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## Homeland Security – Law Firms

# America's Challenge: Security & Freedom

**Governor James S. Gilmore III**

**KELLEY DRYE COLLIER  
SHANNON**

We exist today in a time of great challenge to the security and lives of the American people. We have previously confronted, to be sure, threats to our national security. But today we face a new threat by movements that use individuals to potentially infiltrate our communities, and to strike at us by stealth attack, using sophisticated weapons technologies to threaten our very homes and families. The purpose of all this is to infect our nation with that most serious threat of all: fear. They hope that fear of injury or death, the fear of an uncertain future, and the fear of that which is unknown, will ultimately defeat America.

However, enduring risk is inherently built into the American character. We are prepared to face risks in order to remain free people; we cannot be swayed to change for fear. Instead, we must forge ahead with confidence and seize ownership of our own destiny as Americans.

Perseverance over the specter of fear

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*Governor James S. Gilmore III is a Partner at Kelley Drye Collier Shannon's Washington, DC office. Mr. Gilmore is the Chair of the Firm's Homeland Security Practice Group and focuses on homeland security, corporate, technology, and international matters. Mr. Gilmore can be reached at (202) 342-8400. For more information on Governor Gilmore and Kelley Drye Collier Shannon, please visit [www.kelleydrye.com](http://www.kelleydrye.com).*

pervades the history of American thought and action. It is stunning that, in the interlude between the French and Indian War and the American Revolution, we determined to throw off the British military forces in our homeland, and beat danger to create the world's first truly free nation. Is the national character as resilient now as it was then? I do not believe we have forgotten the Civil War and its test of our unity as a country. Nor do I think that we have forgotten that we opened up the West despite the hazards of crossing the Great Plains with all one's possessions loaded into a single wagon cart.

I propose that we create a template of response for the first 72 hours. This must be a blueprint of response incorporated into a national network comprised of federal, state, and local responders, as well as private sector interests and community leaders.

We must get to work, under localized leadership, to organize, train, and exercise. We must endeavor to make all Americans familiar with our plan. Our intent must be not only to educate, but to alleviate fear and reassure our citizens that we are as ready as we can be. When we succeed, Americans can once again in our proud history move forward and live our lives knowing we are as prepared as we can be in a free and open society.

### **The Gilmore Commission**

My opportunity to lead in Homeland Security started about six years ago, when I was tapped to chair the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction ([www.rand.org/nsrd/terrpanel](http://www.rand.org/nsrd/terrpanel)). Eventually known as the "Gilmore Commis-

sion," this very forward-thinking panel was formed by Congress in 1999 as a response to uneasiness among the body politic. The legislature, led by Congressmen Curt Weldon of Pennsylvania, Ike Skelton of Missouri, and Clinton Administration officials, were worried that our country was unprepared for an attack involving weapons of mass destruction. Consequently, they created the three-year Commission. For me, this was a sacred trust, and I was determined to handle it not in a bi-partisan manner, but in a non-partisan manner. Such a vital charge of Homeland Security is too important to be subject to partisan politics.

The Commission's most valuable attribute was undoubtedly its membership. These were not policy wonks from Washington, D.C. On the contrary, the Commission's members were police and fire chiefs, emergency response directors, epidemiologists, public health experts, intelligence experts, and retired general officers of the military. They represented a cadre of pragmatists that wielded not only expert knowledge, but relevant experience.

In our first year, the Commission assessed the risk of a terror attack on the United States. We concluded that a conventional attack would be highly probable. By that time there already had been bombings of the Kobar Towers in Saudi Arabia and the U.S. embassies in Kenya and Tanzania. Domestically, we had experienced the first bombing of the World Trade Center, as well as that of Oklahoma City. It was very clear to the Commission that America lay in the crosshairs of terror, and that we would likely be attacked on our own soil again in the future. We declared that the initial thrust toward pre-

*Please email the author at [jgilmore@kelleydrye.com](mailto:jgilmore@kelleydrye.com) with questions about this article.*

paredness was to determine in advance those in charge. We felt strongly that there needed to be a national strategy for dealing with this impending threat. That was 1999.

### The Need For A National Strategy

In our second and third years, we reiterated the need for a national strategy. Yet in calling for a national strategy, we did not mean a federal strategy. We urged that a national strategy must incorporate and utilize federal, state, and local elements. This amounted to a radical approach for a federal commission.

