



THE MOST IMPORTANT THING: Legislative Reform of the National Security System

James R. Locher III

*Don't confuse enthusiasm
with capability.*

—General Peter J. Schoomaker,
Commander, USSOCOM, 2000

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PHOTO: Wreckage of a Sea Stallion helicopter burned up during Desert One, the failed attempt to rescue U.S. hostages from Iran in April 1980. Problems among the services during the mission would eventually lead to passage of the Goldwater-Nichols reform bill, six years later. (Courtesy 1st Special Operations Wing historian)

THE NATIONAL SECURITY SYSTEM that the president uses to manage the instruments of national power, and the manner in which Congress oversees and funds the system, do not permit the agility required to protect the United States and its interests in an increasingly complex and rapidly changing world. From 9/11 and Hurricane Katrina to the wars in Afghanistan and Iraq and emerging threats to the homeland, 21st-century national security challenges demand more effective communication across traditional organizational boundaries. Meeting these challenges requires a common vision and organizational culture and better integration of expertise and capabilities.

The current national security system was based on lessons from World War II and was designed to enable the president to fight the Cold War. Many of the assumptions underpinning this system are no longer valid. The world has moved on, and the United States needs to adjust commensurately to the new realities impinging on its security. The current system gives the president a narrow range of options for dealing with national security affairs and causes an over-reliance on the military instrument of national power. The cost of not changing this system is fiscally unsustainable and could be catastrophic in terms of American lives. To make needed changes, the U.S. government requires comprehensive reform of the statutory, regulatory, and congressional oversight authorities that govern the 60-year-old national security system. The Project on National Security Reform (PNSR) was founded in September 2006 as a public-private partnership to support this reform process.

Origins of the National Security System

America's national security system was devised for a different era, when national security was primarily a function of military capabilities wielded by one department. At the time the National Security Act of 1947—legislation that established this system—was written, the U.S. had recently emerged from World War II as a virtually unchallenged industrial and economic giant. The main threat to the United States was the Soviet Union, with its emerging nuclear ballistic missile arsenal and its conventional forces parked on the borders of the U.S.'s European and Japanese allies.

With major combat operations and nuclear deterrence the principal focus of national security strategy, the national security system required only

Where was America's national security system? As the floodwaters recede and the dead are counted, what went wrong during a terrible week that would render a modern American metropolis of nearly half a million people uninhabitable and set off the largest exodus of people since the Civil War, is starting to become clear. Federal, state, and local officials failed to heed forecasts of disaster from hurricane experts. Evacuation plans, never practical, were scrapped entirely for New Orleans' poorest and least able. And once floodwaters rose, as had been long predicted, the rescue teams, medical personnel and emergency power necessary to fight back were nowhere to be found. Compounding the natural catastrophe was a man-made one: the inability of the federal, state, and local governments to work together in the face of a disaster long foretold. In many cases, resources that were available were not used, whether Amtrak trains that could have taken evacuees to safety before the storm or the U.S. military's 82d Airborne Division, which spent days on standby waiting for an order that never came. Communications were so impossible the Army Corps of Engineers was unable to inform the rest of the government for crucial hours that levees in New Orleans had breached.

—Susan B. Glasser and Michael Grunwald,
“The Steady Buildup to a City's Chaos,”
The Washington Post, Sunday, 11 September 2005

limited coordination between vertically structured departments and agencies. The architects of the national security system gave little thought to structures and processes that might be needed between departments. The National Security Council, the only body that could coordinate the activities of different departments, was an afterthought in the 1947 National Security Act.

Managing National Security in the 21st Century

Whatever its adequacy in a former era, today's national security system is a clumsy anachronism not suited for the current strategic environment. The stovepiped structure designed to mobilize

industrial resources against a single peer competitor has been rendered dangerously inadequate. As noted in the Center for the Study of the Presidency's *Comprehensive Strategic Reform*, “The structures and doctrines the nation developed to win the Cold War have in some cases become weaknesses, many of their assumptions no longer valid.”¹

From global terrorism, cyber attacks, and challenges to the neutrality of space, to armed horsemen in Sudan, transnational religious leaders in Iraq, and ethnic cleansing in the Balkans, the challenges to national security today defy traditional categories. National security now involves a wide array of issues that can be addressed only with a broader set of highly integrated and carefully calibrated capabilities.

