

The Federal Emergency Management Agency's Supporting Role in Implementing the Defense Department's Key Asset Protection Program



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Abstract

The Department of Defense Key Asset Protection Program (KAPP) was established in 1984 to identify industrial and infrastructure facilities in the United States deemed essential to DoD's ability to mobilize, deploy and sustain U.S. forces during any type of national security emergency.

All Federal Departments and Agencies have asset protection responsibilities, however, KAPP is the Federal Government's most advanced and comprehensive program.

In compliance with DoD KAPP Regulation 5160.54-R and a Memorandum of Agreement between the Federal Emergency Management Agency (FEMA) and the Commander-in-Chief, Forces Command (CINCFOR), FEMA supports KAPP by: (1) developing procedures and guidance for Federal Civil Departments and Agencies; (2) coordinating Federal Civil asset nomination process for FORSCOM; (3) participating in the biennial review of KAPP; and (4) participating in the development of KAPP training programs.

FEMA has recently undertaken a number of proactive efforts to further enhance Federal Civil Department and Agency participation in KAPP. These efforts include: (1) the dissemination of area-specific portions of the DoD Key Asset List (KAL) to FEMA Regional Offices and State governments; (2) participating in annual KAPP-oriented conferences; and (3) working with DoD agencies to develop new KAPP training courses. Additionally, the author chairs an interagency group that has been tasked to prepare a review of asset protection policy for the National Security Council. This article also describes some of this group's findings and recommendations.



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Historical Context

Since World War I, the United States Government has considered the need to develop plans to provide for the protection of essential resources and facilities as a national security emergency preparedness (NSEP) imperative. Although few of us remember, at the height of World War I, more than 100,000 United States Guards were given the mission to protect US war plants, bridges, airfields, and other important production and distribution facilities. Likewise, during World War II, 87 Military Police battalions were activated, trained and committed to guard facilities deemed essential to the war effort. It is estimated that 300,000 troops were utilized Army-wide to carry out industrial facility protection missions at the peak of the World War II. Again, during the Korean War, elaborate programs were developed by a number of Federal Departments and agencies to physically protect those facilities involved in producing essential materiel required to win the war.

DoD's Key Asset Protection Program

Today, the Federal Government's pre-eminent program in this area is DoD's Key Asset Protection Program--better known and pronounced as "KAPP." KAPP is a DoD program which promotes the protection of critical industrial and infrastructure facilities within the US and its possessions and territories from sabotage and other hostile or destructive acts--natural or man-made. It also provides the owners or managers of such facilities advice, guidance, and planning assistance concerning the application of physical security and emergency preparedness measures, and provides for the development of plans to protect such facilities with military forces during an emergency, if necessary. Actual employment of military forces for the protection of a DoD key asset would be based on a request for assistance after owners and civil law enforcement authorities have exhausted their capability to respond to the potential or actual threat.

FEMA involvement in KAPP

FEMA's responsibilities in KAPP implementation stem from the Federal Civil Defense Act of 1950, as amended, and Presidential Executive Orders (EO's) 12148 and 12656.

The national Civil Defense (CD) program is an integral part of the US national security posture. In addition to military capability, national security must also include protection for the population and vital infrastructure against all forms of attack in order to be consistent with the Federal Government's constitutional

obligation to provide for the "common defense." The objective of the CD program is to develop the required capabilities common to all catastrophic emergencies and those unique to attack emergencies in order to protect the population and vital infrastructure. The CD program supports all-hazard, integrated emergency management at State and local levels. In so doing, the CD program provides information to assist US business and industry in taking measures to protect their work forces and physical assets.

Under EO 12148, FEMA is responsible for the development and conduct of research, policy development, programming and long range planning activities bearing on the protection of the population and key industrial components of the US against the full range of domestic and national security emergencies.

Under Section 204 of EO 12656, FEMA, as well as other Federal Civil Departments and Agencies with national security emergency preparedness missions, is responsible for, "identifying facilities and resources (both government and private) essential to the national defense and national welfare, and assessing their vulnerabilities and developing strategies, plans, and programs to provide for the security of such facilities and resources, and to avoid or minimize disruptions of essential services during any national security emergency." For all intents and purposes, Section 204 is the statement of national-level "asset protection policy objectives."

FEMA's basic KAPP support responsibilities

Although KAPP is a DoD program, Federal Civil Departments and Agencies can (and do) nominate assets for inclusion in the program. Federal civil nominations are submitted to DoD's Executive Agent for KAPP, the Commander-in-Chief, Forces Command (CINCFOR), through the Federal Emergency Management Agency (FEMA).

In addition to coordinating Federal Civil Department and Agency KAPP nominations in accordance with the authorities identified above, which are also codified in a Memorandum of Agreement between the CINCFOR and FEMA, the Director of FEMA supports the implementation of KAPP by:

(1) developing procedures and guidance for Federal Civil Departments and Agencies to ensure their participation in KAPP;

(2) ensuring that the nominations submitted by Federal Civil Departments and Agencies: (a) meet the requirements set forth by DoD Regulation 5160.54-R; and (b) are consolidated and forwarded to CINCFOR for nomination processing;

(3) participating in the biennial review of assets identified on the DoD Key Asset List (KAL) by monitoring the return, updating and resubmission of key assets on the DoD KAL submitted by the Federal Civil Departments and Agencies. The primary objective of the biennial review is to ensure that all assets listed on the KAL

continue to meet the selection criteria established by CINCFOR. A secondary objective is to prioritize assets listed on the DoD KAL, to the extent possible, to facilitate decisions to allocate scarce military resources under national security emergency conditions.

