

**Interview Summary Form****Interview Details**

Interviewee Name:	<b>Juliette Kayyem</b>	Date:	<b>9/16/10</b>	Time:	<b>2:30pm</b>
Interviewee Title:	<b>DHS Assistant Secretary for Intergovernmental Affairs</b>	Interviewee Job Location	<b>Washington, DC</b>		
Interviewer Name(s):	<b>Roger Rufe Alex Joves</b>	Interview Location:	<b>Washington, DC</b>		

**Notes****Discuss your role in the DWH incident from start to finish.**

- When the incident occurred, I acted in my “day job” role: DHS Assistant Secretary of Intergovernmental Affairs.
- When the NIC formed, I became the Director of Interagency and Intergovernmental Affairs. I ran the IASG to support the NIC. Immediately after the RADM Landry announced the spill, S1, RADM Landry and ADM Allen determined that I needed to head down to the gulf region. For the first week, I did a lot of intergovernmental affairs-the intergovernmental issues became readily apparent early on. Before the oil hit, I was helping with the explanation of the process and doing fly-overs.
- I played this role during the SONS exercise. I knew the USCG flag officers and I understood the process, the concept of the RP and what SONS means. I understand the legal framework of the NCP. This helped me execute the job given to me.

**Did SONS help with understanding the regulatory regime?**

- Yes. Unlike a hurricane, my role in this type of incident is extensive. If there is a hurricane, FEMA runs with it. They have desks in all the State EOCs. This incident quickly became high politics very fast. The Governors in those states are very familiar with hurricanes and FEMA’s response operations related to hurricanes. The governors in some cases signed off on plans that they grew to hate.
- USCG works off of ACPs, but those plans haven’t been socialized with governors. In the same vein, there is no signoff for local officials in the ACPs-everything is funneled thru the states. So the locals did not get socialized to the plans. Parish presidents/mayors/county representatives and the media were going to drive the governor’s interest.

**Whose role is it to socialize the plans to the locals?**

- The states. This is a big lessons learned for DHS. We thought the state was doing more than it did.
- USCG found it difficult early on that the plans weren’t surviving in the political light. By day 5, you were no longer allowed to say a good word about BP.

**Is this the right response structure?**

- Yes. Having the RP in Unified Command and paying for the response is a good idea. The FEMA structure is more comfortable for the States and Locals because they know it and own it. I don’t think the response would have been better under the Stafford Act. It wouldn’t have incentivized the RP. BP getting beat up in the press was a huge incentive for them. The legal principle of the “polluter pays” does work. It could use some tinkering; it can be better. But I wouldn’t throw out the legal model (i.e., the NCP). For example, there needs to be better clarity of who’s in charge. But a lot of the structures worked (e.g., the NIC, UAC, etc.).
- For a month it was good to say the spill is BP’s fault. But the government should have prepared for oil coming on shore. The dynamics of blaming them early on made it difficult.
- We tried to use the message: “We’re responsive, they are responsible.”
- Do we, the federal government, want to own oil spills? I don’t think so. We did use government resources and had BP pay for them. But if we were in charge, we would have contracted it out too. FEMA contracts out their response to a disaster too. If you “federalize” oil spill response, you dismiss the RP and own it in a way you don’t want to. BP was a good foil.

**Did the initial confusion related to the Secretary’s authorities under HSPD-5 and NCP ever get ironed out?**

- I am not sure if it ever got sufficiently socialized. HSPD-5 doesn't factor in the White House's desire to play. The White House wants to control interagency as well. There was a parallel structure running concurrent.
- There were deputies meetings. These other deputies had no idea what was going on but they formed subcommittees, had calls, etc. For example, CEQ was playing. OMB was playing. All of them were convening calls for ideas, but these ideas were not linked to the response. They had an environmental outreach group, but it didn't have a UAC rep on it. I have no idea what they were doing.
- The White House's National Security staff was out of it within first few weeks.

#### **Did HSPD-5 work?**

- In a way yes, but never had a way to deal with the White House. For example, the White House also wanted to do outreach. It was paralleling the NIC structure.
- There were a lot of cabinet-level secretaries with a lot of equities.