The economic and social interdependence of the contemporary global system requires the United States to be able to act globally with more precision and with fewer unintended consequences—the latter because collateral damage can now incur major strategic liability. Globalization also facilitates the spread of disease, technology, ideas, and organizations at previously unimagined rates.

The political environment requires the United States to be able to deal with the actions and intentions of many more states, as well as newly empowered sub-state and non-state actors. Our world is much more fluid today than during the Cold War, when friends and foes were neatly arrayed in fixed alliances. These alliances made it easier to predict how states would act in any given situation; hence, the military contingencies we had to plan and train for were limited in number. Today, the demise of a single threat and the rise of diffuse threats have weakened alliances. It is often difficult to predict how states will react in any given crisis. We have to be prepared for a much wider array of contingencies. At the same time, sub-state and non-state actors can wield much greater influence through enabling technologies that allow much greater coordination

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“Real Problems; Real Consequences”

In October of 2000, FBI Agent Ali Soufan was investigating the attacks on the USS Cole. Working around the clock in Yemen, Agent Soufan found a possible connection between the bombing and Al-Qaeda in the person of a one-legged jihadi named Khallad. Over the course of the following months, Agent Soufan would send multiple entreaties to the CIA asking for more information about the terrorist organizer Khallad, specifically in conjunction with an alleged meeting of Al-Qaeda agents in Kuala Lumpur, Malaysia. The CIA had information that could have led Agent Soufan to discover that two of the future 9/11 hijackers had attended that meeting. He could have placed them at their current location: the United States. Three times Agent Soufan was denied the information that he—and the American people—so desperately needed. As a result, a combination of turf wars between national security agencies, an unwillingness to share information, a failure to identify credible threats to U.S. national security, and even personal animosity contributed to the success of one of the most destructive terrorist attacks in history. For nearly two years, two Al-Qaeda operatives lived in the United States with the CIA’s knowledge. Had that information been shared with the FBI, American citizens might be living in a different world today. Agent Soufan didn’t know it at the time, but he was the nation’s best chance to stop the 11 September 2001 attacks. Our national security system prevented information critical to America’s safety from reaching the people who needed it most. As a direct result of this national security failure, more than 2,000 people lost their lives on American soil.

of their activities and increase the destructive impact of their actions. Many of these same technologies are weakening the ability of nation-states to exercise traditional sovereign responsibilities.

The emerging security environment is being shaped by demographic pressures not present in 1947. Exploding populations in undeveloped states, and their rising expectations for achieving economic prosperity and security, threaten conditions of stability in the developed world. Greater individual mobility across borders and access to information on the Internet highlight economic disparities. Perceptions of economic exploitation have fueled widespread resentment among underdeveloped states when they compare themselves to the advantages enjoyed by the developed world.

As a result, America will face dynamic and perhaps unpredictable enmity. Inflammatory issues as well as vulnerable geographic areas can catapult from obscurity to strategic significance (e.g., energy, cultural clashes, effects of global warming, food shortages, and diseases). The United States will frequently be unable to anticipate the exact capabilities needed to address the next crisis.

Today, the U.S. lacks the agility to meet these evolving strategic priorities. The weaknesses inherent in the contemporary national security system are now much graver than ever before. Pandemics could threaten large parts of the population if, for instance,

Health and Human Services and state and local governments fail to communicate effectively. Terrorists could more easily employ weapons of mass destruction inside the country if the Department of Homeland Security and the Department of Defense (DOD) continue to allow the foreign/domestic divide to rigidly define their areas of responsibility. If a nuclear device is detonated on American soil, who would be in charge of managing the consequences? How will the government handle contamination, domestic disintegration, and the inevitably chaotic economic immobilization that would likely lead to famine? Consideration of such an unfortunately probable scenario should catalyze us and focus us on the urgency of national security system reform.