(4) providing input to CINCFOR to assure representation of the various views and requirements of the Federal Civil Departments and Agencies; and

(5) participating in the development of training programs and exercises for the Federal Civil Departments and Agencies with CINCFOR.

Proactive efforts beyond basic responsibilities

FEMA has recently undertaken a number of proactive efforts to further enhance Federal Civil Department and Agency participation in KAPP. These efforts include: (1) the dissemination of area-specific portions of the DoD KAL to each FEMA Regional Office and each State Office of Emergency Services (SOESs); (2) expanding participation in national and regional KAPP-oriented conferences; and (3) working with DoD agencies to develop new KAPP-oriented training courses.

Dissemination of DoD KAPP KAL

This past August, at the request of CINCFOR, FEMA distributed abridged versions of the DoD Key Asset List (KAL) to its ten Regional Offices and to each State Office of Emergency Services. These special versions of the DoD KAL identify the DoD key assets located in each State and each FEMA Region. These versions of the DoD KAL were approved for distribution in an effort to improve the interagency coordination that must take place between Federal, State and local officials to ensure optimum planning, implementation and execution of KAPP.

Involvement in KAPP conferences

For the last two years, FEMA has participated in the Annual KAPP Conference to explain its role in KAPP implementation and to address various issues of concern voiced by those in attendance. Most conference attendees tend to come from DoD nominating agencies and the DoD agencies responsible for developing KAPP vulnerability surveys and physical security plans. As FEMA increases its efforts to encourage more Federal Civil Department and Agency involvement in KAPP, future conferences will hopefully find a commensurate level of non-DoD department and agency representation.

To further enhance coordination of KAPP-related activities, FEMA has also recommended that representatives from its Regional Offices, SOESs and Federal Bureau of Investigation (FBI) Field Offices should attend the CINCFOR/Defense Investigative Service Quarterly KAPP Conferences. The FBI is responsible for assisting State and local governments in developing plans to physically

protect essential resources and facilities. Although FBI field agents are aware of KAPP planning activities taking place within their jurisdiction, they need to regularly attend KAPP conferences. Likewise, the FEMA Regions and SOESSs should also become familiar with KAPP planning activities taking place within their areas of concern. A key lesson learned as a result of the Los Angeles riots is that both emergency planners and law enforcement officials need to understand and be involved in KAPP-related activities.

Four KAPP Quarterly Conferences are held each year at one of the eight DIS Regional Offices. These quarterly conferences provide an opportunity for CINCFOR and DIS to review and update KAPP planning in the DIS Region. Participants are also asked to air their specific concerns relating to the latest guidance objectives and priorities governing KAPP planning and execution. Currently, these quarterly meetings are attended primarily by representatives from State Area Commands (STARCS), the US Army Corps of Engineers, DIS and CINCFOR. Involving the FEMA Regions, State emergency planners and FBI agents in these quarterly meetings should help close the all-important "coordination loop."

Asset protection during the LA riots

During the Los Angeles riots, there was a considerable amount of misunderstanding among Federal, State, local and private sector officials concerning the protection of assets. DoD's key assets in the 900 square mile riot zone, as well as, the protection of local communication facilities (mostly 911 Data Processing Centers) and critical electrical facilities which LA County officials referred to as "key assets." Definitional problems aside, it became evident during the riots that facilities (and resources) not identified on the DoD KAL needed to be protected to ensure continuity of State government operations and the welfare of Los Angeles County citizens.

It's important to note that many States have identified "assets" which they feel are vital to preserving State government operations and ensuring public welfare. In addition to these known assets (which may or may not be identified on individual State "key asset" lists), there are many such assets that have not been identified, but need to be before an emergency necessitating their special protection occurs. The identification of "non-DoD key assets" (i.e., assets which State and County officials deemed critical) within and around the riot zone had not occurred prior to the start of the riots; and to characterize the process of protecting these assets once the riots began as "hectic and confusing" is an understatement. However, in the final analysis, assets which needed to be physically protected within the riot zone were protected by California National Guardsmen.

The need for greater pre-emergency planning

The asset protection mission experience during the LA riots underscores the need for greater pre-emergency planning to identify and plan for the stepped-up protection of DoD "key assets" as well as assets deemed important by State and local officials. The lessons learned and experience gained as a result of the riots ought to find its way into table-top and other types of crisis management exercises for State emergency management and law enforcement staffs across the country. The LA riots were not the first deadly and expensive riots and will probably not be the last.

