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THE PROJECT ON NATIONAL SECURITY REFORM: COMMENTARY AND ALTERNATIVE VIEWS

HEARING

BEFORE THE

OVERSIGHT AND INVESTIGATIONS SUBCOMMITTEE

OF THE

COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES

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THE PROJECT ON NATIONAL SECURITY REFORM: COMMENTARY AND ALTERNATIVE VIEWS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
OVERSIGHT AND INVESTIGATIONS SUBCOMMITTEE,
Washington, DC, Thursday, March 19, 2009.

The subcommittee met, pursuant to call, at 1:07 p.m., in room 2212, Rayburn House Office Building, Hon. Vic Snyder (chairman of the subcommittee) presiding.

OPENING STATEMENT OF HON. VIC SNYDER, A REPRESENTATIVE FROM ARKANSAS, CHAIRMAN, OVERSIGHT AND INVESTIGATIONS SUBCOMMITTEE

Dr. SNYDER. The hearing will come to order. Good afternoon. Welcome to the Subcommittee on Oversight Investigations hearing on the Project on National Security Reform (PNSR), better known as the Locher Project after its executive director. This is the report itself. We all have come to the conclusion that because of the density of the paper, it is the heaviest report that we have ever encountered in some time. It is so heavy, it tends to be dangerous when you set it down.

I wanted to hold this hearing because of this subcommittee's continuing interest in interagency issues in national strategy. As we heard Secretary Gates and others say over and over again, our national strategy in the wars in Iraq and Afghanistan require, "whole of government approaches." However, the question remains, how exactly do we do that? Some people do not think we need reform of structures but simply better leadership. Others believe we have good people who are working hard but our current structures and processes, largely built in 1947 to win the Cold War, do not serve us well now. And these structures and processes certainly won't serve us well in the future as we face more numerous and complex challenges.

An independent review on the subject was required by the Armed Services Committee. The two-year project we are talking about today was funded by both government funds, including some from the Department of Defense, and private funds. The full study is over 700 pages long and includes a history of the National Security Council, and about 100 case studies that seek to identify problem areas. More than 300 people participated in the study in one form or another, including retired General Jim Jones, our current National Security Advisor and retired Admiral Denny Blair, our current Director of National Intelligence. Their report was delivered to President Bush and the Congress in December.

The Project on National Security Reform focuses on how the National Security Council (NSC), the departments and agencies and the Congress contend with national security issues. We can all probably acknowledge that there is a gap between the NSC and the departments. We could call this gap the interagency space where true whole of government action might best be achieved. However, right now there is no structure at the interagency level that assures integration of all the tools of national power.

The authors of this report propose strengthening the National Security Advisor, to be called the Director for National Security, and the National Security Council, to be called the President's Security Council, to fill the gap. This will have certain implications for the rest of our national security system, including the Congress. So I hope our witnesses can help us sort out today some of these implications. In this report, the guiding coalition of national security professionals and thinkers have tried to make a case for urgent and broad reforms. They argue that all their recommendations should be taken as a whole. Some of these include creating a new Director for National Security, instituting a QDR-like interagency national security review, decentralizing management of national security issues by creating interagency teams and task forces, establishing a President's Security Council to replace the National and Homeland Security Councils, creating an integrated national security budget, developing an interagency national security professional core, and establishing House and Senate Committees on National Security and strengthening the Foreign Relations and Affairs Committees.

Our panel of witnesses today, to help us sort all of these questions out in the next couple of hours, consists of Dr. Andrew Krepinevich, President of the Center for Strategic and Budgetary Analysis; Dr. Mac Destler, Director of the Program on International Security and Economic Policy at the School of Public Policy at the University of Maryland; and Mr. Walter Oleszek, Senior Specialist at the Congressional Research Service.

I also want to acknowledge we have an out-of-town guest here today, a parliamentarian from Quebec, Claude Bachand, who is a member of the Canadian Parliament. And he is going to be with us for a half hour or so. So we welcome you. Let us give him—and we will now turn to Rob Wittman, our ranking member, for any comments he would like to make.

[The prepared statement of Dr. Snyder can be found in the Appendix on page 29.]

STATEMENT OF HON. ROB WITTMAN, A REPRESENTATIVE FROM VIRGINIA, RANKING MEMBER, OVERSIGHT AND INVESTIGATIONS SUBCOMMITTEE

Mr. WITTMAN. Thank you, Mr. Chairman. Thank you, members of the panel, for being with us today. I appreciate you taking the time to come before us and give us your thoughts on the issue that we have before us on the Project on National Security Reform. The subject of today's hearing is indeed a very serious matter. Since the dawn of the 21st century, the United States has faced an ever shifting, complex international environment. And ideally we would have an agile national security structure able to respond to the

challenges as needed, but we do not. After all, the military services, via the jointness dictated by the Goldwater-Nichols legislation is able to task organize to meet almost any mission. But the greater bureaucracy of the executive and legislative branches of the Federal Government have rigid, unyielding structures and processes that sometimes struggle to organize coherent, effective responses to national and international crises. And this weakness has been widely recognized and studied, particularly after the intelligence failures of September 11, 2001.

One outcome of that tragedy was the Intelligence Reform Act of 2004 which reorganized and better integrated the Intelligence Community. Otherwise, the executive branch and congressional committee structures were left intact. To be fair, designing the best system to reorganize the National Security Council and half the cabinet departments is no easy matter. The Project on National Security Reform has reviewed the interagency coordination problem in a thoughtful, logical manner that makes a series of recommendations for the organization of both the national security apparatus and the Congress.

While we cannot single-handedly make these changes, we do have a responsibility to start the dialogue. Our witnesses were not part of the Project on National Security Reform effort and are well placed to provide an impartial view of this study. Gentlemen, we appreciate you being here today to do that for us. Now, I am grateful to have you here as distinguished witnesses before us to comment on the project's work and look forward to your testimony in shining some light on the applicability of that project. So we appreciate that. With that, Mr. Chairman, I yield back.

[The prepared statement of Mr. Wittman can be found in the Appendix on page 32.]

Dr. SNYDER. Thank you, Mr. Wittman. We are also pleased to be joined today by another Armed Services Committee member, Adam Smith from the State of Washington. Adam is the chairman of the Terrorism and Unconventional Threats Subcommittee of the House Armed Services Committee. He is also on the Intel Committee, and for most of the last decade, has been a Member of the House Committee on Foreign Affairs. So he has been following a lot of these issues very closely. Adam, if you would like to make an opening statement, feel free.

Mr. SMITH. Certainly. Just a couple of quick comments. And I thank Chairman Snyder for allowing me to sit in this hearing. The report could not be more timely. I agree completely with both statements of the Chairman and the Ranking Member on the importance of interagency work. And we have certainly seen that in a lot of the projects that we have undergone on national security in the last several years. And my subcommittee is particularly focused on that. We do a lot of counterterrorism work with the special operations command and you see where country by country, piece by piece you need a lot of different sets of resources from different agencies. And there is no formal mechanism really for pulling those together. It has been done in an ad hoc basis.

In some cases fairly effectively. Joint Special Operations Command (JSCO), I think, has done a very effective job of pulling together the counterterrorism efforts in Iraq and Afghanistan, work-

ing with a wide variety of different agencies. But that was really sort of driven by the individuals who made that decision and made it work. What we need is a more formalized structure because the problem will not just be peculiar to Iraq and Afghanistan. It is part of dealing with global development issues. It is a big part of dealing with a messaging issue. I say that as I see Mac Thornberry walk in the room. Not to do that to you, Mac, right when you walk in the door. He was Ranking Member on my committee for the last two years and also on Intel's. He has been very focused on what is our strategic communications strategy.

And at the end of the day, we have got about 35 or 40 different groups or agencies that have a piece of that. It is not well coordinated and well focused. Nobody is in charge. I could go on, but I won't because I want to hear your testimony. But the bottom-line is the interagency piece is going to be critical to our national security strategy going forward in a number of different areas. Thank you, Mr. Chairman, for the opportunity to say a couple of things.

Dr. SNYDER. Thank you, Mr. Smith. We have also been joined by Congressman Mac Thornberry from Texas. Through the years, Mac and I just cannot get enough of Andy Krepinevich. He has sponsored some forums that Andy would put on about 10 years ago. We appreciate you being here today. Mac is also a member of the Intel committee in addition to the Armed Services Committee. Gentlemen, what we will do is begin with your opening statements. I am going to have Dr. Fenner put the clock on. When you see a red light flash, you should feel free to drive on through it if you think you have some more things you need to say. But if you stay to about the five minutes, then we can get to the members' questions.

Dr. SNYDER. Dr. Krepinevich, we will start with you.

STATEMENT OF DR. ANDREW F. KREPINEVICH JR., PRESIDENT, CENTER FOR STRATEGIC AND BUDGETARY ASSESSMENTS

Dr. KREPINEVICH. Thank you, Mr. Chairman. As you know, I submitted a written statement and I will summarize my remarks.

Dr. SNYDER. All written statements are a part of the record.

Dr. KREPINEVICH. Again, let me add my compliments to the efforts of the project, an impressive array of individuals, a very comprehensive report. And as also noted, a very substantial report in many, many ways. What I would like to do is focus my five minutes on an issue that was raised by the Project, which is the issue of restoring the ability of the U.S. government to craft strategy competently, as well as to execute it. It has been said if you don't know where you are going, any road will take you there. And if you don't have a clear strategy to inform the path you have chosen to achieve your security objectives, any structure or process will do. The need for a good strategy, our best strategists tell us, is the greatest at any time since the early days of the Cold War. It has been said that you need strategy and strategic thinking most during periods of great change. And I think the Project certainly makes the point that we are at a period of tumultuous change, but also when resources are scarce.

As one British politician famously said about a century ago, we are running out of money, we will have to start to think. And while

I am a big fan of structure and a big fan of process, I am an even bigger fan of thinking. And that is what strategy is all about. Strategy is not just how do you apply certain means at your disposal to achieve your objectives. More specifically, it is about the hard work of identifying, developing and exploiting sources of advantage in ways that give you the greatest leverage, in ways that allow you to effectively achieve your objectives at minimal costs and minimal risk. And that traditionally has been very difficult work.

Failure to craft strategy well leads to a waste of resources, as well as endangering our security and our well-being. Now, I have identified in my testimony a number of barriers that I think really compromise our ability as a government to do strategy well. One is confusing strategy with the two polar aspects of it, one being the goal and one being the means. An example of confusing strategy with objectives is the Clinton Administration's national security strategy in 2000, which said that a key element of its strategy was preventing conflict. Well, that is not a strategy, that is an objective.

When President Bush said as they stand up, we will stand down, that is our strategy for Iraq. That is not a strategy. That is substituting one set of means, the Iraqis, for another set of means, the United States. That is not a strategy. So again, just a failure to understand what strategy is, even at the highest levels of government. A second is a failure to understand the enemy. To a certain extent your strategy is trying to get your rivals, your adversaries, your competitors and even your allies to behave in certain kinds of ways. We have to know what motivates them. And throughout the Cold War and even into the current period, a number of statements indicate that oftentimes we don't understand our enemy.

Consider the fact, for example, that Lyndon Johnson after giving a speech at Johns Hopkins University in 1965 in April in which he proposed a Tennessee Valley Authority sort of project for the Mekong Delta, turned after the speech and said, "Old Ho can't turn me down now." Well, he wasn't dealing with a politician from Tennessee. He was dealing with a communist revolutionary. President Kennedy's first reaction upon finding out that the Soviets were placing nuclear missiles in Cuba was, "he can't do that to me."

Well, again, a misunderstanding of the motives and the character and the objectives of the Soviet Union at the time. In my testimony, I lay out the debate very briefly that occurred in the early days of the Cold War between three of the wise men, the so-called wise men, George Kennan, Paul Nitze and Chip Bohlen over the character of the threat posed by the Soviet Union. That had a material effect on the kinds of strategy, the kinds of resources, the whole approach of government that we took to dealing with the Soviet threat.

So again, the importance of understanding the enemy. And I think it is one thing that we can agree upon is that we really even now don't have a good understanding of the challenges posed by those who seek to do us ill. A third barrier is discounting the value of strategy. Perhaps we are too busy with the crisis du jour. Sandy Berger famously once said that he preferred to worry about today today and tomorrow tomorrow. Well, that may be a good way of taking care of today, but again, you need a strategy that guides you

not only through the current period but over the long term. Another barrier is the failure to accept that resources are limited.

I will give you a quick example here. This plays big in the Pentagon. Again, strategy seeks to balance your objectives with your resources. In the Pentagon, they have what are called cut drills. The defense program is always too ambitious for the defense resources. And rather than typically come up with a strategy for dealing with that, the services continue to boost their requirements, trying to create as big a gap as possible. Why? Because the strategy is to prevail in the cut drill. You want to be cut less than any other service. So the more needy you look, the strategy to make yourself look needy as opposed to the strategy to play to your advantages to cause your rival the greatest amount of discomfort is typically given short shrift.

