washington Post,* July 14, 2009 (accessed on LexisNexis, January 20, 2015).

[231] Editorial Board, "Fade to black for color-coded security alerts," *Sentinel & Enterprise,* July 18, 2009.

[232] Once again, only four papers covered the Task Force's findings, and only one article came from a major newspaper outlet (*The Washington Post*).

[233] "Secretary Napolitano Highlights DHS' Major Accomplishments in 2009," *Department of Homeland Security,* December 15, 2009, http://www.dhs.gov/news/2009/12/15/secretary-napolitano-highlights-dhs-major-accomplishments-2009 (accessed January 8, 2015).

process. According to Juliette Kayyem, former Assistant Secretary for Intergovernmental Affairs at DHS from 2009 to 2010, "It wasn't a priority of the administration; [the old system] was a joke, but it wasn't as important as the economic downfall of America."[234] The HSAS was relatively unimportant; policymakers only had so much political capital and attention to spend on issues, and the administration—both in the White House and at DHS—chose to put a premium on other initiatives instead.

Why, then, did Napolitano and DHS go through with the creation of the NTAS at all? The policy streams model falls far short of explaining the continued movement toward reform even after the initial policy window of administration changeover had closed. Although the Christmas Day bombing in December 2009 produced a crisis in counterterrorism, the event interestingly did not resurrect the debate surrounding the warning system. Without a crisis or significant political stream movements, the NTAS should never have been implemented. Why, then, was it born anew?

Interestingly, the final NTAS design did fit with the predictions of the policy stream model. The policy stream had adjusted since the implementation of the HSAS, and had absorbed its clearest failings. Thus, a new "off-the-shelf" solution reasonably reflected these changes. The task force's recommendations centered significantly on the most pronounced failings of the HSAS: its lack of credibility and lack of specificity. The Task Force put considerable emphasis on instituting "measures to restore public confidence," including "a practice of accompanying new alerts with actionable steps the public can take."[235] The report suggested that the secretary disclose the specific details of threat information, including location, region and sector most affected, and the level of credibility of the intelligence—essentially as much information as

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[234] Phone interview with Juliette Kayyem by author, January 7, 2015.
[235] "Homeland Security Advisory System: Task Force Report and Recommendations," 2.

could possibly be given to the public without endangering national security.[236] The NTAS was a

manifestation of many of these suggestions. The new system promised to use alerts that

> provide a concise summary of the potential threat including
> geographic region, mode of transportation, or critical infrastructure
> potentially affected by the threat, actions being taken to ensure
> public safety, as well as recommended steps that individual
> communities, business and governments can take to help prevent,
> mitigate or response to a threat.[237]

Although the policy streams model cannot explain why the NTAS was created, it can

help give reason as to its ultimate shape. However, the shape of the NTAS is much less of a

mystery: both other models provide predictions that also prove reasonably accurate in illustrating

the eventual dimensions of the new alert system. The real puzzle is why the Obama

administration invested in changing the system at all.

EXPLANATION 2: INDIVIDUAL INTERESTS

Expected Outcome: If Leaders Want It, They'll Make It

The individual interests model suggests that if reform of the HSAS were to occur, it

would be because leaders at DHS and elsewhere in the Executive branch made a strong and

concerted effort to create change and had the capabilities to be effective. And indeed, the role of

individual leadership and motivation proved to be outsized. Napolitano herself was not wedded

to a complete system overhaul. Instead, the Secretary created the space for reform to occur. She

had another key member in DHS who favored dramatic reform of the HSAS. David Heyman,

Assistant Secretary for Policy, had advocated multiple times on the record for a new system. In

2004, Heyman co-authored a report through the Heritage Foundation and the Center for Strategic

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[236] Ibid., 5.

[237] "Secretary Napolitano Announces Implementation of National Terrorism Advisory System."

and International Studies entitled "DHS 2.0," which emphasized the enduring worth of the system. The report stated that the HSAS was an "important component of the intelligence and early warning mission area" but that it was currently "inadequate."[238] He recommended that enhancements be made, and that "The national alert to state and local governments should be replaced with regional alerts and specific warnings for different types of industries and infrastructure."[239] In a second report published in 2008, he reiterated the need for government to "provide better warning, notification, and public education."[240]

During Heyman's nomination hearing in the Senate, he and the Senators did not address the terrorism warning systems explicitly. However, as soon as he assumed his position at DHS in mid-2009, he spearheaded efforts to reform the HSAS. Heyman viewed revising the HSAS as an important part of his role in DHS policy.[241] Although not directly involved in the Task Force, he had a surrogate on the committee: James Carafano, who had co-authored the two reports on Homeland Security published in 2004 and 2009, and who shared his view on the enduring utility of a terrorism warning system.[242] Heyman took charge once its findings were presented. He was the primary mind behind the NTAS, and the final result reflects his hand: the new system instituted many of the changes he had called for in earlier writings, including implementing regional and sector based warnings and increasing credibility through more specific risk communications.

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[238] James Jay Carafano and David Heyman, "DHS 2.0: Rethinking the Department of Homeland Security," *The Heritage Foundation* and *Center for Strategic and International Studies,* 2004, 14.

[239] Carafano and Heyman, 14.

[240] David Heyman and James Jay Carafano, "DHS 3.0: Building a National Enterprise To Keep America Free, Safe, and Prosperous," *The Heritage Foundation* and *Center for Strategic and International Studies,* September 18, 2008, 5.

[241] Interview with David Heyman by author, January 14, 2015.

[242] "Secretary Napolitano Announces 60-Day Review of Homeland Security Advisory System," *Department of Homeland Security,* July 14, 2009, https://www.dhs.gov/news/2009/07/14/secretary-napolitano-announces-60-day-review-homeland-security-advisory-system (accessed January 8, 2015).

Napolitano supplied the opening for reform to occur: she had a clear and expressed desire to maintain some form of warning system. But David Heyman had the true vision to create a new system. The importance of senior leadership is in line with the individual incentive model, which stresses the need for key policymakers to desire a change and to drive the process forward.