We forged ahead with the following proposals (among many others):

- Create an office in the executive branch to develop and implement a national strategy to combat terrorism;
- Better coordinate and share information among the federal intelligence agencies;
- Empower state and local governments with the tools to work with the federal government to stop terrorist attacks;
- Bolster the nation's health assets in order to respond to a chemical or biological attack;
- Secure our critical infrastructure and protection of our cyber-asset, and
- Clarify the appropriate role of the military in Homeland Security.

Each year, the Commission was required by law to report to Congress by December 15th. But, in 2001, we had finished by the first week of September. One week later, the event occurred that changed our lives and transformed our nation.

### September 11, 2001 And Beyond

At the time of the 9/11 attack, I was serving Virginia as Governor. That morning, in the Governor's mansion, I watched, and, like so many others, knew we were under attack. I took immediate action by activating Virginia's Emergency Operations Center. I gave orders that any incident of gunfire anywhere in Virginia was to be reported to the Operations Center. I placed the National Guard on alert. I then went to my office in the Capitol, and soon learned that the second state attacked after New York had been Virginia. Not many people think of it that way, but the Pentagon lies in Virginia. Who responded? Police, fire, rescue, and emergency services from Virginia, and

later surrounding states were first to answer the call.

On 9/11, direct and meaningful action was my chief prerogative. I established contact with the Commander of the Atlantic fleet, conducted press conferences several times throughout the day, and addressed the people of Virginia by television that night, to reassure them of what was being done. I surveyed the damage at the Pentagon, and visited the injured in the hospitals of Northern Virginia. Such are the duties of state and local officials who are entrusted with the safety of communities.

The September 11 attacks led to the extension of the Commission for two additional years. Sadly, we went forward without one of our members; Ray Downey, of the New York City Fire Department, was killed at the World Trade Center.

In 2002 we evaluated the intelligence community. We recommended the creation of the National Counter-Terrorism Center – a forum for the intelligence community to come together and be in a better position to circulate information. We lamented that in 2002 there still existed no cohesive national strategy.

In the Commission's final year, 2003, we expressed serious concern that the sense of urgency to better establish a secure home-front was subsiding. We also began to worry about the protection of civil liberties in the United States; a frightened public will relinquish liberty for security's sake. Fear is liberty's sworn enemy. We should never allow terrorist action to cause us to surrender that commitment to liberty that makes us uniquely American. Perhaps most importantly though, the 5th report outlined how central the private sector, community organizations, and the citizenry are in emergency planning.

### National Council On Readiness And Preparedness

Accordingly, the National Council on Readiness and Preparedness (NCORP) was launched to develop a national model that can help communities augment and multiply their first response capabilities by leveraging the resources and assets of the private sector, community organizations, and general citizenry. Since NCORP's inception, we have visited firehouses in Tennessee and Alabama. We

have held an *organizing* conference in Washington, where nearly 700 local response leaders from over 40 states convened to elevate the role of the community in the national response effort. We have met with the Joint Terrorism Task Force to develop information-sharing. All this activity underscores the impact that committed citizens can have in a free society – not a fearful society.

It is vitally important to our country's security that we collaborate to formulate ways that communities can react to crises during the first 72 hours. To date, we have recurrently convinced ourselves that we need only wait, and "they" will come and save us. Whether facing a terrorist attack or natural catastrophe, communities must be made conscious that in today's world "they" is not a third-party entity. We are "they." We must make provisions to operate in times of crisis until reinforcement arrives. It is at the moment of disaster that we all become first responders. Therefore, we must look with an eye to the future, and clearly understand our responsibilities and lines of authority and communication well in advance of that inevitable day of reckoning. Since we all are involved, we need a comprehensive and detailed strategy that defines each role, so that we can learn, practice, and implement them in unison. To facilitate such an end, we need to create a ResponderCorps of trained citizens, prepared to assist first response units in accordance with a pre-determined plan. We should have a crisis response officer in every business to better incorporate the private sector into the national, community-based strategy. We need a nationwide communications network that can reach Americans with critical information before, during, and after an emergency. The ultimate goal is simple: assemble the right people from all parts of the community, train them, equip them with the resources to respond, and let *them* coordinate the systems for such a response. When we have done just that, in every community, America will at last be ready.

However, in the end, the continuation of the American fight for liberty against fear will rest with me, and it will rest with you. We must forge ahead with confidence so that we will control our destiny. In doing so we will ensure that America remains the beacon of liberty in the world.