Example of research paper on homeland security strategies

Law, Security

Abstract

The following research work is dedicated to Homeland Security strategies in the U. S. Special attention is paid to researching into the origin of Homeland Security concept, its definition and legal framework, which ensures activities of all the governmental authorities' related to implementing different aspects of Homeland Security. The paper also considers major points, which deal with economic, legal and social implications of Homeland Security. According to Jane Bullock, Gorge D. Haddow, D. Coppola, E. Ergin, L. Westerman and Sarp Yeletaysi (2006), " since the events of September, 11 and the subsequent anthrax attacks carried out through the U. S. mail system, governments, organizations, and individuals have significantly expanded their efforts, programs, and activities aimed at improving the security and safety of the nation and its people" (xiii) Terrorism has become a threat, which called force the necessity of the most comprehensive reorganization ever implemented by the federal government, which resulted in the creation of the new Department of Homeland Security. Global nature of threat required not only redesigning existing agencies and creating new ones, but changing approaches to security strategies, passing variety of new laws to ensure changes and launching comprehensive training and retraining programs for public safety officials to raise their awareness about the nature of threat and changes.

According to Quadrennial Homeland Security Review Report: A Strategic Framework for a Secure Homeland, issued in February 2010, main modern threats to homeland security include high-consequence weapons of mass destruction (the development of new technologies aimed at challenging

traditional weapons of mass destruction nonproliferation and counterpoliferation efforts), Al-Qaeda and global violent extremism, high-consequence and/or wide-scale cyber attacks, intrusions, disruptions and exploitations, pandemics, major accidents and natural hazards, illicit trafficking (including that of human beings) and related transitional crime, and smaller scale terrorism. (U. S. Department of Homeland Security, 2010, 6-8) It is worth mentioning that particular danger of all these threats is called forth by numerous global trends of mankind's development, which include economic and financial instability, threats of global climate change, unwillingness of particular countries to abide by the regulations of international law, and development and growing availability of technology. Moreover, modern age is characterized by hybrid threats, which means that lone attackers, criminals and even global terrorist organizations tend to employ combinations of different tactics, technologies, and capabilities in order to gain advantage.

Generally, Quadrennial Homeland Security Review Report (2010) considers homeland security as national enterprise, meaning that the term " enterprise" refers to " the collective efforts and shared responsibilities of Federal, State, local, tribal, territorial, nongovernmental, and private-sector partners".(12) As American society is composed of multiple actors, they should share roles and responsibilities so that every stakeholder has a chance to make his own contribution to the global task of ensuring secure America.

Unfortunately, by now no single definition of " homeland security" exists. The broadest one ever given was introduced in 2010 Bottom-Up Review by

Department of Homeland Security: " preventing terrorism, responding to and recovering from natural disasters, customs enforcement and collection of customs revenue, administration of legal immigration services, safety and stewardship of the Nation's waterways and marine transportation system, as well as other legacy missions of the various components of DHS". (xi) (by comparison, the definition, which can be found in National Strategy for Counterterrorism (2011), considers " homeland security as much narrower concept (" defensive efforts to counter terrorism threats"(11). The Department of Homeland Security 2012 Strategic Plan contains the following definition of homeland security: " efforts to ensure a homeland that is safe, secure, and resilient against terrorism and other hazards". (C-1) To my mind, by saying " other hazards" authors of the Strategic Plan meant any other threat, different from terrorism. According to formulations of DHS mission, which are published on official website of the Department, it has five core missions, which are preventing terrorism and enhancing security; securing and managing borders; enforcing and administering immigration laws; safeguarding and securing cyberspace and ensuring resilience to disasters. Each of the missions contains various goals to be implemented. Before considering specific goals and strategies, used to implement them, let us refer to considering the legal framework, which ensures governmental activities' related to homeland security, and respective institutional infrastructure.

The main general laws and regulations, which regulate the activities of DHS and related agencies, are Homeland Security Act of 2002, Intelligence Reform and Terrorism Prevention Act of 2004, Public Law on Implementing

Recommendations of the 9-11 Commission Act of 2007. Specific laws were passed to create the legal framework for such aspects of homeland security as emergency management, immigration and border security, maritime security and transportation security.