Additionally, the structure of the resulting NTAS reflects many of the hypotheses put forth by the individual incentive model. Leaders generally look for low-cost solutions, both in terms of money and political opposition. Thus, they tend to pursue unilateral actions rather than legislative avenues, because the latter requires involving Congress and thus is inherently more costly in political capital. DHS did just this, creating a new structure in conjunction with the White House and other Executive branch agencies. The system was established without the involvement of Congress or the passage of any new legislation. The system was relatively low cost—no additional money was appropriated from Congress, so DHS had to make due with its current budget to implement these changes.[243] The system was also not particularly controversial. Although later on, some academics would express doubts as to whether the NTAS would be an improvement over the old system, Heyman's new system did not come under fire from Washington elites.

Contrary to the individual incentives model, however, the new system was not particularly visible. Although Heyman and Napolitano pushed the system through to completion, it is unclear how much political benefit either received from its institution. Perhaps Heyman was concerned with leaving a legacy in the Department, and viewed the NTAS as a way to make his mark. However, Heyman also had other major achievements during his long tenure as head of

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[243] No mention of auxiliary funding for the NTAS system exists in congressional hearings or news accounts from this period.

the DHS policy shop, including implementing the first and second Homeland Security Quadrennial reviews.

Heyman and Napolitano could instead have been motivated by risk aversion. Aware that the HSAS was problematic, Napolitano and Heyman could have sought to replace it with a new system that was at least marginally better, if still imperfect. Incentives are not just about increasing benefits, but also about lowering downside risk. If another attack against the homeland occurred, Napolitano and Heyman would be able to show that they had invested time and resources into creating a new, ostensibly improved warning system. Initial publicity was therefore less of a priority than creating a fallback in case of a future attack.

Based on the NTAS's silence in recent years, it seems unlikely that the new system would be able to provide much political cover. The lack of visibility of the NTAS is a minor weakness of the individual incentives model; yet, overall, the model offers a compelling explanation for why the U.S. still has a dedicated terrorism warning system.

EXPLANATION 3: ORGANIZATIONAL POLITICS

Expected Outcome: An Expansion of Territory for DHS

This model expects that DHS would have strong institutional incentives to expand the credibility and utility of the HSAS. Although the system floundered, it was initially the most public front of the Department; DHS would benefit from reforming a system that was outward-facing, and that provided important organizational cover in case of another terrorist attack. Thus, this model expects that DHS would seek to retain and further institutionalize the system, rather than removing it entirely.

As this model suggests, Napolitano made clear from the start that the Department would retain some form of terrorism warning system. When she announced the formation of the Task Force, the new Secretary stressed,

> I have assembled a task force, made up of Democrats and Republicans, elected officials at the state and local level, security experts, law enforcement officials and other professionals to assess our current threat level system and provide options for any improvements that are needed… My goal is simple: *to have the most effective system in place to inform the American people about threats to our country.[244]* [Italics added]

One senior official did comment that the task force investigated the possibility of removing the system.[245] Indeed, the report gathered information from a variety of stakeholders, including the public, many of whom suggested doing away with the system entirely. Of the 82% of responders who favored changing or altering the NTAS, a significant number supported removing the system altogether.[246] One individual wrote to the Task Force, "Please eliminate this useless system, and do nothing to replace it."[247]

Other government agencies also seemed skeptical as to the system's utility. Although the Defense Department had ideas for revising the HSAS, it initially commented that the system currently had no strengths and was doing nothing to further the goals set out in Homeland Security Presidential Directive-3 (the system's founding document), which were to provide useful and practicable warnings to the public and to state and local officials.[248] Philip Zimbardo, a renowned psychologist from Stanford, wrote, "the terror alert system as practiced in the United

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[244] "Secretary Napolitano Announces 60-Day Review of Homeland Security Advisory System."

[245] Interview with David Heyman by author, January 14, 2015.

[246] Homeland Security Advisory System Task Force, "Summary of Public Comments Made on the HSAS," *Department of Homeland Security*, September 2009: 1.

[247] "Summary of Public Comments Made on the HSAS," 2.

[248] Homeland Security Advisory System Task Force, "Stakeholder Feedback," *Department of Homeland Security,* September 2009: 6.

States is less than worthless, and needs to be thoroughly revised."[249] Many stakeholders also

suggested merging the terrorism advisory system with other kinds of warning systems. First

Responders in particular "expressed the need for any HSAS to function as an 'All-Threats, All-

Hazards' system," which they believed capitalized on DHS' unique mandate and reach.[250]

Yet, contrary to these comments, the Task Force only briefly entertained the idea of

removing the HSAS or merging it with other systems. The first theme of the report was that a

dedicated terrorism advisory system had "enduring merit":

> In the view of the Task Force, a national threat warning system for terrorist
> attacks is as central now as it was when today's system was established in 2002.
> Further, that warning system should remain dedicated to threats from terrorism
> and not be combined with other national warning systems for weather, natural
> disasters, infectious diseases and so forth. Though the Task Force offers
> suggestions to reform the current system, *the members unanimously share the*
> *Secretary's view that maintaining the nation's vigilance is the key to protecting*
> *against terrorism.[251]* [Italics added]

This finding is never fully explained in the report. However, the above statement makes

clear that the Task Force was aware of Napolitano's position: she hoped to maintain an advisory

system of some kind. Whether or not Napolitano was explicitly involved in the Task Force's

efforts remains undetermined, but her public position seems to have implicitly influenced their

findings.

Napolitano, it seems, understood the importance of maintaining some form of system.

Perhaps she was not committed to an overhaul of the HSAS, but she certainly did not want to do

away entirely with a warning system that was devoted to terrorism. As is often the case after a

major terrorist attack, policymakers find it much hard to remove emergency provisions and

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[249] "Stakeholder Feedback," 16.

[250] "Stakeholder Feedback," 46.

[251] "Homeland Security Advisory System: Task Force Report and Recommendations," 1.

institutions than to create them.[252] The HSAS was just such an emblem of the post-9/11 environment: even though it had become dysfunctional and even silent, policymakers could not do away with it entirely.