System versus Leadership

Many say that leadership is central to solving these problems. There is, of course, no substitute for good leadership, and without it no system will be adequate. But a good leader alone is not enough, and we do not need to choose between the two. We need both. Leaders cannot by themselves effectively deal with the complexities emerging from 21st-century challenges. We need a *system* that can bring coherence to how our national government understands and responds to these challenges. The numerous bureaucracies involved in national security today all operate through

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the lens of their own organizational culture. There is no common national government culture that facilitates the development of common national objectives and a shared vision. There is also no mechanism the president can use to enforce the implementation of his or her decisions by the departments.

When the president is able to effect cooperation between departments, it usually occurs only by the accident of compatible personalities serving in the right posts at the right times. Such instances of cooperation-by-exception are laudable, but the nation and its security cannot depend upon such happenstance.

Reform in the 1980s and Reform Today

The challenges of integrating and coordinating the instruments of national power today are analogous in some ways to the problems DOD faced during the 1980s, when, in the wake of failures in Vietnam, Beirut, Grenada, and Iran, it became clear that the United States needed to reform the way its military services operated together. Unfortunately, internal Pentagon efforts to encourage voluntary joint operations made little meaningful progress. Advocates of “jointness” were often ostracized within the ranks by service chiefs who viewed such initiatives as threats to their budgets, power, and prestige. Senior service leaders often unsubtly pursued the interests of their own branches above efforts intended to achieve better economy of resources and more focused joint efforts benefiting the common defense. Ultimately, it took congressional action to force the Defense Department to ensure cooperation and compatibility among the services.

Today, numerous government departments and agencies continue, both subtly and openly, to resist efforts to integrate them formally and institution-

ally into an overall system of national security. This hampers the Nation’s ability to meet evolving security requirements. The multifaceted, nuanced security threats facing America demand better cooperation and synchronization. Many of the good efforts to improve our ability to conduct stabilization and reconstruction operations, such as Defense Directive 3000.05, National Security Presidential Directive 44, and the Interagency Management System, have been frustrated by bureaucracies that were not designed to work together in this fashion. The Office of the Director of National Intelligence, which is making terrific progress under its “500-day Plan” to reorganize and train for the challenges of the 21st century, is nevertheless finding it difficult to integrate and align the different parts of the intelligence community. At every turn, organizational cultures and independent budgets resist collaboration.

In other ways, the problems we face today are very different from the problems we faced in the 1980s. Interagency reform involves a much broader scale, stretching across slices of the many departments and agencies and involving the executive office of the president. There are important constitutional issues to consider. The problem is also more complicated in the sense that it involves numerous congressional committees, departments, and agencies whose main “day jobs” do not include national security.

The need for national security reform is also not limited to other departments and agencies or the interagency system. It must include the Department of Defense.

While the strategic environment of the future promises to be dynamic and difficult to predict, there is consensus that certain threats are much more likely than others. America has not succeeded in substantially reorienting DOD’s main functions toward these probable threats. For instance, even though DOD has increased its attention to planning for missions involving ethnic insurgencies and failing states, most large acquisitions are still focused on a major symmetric foe. While the United States needs to hedge strategically against the emergence of peer competitors, the near-term probability of major symmetrical warfare is insignificant. On the other hand, the military has assumed—or been forced to assume—some mission areas for which



U.S. Air Force, TSGT William Greer

Soldiers, USAID personnel, and local Iraqis walk through a market during a mission in Taji, Iraq, 8 February 2008.

it is ill suited. Support to public diplomacy and developmental assistance have been mixed together with counterinsurgency and stability operations. Now DOD is discussing the need for a “civilian reserve system.” Such an approach to meeting gaps in our national toolbox will prove to be enormously and unsustainably expensive. The current defense budget supplemental spending process will likely be subject to new fiscal constraints and scrutiny in the near future. This will likely curtail the military’s ability to prepare for and execute such non-core missions. These missions, however, are essential for security, and America must be prepared to find other ways to execute them.