Finally—and obviously—there is bureaucratic hostility. There is the what I call—there is certainly efforts to frustrate strategy execution, but there is also the Ben-Hur approach to developing strategy. And there are a couple of charts from the Pentagon that I put in my testimony. It is the cast of thousands. It is the Quadrennial Defense Review that has got panels and committees and groups and focus groups. And that is the approach that is taken to crafting strategy. That is not to say that we don't need a big government. That is not to say that we don't need a big bureaucracy. But strategy is hard. It is typically done by small groups of very talented, strategic thinkers, whether you are looking at NSC 68, the Solarium Project under Eisenhower, NSC 162/2, some of the efforts that laid the strategic foundation that guided and informed everything else, typically done by small groups of people. So in my testimony, I offer a rather modest recommendation and that is to go back and take a good hard look at what I call the Eisenhower model. Zbigniew Brzezinski in 1997 on the 50th anniversary of the National Security Act observed that when President Kennedy disestablished Eisenhower's national security structure, he eliminated the U.S. government's ability to do strategy at the highest levels.

Perhaps an overstatement, but certainly don't want to discount the views of someone who was a National Security Advisor during the Cold War and Brzezinski certainly was that. Second, the importance of the active, persistent involvement of the President. We have reports, we have documents and we need them. President Eisenhower famously said the importance of strategic planning is not the plan, it is the planning. The plan is almost immediately obsolete once you put it on the shelf. He said the world—and certainly this is something the project highlighted—the world is changing in such a dynamic way, that strategy is not something you do every 4 years. Strategy is a persistent effort that requires constant adjustment, the constant identification of new sources of advantage that your rivals are developing and the search for new sources of advantage in how you can apply them on your side. And so for that reason, while some presidents—for example, President Bill Clinton in his first term—of course, a much less dangerous period—had less than two dozen meetings of his National Security Council.

President Eisenhower, in his first term, had 179. And again, it was the sense that you needed a persistent involvement on the part of the senior leadership. In those NSC meetings, he had his prin-

cipal advisors and he had no one else. There were no back benchers feeding information to the Secretary of State or the Secretary of Defense. He told these people, though, "you are too busy to think strategically at every possible moment, to devote the kind of dedication that is required." So what Eisenhower had done at the suggestion of George Marshall was to establish something called the Planning Board. And the Planning Board—each statutory NSC member had a full-time person basically working on the Planning Board. In State, it might be somebody like the Director of Policy Planning and in Defense it might be someone like the Office of Net Assessment Director Andrew Marshall. And these people were responsible for doing the hard work of strategy, identifying issues and presenting them for consideration at the NSC meetings, doing the hard thinking of strategy.

And again, Eisenhower said that, of course, you could never quite predict the crisis. You would confront the problem when it would manifest itself in full form. But he said the fact that you had these regular meetings, that you were doing this diligent work of strategizing meant that when you finally encountered that problem, you had been living with it. He and his team had been living with it, they had an understanding of what to do. Much better than they would have if they just sort of managed the strategy from crisis to crisis.

Finally in addition to the Planning Board, there was an Operations Coordinating Board. And this essentially was the group of people who three months later, six months later, nine months later, once the President made a decision would go out to the departments, to the agencies and say the President made a decision, what are you doing to execute it. And the failure on the part of groups or individuals or departments and agencies to comply should be an opportunity for staff changes, if I could say so. But the idea was to hold the bureaucracy accountable. Now, certainly there is the opportunity to organize interdepartmental groups. I think that is certainly a good idea, particularly when you look at the multidimensional aspects of the many problems we face. But again, that is not new.

And one of the more famous examples of such a group was the interdepartmental Special Group (Counter-Insurgency) that President Kennedy organized that was chaired by Maxwell Taylor and Robert Kennedy to deal with the growing threat of wars of national liberation. And you did have this interagency approach. You had two people who had direct access to the President. And still, that effort ultimately proved a failure. And I think the reason why was not because of organizational structure. I think, again, it is a matter of crafting good strategy and enforcing accountability on those who are directed to carry out the directives of the President. While this is far from comprehensive—I only have five minutes? It is a modest proposal. It is an area of focus. It is something that the President can do without legislation, without any new assistant secretaries of this or that. And it is something although modest and certainly not as comprehensive as the Project's report, I think has the potential to make a substantial contribution. This concludes my remarks, Mr. Chairman. I would be happy to respond to any questions.

Dr. SNYDER. Thank you, Dr. Krepinevich.

[The prepared statement of Dr. Krepinevich can be found in the Appendix on page 34.]

Dr. SNYDER. Dr. Destler.

STATEMENT OF DR. I.M. (MAC) DESTLER, SAUL I. STERN PROFESSOR OF CIVIC ENGAGEMENT, DIRECTOR, PROGRAM ON INTERNATIONAL SECURITY AND ECONOMIC POLICY, SCHOOL OF PUBLIC POLICY, UNIVERSITY OF MARYLAND

Dr. DESTLER. Thank you very much, Chairman Snyder, Congressman Wittman, distinguished Members of Congress, it is an honor to be here. I am happy to—there is going to be a little bit of tension before I finish my remarks between what I am going to argue and what my distinguished colleague has very expertly argued for. First of all, let me pay tribute to this Project. There is an awful lot of good stuff in here and I say this as someone who didn't participate in it. So I can be objective. And it also seems to be relevant. Our new National Security Advisor, General Jones, has declared that the Obama National Security Council will be dramatically different from its predecessor, with broader substantive scope. And the President issued last month Presidential Policy Directive Number-One mandating broad participation in national security policymaking at the presidential principals and deputies levels and below.

Certainly, the needs for such reform seem undeniable. The institutions currently available to meet 21st century challenges are in the main institutions created in the late 1940s. A very, very different world. It is hard to argue against, to quote the report, "a bold but carefully crafted plan of comprehensive reform." And the Project on National Security Reform has devoted enormous effort to this undertaking. Its conclusions merit serious consideration. Yet history offers caution. And as shown by our most recent national effort at organizational reconstruction, the creation of the Department of Homeland Security, bold changes do not necessarily bring benign results.

Let me concentrate here on the two core PNSR recommendations that my colleague here referred to. First of all, the creation of a President's Security Council to encompass not only the subjects currently addressed by the NSC and the Homeland Security Council, but also with international economic and energy policy, "fully integrated," as well.

And the second central organization proposal is statutory creation of a Director of National Security replacing apparently the current national security assistant or Assistant to the President for National Security Affairs, known as the National Security Advisor, and having this official supported by a statutory executive secretary. My credentials for arguing this are most of my lifetime spending time at least off and on looking at these issues and recently co-publishing a book, which I will wave not because I want you all to run out and buy it, of course, but because it actually is the basis for my testimony. Because it is an analytic history of how National Security Advisors from actually McGeorge Bundy onward have handled the job and have related to their presidents. And it

leads me, as you will see, to some skepticism about the Director of National Security proposal.

First of all, let me talk about the President's Security Council. The impressive members of the guiding coalition who signed this report have backgrounds overwhelmingly in national security policy traditionally defined. It is, to their credit, that they see a need for broadened jurisdiction but no one in the group so far as I can tell has had any senior level experience in addressing economic issues, domestic or international. Historic NSC has proved progressively less able to oversee economic issues effectively. Beginning with Richard Nixon, Presidents have established parallel economic policy coordination institutions outside of the NSC to handle them with the National Economic Council established by Bill Clinton and continued by George W. Bush and Barack Obama as the latest manifestation.

This is no accident, because international economic issues are not simply an extension of national security issues. They reflect a set of challenges arising from a different set of forces, processes and institutions. They are at least as much linked to domestic economics as they are to political-military issues that drive the NSC and would likely drive a President's Security Council. They involve different forms of analysis, different instruments of policy, different governmental institutions as the current global economic crisis makes abundantly clear.

Their current urgency demands that they have at least co-equal status in the White House, advisor and counsel addressing these issues on their own terms, not wedged within a security perspective. Of course, Larry Summers and James Jones should coordinate with one another. And if they haven't engaged the capable joint deputy, Michael Froman, to be sure that international economic policy draws on both of their perspectives. But to go further to subordinate economic issues within a Presidential Security Council would be, I think, to go against both logic and experience.

I am not as familiar with energy or environmental policy, but I suspect some of the same considerations may apply. Perhaps President Obama is not wrong to have engaged separate senior officials for national security environment and energy—national security and economics and energy and the environment. Though keeping them from working at cross purposes on issues that overlap is a daunting task. I have a different set of doubts about establishing a Director for National Security at the White House. Presumably this official would replace the National Security Advisor, although the executive summary doesn't quite say that. The position would be established by legislation, but no recommendation is made on whether she or he would be subject to Senate confirmation.

Supported by a statutory executive secretary, this director would not only be "the principal assistant to the President on matters related to national security," but he would also be charged with administering a wide range of planning and integrating instrument in overall strategy, planning, guidance, a resource document, a network of interagency teams, et cetera. The director would be asked to combine the planning tasks of Dwight Eisenhower's Bobby Cutler who managed the system that my colleague here has described and Kennedy's McGeorge Bundy, who managed the day-to-day

issues for the President, whence would come the power of this individual to carry out this awesome task. What would make the departments and agencies commit their time and best people to this elaborate exercise, whatever its abstract merit, the PNSR report uses words like "empower," suggesting that mandating these activities is the same as making them real and effective.

In practice, however, whatever the change in title, the director would gain his power overwhelmingly from his relationship with the President, just as National Security Advisors do today. Would the President want him or her to spend his time that way? Eisenhower didn't want Bobby Cutler to do this. But he also had Andy Goodpaster, who handled his day-to-day decisionmaking on crisis management often outside Eisenhower's formal system. Kennedy didn't want it and he and Bundy transformed the National Security Advisor job to one supporting the President's daily national security business and connecting his senior officials to him and to one another.

None of Kennedy's successors, including Jimmy Carter—Zbigniew Brzezinski may now say that there should have been an Eisenhower system, but I know of no effort that he made to create anything like this when he was National Security Advisor. But none of Kennedy's successors wanted an Eisenhower/Cutler planning system, save Nixon and Kissinger who employed an improved version for about 4 months in their Administration before they abandoned it to carry out—to pursue the most secretive policymaking process in history. It seems to me, given that presidents are not really going to want this, at least experience suggests that, this director would have a choice. He could persist in the elaborate integration mandate knowing that the President at best tolerated it and knowing that one day agency officials would learn that the process was not really driving presidential decisions or he could respond to what the President really wanted and delegate the formal system management to the executive secretary.

Then there would be two layers, an interagency planning process below disconnected from the President and its principal advisors. Let me repeat, there is much that is good in this sophisticated report and its understanding of many of the problems of the current system and in its focus on improving budgeting and personnel. But I don't think the key organizational recommendations will survive careful analysis. And I particularly don't think they would work under this President, who strikes me as more like John F. Kennedy than like any other President in the postwar era, very cerebral, very much wanting to handle things himself, impatient in terms of formal structures. And I think the question is going to be whether James Jones, who I think would like a more formal structure, will be able to adapt to Barack Obama or whether he will end up having less relevance than he should have to the Obama decision process.

In any case, it is the President—in national security policymaking in the end, it is to paraphrase a Clinton campaign label, it is the President, stupid. It is he, or she one day perhaps, who drives the system. His operating preferences and decision style are what any White House aide must accommodate. To encumber this aide with heavy formal responsibilities is to increase his distance

from the President, weakening their joint capacity to achieve such national security policy coherence as our system of government will allow. Thank you very much.

Dr. SNYDER. Thank you, Dr. Destler.

[The prepared statement of Dr. Destler can be found in the Appendix on page 51.]

Dr. SNYDER. You all may have figured out we are having a little clock problem. So Dr. Fenner is timing the five minutes and you are not getting that very helpful green and yellow. You are just getting the red flash at five minutes. That is what happened.

Dr. DESTLER. I am taking advantage of it. I am sorry.

Dr. SNYDER. No, you didn't. You actually both were about the exact same time. Mr. Oleszek.

STATEMENT OF WALTER OLESZEK, SENIOR SPECIALIST IN AMERICAN NATIONAL GOVERNMENT, CONGRESSIONAL RESEARCH SERVICE

Mr. OLESZEK. Thank you very much, Mr. Chairman, Mr. Ranking Member, distinguished committee colleagues. Let me say that I am here because—not that I am an expert on anything to do with the military or national security or—only a little bit probably on executive organization. I am here largely because since I arrived at CRS in 1968, I have been involved in practically every House and Senate legislative reform effort since that time. So what I want to focus on are the recommendations that have been put forward by the Project on National Security Reform. And to do that, I am going to concentrate principally on one of their major suggestions and that is to create a Permanent Select Committee on National Security. I will also comment on the other recommendations as well. And so I have posed three questions that obviously I am going to answer.

And since I made up the questions, I hope I can give you the right answers. But anyway, the first question is: Is the House committee structure organized in a fashion to promote integrated, coordinated interagency national security decisionmaking? And I suppose a short answer would be no. That would take some additional analysis and study. But the point I really want to emphasize is this: That the great strength of the Congress is that it is a decentralized structure. The fact that it functions through committees, subcommittees, informal task forces and other entities as well. This is the division of labor. This is the specialization system that the Congress has provided itself.

And it is also a way for constituents and special interest groups or anybody else to have access during the formative stages of the lawmaking process during the committee policymaking process. So there are tremendous advantages to having the dispersion of policymaking power spread around if you will. And now the question becomes if it is spread around too much. One of the deficiencies in the legislative branch would be the lack of what people would call integrative or coordinative capacities and there are a few committees that are able to do this.