Despite the failures of the HSAS, Napolitano and DHS leaders worked systematically throughout the reform process to further institutionalize its replacement. Although the system had once belonged to the Department of Justice as well as the precursor to DHS, Napolitano downplayed the role of any other institutions. The Secretary made all relevant announcements regarding the state of the HSAS, from the early investigations of its utility in July 2009 to its eventual replacement in April 2011. In press releases and public remarks on the issue, Napolitano and DHS make only one comment about the Department of Justice's involvement: in the announcement of the creation of the initial Task Force, the release states, "The task force will consult with the Department of Justice—under which HSAS was originally created—and provide opportunities for public input."[253]

Terrorism warning systems had come a long way since their origins, when Secretary Ridge and Attorney General Ashcroft would often publicly contradict one another on the nature of the threat. Instead, DHS took complete control of the reform process. DOJ was also not one of the primary Executive departments to give Stakeholder Feedback during the Task Force's review process. The Department of Defense (DOD), the Department of Agriculture (USDA), and the General Services Administration (GSA) all provided detailed comments on the state of the HSAS and how it should be improved, while DOJ remained uninvolved.[254] Former Homeland Security bureaucrats dominated the Task Force: of the 17 primary members, three had formerly

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[252] See Laura K. Donohue, *The Cost of Counterterrorism: Power, Politics, and Liberty*, (New York: Cambridge University Press, 2008).

[253] "Secretary Napolitano Announces 60-Day Review of Homeland Security Advisory System."

[254] "HSAS Task Force: Stakeholder Feedback, " 6-11.

worked at DHS. One member, William Webster, was the current chair of the Homeland Security

Advisory Council and a former Director of the Federal Bureau of Investigation. He was the

primary representative from DOJ; however, he had served at the FBI in the late 70s and early

80s. No member of the task force had recently been in a high-ranking position at Justice.

The diminished role of DOJ is unsurprising. The Department of Justice originally vied for

control of the HSAS; yet, even by the end of 2002, the Department no longer sought a role in the

troubled system, and let it pass entirely over to the newly created Department of Homeland

Security.[255] Regardless of DOJ's desires, however, DHS worked to assert its primacy over the

advisory system during this reform process, even as it was floundering. As the NTAS currently

operates, DOJ has no direct control or even advisory component over its functioning.

Other factors throughout this time period point to the importance of bureaucratic politics.

DHS created a more robust institutional home for the NTAS. The task force recommended

committing more resources and "dedicated infrastructure, staff, established protocols and

procedures" to maintain a revised system. The Task Force wrote,

> Moving quickly, responding to a rapid succession of threats,
> executive branch leaders depended on ad hoc practices for
> changing the nation's alert status and communicating that message.
> Further, the system has had no staff dedicated to manage the work
> in a crisis. *The Task Force believes the Secretary should establish
> the protocols, procedures, and staff capable of supporting the
> secretary.*[256]

This staff included individuals responsible for coordinating any resulting communications that

came out of the NTAS.

The creation of the NTAS also led to a growth in its bureaucratic trappings. The new

warning system included dedicated social media tools, with a Facebook, Twitter, and email

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[255] Interview with senior Bush administration official by author, May 8, 2015.
[256] "Homeland Security Advisory System: Task Force Report and Recommendations," 4.

warning systems in place. The NTAS had its own public guide, as well as website devoted to public education. Secretary Napolitano concurrently established the DHS Counterterrorism Advisory Board (CTAB), which was chartered as the decision making body of the NTAS, and served to "improve coordination on counterterrorism among DHS components."[257] Napolitano also established the position of Counterterrorism Coordinator within the Department to work with CTAB and the NTAS. Thus, the NTAS led to the creation of other auxiliary structures intended to support coordination and communication with the public. DHS sought to institutionalize the NTAS as much as possible, expanding its bureaucratic support systems.

Importantly, Janet Napolitano's efforts during this period very much reflect the bureaucratic pressures she faced. As noted before, David Heyman was the primary motivator behind creating a revised warning system; Napolitano supported his efforts but was not the central force behind change. Instead, she created a task force to investigate the HSAS and worked to keep *some* form of warning system alive, but did not lead the charge for the HSAS's ultimate revision. Napolitano acted very much as any DHS Secretary would have: she worked to protect the turf of the DHS and avoid dismantling the system. Yet, she could not invest significantly in the HSAS reform process. As head of DHS, Napolitano had many other problems to contend with, including Congressional pressure to reform border security and improve the Department's cyber security initiatives. These issues, which were highlighted during Napolitano's confirmation hearing, continued to be central during 2009 and 2010. Although Napolitano allowed for innovation to occur, had the process been left up to the Secretary, the old system would likely still be in place today.

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[257] Brush 44.

Interestingly, the NTAS structure reflects some of the major changes predicted by the bureaucratic politics model. The system focused on increasing public credibility by providing timely, accurate, and specific information. In the first stage of implementation, announced in January 2011, Napolitano stressed the importance of public involvement:

> "This means that the days are numbered for the automated
> recordings at airports, and announcements about a color code level
> that were, too often, accompanied by little practical information…
> As I said before, this new National Terrorism Advisory System is
> built on the common-sense belief that we are all in this together,
> and that we all have a role to play."[258]

DHS thus stressed credibility and public trust as the most important new pieces the NTAS had to offer.

The organizational politics model proposes that DHS would further institutionalize the system, and would do so in a way that enhanced its visibility and public support. In general, this seemed to occur. While the organizational politics model provides an important insight into how the prerogatives of DHS helped influence the HSAS reform process, the model cannot account for the dramatic replacement of the system. Had organizational politics been the central motivator, complete overhaul would not have occurred. Napolitano and the DHS leadership would have invested *some* time into reforming the system, but would likely not have found it advantageous to completely replace the system. Creating the NTAS took time and personnel— resources that the Secretary would likely not have spared. Rather, David Heyman and other leaders within the Department's policy shop pushed to create a new system. Even as the organization's interests lay elsewhere, these policy entrepreneurs sought to revitalize a broken

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[258] Janet Napolitano, "State of America's Homeland Security Address," *Department of Homeland Security,* January 27, 2011, http://www.dhs.gov/news/2011/01/27/state-americas-homeland-security-address (accessed January 8, 2015).

system. Napolitano invested the minimum necessary in the advisory system to illustrate that DHS still cared about its functionality. Heyman provided the impetus to affect lasting change.