According to Homeland Security Research, the U. S. system of ensuring homeland security encompasses more than 180 federal agencies and departments (the U. S. National Guard, the Federal Emergency Management Agency, the U. S. Immigration and Customs Enforcement, the U. S. Secret Service etc.) Each of them contributes to the general task of ensuring homeland security by implementing its mission and goals. Nonetheless, mission and goals of the DHS are most general ones and help the research develop a broad vision of what homeland security ensuing means. So, let us transfer to specific goals, which underlie each of five missions of DHS and the way they are implemented.

The mission " Preventing terrorism and enhancing security" includes the following goals: " preventing terrorist attacks", " preventing the unauthorized acquisition or use of chemical, biological, radiological, and nuclear materials and capabilities" and " managing risks to critical infrastructure, key leadership, and events". (U. S. Department of Homeland Security, 2012, 3-5) Preventing terrorist attacks is one of the most important tasks of ensuring the U. S. security. In terms of preventing terrorism and enhancing security specifically tackled strategies are used to be able to understand the threat, constantly deter and disrupt operations, protecting potential targets against the capabilities of terrorists, supporting strong network between different agencies to be able to plan and conduct joint

operations, combating violent extremism and getting communities engaged. Implementation of second goal of DHS first mission requires controlling access to chemical, biological, radiological and nuclear materials and capabilities and their movement, and working out effective strategies to identify the presence and locate CBRN in order to protect people against their hostile use. The task of preventing terrorism and enhancing overall security is strongly interconnected with evaluating and managing risks, related to critical infrastructure. So, key objectives in this respect includes being able to identify and prioritize risks to critical infrastructure, prevent dangerous events by securing critical infrastructure objects, make critical infrastructure objects able to withstand and quickly recover from damage and disruption, therefore, making it able to adapt to ever changing conditions, and protecting governmental leaders, facilities and events of particular importance.

New National Strategy for Counterterrorism was adopted in 2011. U. S. combating terrorism is based on such principles as adhering to U. S. core values (respect for human rights, responsive governance, respect for privacy, civil liberties, and civil rights, finding the balance between security and transparency and establishing the rule of law), building security partnership, applying counterterrorism tools and capabilities appropriately and building a culture of resilience. It is worth mentioning that this Strategy reflects a broad vision of preventing and combating terrorism. In other words, the Strategy considers preventing and combating terrorism not in terms of activities, aimed at protecting the homeland only, but conducting anti-terrorism missions in such regions of the world as South Asia, Arabian

Peninsula, East Africa etc. In general, all these missions are aimed at combating the activities of Al-Qa'ida all over the world

When the terrorists attacked Twin Towers on 11th September, 2011, claims were made that the U. S. became vulnerable to terrorist threats due to the application of the concept of open society. So, despite the fact that the U. S. has not refused from such a concept, it tries to give special attention to ensuring effective control of its land, air and sea borders, which means mostly preventing the illegal flow of people and goods. This aspect of ensuring homeland security includes safeguarding lawful travelling and trade together with elaborating on disrupting and dismantling transnational criminal organizations (which includes disrupting illegal pathways).

Border control is strongly interrelated with such core mission of homeland security as ensuring and administering immigration laws. U. S. Main laws and regulations, regulating immigration issues in the U. S. include Immigration and Naturalization Act of 1952 with varied amendment, Immigration Act of 1990, Illegal Immigration Act of 1996, Enhanced Border Security and Visa Entry Form Act of 2002 and Real ID Act of 2005. Special regulations provide for family-based immigration, employment-based immigration, protection of refugees, asylees and other vulnerable populations, some other forms of humanitarian relief and U. S. citizenship. Complex legal and institutional framework exists and functions in order to get identities of all individuals, seeking immigration services, are verified at all the stages of immigration process; get all the workers verified as legally authorized; ensure accessibility of data, trends, and intelligence on terrorist and criminal organizations or individuals to all Federal immigration partners; prevent

criminal organizations and individuals from transporting or housing illegal aliens and ensure effective integration into American civic society through specific community-based programs.