One of those committees that take a big picture view if you would—it would be the Budget Committee, for example. Or another one might be the Rules Committee. But principally the integrative

force on Capitol Hill—are the party leaders. Particularly in the House, it is going to be the majority leadership, particularly the Speaker. They are the integrators that will control the centrifugal forces out there manifested by the committee system.

Now, the second question that I would pose is this: If the system is not organized for integrative coordinated activity in this realm, is a permanent select committee the proper approach? And the answer that I would provide is maybe, perhaps because that question is not answerable unless you know what is the authorizing responsibility of the Select Committee. Does it have legislative authority or not, the ability to receive and report legislation? What is its membership, what kind of support does it have? Now, we have had tremendously good examples of select committees that have performed this coordinative function, but generally there's a dilemma and I am going to cite one or two.

But the dilemma often in terms of crafting select committees, whether or not they have legislative jurisdiction or not, it raises the issue of turf. As all of you are familiar, better than I, turf is viewed as power on Capitol Hill. And when you create a select committee with legislative jurisdiction, then where is their mandate going to come from? Because all of the other standing committees are going to believe, well, that is potentially in my area, particularly when we are talking about interagency, national security issues. For example, just, you know, the 110th and now recreated in the 111th. But I will use the 110th, we all recall there is a Select Committee on Energy Independence and Global Warming chaired by Mr. Markey. That did not sit well when Mr. Dingell chaired the Energy and Commerce Committee in the 110th House. He was quoted pretty prominently and he used a phrase that caught the eye of a lot of folks that creating this Select Committee is useless, it is like having feathers on a fish. But nonetheless, it went forward and there were adjustments made, accommodations in the 110th to accommodate some of his concerns.

Now, a couple that were with legislative jurisdiction are recently examples that I can cite are quite successful. Quite useful potentially and that is the ad hoc—not the ad hoc, the Select Committee on Homeland Security in 2002 created by Speaker Hastert. Why was it created? To create one single mission, and that was to create a Department of Homeland Security. And this was a pure leadership committee, the chairman was the majority leader, Dick Armey. Dick Gephardt named as the ranking minority member and Nancy Pelosi and every other member on both the majority and minority side were party leaders. Marty Frost, the Chair of the Democratic Caucus; Tom Delay, the majority whip, right down the line. And their mission was to deal with one issue. And the way they were a terrific coordinative body was that all the other dozen roughly dozen standing committees had an opportunity to look at the segments of the Department of Homeland Security that fell within their jurisdiction and then they were all submitted back to the select Homeland Security Committee chaired by Chairman Armey. And they aggregated this information and then submitted the legislation to the floor. And obviously we have a Department of Homeland Security.

Once the Homeland Security Department was created, and this is not uncommon, sort of triggers a notion about what about our own committee system on the House side, the same thing occurred in the Senate as well. Do we need a standing committee to handle Homeland Security issues? And again another select committee was created in 2003 by Speaker Hastert, of course, subject to the vote of the House of Representatives. But he made plain in this membership of the Select Committee that—and it was filled with lots of committee chairs who were very protective of their turf, but he made a statement right after he was sworn in as speaker to all the members of the House, but this one sentence was targeted to the committee chairs you can be sure. It went something like this, that "your authorizing an oversight jurisdiction will be protected." And by golly, it was protected.

And when this committee was actually created, every—like 10 other standing committees, including Armed Services Committee in terms of the legislative history, had specified exactly what kind of control they had over Homeland Security matters. Three things are really important in terms of creating a select committee. One is the support of the leadership without question. You have to have, you know, broad support certainly of, you know, the membership and then also you have to have the involvement of the standing committees that will be affected by the creation of this select panel. One of the issues that caught my eye was the jurisdictional mandate of this committee, if it ever came into being. It is quite broad. They give you—there are several pages, in terms of issues that this committee ought to be considering. Their brief definition is national security is the capacity of the United States to defend, define and advance its position in a world that is being continuously shaped, reshaped by the turbulent forces of change. And then they also highlight the turbulent forces of change affect all of the national sources of power.

And what are all these national sources of power? It is quite broad to say the least. One of those things, sustain stewardship of sound economic policy. Energy security. Infrastructure, health, educational systems, et cetera. You go on to another page. And this caught my eye in terms of a grand strategy of how you mobilize all the sources of national power to accomplish your national goal. And it says it comprises these things, carefully coordinated and fully integrated use of all political, economic, military, cultural, social, moral, spiritual, and psychological power. That is quite a mandate.

But anyway, so those are just issues to be mindful of and I don't think anybody knows how many interagency groups are out there is another consideration. Are there other ways by which this might be handled? Yeah, there are a lot of other ways. I am not saying a select committee should not be created. All I am saying is, hey, there has to be a lot of negotiation before it is going to be successfully created. But there are other methods that are in place. And one would be perhaps as a model, the Select Oversight Panel that is composed of members of the Intelligence Committee and the Defense Appropriations Subcommittee. Sort of an ad hoc joining of the authorizing and appropriating responsibility. You could have specialized subcommittees created.

Even this committee might be reestablished in some way in the rules and by resolution as the forum to consider interagency national security issues. A multi-referral process could be artfully used by the Speaker. She has a power, not just Speaker Pelosi, but no Speaker has ever used this power that is embedded in the rules of the House, and that is to create an ad hoc oversight committee charged with obviously reviewed this kind of realm. Other methods as well. Committee composition, you had Congressman Smith, I was struck by the fact there were only a couple of committees where you deliberately have budget and intelligence, members drawn from other standing committees. And maybe that is an approach that ought to be tried on other standing committees as well. So you get this interagency national security concept, you know, the integration idea perhaps more prominently placed in the policymaking process there are others that I mentioned, but just quickly to wrap up, there is also the recommendation to consolidate all oversight within—of the Department of Homeland Security in the Committee on Homeland Security.

The House took a major step in that direction in the 111th Congress when it passed House rules that granted the Committee on Homeland Security what is called special oversight. And special oversight is akin to the broad investigative power granted to the Governmental Affairs Oversight Government Reform Committee that was established by the 1946 Legislative Reorganization Act. So they have broad authority to oversee the Department of Homeland Security. The point is even if areas are within the jurisdiction of other standing committees, special oversight gives the committee the authority the right to review agencies and programs that fall within other standing committees.

I should also mention that you are never going to consolidate and maybe you never should consolidate all oversight over any activity within a single committee. I think it is helpful to have a diversity of points of view. There is always the concern that people raise about committees being captured by, you know, the agencies or departments that they are overseeing. So I think there are tremendous advantages of having a large number of committees that oversee any particular department, particularly one so broad as the Department of Homeland Security. Another—they also recommended a consolidation of appropriations for Homeland Security and one appropriation, Homeland Security subcommittee chaired by, as we know, David Price today. And the two issues there are again turf. You have other appropriations committees, subcommittees that handle it. And also the bicameral factor. They like to have parallel subcommittee structures, House and Senate. So that is another consideration. And lastly, empowering the Foreign Affairs Committee. In my estimation, when I reviewed the three that they mentioned, I don't see how it empowers the Foreign Affairs Committee at all.

One of the recommendations is to amend the budget allocation 302(a), so that you have an interagency national security function I believe. Well, these budget functions are for informational purposes only. There is no parliamentary way to enforce them. Second, they talk about firewalls. Don't transfer money out of international accounts or defense accounts into domestic accounts. But again

they deal with—that is appropriation firewalls, not dealing with authorization legislation. And then a supermajority requirement to waive the rule that says authorizations are supposed to be enacted into law. They mention consideration. But they have to be enacted into law under House rules. Specify what supermajority, 60, two-thirds, and I believe all that does is empower a minority. It doesn't empower the Foreign Affairs Committee at all. And it often—the Foreign Affairs Committee will go to the Rules Committee to get a waiver of the rule against legislation on appropriation bills because there is a variety of reasons why you can't get a foreign aid or State Department authorization bill enacted in a timely way. And that is I guess really all I want to say.

Dr. SNYDER. Thank you.

[The prepared statement of Mr. Oleszek can be found in the Appendix on page 54.]

Dr. SNYDER. Mr. Wittman and I always put ourselves on the five minute clock and so we will begin. I think we are going to have votes sometime between 2:00 and 2:15. But I think we have time to do at least one round of questions. Mr. Oleszek, I think I will ask you the first question. I think you can respond just yes or no if you like. One of the things that the report says is that it needs to be adopted in its entirety, all the recommendations adopted in its entirety. Do you think the chances are pretty good of that happening?

Mr. OLESZEK. I should say as a part-time academic, I am programmed to speak in 60 minutes clip, no.

Dr. SNYDER. I was actually surprised. I mean, I know people that have worked on it, but there is almost a certain naïveté about it that says you are going to adopt everything about the Congress, the Administration. I wasn't sure quite why they decided to make that point. Dr. Krepinevich, I wanted you to, if you would, tell me what you think about the changes that have already been made in President Obama's administration with regard to the National Security Advisor, the National Security Council, how you see that is different from the President Bush Administration, where you see that fitting into what you were recommending with regard to President Eisenhower?

Dr. KREPINEVICH. Well, referring to what my colleague, Dr. Destler said, I think people matter and thinking matters. And obviously, if President Obama is not inclined to an Eisenhower-like national security staff structure, it is going to fail. And there is no system that if you put it into place can survive the unwillingness of a leadership to employ that system. There is always potential for the President to find workarounds for a system that he or she doesn't want. Having said that, as long as we are using the Kennedy analogy, you can have a very bright, energetic, charismatic President, as President Kennedy was, and as many people certainly believe President Obama is. But I also recall that President Kennedy's system, in part, also contributed to during the first 18 months or so of his administration to—you know, we had a series of crises, whether it was the Bay of Pigs, the Vienna Summit, the Berlin Wall, the Cuban Missile Crisis.

When you look long-term, we had the sort of stumbling along in places like Vietnam. So there is, I think, a decision for a President

to make that if I want to be serious about strategy, these are some of the things I have to do. And it doesn't have to a carbon copy of the Eisenhower structure, but it does have to be the persistent, active involvement of the President in this kind of a process. And certainly, we don't have that right now and I am struck by the fact that people who typically are very bright and who are very self-disciplined, and I think those are both qualities that the President has, are capable of—and who can exercise self-discipline can do some remarkable things. If you look, for example, at the history of our first President, George Washington, particularly during the Revolutionary War, his whole personality told him that he should engage the British in battle after getting his clock cleaned a few times, he exercised an incredible amount of self-discipline and only sought battle on those most—occasions most advantageous to him.

Again, you would hope that we wouldn't have to learn the hard way, that this administration wouldn't have to learn the hard way. But the structure we have set up now, it seems to me, doesn't really bring together the kinds of talent and the organization and the level of persistent commitment that was characteristic of the Eisenhower Administration.

Dr. SNYDER. Excuse me. What do you think, then, of the changes that have been made thus far? There has been a couple of directives that have come from the President about changes to the National Security Council.

Dr. KREPINEVICH. I think there is an effort to look at problems in a more comprehensive holistic way, which I think can be a good thing. I am concerned about the fact that—I talked to—this was in a public setting—Brent Scowcroft about this. He was concerned about the growth in the National Security Council staff and I share that concern. The fact that it should not be a substitute for department and agency performance. It should help bring issues to the attention of the President, present them in a very logical, coherent way for his or her decision. And it should help ensure that the President's decisions are executed faithfully. And I am concerned about the fact that, again, there seems to be a certain amount of effort here to try and make up for the deficiencies in the departments and agencies in terms of execution and in their performance in identifying if there is any issues to the President.

Dr. SNYDER. Dr. Krepinevich, where do you see the issue that—we have been having the discussion the last couple of years about the whole issue of interagency and interagency reform which the Locher Report is talking about. In your construct, where you put a priority on strategy, I thought your discussion was very good. Where do you see—where does the—the issue of interagency—the need for interagency reforms, the disconnect from the difference agencies, where do you see that fit into your construct on strategy and means and resources?

Dr. KREPINEVICH. One of the interesting aspects of the so-called Planning Board on the NSC staff on the Eisenhower administration, was again you had this persistent attention but they also had the ability to go outside the organization and tap into expertise. And I think here you might have the—you have the potential for organizing certain interdepartmental groups that focus on a particular issue as long as it is relevant and that is sort of a group—

I will give you a historical example of one that was formed during the Kennedy, counterinsurgency and that was designed to bring together various elements of the government because as we know, counterinsurgency involved not only security but reconstruction and governance and intelligence and so on. And the effort there was to raise that to the presidential attention.

It was worthy of presidential attention. And in that case, you had no planning board. You had Maxwell Taylor and Bobby Kennedy essentially reporting directly to the President on what kind of progress they thought they were making. It was more ad hoc. It was less rigorous than something that would be incorporated into a planning board. But I would see that as being something that could prove productive in this current environment.

Dr. SNYDER. Dr. Destler.