CONCLUSION

The policy streams model provides by far the least compelling explanation of the creation of the NTAS. The reform process was not implemented immediately, and was also not discarded. Rather, the creation of a new system took place over months and years, long after the policy window provided by the new administration had been shut. Indeed, by the time the advisory system was reborn as the NTAS in April 2011, the Obama administration was gearing up for reelection. Rather, the individual incentives model offers the best insight into the origins of the NTAS. Leadership in DHS, particularly David Heyman, the Assistant Secretary for Policy, pushed for the creation of the NTAS and saw it through to completion. Although the resulting system was less visible than would have been anticipated from this model, the NTAS fit many of the other predicted components: it is a low cost solution that generates very little political opposition. Finally, the bureaucratic politics model sheds some light on the final placement of the NTAS—solely within the jurisdiction of DHS. It also helps explain why Napolitano helped facilitate change but did not actually drive the process of the NTAS creation: she was protecting the bureaucratic fault lines of DHS, but was not necessarily invested in creating a brand new system.

Overall, this final stage of the evolution from HSAS to NTAS is best explained by the desires of individuals, rather than the functioning of the policy stream process or by the role of institutional incentives in the form of bureaucratic politics.

Chapter VI—Conclusions

How does the federal government warn the public about a terrorist threat? Over the course of a decade, Washington policymakers forged two solutions to this same fundamental problem. Creating an effective and reliable warning system for terrorist attacks is certainly not easy. Unlike natural disasters, terrorists are responsive to government activities, and adjust to public information. Intelligence of possible attacks is highly classified, and parsing signals from noise incredibly difficult. And unlike other terrorism-related warning systems, such as the State Department's overseas travel advisories and the Defense Department's Force Protection Conditions, the threat of an attack against the U.S. homeland is difficult to circumscribe. Its scope is much broader than a potential attack against a military installation, or than the dangers posed to Americans abroad in a specific country or region.

How can one adequately communicate such a threat to the public? Since 9/11, the federal government has built two institutions in attempts to codify and convey the dangers of terrorism to a public that has oscillated between panic and indifference. The Homeland Security Advisory System constituted the first attempt: used very frequently in the first two years of its existence, it soon bore the brunt of public skepticism and scholarly criticism. By the time it fell silent in August 2006, it had become a source of derision. The National Terrorism Advisory System has faced almost the exact opposite problem: it has been too quiet to produce either approval or censure.

This thesis has delved into the organizational story behind the creation of these two warning systems using three frameworks: (1) policy streams; (2) individual interests and leadership; and (3) organizational politics. Why, over the course of ten years, did Washington

produce two suboptimal institutional outcomes? To be complete, the resulting story is necessarily messy. Different factors have proved important based on the stage of the life cycle of these warning systems.

The first system, the HSAS, was born from a crisis. The policy streams framework best explains its birth. The government was responding to an acute political problem and needed a quick solution. After 9/11, officials were publicizing any and every terrorist threat for fear of missing another catastrophic attack; the result was confusion and panic. The White House recognized the need for a codified system, and so it reached for off-the-shelf solutions to fill this void. Thus the HSAS was born from poor analogies that proved inadequate against the intricacies of terrorism. This is a very typical story of the birth of institutions. The CIA was born from a similar policymaking shortcut. In a sense, the Department of Homeland Security was also created through an analogous quick yet imperfect solution. Just months before the 9/11 attacks, the Hart-Rudman commission (1999-2001) had recommended creating a federal homeland defense agency; the legislature essentially cut and pasted these ideas into the Homeland Security Act of 2002, which established the final Department. Like the HSAS, this result has been chaotic and inadequate: Congress threw together 22 disparate agencies in one piece of legislation, the organizational imperfections of which are still being sorted out today.

However, once the advisory system became an established part of the new, dedicated Department of Homeland Security, inertia set in and organizational politics took over. Despite mounting evidence of its ineffectiveness, the system wasn't worth revising. But it also wasn't worth destroying. Michael Chertoff, the Secretary of Homeland Security during this time period, tinkered with the system in an effort to improve it. Yet, ultimately, he had much more pressing problems, such as Hurricane Katrina and its aftermath. As any Secretary of a troubled

Department would have done, Chertoff sought to reform and reorganize his agency, leaving the poorly functioning warning system largely untouched. His tenure was marked by an effort to improve the internal structure of DHS. The Homeland Security Advisory System was never a top priority. Consequently, the system faded into silence.

Finally, the HSAS was replaced, but not under the circumstances one would expect. The entrance of the Obama administration opened a policy window, a chance to reform or replace highly visible systems or organizations that had been broken or dysfunctional under President Bush. Although the HSAS was both highly public and obviously disappointing, it was not replaced until after this initial window closed. Although fueled by the change in administration, the new warning system was the product of individual interests and leadership—most notably, the dedication and entrepreneurship of David Heyman and the Office of Policy within DHS. In this case, dramatic reform occurred only because individuals in positions of power had the vision and motivation to create change. Otherwise, the status quo would have likely remained in place. Unfortunately, their vision was ill fated, too. Despite the vision and effort of its creators, the NTAS has not fared any better than its predecessor.

Why study these two broken institutions? In both outcomes, the results are disappointing. The first system was the source of endless criticism. Its successor has been so obscured that few know about it—far from an ideal outcome for a public warning system.[259] However, this puzzle of warning is significant because it sheds light on a broader story: one of institutional change. By examining the evolution of these warning systems, one can better understand when and how to effect change in other organizations and policy outcomes. The history of the HSAS and NTAS followed an important arc: a policy window opened the initial impetus behind the creation of a

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[259] For example, a senior bush administration official who had been integral in developing the HSAS had no knowledge of the new system's creation. Interview with author, May 7, 2015.

dedicated terrorism warning system, which then became institutionalized and overtaken by organizational politics. Subsequent change only occurred because of committed and sustained individual leadership.