The first step to effective implementation of the mission related to ensuring and administering immigration laws lies in promoting lawful immigration. First necessary element to promote lawful immigration deals with clear communication with the public about immigration laws and procedures. This communication should involve not just informing the public about immigration policies and procedures, but obtaining a feedback and assessing it. Second necessary element is a user-friendly system that will be able to help potential users make consistent decisions, related to immigration. Homeland security partners should also promote the integration of lawful immigrants into American society and, therefore, elaborate on special strategies that will let newcomers get engaged into community groups and issues. Integration of lawful immigration should include learning English and principles, which form the basis of American civic society's functioning. Effective ensuring and implementing immigration laws requires not only actions related to lawful immigration, but paying special attention to those, aiming at preventing illegal immigration. The main strategy in this respect deals with reducing conditions and factors which encourage foreigners to illegally enter and remain in the USA. Implementing this strategy includes identifying aforementioned conditions and factors and constantly addressing gaps in existing laws, policies and procedures, which are used as loopholes for illegal immigration. Reducing conditions, which foster illegal immigration, starts with deducing demand.(e. g. eliminating conditions, which encourage

illegal employment). According to the Quadrennial Homeland Security Review Report (2010), this direction of activities should also include working out effective strategies to " eliminate systemic vulnerabilities: prevent fraud, abuse, and exploitation, and eliminate other systemic vulnerabilities that threaten the integrity of the immigration system".(U. S. Department of Homeland Security, 2010, 28) Moreover, homeland security agencies' efforts concentrate on preventing entry and admission of dangerous foreign nationals (e. g. criminals, fugitives) and unauthorized entrants, and arresting, detaining, prosecuting and removing unauthorized foreign nationals consistent with due process and civil rights protections.

The fourth mission " Safeguarding and securing cyberspace" is as important as those missions, considered above. Implementation of this mission should lead to security, reliability and availability of critical information systems and information and communications services; developing efficient up-to-date guidelines, regulations, and standards to ensure confidentiality, reliability and integrity of existing information systems and networks; timely detection of possible cyber disruptions or attacks. To reach these goals it is important to use managerial strategies to be able to understand and prioritize cyber threats, using both technological and nontechnological strategies. It is evident that no system of agencies is able to mitigate all possible risks, so it is important to make risk management strategies effective and being able to accept certain risk, reduce others and concentrate on the most consequential ones. It is also crucial to develop strategies to prevent cyber attacks and all possible malicious uses of cyberspace through law enforcement, counterterrorism, intelligence and counterintelligence joint

efforts, and those related to effective management of cyber incidents. Implementing the cyberspace-related mission includes promoting cyber security knowledge and innovation.

The last, but not the least mission in terms of ensuring homeland security focuses on ensuring resilience to disasters. In order to mitigate possible hazards, capacity-building strategies should be implemented at all levels of society, including those, aimed at improving capacity of individuals and families. Specific efforts are taken to enhance preparedness, engaging different levels and segments of society. Effective management of resilience to hazards includes providing timely and accurate information to the public, conducting disaster response operations and providing people with timely and effective disaster assistance. Specific strategies are used to enhance nationwide recovery capabilities.

New Department of Homeland Security Strategic Plan also includes provisions for providing essential support to national and economic security and measuring and strengthening DHS.

Why are all the five missions so important? What would it be if no efforts were taken to implement them? First of all, global dangers will threaten both security and existing law and order. Not taking necessary measures to prevent terrorist attacks is likely to result not only in consequential threats to life and health of lots of people, but in making the U. S. vulnerable in terms of the necessity to negotiate with terrorists and even fulfill their requirements, in case they take hostages. Moreover, vulnerability of the state in terms of homeland security means empowerment of various malicious actors (including terrorists). Failure to prevent terrorist attacks also

means failure to protect U. S. citizens and, therefore, is likely to call forth serious social implications. Not implementing the goals related to border control and immigration is to condition a variety of economic implications, for instance the development of underground business, deficiency in federal revenue, and increase in smuggling in goods. Moreover, such a failure predetermines the increase in crime rates. Insecure cyberspace is the right place for global cyber attacks, which can lead to U. S. inability to protect any data, which can be used by malicious actors to prepare for terrorists' attacks and other criminal acts.

Furthermore, failure to ensure secure cyberspace means infringing citizens' rights related to personal data protection and even interference with citizens' private correspondence. Serious economic, legal and social consequences can emerge from ineffective strategies for ensuring resilience to disasters. Poor strategies are to result in poorer level of preparedness towards disasters, and, therefore, more global losses, and ineffective recovery capabilities. Ineffective strategies are to result in irreversible economic implications.

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