Dr. DESTLER. Could I suggest you put on the table an alternative model to Eisenhower's? And that is the way the policy process was run under the first President Bush, George H.W. Bush, which you had Brent Scowcroft as the ultimately trusted, capable low-profile national security assistant who essentially was the glue that held together a policy process at the principals level, at the deputies level, and below. It was a good, constructive, positive interagency process. It was not an elaborate planning system. They were being hit with changes and they had to adapt to them. But they did some very far-sighted things, as in making the unification of Germany on terms that were not only acceptable to Britain and France, which was difficult enough, but actually making it acceptable to Russia in a situation—and they did this very carefully but through a set of informal relationships that were carefully nurtured by Scowcroft, whose principle was you spend the first year on the job establishing trust most of all with the President, but with everybody else as well.

It was an informal system, but it was very effective. I believe that is probably about the best that we can do in terms of high-level coordination. Now, I mean there were other—you could invent a Brent Scowcroft with even greater skills in some areas. You could—you could tweak it in different ways. You could say you could add maybe more budgetary analysis. But I think basically what you need to do is look for a person who can work with the President and develop informal networks and they are supported also.

There is a formal structure too. My colleague mentioned all the meetings that Eisenhower had of the National Security Council. There is something of over 300 I think during the eight years of the Eisenhower administration. I am not sure there were that many in the entire 50 years or so—other years—50—other years of the—and that suggests that most Presidents have not found that formal deliberative process very useful. They may be wrong. But they are the ones who make the calls. So I think building on what the Presidents want, you still need to try to develop something. And you still need to try to constrain the President, but you can only do it if you have his confidence and you serve him effectively.

Dr. SNYDER. My time has expired. We will now go to members who were here at the beginning of the hearing when the gavel went down. And we go to Mrs. Davis for five minutes.

Mrs. DAVIS. Thank you, Mr. Chairman. Thank you to all of you for being here. I marvel a little bit in the fact that in my short time here in Congress, we seem to have really gained at least some understanding and consciousness of the need to do this, which quite a few years ago we didn't really have—certainly as a committee or here. Dr. Krepinevich, you mentioned your skepticism, I think, about the willingness of departments and agencies to reward personnel who choose to invest in interagency expertise. If we don't do that, where do we look for that kind of change in management and behavior? How do you—could you respond to that?

Dr. KREPINEVICH. My expertise is primarily associated with the Defense Department. So I will give you an example about something that I know. In the Goldwater-Nichols legislation in 1986, something called the JROC, the Joint Requirements Oversight Council, was established in the Defense Department. And the idea was that you would have the number-two person in each of the four military services meet along with the Vice Chairman of the Joint Chiefs, and they would make decisions that would be in the best interest of the Defense Department and support national security. The idea was that you would create trade space, that this body of five would identify what the Department requirements were as opposed to their individual service requirements. And in so doing, it would liberate resources to be moved from one area to another.

That just hasn't happened in, what, 23 years now. You are the Vice Chief of Staff of the Army. You go back to the Army and if you have lost or you have lost resources to the Air Force and the Navy, you go home and you have lost the game. I mean, you should be ashamed of yourself. We have had all different kinds of people in the environment and they are all good men. But they all come from institutions and they all know where they come from.

The way to break that logjam I think is you have to have a senior civilian leader in the form of the Secretary of Defense who is willing to force that body to work, to say, "Look, if you don't come up with the answers for me, then I am going to make decisions based on my best understanding. I have two internal think tanks, I have the Office of Net Assessment that does strategy for me, I have the Office of Program Analysis and Evaluation that can do tradeoffs for me. And if the professional military can't give me any help, if all you are going to do is protect your rice bowls, then I am going to make decisions based on the best information I have." And that, I think, offers you the best chance of getting a healthy competition going to where you can get senior people to live outside their particular service or institution. That, again, is a fairly narrow example.

Mrs. DAVIS. If I could just interrupt for a second. Because in many ways, that seems premised on the belief that you have on deep benchers on all sides, that you have got people to fill in, to cross-train, to do a certain amount of work out of their own specialty. And I think one of the problems that we see and I hope that in the discussion we will look at the budgets. And the report talks about the interactive budgets and integrated budgets. I am sorry. I think what we find so frustrating is in many of our discussions we know that there is such an imbalance between the needs of

State Department for example, and the Pentagon and that you just don't have the people to play those roles.

Dr. KREPINEVICH. But again let me sort of make the case for strategy. What is our strategy for dealing with an increasingly disordered world that is characterized by radical Muslim fundamentalists, transnational criminal gangs, narcotics gangs. I would submit that there are four that I have heard in my travels around Washington. One is the "no more Iraqs, no more Afghanistans." This current experience is a one off, we are not going to do this anymore, the military needs to get out of this business. Just like after Vietnam we will take a 30-year break. And I have had generals tell me that.

Second is the strategy that sort of came out of the 2006 QDR, which is the indirect approach building partner capacity. We are not going to get directly involved anymore, we are going do build up the militaries of other countries so they can defend themselves. Secretary Gates in his recent Foreign Affairs article talking about a balanced defense seemed to indicate that it was that, plus the ability to surge if a country that was truly vital to our security was coming unraveled.

And then there is the fourth option that says we are going to have a strategy where we conclude that we can't get the rest of the world to help, we can't get our allies to help, we are going to have to take the lead, we are going to have to police democracy's empire, we just need to face up to that fact.

Depending upon what strategy you pursue, it has profound implications for the military services, their size, their orientation, who gets what. And so I guess my plea here today is strategy really does matter, and strategy is hard to do. But you ignore it at your peril, you ignore it at the risk of compromising the nation's security, the survival and well-being of its citizens.

Mrs. DAVIS. Thank you. I can go on, Mr. Chairman, but I suspect my time is up, even though the lights are not on.

Dr. SNYDER. Dr. Fenner just was contemplating what the content was and lost track of time.

Mr. Wittman for five minutes.

Mr. WITTMAN. Thank you members of the panel. I appreciate you coming here. Some interesting dichotomy there in thoughts about this particular study. Dr. Krepinevich, you pointed out really focusing on crafting good strategies and you talk about using the Eisenhower NSC model, including planning and operation coordination boards.

Is that something that you think can be effective in the long run from administration to administration? And the reason I say that is if you get a new administration is that something you would say needs to transcend administrations? And in addition to that, what do you think on the congressional side should happen to make decisionmaking there more effective, more efficient?

Dr. KREPINEVICH. Well, let me preface by just voicing my agreement with Dr. Destler's point that people matter here. You can't force a particular system on a President. They will find a way to work around it. They can have any kind of ad hoc group they want, no matter what you call the formal group, and they each have their own decisionmaking styles.

Having said that, my observation is if you want to craft good strategy you need to know that it involves the persistent, active involvement of the President of the United States, that he does not have time to craft strategy himself, which is why something like the Planning Board where you have in a sense an interdepartmental group of strategists working hard trying to identify issues, sources of advantage and so on. You have frequent meetings of the key players, the National Security Council. It doesn't have to be the statutory, it can be just the relevant players for that issue. And you have to have some way of enforcing decisions, which was the Operations Coordinating Board. And you have to have a President who is willing to fire people, and I think that is one of the endearing, if I could say, aspects of Secretary Gates. He will not put up with people who aren't doing their jobs. And again, you have got to enforce some level of rigor, and even then it is going to be difficult.

But that is my message to an administration that is interested in crafting good strategy and trying to get it executed. I think Congress has the oversight role; to what extent is the Administration crafting strategy, does the strategy make sense? I think there is certainly limitations on that. Several years ago Chairman Hunter essentially tried to take on that mission, at least in terms of the Defense Department, and get the committee to look at various aspects of a Quadrennial Defense Review from Congress' position as a way of being an informed B team, if you will, or red team for what the Pentagon was doing.

I participated in the National Defense Panel in 1997. I think that is another way that Congress—you know, an independent body of experts focusing, sort of strategy experts, if you will, sort of Congress' planning board, that can at least evaluate and assess and provide Congress with an independent view of how good the administration strategy is, may be another possibility.

Mr. WITTMAN. Thank you. Dr. Destler, in your opinion has the National Security Advisor become a policymaker or an implementer instead of a policy advisor to the President? And to add to that, if the National Security Advisor conducts national security policy, should the appointment require Senate confirmation and allow for the person to be subject to testify to congressional committees?

Dr. DESTLER. That is a very, very good and important question, Congressman. First of all, I hate to say it depends on which National Security Advisor, and it is too early to tell about the present one. I would say that most recent National Security Advisors have not been implementers, have not been negotiators. Some, like Condoleezza Rice, have been very prominent public spokespeople for the administration. Certainly Henry Kissinger did everything when he worked for Nixon. He was a negotiator. He was actually not the spokesman until very near the end of the first term. People don't remember that because he spoke so much after that. But nevertheless the National Security Advisor is a very—I would argue that in principle I do not believe the National Security Advisor should be confirmed by the Senate, because I think that would lead to the National Security Advisor in practice being an alternative official public spokesman. And this would create real problems, real

tensions with the Cabinet officials, particularly the Secretary of State but also the Secretary of Defense.

However, I would say that to the degree that the National Security Advisor in fact becomes, say, the principal negotiator, or becomes the most important and visibly important policy voice, short of the President, I think Congress will quite understandably seek to have this person confirmed because Congress naturally wants to talk to the person, the people who are really making the decisions.

So I would say I would combine my cautionary recommendation about confirmation with the caution to the National Security Advisor; don't get out too much in public, don't—you know, if you give an address to the President make it confidential, don't go telling the press that you are the one who really made the decision. Play the role quietly, give credit to others, and talk to Members of Congress, but not necessarily testify, and be straight and helpful to Members of Congress.

Dr. SNYDER. Ms. Pingree for five minutes.

Ms. PINGREE. Thank you, Mr. Chair. And thank you very much for your presentation. As you can see by my placement in the room, I am one of the newest members in this committee, and so I am actually here to learn as much as to ask you questions. But let me just ask you one thing that any one of you I am happy to hear from on this. And I think one of you mentioned this idea that once we run out of money then we have to think. And given the suggestions that have been made here in what you have already said to us and what is written in the very thick document that you have in front of you, how do some of these suggested changes have an impact on our refocusing of national defense spending? I mean clearly for many of us coming in in these difficult economic times that is one of the challenges. And given the responsibilities we have on our plate, and also the interest in shifting some of the way we think about our defense priorities, how do you see some of this having an impact on that and other suggestions you might make in that kind of realm?

Dr. DESTLER. That is a wonderful question. Let me just respond very briefly. I think Secretary Gates has been one who has said that because the Defense Department has a bigger budget and has certain capacities, that the Defense Department has been asked to carry certain activities which would be better off being carried by other parts of the government, particularly the State Department. And certainly the whole complicated question of postwar stabilization has been one of those areas.

So I think one of the issues is, which is important both in terms of congressional decisionmaking in terms of Administration decisionmaking, Administration planning, is how can one at least incrementally figure out a way to empower institutions, particularly the elements of the State Department, but other operational institutions outside the Pentagon, so that they both can get resources from Congress on a consistent basis for carrying out very strong civilian operational responsibilities and also are capable of doing that in a way that will satisfy you.

I think that is the right question, and I think it probably it is going to have to be dealt with incrementally. Hopefully Secretary

Clinton—I believe she is thinking about this, and hopefully will work on this issue.

Dr. KREPINEVICH. If I could be permitted to use my strategy example. Suppose we pick, let us call it, the "Gates Strategy" in respect to dealing with a disordered world. And it is going to be an indirect approach, it is going to be building partner capacity, but we reserve the right to surge military capability into an area that is threatened. In that case you are going to be heavily engaged in efforts in terms of economic assistance, in terms of assisting states that are weak states with their governance, which means you are going to have to devote more money perhaps to the United States Agency for International Development (USAID), you are going to have to shift funding into the State Department to train more Foreign Service Officers and others that can come in and help nations improve their governance.

You may reduce the size of the Army eventually because, again, if the Army is not going to be sort of the first source of response to these kinds of situations but they are going to train indigenous forces, advise them, then they provide large amounts of manpower. We provide very high quality manpower but in very small doses. So that strategy over the longer term could lead you to, again, increase your resources for organizations like USAID, State Department, probably the Intelligence Community, although shift that money within the Intelligence Community from more national technical means of gathering intelligence to human intelligence, and then perhaps a reduction in the size of the Army because they wouldn't be sort of the first and only response you would have to a crisis situation.

And again, that is drawn upon the results of an effort to come up, okay, what strategy makes sense. In this case, you recall I talked about strategy involves identifying and exploiting sources of advantage. Theoretically you would be exploiting two sources of advantage. One is high quality manpower in terms of advising, equipping, training, improving governance. The other is the scale of effort, assuming we right our economy, and so on, and strengthen the foundation. We have the ability to provide assistance on a greater scale than just about any other country in the world. And so for small countries it seems like a huge amount of funding. And of course we have a history, sometimes good, the Marshall Plan, sometimes bad, Alliance for Progress, in terms of success here.

Dr. SNYDER. Mr. Thornberry for five minutes.

Mr. THORNBERRY. Thank you, Mr. Chairman. I appreciate you and Mr. Wittman allowing me to sit in, and I have not had a chance to read Dr. Destler's book. I have read about it. I have had the chance to read Dr. Krepinevich's recent book on the importance of one of the things about it, importance of strategic planning, which makes a very persuasive case for me.