This story suggests that changing institutions is not only about policy streams: political shifts and exogenous societal shocks may not be the only way, or even the best way, to improve upon existing systems. Particularly when a system is effective enough to avoid consistent criticism, that institution may not garner the kind of public attention needed to create a sustained organizational interest in improving it. While a policy window often creates the circumstances for the birth of an institution, it may not always provide the impetus for reform. By the logic of policy streams, the Obama administration should have taken on HSAS reform headfirst. Improving the system would have been a highly visible and inexpensive way to bolster counterterrorism efforts. And yet, the entrance of a new political administration was not enough. The status quo was a compelling fallback, even for a new President bent on veering away from the Bush legacy. The HSAS was imperfect, and even dysfunctional, yet its existence alone was enough to create a political cushion for policymakers in DHS and at the White House. If an attack occurred, having some form of system was better than having nothing at all. Thus, it took more than a policy window to create change. Empowered and dedicated individual leadership was necessary.

These warning systems provide a compelling example of the life cycle of institutions, whereby contingent explanations account for different stages of development—birth, near death, and eventual rebirth. This mode of analysis sits between two ends of the investigative spectrum. One extreme, that of great history, seeks to provide a detailed and complete understanding of what happens. However, this mode doesn't offer applicability. Descriptions are dependent on so

many influences that they often suffer in explanatory power. On the other extreme rests the world of theory, which distills events and outcomes down to one driving factor. These explanations are valuable for their parsimony and generalizability. However, this mode can often be too broad to be useful; in distilling outcomes to a core variable, one loses nuance. The findings in this thesis lie in the middle of these two extremes. Here, different variables—policy streams, individuals, or institutions—matter based on the evolutionary stage of the warning system. This thesis offers a contingent explanation, where certain factors make a system most susceptible to change.

Although less tidy than other accounts, this mode of analysis provides the most useful findings for policy analysis. Organizational change is far from simple or easy; to reform or replace an existing system, one inevitably must contend with a host of external factors on the level of issues, individuals, and institutions. This thesis provides an understanding of when, and under what conditions, organizational change is most likely to occur. These particular findings relate to the development of the HSAS and NTAS in the tumultuous decade after 9/11. However, future research could certainly apply this question and these frameworks to other warning systems and other mechanisms for public communications. Other countries have different methods for issuing terrorism alerts: do those institutions follow similar developmental patterns? This is a rich line of questioning that should be investigated further.

Bibliography

Alexander Yonah and Tyler B. Richardson. *Terror on the High Seas*. Vol. 1, *From Piracy to Strategic Challenge.* Santa Barbara, Calif.: Praeger/ABC-CLIO, 2009.

Aguirre, Benigno E. "Homeland Security Warnings: Lessons Learned and Unlearned." *International Journal of Mass Emergencies and Disasters,* Vol. 22, No. 2, 2004.

Graham T. Allison, "Conceptual Models and the Cuban Missile Crisis," *The American Political Science Review,* Vol. 63, No. 3 (Sept. 1969), 689-718.

Bass, Bernard. *Leadership and Performance Beyond Expectations.* New York: Free Press, 1985.

Baumgartner, Frank R., Christian Breunig, Christoffer Green-Pedersen, Bryan D. Jones, Peter B. Mortensen, Michiel Nuytemans, and Stefaan Walgrave. "Punctuated Equilibrium in Comparative Perspective." *American Journal of Political Science,* Vol. 53, No. 3, July 2009: 603-620.

Becker, Elizabeth. "Bush Is Said to Consider a New Security Department." *The New York Times*, April 12, 2002. Accessed March 10, 2015. http://www.nytimes.com/2002/04/12/us/nation-challenged-domestic-security-bush-said-consider-new-security-department.html.

Betts, Richard K. "Surprise Despite Warning: Why Sudden Attacks Succeed." *Political Science Quarterly.* Vol. 95, No. 4, Winter, 1980-1981: 551-572.

Bjelopera, Jerome P. "The Domestic Terrorist Threat: Background and Issues for Congress." *Congressional Research Service,* January 17, 2013.

Blake, Eric S., Christopher W. Landsea, and Ethan J. Gibney. "The Deadliest, Costliest, and Most Intense United States Tropical Cyclones From 1851 to 2010 (And Other Frequently Requested Hurricane Facts)." *National Weather Service, National Hurricane Center,* August 2011. Accessed March 15, 2015. http://www.nhc.noaa.gov/pdf/nws-nhc-6.pdf.

Bush, George W. *Selected Speeches of President George W. Bush, 2001 – 2008.*

Bush, George W. "Establishing the Office of Homeland Security and the Homeland Security Council." Executive Order 13228. October 8, 2001. http://fas.org/irp/offdocs/eo/eo-13228.htm. Accessed January 5, 2015.

Bush, George W. "Homeland Security Presidential Directive 3." March 12, 2002. http://georgewbush-whitehouse.archives.gov/news/releases/2002/03/20020312-5.html. Accessed February 10, 2015.

Bush, George W. "Management of Domestic Incidents." Homeland Security Presidential Directive 5. February 28, 2003. http://fas.org/irp/offdocs/nspd/hspd-5.html. Accessed March 12, 2015.

Brush, Roy B. "Silent Warning: Understanding the National Terrorism Advisory System." Thesis, *Naval Postgraduate School*. December 2014.

Carafano, James Jay and David Heyman. "DHS 2.0: Rethinking the Department of Homeland Security." *The Heritage Foundation* and *The Center for Strategic and International Studies*, December 13, 2004.

Chertoff, Michael. *Homeland Security: Assessing the First Five Years.* Philadelphia: University of Pennsylvania Press, 2009.

Chertoff, Michael. "Threat level change targeted to mass transit sector." Transcript of press briefing. July 7, 2005. http://www.fayettenewspapers.com/contentitem/148386/1664/threat-level-change-targeted-to-mass-transit-sector. Accessed March 18, 2015.