DoD Key Assets are not the only "assets" which need to be identified and protected in emergency situations

With FEMA funding, the State of North Carolina has embarked on a pilot project called the "Catastrophic Disaster Preparedness Initiative." This project is designed to develop a methodology for developing Survivable Crisis Management Plans for each state. In April of 1992, twenty-one North Carolina State emergency management personnel were assigned to conduct an initial survey and detail survey of the vital facilities in two North Carolina counties (Dare and Hyde). Four hundred and fifty vital facilities and systems (i.e., communications, transportation and electrical distribution owned and maintained by local governments and other local entities) were identified during the initial survey. Where appropriate, engineering personnel were sent to conduct a detailed survey of the facilities to determine the survival probability of these facilities when exposed to the consequences of a wide variety of hazards.

Additionally, specialized resources (generators, heavy equipment, etc.) located within the counties were identified and catalogued during the initial survey. This information will serve as the basis for developing realistic emergency plans which are based on known hazards, disaster consequences and response capabilities. The vital facility and resource data gathered by North Carolina emergency planners is being entered into the State Emergency Information System and will have great value for emergency/disaster response and recovery management. By the end of 1992, the Dare and Hyde County Emergency Operations Plans and Standard Operating Procedures will be updated by utilizing the vital facility and resource data.

While the value of the vital facility survey information was generally understood at the outset of this project, all personnel involved continue to identify new uses for the information. There are more far reaching benefits to this information than were originally conceived. Of particular benefit to KAPP planners could be the use of State lists of vital facilities and resources to determine if loss or destruction of any State "asset" would have an unacceptable impact on any of the facilities identified on the DoD Key Asset List.

Importance of identifying "supporting infrastructure"

KAPP doctrine acknowledges that plans to protect a DoD key asset must ensure continued operation of the asset will not be significantly disrupted by either sabotage, espionage or direct attack. This also applies to infrastructure facilities which support a DoD key asset. Supporting infrastructure has been defined as any communication or computer node; energy source or distribution system; air, rail, road, or water transportation asset (including bridges, tunnels, locks, dams, waterfront or port facilities, and internodal connection points); or other facility that is required to support a DoD key asset listed on the KAL or to otherwise support DoD mobilization, deployment, or sustainment efforts.

Although, DIS and the STARC's must ensure that all supporting infrastructure is identified and noted in the vulnerability survey reports prepared for DoD key assets, it is important to emphasize that Federal Civil Departments and Agencies, as well as, State and local entities are more likely to have knowledge of civil infrastructure that support DoD key assets. For this reason, FEMA and CINCFOR are very much interested in increasing Federal Civil Department and Agency involvement in KAPP planning. If supporting infrastructure assets are determined to be critical to continued operation of a DoD key assets, such assets can be nominated as a DoD key asset and added to the DoD Key Asset List.

New training and workshops planned to support KAPP implementation

As mentioned earlier, FEMA is currently involved in working with CINCFOR and the Defense Investigative Service (DIS) to develop a course of instruction on emergency planning/management tailored to the needs of DIS industrial security specialists who perform the vulnerability surveys for DoD key assets. This course will help DIS respond to questions concerning emergency planning and management which are often posed by the owners or managers of assets listed on the DoD KAL during the vulnerability survey. FEMA, DIS and CINCFOR believe that delivery of this specialized course to all DIS industrial security specialists will significantly strengthen DIS's understanding of emergency management precepts and how these principles and precepts can and should be used to improve the protection of DoD key assets against all hazards--not just against threats of sabotage, espionage and or terrorist attack. We use the term "all hazards" because an earthquake, tornado, landslide, epidemiological disaster, civil disturbance (a la the LA riots), forest fire, hazardous materials accident, dam failure, fixed nuclear facility accident or long-term power outage can pose a threat to a DoD key asset equal to (or greater than) the threat of sabotage, espionage, or terrorist attack.

FEMA is also exploring with CINCFOR the feasibility and utility of scheduling specialized KAPP workshops for the Federal Civil Departments and Agencies focusing on DoD key asset identification and nomination processes. Traditionally, Federal

Civil Department and Agency support of KAPP (or similar programs developed elsewhere within the Federal Government) has waxed and waned commensurate with the threat--real or perceived. Without question, a more institutionalized, interagency approach to KAPP implementation will result in a more robust and dynamic KAPP over time.

Increased interest in asset protection

In the last few years, as a result of Hurricane Hugo, a number of California earthquakes, Operations DESERT SHIELD/STORM and the Los Angeles riots, interest in the subject of asset protection has increased. In fact, these events have produced a somewhat parallax view of asset protection within the eyes of those responsible for enhancing national security emergency preparedness. Whereas the traditional focus of KAPP planning is to provide protection against sabotage and terrorist attack, DoD key assets are vulnerable to a wide range of threats. For example, the magnitude of the losses caused by natural and technological disasters is staggering.

What is the potential impact of these disasters on the resources and facilities essential to national defense and national welfare? The rapid technological growth in the US during this century has resulted in an infrastructure, tightly interconnected by vast systems of sophisticated communications and transportation, integrating industry, government and even other nations which is continually exposed to disruption or destruction by a plethora of threats.

Commensurate with increased interest in asset protection, the Assistant to the President for National Security Affairs, Brent Scowcroft, tasked the Director of FEMA in November 1990 to review asset protection policy.