I guess I would like to step back from the questions you have had so far and ask: do you think we need to make significant organizational changes? I think a lot of the impetus for this report came from maybe two things. One is the world is more interconnected than ever, so we cannot be effective and have military over here and diplomacy over here and economic assistance over here, and so forth. But secondly, there is a feeling that the military

had to do everything in Iraq and Afghanistan, that the other departments never showed up. And while individuals did amazing things on the ground, that the bureaucracies were in their stovepipe worried about turf and their budget.

So I think that is a lot of what got us here. And I appreciate the issues you all have brought up with this particular report, but do you think we need to have a significant organizational change or can it be adjusted according to a President's preferences and we can kind of get along?

Dr. Krepinevich.

Dr. KREPINEVICH. Again, if I have to vote, I would vote in favor of the argument that people matter. It matters who the President of the United States is. It matters whether that person is willing to devote persistent time and attention to crafting good strategies, and quite frankly being ruthless in implementing them in terms of dealing with recalcitrant or reluctant elements of the bureaucracy. I think thinking matters. I am a big fan of thinking relative to process. And not to say that structure isn't important and process isn't important, but again I honestly believe that there is a shortfall in terms of strategic thinking, strategic competence. And that is one thing I think that the project really did hit very well.

The notion that the world is more complicated, okay, the world is more complicated. Marshall Plan, late 1940s. I mean that was a confluence of a number of factors. There were economic factors, there were security factors, there were intelligence issues that needed to be brought to bear, diplomacy on a very high level, the Suez Crisis in 1956, Soviets threatening to launch nuclear rockets on Paris and London, Eisenhower using U.S. economic leverage to get the British to pull out of Suez, and then the conflict, diplomacy to wrap things up, trying to pull improve the U.S. position in that part of the world.

The world has been a messy place for a very long time, and it is typically, not typically, but often the case that there is an interweaving. Kennedy Special Group (Counter-Insurgency). You know, CIA, State, USAID. In a sense we have been to this movie before. And so while I always believe that we can improve structure and process, I think what really matters is people, as my colleague Dr. Destler says, and thinking. Coming up with a good strategy. I would rather have a mediocre execution of a great strategy than a great execution of a mediocre strategy.

Dr. DESTLER. One of the ways you can I think think about people, but also think about sort of structuring, at least process, is you need to have people at various levels of the system who know who are the relevant players in the government on a particular issue and can have empowerment to pull them together. It will be partly what agencies they are from and what briefs they have, it will be partly who is good, who is capable of moving things and getting the process to work. And I think that probably has to be done more in an informal than a formal way, but nevertheless it is going to have like a Principals Committee structure in the NSC and a Deputies Committee structure and some regional groups at a level below that. But they sort of ought to be—and I think that is one of the good things about this report, is they do talk about flexible empowering of interagency groups and trying very much to push the re-

sponsibility down in a way that people in the agencies can not only participate and influence it, but influence it in the name of the broader purpose, rather than simply.

So I think one needs to look for devices like that. But I can't think of an organizational reform that would promote, you know in terms of a structural change, that would do anything other than at the margins, little things like the State Department created an Office of Reconstruction around the middle of the Bush Administration. And I think this was a constructive enterprise. People said, well, is the State Department powerful enough to do this? Maybe, maybe not. Were they able to get interagency cooperation? Well, a little bit.

So I think you need to look for ways to make those things better. But I think some things like that probably are worth doing and hopefully helpful.

Mr. THORNBERRY. Thank you. Thank you, Mr. Chairman.

Dr. SNYDER. We have votes going on. And I think given that we have votes and we have been here about an hour and a half, I don't think we will keep you all sitting here.

Do you have anything further you would like to ask, Mr. Wittman?

Mr. WITTMAN. No.

Dr. SNYDER. Mrs. Davis.

Mrs. DAVIS. No.

Dr. SNYDER. Ms. Pingree.

Ms. PINGREE. No.

Dr. SNYDER. Members may have questions for the record. And let me just extend to you the offer that if you all have anything written that you would like to have attached to this, except this is a question for the record, to send us anything that you would like to add on.

We appreciate your contribution today, but also all three of your contributions through a lot of years to these kinds of discussions, and we appreciate you.

We are adjourned.

[Whereupon, at 2:25 p.m., the subcommittee was adjourned.]

A P P E N D I X

March 19, 2009

PREPARED STATEMENTS SUBMITTED FOR THE RECORD

MARCH 19, 2009

Opening Statement of
Chairman Dr. Vic Snyder
Subcommittee on Oversight and Investigations

Hearing on "The Project on National Security Reform: Commentary and Alternative Views"

March 19, 2009

The hearing will come to order.

Good afternoon, and welcome to the Subcommittee on Oversight and Investigations' hearing on the Project on National Security Reform, better known as the Locher Project, after its Executive Director.

I wanted to hold this hearing because of the Subcommittee's continuing interest in interagency issues. As we've heard Secretary Gates and others say over and over again, our national strategy and the wars in Iraq and Afghanistan require "whole of government approaches." However, the question remains, how exactly do we do that?

Some people do not think we need reform of structures, but simply better leadership. Others believe we have good people who are working hard, but our current structures and processes, largely built in 1947 to win the Cold War, do not serve us well now. And these structures and process certainly won't serve us well in the future as we face more numerous and complex challenges.

An independent review on this subject was required by the Armed Services Committees. The two year Project we're talking about today was funded by both government funds, including some from the Defense Department, and private funds. The full study is over 700 pages long and includes a history of the National Security Council and about 100 case studies that seek to identify problem areas.

More than 300 people participated in this study in one form or another including retired General Jim Jones, our current National Security Advisor, and retired Admiral Denny Blair, our current Director of National Intelligence. Their report was delivered to President Bush and the Congress in December.

The Project on National Security Reform focuses on how the National Security Council, the Departments and Agencies, and the Congress contend with national security issues. We can all probably acknowledge that there is a gap between the NSC and the Departments. We could call this gap the interagency space where true "whole of government" action might best be achieved. However, right now there is no structure at the interagency level that ensures integration of all of the tools of national power. The authors of the PNSR Report propose strengthening the National Security Advisor (to be called the Director for National Security) and the National Security Council (to be called the President's Security Council) to fill the gap. This will have certain implications for the rest of our national security system so I hope our witnesses can help us sort some of these implications.

In this report, the "Guiding Coalition" of national security professionals and thinkers have tried to make a case for urgent and broad reforms. They argue that all their recommendations should be taken as a whole. Some of these include:

- Creating a new Director for National Security;
- Instituting a QDR like interagency National Security Review;
- Decentralizing management of national security issues by creating interagency teams and task forces;
- Establishing a President's Security Council (PSC) to replace the National and Homeland Security Councils;
- Creating an integrated national security budget;
- Developing an interagency National Security Professional Corps;

and

- Establishing House and Senate committees on national security, and strengthening the Foreign Relations and Affairs Committees.

Our panel of witnesses consists of:

- **Dr. Andy Krepinevich**
  President
  Center for Strategic and Budgetary Analysis

- **Dr. "Mac" Destler**
  Director of the Program on International Security and Economic Policy
  School of Public Policy, University of Maryland

- **Mr. Walter Oleszek**
  Senior Specialist
  Congressional Research Service

I'd also like to acknowledge a guest we have today, Claude Bachand, a Member of the Canadian Parliament representing the Bloc Québécois.

Welcome to all of you and thank you for being here. After Mr. Wittman's opening remarks, I'll turn to each of you for a brief opening statement. I ask that you keep your oral statements to 5 minutes. Your entire prepared statements will be made part of the record.

On an administrative note, we will use our customary five-minute rule today for questioning, proceeding by seniority and arrival time.

With that, let me turn it over to our ranking member, Mr. Wittman, for any comments he would like to make.

Statement of Ranking Member Rob Wittman
Subcommittee on Oversight and Investigations
House Armed Services Committee

Hearing on Project on National Security Reform

March 19, 2009

Thank you, Chairman Snyder, and good afternoon to our witnesses – we appreciate your being here today.

The subject of today's hearing is indeed a very serious matter. Since the dawn of the 21st century, the United States has faced an ever shifting, complex international environment. Ideally, we would have an agile national security structure able to respond to the challenges as needed, but we do not. After all, the military services, via the jointness dictated by the Goldwater Nichols legislation, is able to task organize to meet almost any mission. But the greater bureaucracy of the executive and legislative branches of the federal government have rigid, unyielding structures and processes that struggle to organize coherent, effective responses to national and international crises.

This weakness has been widely recognized and studied, particularly after the intelligence failures of September 11, 2001. One outcome of that tragedy was the Intelligence Reform Act of 2004, which reorganized and better integrated the intelligence community. Otherwise, the executive branch and Congressional committee structures were left intact. To be fair, designing the best system to reorganize the National Security Council and half the cabinet departments is no easy matter.

The Project on National Security Reform has reviewed the interagency coordination problem in a thoughtful, logical manner that makes a series of recommendations for the organization of both the national security apparatus and the Congress. While we cannot single handedly make these changes, we do have a responsibility to start the dialogue. Our witnesses were not part of the PNSR effort and are well placed to provide an impartial view of this study.

I am grateful to have such distinguished witnesses before us to comment on PNSR's work and look forward to their testimony.

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TESTIMONY

The Project on National Security Reform: Challenges and Requirements

Testimony Before the

U.S. House of Representatives

House Committee on Armed Services

Subcommittee on Oversight and Investigation

Andrew F. Krepinevich
President
Center for Strategic and Budgetary Assessments

March 19, 2009

Introduction

Thank you, Mr. Chairman, for the opportunity to appear before you today, and to share my views on the Project on National Security Reform (PNSR). As we begin a new administration, we are sobered by the security challenges that have emerged in recent years: the attacks of 9/11; the deployment of U.S. troops to Iraq and Afghanistan; the erosion of barriers to nuclear proliferation; and the rapid rise of China and resurgence of Russia. Not surprisingly, there is considerable interest in what organizational changes the new administration might make in order to better meet these challenges. However, before undertaking such an enterprise, the new administration would be wise to craft a sound national security strategy to guide and inform any executive branch reorganization. Anything less would be putting the cart before the horse.

My testimony is intended to provide a context within which one might evaluate the Project's recommendations, rather than a detailed assessment of the project itself. Accordingly, following some brief observations on the Project's recommendations, my testimony centers on what I consider to be the root problem: our loss of competence in crafting good national security strategy. I will then suggest some modest steps to address the problem.

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First, let me applaud the effort of those involved in the Project on National Security Reform. Many very talented people have devoted considerable time to this project, and their efforts have yielded many valuable insights and recommendations. The range and depth of their efforts are most impressive. They have rendered an important service to the nation.

The Project's report, *Forging a New Shield*, is also remarkably (and admirably) candid in identifying several key assumptions regarding conditions that must be present for its recommendations to have their intended effect. It appears that several of these assumptions are likely to prove invalid. One is that "the recommendations made by the PNSR are adopted and implemented as a complete set." The authors believe that if this does not occur, then "the system will not function as intended."[1] But the number and range of recommendations make simultaneous adoption and implementation a practical impossibility. Indeed, the long history of distinguished panels and commissions suggests this is unlikely to occur. Another problematic assumption concerns the ability of "teams that are management and personnel intensive [to] make decisions quickly."[2] To the contrary, experience shows that groups have a tendency to make decisions slowly and often tend toward consensus (or "satisficing") rather than arriving at the optimum choice. It is also assumed that "departments and agencies will reward personnel who choose to invest in interagency expertise." Again, experience shows that individuals who fail to represent their "home" organization's interests risk becoming alienated from that

[1] Project on National Security Reform, *Forging a New Sword* (Arlington, VA: November 26, 2008), p. 524.

[2] Indeed, the PNSR notes that "It will also be common for interagency teams, sometimes challenging one another, and sometimes challenged by Cabinet departments, to appeal conflicts for resolution by higher authority." One presumes the "higher authority" here is the president, since the issue will have risen above cabinet level. Thus it is not clear that the interagency teams will do more than replicate the current debates that occur between departments and agencies and that, at times, must be adjudicated by the president. Project on National Security Reform, *Forging a New Sword* (Arlington, VA: November 26, 2008), p. 515.

organization. Still another assumption is that interagency "teams can direct the activities of departments and agencies."[3] Yet it is far from clear that such teams can overcome entrenched bureaucracies.

The PNSR's recommendations are rooted in its assessment of the environment. While I generally agree with much of the Project's diagnosis of the situation, there are some areas where its assessment is, in my opinion, overly dire. For example, the PNSR also argues that the problems we confront today are fundamentally different from those we confronted during the Cold War, an era during which we relied on the national security organizations put into place by the National Security Act of 1947. While I agree that the world has changed in many ways since then, I also believe the PNSR overstates the case in several important ways.