Coll, Steve. *Ghost Wars: The Secret History of the CIA, Afghanistan, and Bin Laden, From the Soviet Invasion to September 10, 2001.* New York: Penguin, 2004.

Cowell, Alan and Dexter Filkins. "Terror Plot Foiled; Airports Quickly Clamp Down." *The New York Times*. August 11, 2006.

Eggen Dan and Bob Woodward. "FBI Issues 2nd Global Attack Alert; Credible Reports Indicate Strikes on U.S. Possible In Next Week, Agency Says." *The Washington Post.* October 30, 2001. Accessed on LexisNexis on April 15, 2015.

Eggen, Dan and Bill Miller. "Terror Alert Stems From Data Gained In Afghanistan; Officials Say Prisoner Interviews Provided Target Date of Tuesday." *The Washington Post*. February 13, 2002. Accessed on LexisNexis on April 15, 2015.

Department of Homeland Security. "Secretary Napolitano Issues First in a Series of Action Directives." January 28, 2009. http://www.dhs.gov/news/2009/01/28/secretary-napolitano-issues-first-directives-protection. Accessed January 10, 2015.

Department of Homeland Security. "Secretary Napolitano Issues Bold Efficiency Review Initiative." February 17, 2009. http://www.dhs.gov/news/2009/02/17/secretary-napolitano-issues-bold-efficiency-review-initiative. Accessed January 10, 2015.

Department of Homeland Security. "Secretary Napolitano Announces 60-Day Review of Homeland Security Advisory System," July 14, 2009, https://www.dhs.gov/news/2009/07/14/secretary-napolitano-announces-60-day-review-homeland-security-advisory-system (accessed January 8, 2015).

Department of Homeland Security. "Secretary Napolitano Highlights DHS' Major
Accomplishments in 2009.*"* December 15, 2009,
http://www.dhs.gov/news/2009/12/15/secretary-napolitano-highlights-dhs-major-
accomplishments-2009. Accessed January 8, 2015.

Department of Homeland Security. "Secretary Napolitano Announces Implementation of
National Terrorism Advisory System." April 20, 2011.
http://www.dhs.gov/news/2011/04/20/secretary-napolitano-announces-implementation-
national-terrorism-advisory-system. Accessed January 18, 2015.

Department of Homeland Security. "Chronology of Changes to the Homeland Security
Advisory System." September 5, 2013. http://www.dhs.gov/homeland-security-advisory-
system.

Department of Homeland Security. "NTAS Public Guide." December 12, 2014.
http://www.dhs.gov/ntas-public-guide.

Fischhoff, Baruch. "Assessing and Communicating the Risks of Terrorism," in A.H. Teich, S.D.
Nelso and S.J. Lita (eds.), *Science and Technology in a Vulnerable World.* Washington,
DC: AAAS, 2002.

Freedman, Lawrence. "The Politics of Warning: Terrorism and Risk Communication."
International and National Security, Vol. 20, No. 3, September 2005: 379-418.

Gates, Robert M. "The Job Nobody Trained For." *The New York Times.* November 19, 2001,
accessed online April 20, 2015, http://www.nytimes.com/2001/11/19/opinion/the-job-
nobody-trained-for.html. Accessed March 12, 2015).

Cynthia Grabo. "Anticipating Surprise: Analysis for Strategic Warning." *Center for Strategic
Intelligence Research.* 2002.

Hall, Mimi. "Ridge reveals clashes on alerts," *USA TODAY,* February 10, 2005,
http://www.werzit.com/intel/archive/Tom%20Ridge%20Confesses%20Terror%20Alerts
%20Were%20Bogus.pdf.

Herring, Lee. "How Would Sociologists Design a Homeland Security Alert System?" *ASA
Footnotes*, April 2003.

Heyman, David and James Jay Carafano. "DHS 3.0: Building a National Enterprise To Keep
America Free, Safe, and Prosperous." *The Heritage Foundation* and *Center for Strategic
and International Studies.* September 18, 2008.

Homeland Security Act of 2002. Public Law 107-296. 107th Cong., 2nd Sess. November 25, 2002.

Homeland Security Advisory Council. "Homeland Security Advisory System Task Force Report
and Recommendations," September 2009.

Homeland Security Advisory System Task Force. "Stakeholder Feedback." *Department of Homeland Security.* September 2009.

Homeland Security Advisory Task Force. "Summary of Public Comments Made on the HSAS." *Department of Homeland Security*, September 2009.

Hsu, Spencer S. "Senate Report Urges Dismantling of FEMA; A New Agency, With More Funding and Authority, Would Be Built in Homeland Security Department." *The Washington Post,* April 27, 2006.

Hsu, Spencer S. "Nation Digest: Homeland Security —Threat-Level Warnings Being Reconsidered." *The Washington Post,* July 14, 2009. Accessed on LexisNexis, January 20, 2015.

Hudson, John. "Obama's Terrorism Alert System Has Never Issued a Public Warning—Ever." *Foreign Policy,* September 29, 2014. http://foreignpolicy.com/2014/09/29/obamas-terrorism-alert-system-has-never-issued-a-public-warning-ever/, accessed February 4, 2015.

Jones Bryan D. and Frank R. Baumgartner. *The Politics of Attention: How Government Processes Information and Prioritizes Problems*. Chicago: The University of Chicago Press, 2005.

Kingdon, John W. *Agendas, Alternatives, and Public Policies*. 2nd ed. New York: Longman, 2011.

Koffler, Keith. "White House Urges Quick Approval of Homeland Bill." *Government Executive.* November 7, 2002.

Bart Kosko. "Terror Threat May Be Mostly a Big Bluff." *Los Angeles Times*. September 13, 2004.

Levin, Alan and Kevin Johnson. "New terror-alert system announced." *USA TODAY.* April 21, 2011. http://usatoday30.usatoday.com/news/washington/2011-04-20-government-terror-alerts-warnings.htm. Accessed January 10, 2015.

Lipton, Eric. "For New Chief, a New Approach to Homeland Security." *The New York Times*. July 18, 2005.http://www.nytimes.com/2005/07/18/politics/18chertoff.html?pagewanted=all. Accessed March 18, 2015.