At the same time, however, the government under-resources other departments such as the Department of State, whose core competencies include diplomacy and foreign assistance. As a nation, we remain locked in a mind-set that views international relations more or less as they have been for hundreds of years: formal, high-level relations between the governments of unitary nation-states, each of which has a conveniently similar way of interfacing with other states. This world no longer exists. While relations between states remain

an essential aspect of the international system, the effects of globalization have created innumerable ways by which states and societies communicate, interact, and respond to events. Actions directly affecting national security and international stability often occur at levels below traditional official bilateral or multilateral discourse.

These same effects of globalization have also added new international dimensions to the jurisdiction of traditionally domestic U.S. government departments and agencies. The Environmental Protection Agency deals with climate change throughout the world. The Department of Health and Human Services must be heavily engaged with health organizations around the world to responsibly protect the health of American citizens at home. Yet, despite this trend, the government remains focused on crisis-management in international relations, only dealing with problems when they can no longer be ignored. By then, leaders have perversely limited their options, often leading them to respond with military force. The national security system does not readily facilitate the formulation and execution of long-term, comprehensive national security policies that could diminish the probabilities of threats before they materialize.

On the whole, America faces major challenges in ensuring it is able to capably, constructively, and efficiently project power and influence in the 21st century. If the United States does not reform its system to meet the needs of a new era, it will run the risk of disastrous consequences. Because of the nature of bureaucracies, it is not reasonable to expect that the institutions themselves will initiate successful reform—and even if they were able to, such reform would not be sustainable without substantial changes in oversight from Congress. The whole system needs an overhaul from the top down, and only Congress can effect that sort of change.

The Project on National Security Reform

To meet the need for reform, concerned citizens from many diverse professional and political backgrounds have joined together to create the Project on National Security Reform (PNSR). Project members are united in thinking that the government does not have the ability to resource and integrate the instruments of national power well enough to meet current and future security needs.

This public/private cooperative effort is engaged in carefully studying the national security system, in order to make recommendations on how to improve it and make it more responsive to current and future strategic and operational challenges. The project will also be active in supporting the implementation of these recommendations. PNSR is taking a comprehensive approach to national security reform, both in terms of the expanding and evolving nature of national security, and in terms of the interrelationships between the executive branch and Congress.

The effort is expected to last two years. Its goal is to get approval of a new national security system shortly after inauguration of the next president. The PNSR anticipates that three sets of reforms will be necessary:

- A new national security act replacing many provisions of the 1947 act.
- New presidential directives to implement changes that do not require statutory prescription.

- Amendments to Senate and House rules to provide sufficient support for and oversight of interagency activities.

PNSR is sponsored by the Center for the Study of the Presidency, a nonpartisan, nonprofit organization led by Ambassador David Abshire in Washington, D.C. The project has over 300 members situated in government, the military, academia, law firms, foundations, and private industry.

The Guiding Coalition, a group of 21 distinguished Americans with extensive service in the public and private sectors, sets strategic direction for the project. These individuals ensure a careful, bipartisan consideration of major issues, and they will help communicate the project's ultimate findings and proposals to national-level constituencies and the general public. PNSR has also recently created a board of advisors and a government advisory council to ensure broad input into the reform process. PNSR is working closely with the House National Security Interagency Reform Working Group, co-chaired by Congressman Geoff Davis (R-KY) and Congresswoman Susan Davis (D-CA). This bipartisan group has 13 members. They come from many different committees involved with national security affairs.

PNSR has received private foundation support from the Carnegie Corporation of New York, the General Atlantic Corporation, and the McCormick Tribune Foundation. Additional pro bono support has been provided by the Center for Strategic and International Studies, the Brookings Institute, the Hoover Institution, the Hudson Institute, the Heritage Foundation, MPRI Inc., SAIC, and SRA. The Department of Homeland Security, the Office of the Director of National Intelligence, the Department of State, and the National Defense University are also helping to advance PNSR's objectives. PNSR has collaborative relationships with the Office of Personnel Management and the Interagency Strategic Planning Group.