For example, the PNSR asserts that the environment we face today is far more challenging and complex than that of the Cold War era. To make the point, it cites Secretary of Defense Robert Gates' remarks:

> I recall Henry Kissinger in 1970. There had been the Syrian invasion of Jordan. I think something was going on in Lebanon. And we had discovered the Soviets were building a submarine base in Cuba. I always thought Kissinger managing two or three crises at the same time was an act of legerdemain. I tell you: that was amateur night compared to the world today.[4]

What Secretary Gates failed to mention, however, is that at that time:

- The United States had suffered over 40,000 combat deaths in Vietnam—roughly *ten times* the number suffered to date in both Afghanistan and Iraq—triggering an ongoing series of large-scale demonstrations in the United States;
- The United States had invaded Cambodia, setting off mass domestic protests in the United States (to include the Kent State incident);
- Soviet pilots were flying combat missions over the Suez Canal as part of an undeclared War of Attrition with Israel; and

[3] Project on National Security Reform, *Forging a New Sword* (Arlington, VA: November 26, 2008), pp. 525-26. The report asserts that departments and agencies "will cooperate willingly with the teams, much the way the military services now are eager to contribute to combatant commanders conducting priority missions." This assertion fails in the face of evidence to the contrary. To a significant extent, commanders such as General David Petraeus have succeeded in their important missions *in spite of* the Joint Chiefs of Staff. Indeed, the Goldwater-Nichols reforms of 1986 accord field commanders and the military Service chiefs different priorities, with the former charged with accomplishing their mission (i.e., defeating the enemy), while the latter are charged with preserving their institution (i.e., not "breaking" the Army). These objectives can often be incompatible. For example, the Surge proposed by Gen. Petraeus to defeat the enemy in Iraq risked "breaking" the Army through its deployment of Army forces far in excess of what the Service set as an acceptable rotation rate.

[4] Robert Gates, interview with John Barry, "That Was Amateur Night," Newsweek, October 25, 2008. Cited in Project on National Security Reform, *Forging a New Sword*, p. 496.

- The Soviet Union was engaged in a massive nuclear arms buildup—unconstrained by any arms control agreements—that posed a direct, existential threat to the survival of the United States and its allies.

I daresay that despite the challenges confronting us today, few would gladly trade them for the situation we confronted nearly forty years ago. As the PNSR admits, "no single challenge rises to the level of the Cold War's potential "doomsday" scenario . . . ."[5]

If the challenges we confront are not fundamentally more severe, are they fundamentally different? If so, this alone could establish the need for major reform of our national security structure.

The challenges we confront today are quite different in form from those we confronted during the Cold War, and greater in scale from those we confronted during the decade following the Cold War's end. The rise of radical Islamism and other transnational threats (e.g., drug cartels) and their growing access to highly destructive capabilities, the proliferation of nuclear weapons (and other weapons of mass destruction) to states in the developing world, the rise of China, and global warming are different in many ways from past challenges.

Drawing upon this, the PNSR makes the case that:

> It is clear, then, that most major challenges can no longer be met successfully by traditional Cold War approaches. We cannot prevent the failure of a state or mitigate the effects of climate change with conventional military forces or nuclear weapons. The national security challenges inherent in a widespread international financial contagion or a major pandemic do not lend themselves to resolution through the use of air power or special operations forces.[6]

In a report that is remarkable in so many respects, this statement stands out as somewhat disingenuous. Military forces could not address any of these types of challenges during the Cold War either, although they did, in a number of cases, prove essential to preventing a state from becoming a failed state or succumbing to subversion.[7] During the Cold War the United States employed other instruments of national power, depending upon the situation. Economic power was crucial to the success of the Marshall Plan, and economic coercion helped bring about an end to the Suez Crisis of 1956. Major development programs, like the Kennedy administration's Alliance for Progress, were initiated. Diplomatic power was employed to create the most formidable network of alliances the world has ever seen. During this period we witnessed a series of influenza outbreaks, such as the Asian Flu and Hong Kong Flu, that killed tens of thousands. Alas, we were not prepared then, nor are we now, for the kind of pandemic influenza (the "Spanish Flu") that killed millions at the end of World War I.

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[5] Project on National Security Reform, *Forging a New Sword*, p. v.

[6] Ibid, p. vi.

[7] Examples where the U.S. military was instrumental in preventing state failure or combating subversion are Greece (late 1940s); the Philippines (early 1950s); the Dominican Republic (1965); and Bolivia (1960s).

To respond effectively to these challenges, employing our full range of national capabilities, the PNSR contends that "in the case of the national security system, teams could be created to confront challenges such as nuclear proliferation in the Middle East or Northeast Asia, extremist Islamic terrorism, Colombian drug trafficking, energy security, global warming, etc."[8] However, teams such as these *were created* during the Cold War period to address challenges that cut across departments and agencies. One of the most notable of these was the Special [Interdepartmental] Group (Counterinsurgency) (SGCI) established by President John F. Kennedy to contend with communist-supported subversive "wars of national liberation" in the developing world.[9] I second the Project's recommendation that greater use might be made of such groups to address the most high-priority issues that cut across department and agency lines.

The PNSR also advocates creating "crisis task forces" that can deal with the immediate demands of a crisis, and provide "an integrated chain of command." For example, the task force might be directed by a U.S. ambassador assigned to a state on the verge of collapse, or by the regional U.S. military commander. This makes great sense. Again, however, this was not unheard of during the Cold War. For example, when President Lyndon Johnson sent retired General Maxwell Taylor to South Vietnam as U.S. ambassador during the crisis period that ran from the Tonkin Gulf incident to the decision to deploy major U.S. ground combat forces, Taylor was (at least on paper) given total responsibility for all U.S.-related operations in South Vietnam, running a "mini-NSC" establishment in Saigon.[10] Perhaps the ultimate "crisis task force" was the Executive Committee, or "ExCom," organized by President Kennedy during the Cuban Missile Crisis in 1962, and which he himself chaired. While crisis task forces were not unknown during the Cold War, neither were they always successful.

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Having recommended a wide range of structural and process changes, the PNSR also states that "The changes presidents typically make are superficial and have little impact on the actual performance of the system."[11] This is somewhat hard to believe, since any restructuring of the government's national security establishment should be to the president's benefit. Moreover,

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[8] Project on National Security Reform, *Forging a New Sword*, p. 512.

[9] The Communists' aim was to destabilize regimes to the point where they could seize control. The SGCI was co-chaired by General Maxwell Taylor and Robert Kennedy, and comprised key senior members from the relevant departments and agencies involved in counterinsurgency operations, to include State, Defense, the CIA, and the U.S. Information Agency. General Taylor was the president's special military advisor, and Robert Kennedy the attorney general (and the president's brother). The co-chairs enjoyed easy access to the president and his full support. Nevertheless, the SGCI proved unable to integrate the efforts of its constituent departments and agencies. See Andrew F. Krepinevich, *The Army and Vietnam* (Baltimore, MD: Johns Hopkins University Press, 1986), pp. 31, 33-36, 271, 275.

[10] Taylor established a Mission Council that combined the embassy's country team and MACV—the U.S. Military Assistance Command (Vietnam)—and which he chaired. The effort ultimately failed, in large part because key officials—Secretary of State Dean Rusk, Defense Secretary Robert McNamara, and General William Westmoreland, commander of MACV—all had independent ways of making their views known to the president. Krepinevich, *The Army and Vietnam*, pp. 95-97, 131-63.

[11] Project on National Security Reform, *Forging a New Sword*, p. 493.

different presidents have altered the system in ways that suited their individual leadership styles and approaches to decision-making. What worked best for President Nixon would not likely have worked best for President Carter or President Reagan, each of whom restructured their NSC staff and processes in ways that they believed optimized their effectiveness. Even if the PNSR's conclusion that these changes were superficial and of little consequence is true, it seems presumptuous to believe that any president, regardless of his or her expertise in national security affairs and approach to leadership and decision-making, would accept its myriad recommendations without modification. Yet that is exactly what the PSNR report states to be necessary for its system to work as intended. This also begs the question of whether such a system, even if it worked as intended, would function in a way that is useful to the incumbent president.

Furthermore, although some changes presidents make may be of little significance, others are of great consequence. As I will elaborate upon presently, President Eisenhower's NSC organizational and process structure provides what may be the best model for accomplishing the *two objectives that are most crucial in the government's efforts to provide for the national security: crafting good strategies and ensuring they are faithfully executed.* That NSC structure, to include its Planning Board, was dismantled by President Kennedy. As Zbigniew Brzezinski, President Carter's NSC Advisor, notes

> The Planning Board was a very important instrument, the elimination of which has handicapped the US government ever since then. Because the consequence is that we don't have overall national security planning...[12]

Consequently, I am skeptical that the PNSF's call to add more layers of government to the Executive Branch is the most effective remedy to what ails us, especially as there is no corresponding reduction in the current organizational structure. One might expect, at a minimum, a cut in the sub-organizations within departments and agencies whose relevance is much reduced in this new national security era. Yet they remain, standing as potential obstacles to the new ways of doing business advocated by the Project.

Having addressed what may prove to be some concerns associated in the PNSR's efforts, let me elaborate upon two areas in which I believe the Project has rendered a great service to the nation. The Project's report notes that in our current system "strategy has become a short-term, neglected activity, required capabilities are not being built, and the conduct of foreign relations is skewed by the imbalance in the nation's ability to wield military and civilian elements of power." It goes on to state that "Strategic direction . . . is weak and resisted by the system in any case."[13] Finally, it concludes that the "President's Security Council and staff . . . [should] focus on overarching policy, grand strategy, and strategic management while maintaining a capacity

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[12] "The NSC at 50: Past, Present, and Future," October 31, 1997, http://www.cfr.org/publication/64/nsc_at_50. html (transcript). Cited in Aaron L. Friedberg, "Strengthening Strategic Planning," *The Washington Quarterly*, Winter 2007-08, p. 52.

[13] Project on National Security Reform, *Forging a New Sword*, p. 492.

for well-informed operational and crisis decision-making."[14] The balance of my testimony will focus on these important issues, and offer some suggestions as how we might best address them.

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A number of prominent American strategists, in addition to the PNSR, have reached the general conclusion that the United States Government's capacity to craft national security strategy at anything approaching an acceptable level of competence is highly suspect.[15] Why is the United States government's ability to develop strategy so deficient? What are the principal barriers to success in this area? What might be done to overcome them?

What is Strategy?

Although many definitions of the word have been offered, prominent military theorists such as Carl von Clausewitz, Basil Liddell Hart, Bernard Brodie, Richard Betts, and Colin Gray agree that strategy is in essence a "how-to" guide for employing limited means effectively to achieve a stated goal.[16] More specifically, strategy involves "identifying or creating asymmetric advantages in competitive situations that can then be exploited to help achieve one's ultimate objectives despite the active, opposing efforts of one's adversaries or competitors to achieve theirs."[17] Thus, a sound strategy leverages one's asymmetric advantages to impose disproportionate costs upon the competition, making it unfeasible for one's rivals to compete effectively.

The importance of identifying and exploiting asymmetric advantages has been emphasized by a number of highly regarded strategists from both the military and the private sector. Richard Rumelt, one of the leading thinkers in the field of business strategy, notes that a strategist's job is "to identify, create, or exploit some kind of an edge."[18] Business strategist Kees Van der Heijden concurs: "Success can only be based on being different from (existing or potential) competitors."[19] These differences, or asymmetries, are the source of competitive advantage; successful strategists must exploit them in order to develop the best possible

[14] Ibid., p. 499.

[15] See, for example, Aaron L. Friedberg, "Strengthening Strategic Planning," *The Washington Quarterly*, (Winter 2007-08); and Barry D. Watts, "Why Strategy? The Case for Taking it Seriously and Doing it Well," unpublished paper, Center for Strategic and Budgetary Assessments, 2007.

[16] Carl von Clausewitz, *On War*, edited and translated by Michael Howard and Peter Paret (Princeton, NJ: Princeton University Press, 1976), p. 181; B. H. Liddell Hart, *Strategy* (New York: Meridian, 1991), p. 321; Bernard Brodie, "Why Were We So (Strategically) Wrong?" *Foreign Policy*, (Winter 1971-72), p. 151. Cited in Marc Trachtenberg, *History and Strategy* (Princeton, NJ: Princeton University Press, 1991); Richard K. Betts, "Is Strategy an Illusion?" *International Security*, (Fall 2000): p. 6; Colin S. Gray, *Modern Strategy* (Oxford: Oxford University Press, 1999), p. 17; and Watts, "Why Strategy? The Case for Taking it Seriously and Doing it Well,", p. 2.

[17] Watts, "Why Strategy? The Case for Taking it Seriously and Doing it Well," p. 2.

[18] Barry D. Watts, "Memorandum for the Record," *Strategy Seminar*, (Washington, DC: Center for Strategy & Budgetary Assessments, 2007), p. 7.

[19] Kees Van der Heijden, *Scenarios: The Art of Strategic Conversation* (Hoboken, NJ: John Wiley & Sons, 2005), p. xv.

approach for achieving their desired objective. This view is seconded by British General Rupert Smith, who states that "the essence of the practice of war is to achieve asymmetric advantage over one's opponent; an advantage in any terms, not just technological."[20]

This suggests an alternative purpose for engaging in the process of strategy crafting. As Van der Heijden observes, "the ultimate purpose of strategizing . . . is to gain a new and original unique insight into where the . . . environment is going in the future, in an area where the strengths of the organization can be utilized."[21] Put another way, the real value of strategic planning is not in delivering an end product, a "final authoritative edition" of a strategy report, but rather in developing insights as to where asymmetric advantages lie. These can then be exploited by policymakers as they plot their course. President Dwight D. Eisenhower understood this, as revealed in his observation that "Plans are useless . . . planning is indispensable."[22]

By way of explanation, Eisenhower stated that "the secret of a sound, satisfactory decision made on an emergency basis has always been that the responsible official has been 'living with the problem' before it becomes acute."[23] Thus the development of a strategy document to serve as a guide for the nation's leaders, important as it is, is not the principal aim of strategic planning. Rather, strategic planning is a continuous process that ensures that national security leaders are informed of sources of asymmetric advantage they can exploit in order to achieve stated goals or to modify their strategy as necessary. Because of the constantly evolving character of the global security environment, the planning function is essential: national strategy must be reevaluated and refined regularly as our knowledge of the competitive environment and prospective asymmetric advantages changes.[24]

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Given this description of strategy and strategic planning, what are the barriers to their successful accomplishment?

