

## **D 003 08**

### **EXECUTIVE ORDER**

#### **Establishing the Governor's Office of Homeland Security**

Pursuant to article IV, section 2 of the Colorado Constitution and the authority vested in the Office of the Governor, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order establishing the Governor's Office of Homeland Security.

##### **I. Background and Purpose**

Since 2001, Colorado has received over \$150 million in federal funds to augment state and local initiatives to prevent, detect, and respond to terrorism and natural disasters. To date, the State has: made significant improvements in its public safety interoperable communications capabilities; hardened potential targets; enhanced first-responder training and exercise programs; and significantly improved the ability to aggregate and analyze sensitive information.

While the State has continually improved its capability to detect, prevent, protect against, respond to, and recover from terrorist attacks and natural disasters, efforts have been hindered by: the lack of focus at the State level; duplicate and often fragmented organizational initiatives; inadequate staffing; and limited resources. There is no single agency that provides oversight and coordination for the entire mission. The result is fractured responsibility and authority for overlapping mission areas. For example, the responsibility to protect people, infrastructure, and resources is shared among the Department of Public Safety, the Department of Local Affairs, the Department of Personnel and Administration, the Department of Military and Veterans Affairs, and the Office of Information Technology. Similarly, the responsibility to prevent and disrupt terrorist attacks is split among the Department of Public Safety, the Department of Corrections, the Department of Personnel and Administration, and the Office of Information Technology. A more focused, coordinated, and comprehensive homeland security program is needed to ensure the safety and security of all Coloradans.

Moreover, the State's management of homeland security grants has been criticized in both state and federal audits. While improvements have been made, more work is needed. Particular focus is necessary in the areas of developing policies and procedures, improving sub-recipient monitoring capabilities, and providing technical assistance. Establishing an Office of Homeland Security within the Office of the Governor is the most effective way to ensure that the necessary coordination and oversight is achieved.

## II. Directives, Mission, and Scope

### A. The Governor's Office of Homeland Security

The Governor's Office of Homeland Security ("Office") is hereby established. The Office shall be housed within the Office of the Governor. To the extent that grant-funded staff is transferred from the Department of Local Affairs to the Office, the timing of such transfer shall be coordinated with the Department of Local Affairs and the grant giving agency. The transfer of staff shall be achieved in a manner consistent with State law, and, to the extent that spending authority is necessary, the Office shall secure such authority from the General Assembly prior to the transfer of staff.

All State agencies engaged in activities concerning homeland security shall coordinate with the Office on those activities that relate to major contracting, exercise and training, and risk assessment. Moreover, State agencies shall provide information to the Office on homeland security assets and initiatives and shall involve the Office in strategic decisions regarding the State's homeland security initiatives.

The Office shall coordinate state and local homeland security initiatives and administer federal grants related to homeland security. The Office shall serve as the State Administering Agency for the purpose of receiving and overseeing expenditures of homeland security grants. The timing of the transfer of this responsibility shall be coordinated by the Office with the Colorado Department of Local Affairs and the Department of Homeland Security. Furthermore, the Office shall:

1. Work with State agencies and the State's nine all hazards regions to develop and implement the State's homeland security strategy;
2. Build partnerships with first responders, agencies and citizens in the public and private sectors;
3. Administer federal grants in compliance with federal, state, and local laws and regulations;
4. Oversee expenditures made by grantees of homeland security grants;
5. Provide technical assistance to grantees of homeland security grants; and
6. Provide oversight for homeland security training and exercise programs.

B. The Homeland Security and All-Hazard Senior Advisory Committee

The Homeland Security and All-Hazards Senior Advisory Committee, which was established by Executive Order B 002 05, shall continue.

C. The Director of the Governor's Office of Homeland Security

The Office and its activities shall be overseen by the Director of the Governor's Office of Homeland Security ("Director"), which shall be a cabinet-level position. The Director shall be appointed by and serve at the pleasure of the Governor. The Director shall serve as the State's Homeland Security Advisor and shall, based upon this designation, serve as chair of the Homeland Security and All-Hazards Senior Advisory Committee.

III. Resources

The Office may enter into memoranda of understanding and other agreements with federal, state, and local agencies as necessary to accomplish the mission and purpose delegated to it by the Executive Order. Furthermore, the Office shall have the power to accept money, grants, and in-kind contributions from public and private agencies and entities. Any money appropriated, granted, transferred, or contributed to the Office shall be directed to the Office of the Governor and deposited with the Treasurer of the State of Colorado in an account within the Office of the Governor's budget.

The Office shall have the power to hire staff and consultants as deemed necessary and appropriate by the Director. To the fullest extent permitted by law, the Office shall be authorized to enter into contracts, receive and expend funds, purchase goods and services, and lease space.

IV. Effect on Other Executive Orders

This Executive Order shall supercede all previous Executive Orders pertaining to homeland security, except for Executive Order B 002 05 ("Homeland Security and All-Hazards Senior Advisory Committee"), which shall remain in full force and effect.

V. Duration

This Executive Order shall remain in effect until modified or rescinded by future Executive Order of the Governor.

GIVEN under my hand and the  
Executive Seal of the State of  
Colorado this fourth day of  
February, 2008.

Bill Ritter, Jr.  
Governor