#### **Pressure to change HSPD-5?**

- Yes. You should see their lessons learned document.
- The White House took over communications on this along with the intergovernmental aspects. The White House had daily governors' calls until recently. There was pressure to be responsive. The White House had an overlay to intergovernmental affairs and press. We were taken hostage by them. This didn't lead to chaos, but the White House took on the governors rather than running those calls through DHS. They got sucked in. I am not sure why they (WH) wanted to take this on. The White House embraced the political communications early on. They (WH) didn't understand that every question they got needed to run through my office. For example, USDA food stamps. They had the people running around trying to figure out a perceived issue, when there was a person in the UAC who knew what the answer was. The White House deployed someone into UAC for several weeks. The desire for people to play in this incident was big, without knowing how it was going to get funded.

#### **Did the NIC take the pressure off S1?**

- Maybe for the secretary a little bit. But the only thing that stopped the pressure was when the oil stopped flowing into the Gulf. The NIC was probably helpful for the locals-it gave them a focal point in the NIC

#### **What about when other incidents occurred, like the Times Square attempted bombing incident? Where is the bench strength?**

- The NIC structure helped S1. During H1N1 she was doing a press conference every day. So the NIC was helpful. In hindsight, I didn't prepare my bench strength. I don't know if other support offices have they thought through the bench strength issue. After the Times Square incident, the National Security Staff handed this incident over to Carol Browner's shop. FEMA resisted sending people because it was hurricane season. That line was clear. USCG's intergovernmental affairs personnel were young and inexperienced. We needed to have the person next to, for example RADM Watson, who knows what intergovernmental affairs. We assigned a DHS person to work with them to deal with governmental affairs.

#### **If there are multiple incidents, would S1 need someone like the NIC to take the pressure off her? Would you say that the NIC acted a lot like a PFO?**

- Yes. If ADM Allen wasn't the COMDT, he wouldn't have become the NIC. S1 usually relies on her internal folks. If it wasn't ADM Allen, she probably wouldn't have done it. S1's role internally was more extensive, but externally didn't appear so. She was holding calls/briefings daily.

#### **What is your opinion on how low probability-high consequence events should be run?**

- If ADM Allen was not the USCG Commandant, he would not have been the NIC. I am not sure the WH would have allowed it. I think what was attractive was that he could be moved from Commandant to being the NIC exclusively because he was a few weeks from retiring from USCG. S1 usually relies on her own internal folks. If it wasn't ADM Allen, she probably wouldn't have signed off on it.

**Talk to S1's role.**

- Internally, it was more extensive, but externally it didn't appear so. She was holding daily calls and briefings.

**Talk about information flow.**

- I had each everyone's direct phone numbers (e.g., the NIC, the UAC, etc.). The White House's need for information in this event was insatiable. It works better in, for example, a hurricane because people have experience and exercised it more. The concept of an oil spill was new, it was not as practiced. How we educated people to the information was key. Also, because this wasn't in the National Security realm, there were a lot of random phone calls from them down to UAC. Every time we talked about something, we had to translate it in both directions. The vernacular was unfamiliar to pretty much everyone. We pretty much had to communicate the facts as well as what it meant. In a sense we were translating what everything meant.
- We spent a lot of time on the State one pagers (i.e., 'At a Glance' reports) for the daily Governor's call. These reports listed the amount of things we had working (e.g., boom, skimmers, etc.). This was managed by both DHS and the NIC. It took a while to get those reports right. The hardest thing was the insatiable appetite for information. The NIC was able to control how the data was managed, but initially, there were clear errors in certain reports because people were reporting the "same" information differently. It took a while to feel confident in the data provided. My office was consumed by WH queries, S1 queries, State and local queries for data.

**Did you use HSIN?**

- I didn't use HSIN. I wasn't at my computer for 22 days. Everything I got was either from my Blackberry or from the daily calls.

**Discuss the interaction with the Locals.**

- This was a lessons learned. The Locals don't care about the state. How do you get information to them that is parish-specific, because they want that specific information. We put the liaison program in place. That LNO became the Locals go-to person. The Locals didn't know how to play in an oil spill. They needed someone by their side that they could talk to. At first, these LNOs reported to the S2, and then over time they reported out to me. This is a program that that should be institutionalized.