Barrier One: Failure to Understand Strategy

There is a longstanding tendency in the U.S. Government to equate strategy with a list of desirable outcomes. When this occurs, there is little discussion of what barriers stand in the way of achieving these goals, or how these barriers might be overcome, given the limitations on available resources. Thus, rather than working out how scarce resources can best be employed to achieve a challenging security objective, the mere statement of desire to meet the objective is deemed sufficient.

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[20] Rupert Smith, *The Utility of Force: The Art of War in the Modern World* (New York: Alfred A. Knopf, 2007), p. 377.

[21] Van der Heijden, *Scenarios: The Art of Strategic Conversation*, p. 55.

[22] Richard Nixon, *Six Crises* (Garden City, N.J.: Doubleday, 1962), p. 235.

[23] Bowie and Immerman, *Waging Peace*, p. 89.

[24] Van der Heijden, *Scenarios: The Art of Strategic Conversation*, p. 15.

For example, consider the Clinton administration's 2000 *National Security Strategy*, which concludes by describing its "strategy" almost purely in terms of desired outcomes:

> Our strategy . . . is comprised of many different polices, the key elements of which include…:
> - Encouraging the reorientation of other states, including foreign adversaries…
> - Encouraging democratization, open markets, free trade, and sustainable development… [and]
> - Preventing conflict.[25]

The problem is not limited to the Clinton administration or to civilian leadership. Take, for example, a Joint Chiefs of Staff document, *Joint Vision 2010*, published in 1996, which explains how the U.S. armed forces will achieve the "common goal" of a military that is "persuasive in peace, decisive in war, preeminent in any form of conflict."[26] This is to be realized through "information superiority" that enables "dominant maneuver," "precision engagement," "focused logistics," and "full-dimensional protection." In other words, the U.S. military has the goal of being completely aware of what is happening in a theater of war ("information superiority"), being able to move its forces, which are to be completely protected ("full-dimensional protection") wherever it desires ("dominant maneuver"), and to engage with unprecedented effectiveness ("precision engagement"), while always being fully supplied ("focused logistics").[27] Conspicuously absent is a discussion of how these sub-goals are to be realized. Nor is any mention made of potential enemy actions or resource limitations which could frustrate our efforts. Again, since "strategy" is reduced to the assertion that the conditions desired will be achieved, there is no need to consider resource limits or enemy action. In short, the need for strategy—identifying and exploiting asymmetric advantages—is assumed away.

Strategy—real strategy—is often, perhaps typically, misunderstood; and doing it well is no easy task. But as the PNSR's report notes, it is indispensable, and never more so than in today's highly volatile security environment. As Van der Heijden notes, "The need for efficient strategic thinking is most obvious in times of accelerated change when the reaction time of the organization becomes crucial to survival and growth."[28] For the United States, the ability to react quickly and effectively in a highly uncertain world can be greatly enhanced by a well-developed strategy.

Barrier Two: Failure to Understand the Enemy[29]

There is another area in which lack of understanding poses a serious barrier to formulating effective national strategies. The failure to understand the enemy severely limits a

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[25] Clinton, *A National Security Strategy for a Global Age*, p. 67.

[26] General John M. Shalikashvili, *Joint Vision 2010* (Washington, DC: Department of Defense, 1996), p. 2.

[27] Ibid, p. 19.

[28] Van der Heijden, *Scenarios: The Art of Strategic Conversation*, p. 12.

[29] For national security challenges such as global warming, pandemic, or failed states, the term "problem" might be substituted for "enemy."

nation's ability to identify where its advantages lie and how best to exploit them. Consider an example from the Truman administration. After the Soviet Union detonated its atomic bomb, a revised U.S. strategic assessment—the famous NSC-68—moved away from the previous emphasis on Soviet subversion and political warfare, and instead stressed the role of military capabilities in countering the Soviet threat.[30] This change generated significant debate. Chip Bohlen, one of the so-called "Wise Men,"[31] argued that the Soviet leadership's top priority was to preserve their regime, and that this fact was being ignored by American leaders.[32] Bohlen's point was that differing assessments of Soviet motives—whether the Soviet leadership prioritized its expansionist objectives over its survival—had very different implications for strategy, and for how the United States would organize itself to respond to the Soviet threat. Ultimately, Bohlen's argument prevailed, and U.S. strategy retained a major focus on Soviet political warfare and subversion, while accepting a deterrent posture against the coming Soviet nuclear threat in the belief that Moscow would not start a war that could cause the regime to lose internal control.[33]

Unfortunately, the United States does not currently enjoy the kind of expertise regarding how its rivals think and operate that it did during the early stages of the Cold War. Developing a cadre of experts on militant Islamic groups, China, and other key states of concern (e.g., Iran) is an essential element of any serious effort at strategy formulation.

Barrier Three: Non-Believers

For many national security decision-makers, the importance of high-quality strategic planning is obvious. Others raise issues of feasibility. As Richard Betts points out, "Because strategy is necessary . . . does not mean it is possible."[34]

Skepticism over the value of strategy and the possibility of doing it well is seen at the highest levels of America's national security establishment. For example, President Clinton's National Security Advisor, Sandy Berger, put little stock in the government's strategic planning efforts, declaring that "most 'grand strategies' were after-the-fact rationales developed to explain successful ad hoc decisions." Berger went on to say that he preferred to "worry about today today and tomorrow tomorrow."[35] This kind of skepticism is not limited to a particular individual, a particular administration, or even a particular party.

Despite such objections, the importance of strategic planning cannot be overstated. As Betts argues, "Without strategy, there is no rationale for how force will achieve purposes worth

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[30] Bowie and Immerman, *Waging Peace*, p. 12.

[31] Walter Isaacson and Evan Thomas, *The Wise Men* (New York: Simon and Schuster, 1986), pp. 19-20.

[32] Bowie and Immerman, *Waging Peace*, p. 28.

[33] *Foreign Relations of the United States 1951*, Vol. 1, (Washington, DC: U.S. Government Printing Office, 1977), 177-78. Cited in Bowie and Immerman, 31.

[34] Richard K. Betts, "Is Strategy an Illusion?" *International Security*, (Fall 2000): p. 5.

[35] R.W. Apple, "A Domestic Sort with Global Worries," *New York Times*, (25 August 1999): A10.

the price in blood and treasure."[36] Indeed, when lives and livelihoods are at stake, how can one rationalize *not* "worrying about tomorrow?" Betts also arrives at perhaps the best explanation for why strategy is often given short shrift: "Sensible strategy is not impossible, *but it is usually difficult.*"[37][Emphasis added]

Barrier Four: Failure to Recognize that Resources are Limited

Developing national security strategy is a challenging task because in order to craft strategy based on asymmetric advantages, one must take into account the limitations on resources. Were there no limitations on resources, there would be no need for strategy, since one could pursue all possible courses of action to the maximum extent possible. This, however, is not the case for the U.S. Government. In order to develop sound, realistic strategy, one must recognize the constraints posed by limited resources.

Unfortunately, the Defense Department's approach to its Planning, Programming, and Budgeting System (PPBS) illustrates the opposite outlook on resource management; the PPBS actually encourages the armed Services to ignore budgetary constraints. How so? Through "cut drills" that are intended to reconcile the gap between the defense program and defense resources. In a cut drill, the Service that has thought through how to apply limited means to achieve its assigned mission—keeping its program in line with anticipated resources—is likely to be penalized, while a Service whose program is substantially short of the resources needed for its execution is rewarded with additional funds. Not surprisingly, this is done because the tendency on the part of the Defense Department's senior leaders is to assist those who are most in need. The lesson for the Services is clear: put in for as large a program and force structure as you can, and hope to sustain as much as you can in the cut drill. While this may make sense from a narrow, bureaucratic perspective, it hardly makes for a sound national strategy. Instead of encouraging the Services to identify the sources of asymmetric advantage, it compels them to focus on their shortcomings. As Andrew Marshall noted, "The big problem in the Defense Department is that the minute you start categorizing our strengths and advantages then the Services faint, because their sales pitch on the Hill is [focused on] our weaknesses, or the strengths of the other side."[38]

Barrier Five: Bureaucratic Hostility

Assuming senior national security decision-makers believe in the value of strategic planning, and understand the role that limited resources must play, they will likely encounter yet another barrier in the form of the bureaucracy. Even the casual student of organizational behavior knows that bureaucracies tend to have their own agendas, which typically offer stiff resistance to leaders' attempts to enact change.

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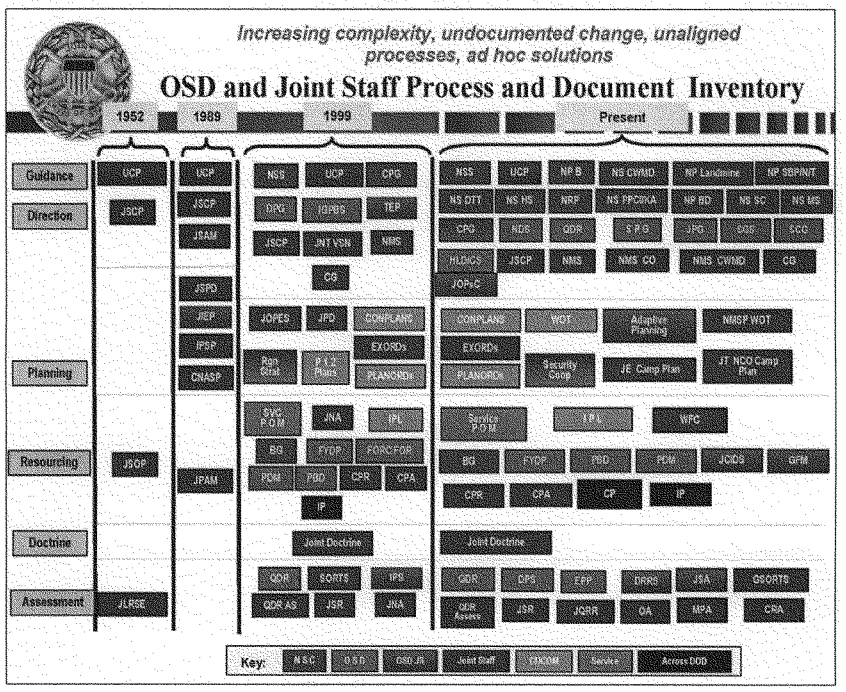
[36] Betts, "Is Strategy an Illusion?" p. 5.

[37] Ibid., pp. 46-48.

[38] Watts, "Memorandum for the Record," p. 7.

In the Defense Department alone, the effort to develop strategy has become so cumbersome and convoluted that it is accepted by the Pentagon itself to be one of "increasing complexity, undocumented change, unaligned processes, [and] ad hoc solutions." (See Figure 1.) The Defense Department's approach to developing and executing strategy has been reduced to a process involving a cast of hundreds if not thousands of individuals, often working diligently in the absence of active participation by the Pentagon's senior leadership.

Figure 1: OSD and Joint Staff Process and Document Inventory



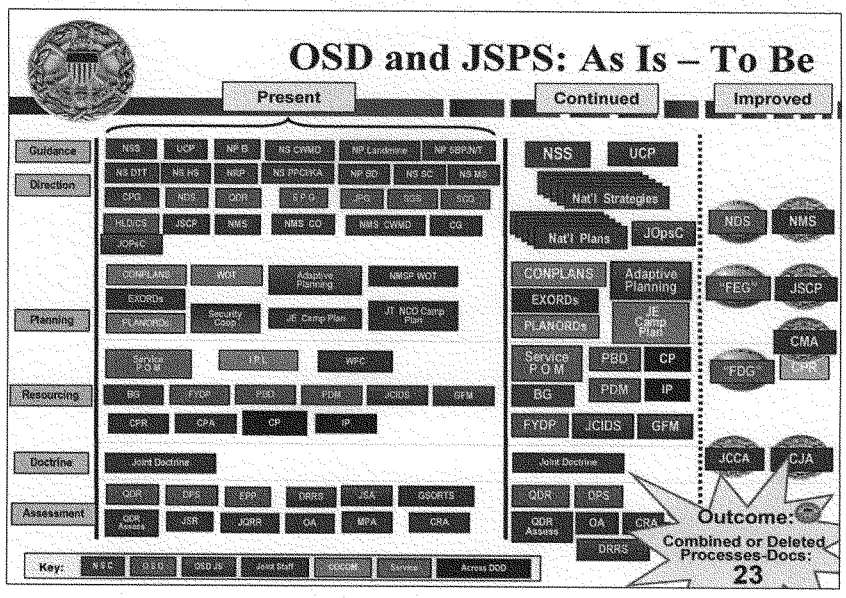
In examining Figure 1, which lays out the staff process and associated document inventory of the Office of the Secretary of Defense (OSD) and Joint Staff, we find that even if the process is limited to just those aspects that relate to strategic planning—that is, those associated with "direction" and "planning"—one cannot help but notice how many new bureaucratic organizations, documents, and processes there are now compared with only twenty years ago. When the present situation is compared to 1952 and the planning structure that existed when a successful Cold War strategy was developed and many of its basic elements put in place, the implications are nothing short of devastating, especially when one considers the harsh

critiques leveled by many members of the strategic studies community at the United States' current strategic competence. Here it really is the case that more is less.