Lipton, Eric. "Homeland Security Department Gets Better Grades in 2nd Major Test." *The New York Times,* August 14, 2006. http://www.nytimes.com/2006/08/14/washington/14 chertoff.html?n=Top%2FReference%2FTimes%20Topics%2FSubjects%2FD%2FDetain ees. Accessed March 18, 2015.

Ian S. Lustick. *Trapped in the War on Terror.* Philadelphia: University of Pennsylvania Press, 2006.

Interview with Phil Anderson and Daniel Kaniewski by author. January 13, 2015.

Interview with David Heyman by author. January 14, 2015.

Interview with John Hillen by author. January 15, 2015.

Interview with Gordon Johndroe by author. Telephone. May 8, 2015.

Interview with Juliette Kayyem by author. Telephone. January 7, 2015.

Interview with Caryn Wagner by author. Telephone. February 5, 2015.

McDermott, Rose and Philip G. Zimbardo. "The Psychological Consequences of Terrorist Alerts," in Bruce Bongar, Lisa M. Brown, Larry E. Beutler, James N. Breckenridge, and Zimbardo, eds., *The Psychology of Terrorism*. New York: Oxford University Press, 2006: 357-370.

McFeatters, Ann. "Ridge Plans Ranking System for Alerts." *Pittsburg Post-Gazette,* December 19, 2001.

Milbank, Dana. "A 'Unified Command Structure' in Search of a Leader.' *The Washington Post,* March 21, 2006.

Miller, Bill. "National Alert System Defines Five Shades of Terrorist Threat; Ridge Expects U.S. to Stay at Heightened Awareness for Years," *The Washington Post*, March 13, 2002. Accessed through LexisNexis on February 12, 2015.

Mitchell, Alison. "Letter to Ridge Is Latest Jab Over Balance of Powers." *The New York Times*, March 5, 2002. http://www.nytimes.com/2002/03/05/us/nation-challenged-congressional-hearings-letter-ridge-latest-jab-fight-over.html. Accessed February 21, 2015.

Mintz, John. "DHS Considers Alternatives To Color-Coded Warnings." *The Washington Post,* May 10, 2005. Accessed March 18, 2015.

John Mintz, "Ridge Seeking Fewer Changes In Terror Alerts," *The Washington Post*, June 6, 2003. Accessed on LexisNexis, March 20, 2015.

Moynihan, Donald P. "Homeland Security and the U.S. Public Management Policy Agenda." *Governance: An International Journal of Policy, Administration, and Institutions,* Vol. 18, No. 2, April 2005: 171-196.

Mueller, John. "Assessing Measures Designed to Protect the Homeland," *The Policy Studies Journal,* Vol. 38, No. 1, 2010: 1-21.

Mueller, John. *Overblown: How Politicians and the Terrorism Industry Inflate National Security Threats, and Why We Believe Them,* (New York: Free Press, 2006).

Napolitano, Janet. "State of America's Homeland Security Address." *Department of Homeland Security.* January 27, 2011. http://www.dhs.gov/news/2011/01/27/state-americas-homeland-security-address. Accessed January 8, 2015.

National Terrorism Advisory System (NTAS) Facebook Page. https://www.facebook.com/NTASAlerts?fref=ts. Accessed May 21, 2015.

Newman, William W. "Reorganizing For National Security and Homeland Security." *Public Administration Review*. Vol. 62: 126-137.

Neustadt, Richard E. *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan.* New York: The Free Press, 1990.

Obama, Barack. "Organizing for Homeland Security and Counterterrorism." Presidential Study Directive 1. February 23, 2009: 2.

"Poor Tom. America's homeland security is still chaotic, but it isn't all Tom Ridge's fault." *The Economist.* April 18, 2002, http://www.economist.com/node/1087310. Accessed March 12, 2015.

Pena, Charles V. "Back to Yellow Alert – But What Changed?" *The Cato Institute,* September 25, 2002. http://www.cato.org/publications/commentary/back-yellow-alert-what-changed. Accessed March 12, 2015.

Pena, Charles V. "Homeland Security Alert System: Why Bother?" *The Cato Institute,* October 31, 2002. http://www.cato.org/publications/commentary/homeland-security-alert-system-why-bother. Accessed March 12, 2015.

Pump, Barry. "Beyond Metaphors: New Research on Agendas in the Policy Process." *The Policy Studies Journal,* Vol. 39, No. S1, 2011.

Reese, Shawn. "CRS Report for Congress: Homeland Security Advisory System: Possible Issues for Congressional Oversight." *Congressional Research Service*. January 11, 2005.

Ridge, Tom. *The Test of Our Times: America Under Siege, and How We Can Be Safe Again.* New York: St. Martin's Press, 2009.

Relyea Harold C. and Henry B. Hogue. "Department of Homeland Security Reorganization: The 2SR Initiative." *Congressional Research Service,* August 19, 2005.

"Remarks by Governor Ridge Announcing Homeland Security Advisory System, Washington, D.C." *The White House.* March 12, 2002. http://georgewbush-whitehouse.archives.gov/news/releases/2002/03/20020312-14.html. Accessed February 10, 2015.

"Remarks By Homeland Security Secretary Michael Chertoff, United States Attorney General Alberto Gonzales, FBI Director Robert Mueller And Assistant Secretary For TSA Kip Hawley." *Transportation Security Administration.* August 10, 2006. http://www.tsa.gov/press/speeches/remarks-homeland-security-secretary-michael-chertoff-united-states-attorney-general. Accessed March 20, 2015.

Santistevan, Julian. "Force Protection Conditions." *Nellis Air Force Base,* September 25, 2009. http://www.nellis.af.mil/news/story.asp?id=123169728. Accessed May 10, 2015.

Schwartz, John. "U.S. to Drop Color-Coded Terror Alerts." *The New York Times,* November 24, 2010. http://www.nytimes.com/2010/11/25/us/25colors.html?_r=0.