The Conference Report for the National Defense Authorization Act of fiscal year 2008 requires an evaluation of the national security system by an

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Recommendation 75: Iraq Study Group Report

For the longer term, the United States government needs to improve how its constituent agencies—Defense, State, Agency for International Development, Treasury, Justice, the intelligence community, and others—respond to a complex stability operation like that represented by this decade’s Iraq and Afghanistan wars and the previous decade’s operations in the Balkans. They need to train for, and conduct, joint operations across agency boundaries, following the Goldwater-Nichols model that has proved so successful in the U.S. armed services.

independent organization, for which it authorized \$3 million. The Defense Appropriations Act for 2008 allocated \$2.4 million for this purpose. In February 2008, DOD concluded a \$2.4 million cooperative agreement with PNSR, which will conduct the evaluation and present a report to Congress and the president by 1 September 2008. This report will include a comprehensive set of alternative solutions and recommendations, as well as a straw-man National Security Act to initiate discussion about the need for new legislation. PNSR will also issue an interim report on 1 July 2008 focused on interagency problems, their causes, and their consequences. Both of these reports will be available for public examination and comment on the PNSR website (www.pnsr.org).

With separate funding (still to be raised), PNSR will turn the recommendations from the 1 September report into a full legislative proposal with accompanying draft presidential directives. After the presidential election of 2008, PNSR will make these products available for consideration by the president-elect and his or her team. At the same time, the project will send draft amendments to Senate and House rules to congressional leaders.

The Project’s Approach

PNSR will attempt to benefit from some of the models employed in the development of the historic Goldwater-Nichols legislation of 1986. As a result of that legislation, DOD was transformed from a system in which parochial service interests dominated resource allocation and strategy decisions, to today’s system, in which joint participation, with vital input from regional warfighting commands, drives strategic and resource decisions. The reformed system has given the Nation an unprecedented, world-class capability to develop, train, equip, and deploy forces. The battlefield successes

of Desert Storm and the early stages of operations Enduring Freedom (OEF) and Iraqi Freedom (OIF) are in part attributable to the jointness mandated by Goldwater-Nichols. In stark contrast, the lackluster and in some cases dismal execution of follow-on stability operations in OEF and OIF reflect the complete lack of a similarly resourced, disciplined, coordinated, and synchronized process throughout the national security system.

PNSR will also seek to leverage some of the methodology employed in developing Goldwater-Nichols. That legislation was the end result of a long analytic process that focused on defining problems and understanding causes before moving to solutions and recommendations. While many people come to reform initiatives with personal views of what the problems and solutions are, ultimate success results from employing a rigorous, transparent, and collective process to define and understand problems.



USAID, Ben Barber

A U.S. Soldier chats with Andrew Passen, leader of the Baghdad PRT, on a visit to the Abu Nawaz district of the city where many small business loans sparked a rebirth of commerce, 28 August 2007.

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The project is currently engaged in analyzing obstacles to national security system performance. It is primarily investigating the linkages between the National Security Council, Homeland Security Council, cabinet secretaries, and congressional oversight committees. Theories of change management suggest that bureaucracies and organizational cultures can begin to evolve organically if they first change output requirements and oversight processes. However, implementing change in the national security system will undoubtedly entail a long-term, sustained effort that will require leadership, collaboration, and a shared vision.

The project is looking at the national security system through the lens of organizational effectiveness theory and its standard elements. Analytical working groups are configured around these elements, which include human capital, resourcing, structures, processes, oversight, vision, and knowledge management. The project will not approach its task thematically or according to mission areas. Such approaches risk prejudicing the outcome of the study, and they may identify only some of the systemic reforms that are required. Instead, the groups will analyze a series of historical case studies to identify recurrent problems across issue areas and across different presidential administrations. Shared findings from the studies will inform the analytic groups' ongoing work. A legal working group will address national security reform from a legal perspective and construct the project's legislative proposals. A congressional affairs working group will establish collaboration with Congress. A public affairs working group will engage in dialogue with the public about the need for national security reform. Finally, an implementation working group will support reform implementation.