**Discuss the interaction of S1 with the NRT. Thoughts on how it was used during this incident?**

- Look at the flow chart of the NIC. There is a dotted line in the chart to the NRT. The NRT calls were initially completely taken over by S1. They became report outs. It was unclear to me who got on the agenda in the beginning. The NRT calls were in a parallel universe to the regular principals and deputies meetings. I am not sure how you fix it-it was disjointed. For example, no less than 7 people from a component were working an issue for RADM Z. The Principal decides she doesn't like what they are doing so she pulls the plug on what was to be given to RADM Z. That upset him. The NRT needs to better brief their political leadership on what the NRT was. The regular NRT members got subsumed into IASG. In a sense, it was disbanded, disrupted, vetoed, whatever you want to call it. They reformed the NRT at the NIC with a different name. There were a lot of bruised egos.
- Early on, the NRT calls were principal calls. S1 and S2 got on these calls. There was an operational report out from the UAC, then BP (before they were kicked off the call) and then legal, press, intergovernmental, and legislative affairs. There was no possibility for any discussion on dispersants, etc. S1 eventually stopped participating in the NRT calls. S1 and the White House established a principals call at 5pm daily that S1 ran.
- There were DHS Senior Leaders Group (SLG) calls almost immediately. That call would precede the NRT meeting. Ultimately ended because it covered the same information as the NRT call and because we couldn't get anything done.

**How was the NOC used during this incident?**

- As the NIC stood up, they took over the role of responding to RFIs, but that ended as the NIC stood up. The NOC did note-taking during the early liaison calls too.

**What are some critical success factors that lead to effective crisis leadership? What must be looked for before assigning someone to a job that requires a certain set of skills?**

- That person has to recognize every crisis is political and that you can't completely wrap yourself in the operational details. Every action will have consequences and that person needs to be aware of how to deal with consequences of those actions. We assume that once a person reaches the GS14/15 level that they have an understanding of this, but often they don't. This person needs to know you can't always rely on the rulebook.
- Early on, BP became portrayed as the enemy. That was the way the narrative works. That person has to adapt to senior folks in administration and within the agency. That person has to have political sense and DC experience to handle, for example, the White House press people yelling at them.
- This person has to have an interest in all things about the spill, not just their slice. This was a problem that we saw at the deputies level. In order to be successful, this person has to be able to handle a lot of different audiences. For example, ADM Allen is not an expert on subsea containment, but he read everything. He knew enough of everything to be the point person. As the point person, he wasn't ceding control. He understood at a level that made it important to have credibility in the media's eyes.
- Adaptability. This person needs adaptability and the capacity to understand the White House. This person has to understand that you can't ignore them, because they want to play. This person needs to figure out a way to ensure there is a role for POTUS & his staff to play. This person needs to be able to push back as well. I don't think you can teach this. You have to have experienced it.
- All Governors behaved poorly at one point or another. They did because they didn't know how the NCP worked and then assumed. They were rewarded for their bad behavior. Depending on the Governor, they got what they wanted: more boom, more money, etc. This event was an unusual laboratory.
- This person has to be able to self-educate. They have to portray "grip" (i.e., calmness, leadership, presence, etc.). In order to have grip you have to be right. Organization must deliver grip.
- The levels of anxiousness are high, but this person needs to be able to multitask and appear calm. This person can't ignore the squeaky wheel, but at the same time, not assume that the person is always right.

#### **What is success in a crisis?**

- Not happiness. People aren't going to be happy. Not possible. What is our measure of success? Not sure. This region is so different because this core of State and Local leaders was elected because of Katrina. They were taught that you had to be the loudest to be seen as in control. In some ways we rewarded that. In LA, that is how you lead politically in a response. The expectations on government are not the same post-Katrina. You have to leave communities better than they were before. The President said that: "Make everything better." That is an impossible bar. Especially when you consider that the Gulf has been dirty for years.

#### **Anything else you would like to tell us?**

- Training for USCG LNOs, etc. is needed. USCG treats Legislative Affairs much more seriously than Intergovernmental Affairs. People often remark that legislative affairs is the path to becoming a flag officer. The understanding of intergovernmental affairs dynamics is different. In a crisis, operators don't make decisions.

#### **From your perspective, what went well?**

- It took us a while, but how deep and strong and well-managed the intergovernmental affairs piece of the response came to be. We had the whole of government in intergovernmental affairs; that's something that hadn't been done before. There was some initial reporting confusion, but finally got it figured out. Information flow and communications became a lot better. Once the calls became formalized, we put together a packet of talking points for each agency. Intergovernmental affairs became a hub of information relations. We did the Governor's call followed by intergovernmental affairs call. This gave transparency.
- The Liaison Program with the Parish Presidents is also a best practice.

#### **From your perspective, what went poorly?**

- On the intergovernmental affairs side, an office like mine (intergovernmental affairs) will have dual masters. We are always going to have to feed information to S1. We are always going to have to make sure she had enough information. We also had to support the NIC as well. Ultimately, it is very difficult to satisfy everyone.