Schweizer, Peter. "Terrorist attack in U.S.? Don't put military in charge." *USA TODAY.* September 30, 1999. LexisNexis Academic. Web. Accessed March 10, 2015.

Shapiro Jacob N. and Dara Kay Cohen. "Color Bind: Lessons from the Failed Homeland Security Advisory System," *International Security,* Vol. 32, No. 2. Fall 2007: 121-154.

Shenon, Philip. "A Nation Challenged: Domestic Security; Color-Coded System Created to Rate Threat of Terrorism," *The New York Times*, March 13, 2002.http://www.nytimes.com/2002/03/13/us/nation-challenged-domestic-security-color-coded-system-created-rate-threat.html. Accessed February 12.

Smith, Keith. *Environmental Hazards: Assessing Risk and Reducing Disaster.* 6th ed. New York: Routledge, 2013.

Sorensen, John H. "Hazard Warning Systems: Review of 20 Years of Progress." *Natural Hazards Review.* May 2000: 119-125.

Stone, Andrea and Kevin Johnson. "Chart aims to make warnings more useful." *USA TODAY.* March 13, 2002. Accessed through LexisNexis on February 12, 2015.

"Terrorist Arrests and Plots Stopped in the United States 2009-2012." Report compiled by the Senate Intelligence Committee staff based on publicly available information from the FBI, the Congressional Research Service, and media reports. http://www.feinstein.senate.gov/public/index.cfm/files/serve/?File_id=adec6e10-68ed-4413-8934-3623edc62cef. Accessed February 4, 2015.

Tierney, Kathleen J., Michael K. Lindell, and Ronald W. Perry. *Facing the Unexpected: Disaster Preparedness and Response in the United States*. Washington, D.C.: Joseph Henry Press, 2001.

Tracy Trottier, Montgomery Van Wart, and XiaoHu Wang, "Examining the Nature and
Significance of Leadership in Government Organizations," *Public Administration
Review*, Vol. 68, No. 2, 319-333.

U.S. Congress. House. Committee on the Budget. *Ensuring Domestic Security: Issues and
Potential Costs: Hearing before the Committee on the Budget.* 107th Cong., 1st sess.,
November 7, 2001.

U.S. Congress. House. Committee on Government Reform, Subcommittee on National Security,
Emerging Threats and International Relations. *Homeland Security Advisory System:
Threat Codes and Public Responses*. 108th Cong., 2nd sess. March 16, 2004.
http://babel.hathitrust.org/cgi/pt?id=pur1.32754076883481;view=1up;seq=3. Accessed
March 20, 2015.

U.S. Congress. House. *Emergency Warning Act of 2003*. H.R.2537. 108th Cong., 1st sess., June
19, 2003. https://www.congress.gov/bill/108th-congress/house-bill/2537. Accessed
March 21, 2015.

U.S. Congress. House. *Office of Homeland Security Act of 2001*. H.R. 3026. 107th Cong., 1st
sess., October 4, 2001. https://www.congress.gov/bill/107th-congress/house-bill/3026.
Accessed February 12, 2015.

U.S. Congress. House. *National Homeland Security Agency Act*. H.R. 1158. 107th Cong., 1st
Sess., March 21, 2001. https://www.congress.gov/bill/107th-congress/house-bill/1158.
Accessed February 12, 2015.

U.S. Congress. Senate. *Emergency Warning Act of 2003*. S.118. 108th Congress, 1st sess., January
9, 2003. https://www.congress.gov/bill/108th-congress/senate-bill/118. Accessed March
21, 2015.

U.S Congress. Senate. *Department of National Homeland Security Act of 2001*. S. 1534. 107th
Cong., 1st Sess., October 11, 2001. https://www.congress.gov/bill/107th-congress/senate-
bill/1534. Accessed February 12, 2015.

U.S. Congress. Senate. Select Committee on Homeland Security. *The Homeland Security
Advisory System: Improving Preparedness through Effective Warning.* 108th Cong., 2nd
sess., February 4, 2004.

U.S. Congress. Senate. Committee on Homeland Security and Governmental Affairs. *Hearing on
U.S. Department of Homeland Security: Second Stage Review.* 109th Congress, 1st sess.,
July 14, 2005.

U.S. Congress. Senate. Committee on Homeland Security and Governmental Affairs. *Hearing on
the Department of Homeland Security's Budget Submission For Fiscal Year 2007.* 109th
Congress, 2nd sess., March 1, 2006.

U.S. Congress. Senate. Committee on Homeland Security and Governmental Affairs. *Hearing on the Nomination of the Honorable Janet A. Napolitano to be Secretary, U.S. Department of Homeland Security.* 111th Cong., 1st sess., January 15, 2009.

U.S. Congress. Senate. Committee on Homeland Security and Governmental Affairs. *Homeland Security: The Next Five Years.* 109th Cong., 2nd sess., September 12, 2006 .

U.S. Congress. Senate. Select Committee on Intelligence. *Open Hearing on Current and Projected National Security Threats Against the United States.* 113th Cong., 2nd Session, January 29, 2014.

"U.S. replaces color-coded terror alerts." *CNN.com.* http://edition.cnn.com/2011/TRAVEL/01/27/terror.threats/. Accessed January 8, 2015.

Whittaker, Alan G., Shannon A. Brown, Frederick C. Smith, and Ambassador Elizabeth McKune. "The National Security Policy Process: The National Security Council and Interagency System," August 2011, 19. http://www.virginia.edu/cnsl/pdf/national-security-policy-process-2011.pdf. Accessed January 15, 2015.

The White House. "Statement by the President on the White House Organization for Homeland Security and Counterterrorism." May 26, 2009. https://www.whitehouse.gov/the_press_office/Statement-by-the-President-on-the-White-House-Organization-for-Homeland-Security-and-Counterterrorism. Accessed January 5, 2015.

Wohlstetter, Roberta. "Cuba and Pearl Harbor: Hindsight and Foresight." *Foreign Affairs*. Vol. 43, No. 4. July 1965: 691-707.

Zegart, Amy B. *Flawed By Design*. Stanford, Calif.: Stanford University Press, 1999.