Initial Observations

Unsurprisingly, PNSR's analysis shows that the U.S. government has had great difficulty integrating the instruments of national power—although it tends to do better in some circumstances than others. Moreover, the project has found that, in general, the integration of government agencies is becoming increasingly difficult even as it becomes increasingly important.

A threshold question in PNSR's analysis has to do with the scope of national security. The definition of the overall problem is heavily contingent on how one defines national security. The project has thus far agreed that the scope of national security is broadening but still has ill-defined limits. Progress on resolving interagency problems depends in part upon an emerging political consensus on the definition and scope of national security.

The project is also analyzing where past problems concerning cooperation and synchronization have originated: with national-level policy makers or with the regional and country teams tasked with implementing policies. Some blame regional and country teams for poor implementation of good national-level policies. Others contend that regional and country teams work well but have been ineffective because they receive insufficient guidance from national decision-makers. PNSR analysis shows, however, that cooperation and synchronization failures have occurred and continue to occur at every level—national, regional, and country-team. Failures cannot be attributed solely to deciders at the national level or to actors at regional or country-team level; rather, they seem to be inherent in the system.

The architects of the National Security Act of 1947 were not concerned with interagency collaboration. At the time, the country needed a massive industrial mobilization of its assets. It also appears that some of those involved in developing that legislation actually wanted to prevent too great a concentration of power, whether to protect the interests of their individual organizations or as a safety mechanism against tyranny. As a consequence, the inability of the interagency system to compel individual cabinet agencies and departments to collaborate short of personal involvement by the president was, and continues to be, a serious weakness. The president simply does not have the time to direct and manage the more numerous, complex,

and pressing issues arising today. Delegating the authority to organize interagency national security missions has not worked: the process has been ad hoc and ineffective.

Additional preliminary observations include the following:

- The civilian national security system does not effectively train or cultivate leadership in a sustained and systematic manner.
- Leadership is a critical factor in the performance of the national security system, but it is not the only one, and it is not necessarily the dominant one either.
- The organizational cultures of the different components of our national security system do not reward collaboration and information sharing, nor are they conducive to the development of shared vision, values, and objectives.
- The lack of strategic planning for the human resources needed for national security affairs encourages many departments to outsource work beyond their oversight capacity and beyond what would be considered efficient.
- The current national security policy development and execution process does not adequately integrate nontraditional government departments and agencies into the national security system. Nor does it provide an effective formal link between strategic policy and operational planning.
- There is no established process to monitor and assess the execution of national security policies and plans.
- There is no common interagency planning process, methodology, or lexicon. Thus, it is highly difficult to link strategy to resource allocation decisions.
- Government undervalues knowledge (and more generally human capital), and in this respect is out of step with both business trends and the global environment.
- No matter how well integrated the elements of national power are, if America is not able to resource a mission at the right level and make rapid adjustments to account for changing circumstances, it will not succeed.
- There is inadequate capacity in civilian national security organizations, especially, but not only, for expeditionary and post-conflict operations.
- Currently, there are insufficient mechanisms to reprogram or transfer resources easily and quickly within the national security system.

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Summary

The national security system is showing its age: stovepiped, slow, and lacking flexibility, it continues to hobble the president by narrowing the range of options available for dealing with national security affairs. The tools for managing national security were forged in the 1950s and 1960s, when the world was more predictable; they are not suited to addressing contemporary challenges. To provide for our security today, we need sweeping reforms that create a much more agile, nimbler national security system. Such changes will broaden the president’s options, lead to increased efficiency in an era of shrinking resources, and perhaps decrease the Nation’s reliance on military force to solve global problems. It is highly unlikely that such reform will occur unless it is brought about through new legislation. Such legislation will also require presidential directives, as well as leadership with a common vision dedicated to the long-term process of reform. **MR**

NOTES

1. Center for the Study of the Presidency, *A Panel Report for the President and Congress: Comprehensive Strategic Reform* (Washington: Center for the Study of the Presidency, 2001), 1.

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