Indeed, strategy is best done not by bureaucracies but by small teams of individuals—*highly capable individuals*. A strategy is measured neither by the pound, nor by the number of individuals who participate in its development. It is measured by the number of good insights—the number of asymmetric advantages identified, along with a sense of how they can best be applied to the problem at hand. When asked how strategy ought to be formulated, Richard Rumelt responded that what is needed is

> A small group of smart people . . . Doing this kind of work is hard. A strategic insight is essentially the solution to a puzzle. Puzzles are solved by individuals or very tight-knit teams.[39]

Figure 2: OSD and JSPS



[39] Dan P. Lovallo and Lenny T. Mendonca, "Strategy's Strategist: An Interview with Richard Rumelt," *The McKinsey Quarterly*, August 2007.

Henry Mintzberg reinforces the benefits of Eisenhower's approach in observing that formal planning (i.e., planning by large bureaucracies), by its very nature, "has been and always will be dependent on the preservation and rearrangement of established categories . . . . But real strategic change requires not merely rearranging the established categories, but inventing new ones."[40] By "new ones" Mintzberg is referring to a group working toward identifying (or "inventing") the insights that lead to the identification, creation and application of asymmetric advantages.

There is some evidence that senior Defense Department leaders recognize the problem and have streamlined their strategic planning process. The new process provides for a significant reduction in the number of planning documents and processes. Yet even the "continued and improved" version (see Figure 2) is far more bureaucratically process-oriented than that which existed during Truman and Eisenhower's time, even when one (again) limits the focus solely to those aspects dealing with "guidance" and "direction."

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What might be done to overcome these barriers? To begin, the president must be convinced of the value of strategy and strategic planning. The active involvement of the nation's commander in chief and chief diplomat is essential to overcoming the barriers discussed. Failure of the president to take an active role could cause the strategic planning process to fall prey to narrow bureaucratic or organizational interests, leading to a suboptimal strategy, or no strategy at all.

Contemporary national security decision-makers could also benefit from the success of Eisenhower's NSC structure, which provided strong incentives to engage in serious discussions of strategy. Under this structure, the president chaired the NSC meetings and led the discussion, "asking for views around the table so as to bring out conflicts" and differences among the members. Attendance was mandatory, as reflected in the fact that during the four-year period when Robert Cutler was Eisenhower's Special Assistant for National Security Affairs, the president missed only six of 179 NSC meetings.[41] To ensure a rich discussion, Eisenhower strictly limited the number of individuals who could participate, typically to eight.

To support the president and his senior national security lieutenants, Eisenhower also created a Planning Board, which developed policy papers to be considered by the NSC. The reason for the board, he explained to the NSC members, was that

> You [National Security] Council members...simply do not have the time to do all that needs to be done in thinking out the best decisions regarding the national security. Someone must therefore do much of this thinking for you.[42]

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[40] Henry Mintzberg, "The Fall and Rise of Strategic Planning," *Harvard Business Review*, January-February 1994, p. 109.

[41] Bowie and Immerman, *Waging Peace*, p. 91.

[42] Idem.

A revived Planning Board's purpose should be similar to that originally intended for the State Department's Policy Planning Staff—to look ahead, beyond the vision of the operating officers caught in the smoke and crises of current battles, to anticipate future challenges and outline ways to meet them. In doing this, the staff should also do something else: "constantly reappraise what was being done . . . [given that] policies acquired their own momentum and went on after the reasons that inspired them had ceased."[43]

Eisenhower adopted a similar perspective, noting that "[S]ituations of actual or probable conflict change so rapidly and the weaponry of modern military establishments increase their destructiveness at such a bewildering speed [that the president] will always need the vital studies, advice, and counsel that only a capable and well-developed staff organization can give him."[44] Dean Acheson, who succeeded George Marshall as Secretary of State, observed that, designed in this manner and populated with chiefs like George Kennan and Paul Nitze, the Policy Planning Staff "was of inestimable value as the stimulator, and often deviser, of the most basic policies."[45] The Planning Board's members were nominated by the NSC principals and appointed by the president. The individuals comprising a new Planning Board should be senior officials who are exceptional strategists, since they are, in effect, the small group of people tasked with identifying the insights upon which asymmetric advantages are derived and strategies formed. For example, the Defense Department might assign the director of its Office of Net Assessment to serve on a revived Planning Board, while the State Department might designate the head of its Policy Planning Staff.[46] The quality of the information and analysis these key individuals present to the NSC would greatly influence that body's ability to make good strategic decisions.[47]

To ensure that the Planning Board members were not beholden to their departments or agencies, Eisenhower made it clear that their mission was not "to reach solutions which represent merely a compromise of departmental positions."[48] Reestablishing a Planning Board could, along with persistent presidential involvement in the formulation of strategy, go a long way toward improving the quality of U.S. strategy.

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[43] Dean Acheson, *Present at the Creation* (New York: W. W. Norton, 1969), p. 214.

[44] Bowie and Immerman, *Waging Peace*, p. 83.

[45] Acheson, *Present at the Creation*, pp. 214-15.

[46] The Policy Planning Staff was established by George Kennan at the direction of Secretary of State George C. Marshall to provide "a source of independent policy analysis and advice for the Secretary of State." Its first assignment was to design the Marshall Plan. It also played a major role in developing one of the Cold War's seminal strategy documents, known as NSC-68. The Office of Net Assessment was established in 1973 by Secretary of Defense James Schlesinger. It serves as the Defense Secretary's internal think tank and has played an important role in a number of important strategy issues, including the Maritime Strategy, the Strategic Defense Initiative, the Competitive Strategies Initiative, and the Revolution in Military Affairs. Andrew W. Marshall has led the office since its inception.

[47] The NSC Planning Board met on Tuesday and Friday afternoons and comprised officials from the agencies with permanent or standing representation on the Council, as well as advisors from the JCS and CIA. The NSC, chaired by the president, met regularly on Thursday mornings. Available at http://www.whitehouse.gov/nsc/history.html#eisenhower (accessed 23 December 2008).

[48] Bowie and Immerman, *Waging Peace*, p. 91.

To ensure the Planning Board has access to the best information and the best minds, both in and out of government, it should be able to task any department or agency for information and have the capacity to reach outside of government for expert advice and support.[49] What it should not be able to do is outsource its critical thinking and analysis. It may be prudent to establish temporary advisory boards to address specific issues of great importance to support the Planning Board's work. If so, these supporting groups should be comprised of individuals who are among the most eminent in their field.

There are at least two threats to the effective operation of the Policy Planning Board: one is that its talented staff will be drawn into day-to-day operations; the other is that it will become a compiler of information as opposed to a thinking body.[50] Eisenhower sought to solve the first problem by such means as prohibiting its members from accompanying their principals on overseas trips except when absolutely necessary so they could "stay on the job and supply a continuity of planning and thought."[51] The second problem might best be addressed by eliminating staff who do not spend their time focusing on matters of strategy.

There is also the matter of executing the NSC's decisions. If the bureaucracy is unable to advance its own agenda during strategy formulation, it will work to enforce its will in strategy execution. We turn again to the success of the Eisenhower administration: To ensure that decisions based on the Planning Board's efforts were implemented, Eisenhower established the Operations Coordinating Board (OCB) which would, at regular intervals (of three to six months), prepare progress reports for review by the NSC.[52]

The OCB met regularly on Wednesday afternoons at the State Department. Its members included the Under Secretary of State for Political Affairs, the Deputy Secretary of Defense, the Directors of the Central Intelligence Agency (CIA) and the U.S. Information Agency (USIA), and the Special Assistants to the President for National Security Affairs and Security Operations Coordination. The NSC's action papers were assigned to an OCB team for follow-up.[53] A similar organization could support the new president's efforts to ensure his key policy decisions were being implemented as intended.

Aaron Friedberg's suggestion that these revived boards be placed under the direction of a National Security Advisor for Planning and Coordinating makes great sense, given that the

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[49] At Eisenhower's direction, Robert Cutler, the National Security Advisor, organized "study groups" of senior strategists, to include those who had served in the Truman administration, such as Paul Nitze. These groups provided individual and collective advice, while also reviewing past NSC papers, hearing the testimony of experts, and soliciting memoranda from experienced leaders with knowledge of strategy, such as George Marshall, Charles "Chip" Bohlen and Robert Lovett. Bowie and Immerman, *Waging* Peace, p. 87.

[50] Acheson saw these as the two major "distractions" confronting the State Department's Policy Planning Staff. Acheson, 214.

[51] Bowie and Immerman, *Waging Peace*, p. 91.

[52] Ibid., p. 93.

[53] "History of the National Security Council, 1947-1997," The White House. Available at http://www.whitehouse.gov/nsc/history.html#eisenhower (accessed 23 December 2008).

modern-day National Security Advisor has become enmeshed in the day-to-day activities of government. As I understand the PNSR report, this position might be similar to the report's "Director of National Security" position.

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As the PNSR report notes, the barriers to developing and executing sound national security strategy are many, and they are formidable. An argument can be made that the United States Government not only has lost the ability to do strategy well, but that many senior officials do not understand what strategy is. Despite these barriers, the benefits of crafting good strategies are so great—and the potential risks posed by ignoring strategy so deleterious—that they merit a strong push by senior U.S. national security decision-makers, the president above all, to overcome them. Although this recommendation is modest when compared to the PNSR's comprehensive approach, it has the advantage of being relatively easy to accomplish, *if* the president wants to move in this direction. Revitalizing strategic planning at the highest levels of the government with a contemporary version of President Eisenhower's NSC, to include the Planning and Operations Coordination Boards, could be an important first step toward achieving the laudable goals set forth by the PNSR.

REFORMING THE NSC: SOME CAUTIONARY LESSONS FROM HISTORY

Testimony Before the Subcommittee on Oversight and Investigations,
House Committee on Armed Services
March 19, 2009

I.M. (Mac) Destler[1]
School of Public Policy
University of Maryland

It is an honor to appear before this committee on this important subject. The Project on National Security Reform has produced a sophisticated analysis and made important recommendations intended to strengthen US national security policy integration on behalf of the president. National Security Adviser James Jones has declared that the Obama NSC will be "dramatically different" from its predecessors, with broader substantive scope. And the President issued last month Presidential Policy Directive #1 mandating broad participation in national security policymaking at the presidential, principals, and deputies levels, and below.

The need for such reform seems undeniable. The United States faces a broad array of challenges—within the political-military sphere that is the NSC's longstanding purview, but broadened to include terrorism at home and abroad, global climate change, and most urgently the worldwide economic crisis. The institutions currently available to meet that challenge are, in the main, institutions created in the late 1940s for a very different world. It is hard to argue against "a bold, but carefully crafted plan of comprehensive reform " of these institutions so that they can address 21st century problems in an integrated manner. (Exec Sum i) The Project on National Security Reform (PNSR) has devoted enormous effort to this undertaking, and its conclusions merit serious consideration.

Yet as shown by our most recent effort at organizational reconstruction—the creation of the Department of Homeland Security—bold changes do not necessarily bring benign results.

Let me concentrate here on two core PNSR recommendations for organizational change:

1) The creation of a President's Security Council (PSC) to encompass not only the subjects currently addressed by the NSC and the HSC, but with international economic and energy policy "fully integrated" as well (Exec Sum xi); and
2) Statutory creation of a Director of National Security (presumably replacing the current presidential national security assistant), supported by a statutory executive secretary.

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[1] Co-author, with Ivo H. Daalder, of *In The Shadow of the Oval Office: Profiles of the National Security Advisers and the Presidents They Served—From JFK to George W. Bush* (Simon and Schuster, 2009). I received grants of $4318 and $1098 from the US Department of State and the US Embassy Tokyo, respectively, in support of a week's program as an Embassy-sponsored lecturer in Japan during March 2008.

The impressive members of the "Guiding Coalition" who signed the PNSR report have backgrounds overwhelmingly in national security policy, traditionally defined. It is to their credit that they see the need for broadened jurisdiction, but no one in the group seems to have had senior-level experience in addressing economic issues, domestic or international. The historic NSC has proved progressively less able to oversee these economic issues effectively. Beginning with Richard Nixon, Presidents have established parallel economic policy coordination institutions outside the NSC to handle them, with the National Economic Council established by Bill Clinton just the latest manifestation.

This is no accident. International economic issues are not simply an extension of national security issues, but they reflect a set of challenges arising from a different set of forces, processes, and institutions. They are at least as much linked to domestic economics as they are to the political-military issues that have driven the NSC (and would likely drive a PSC). They involve different forms of analysis, different instruments of policy, different governmental institutions—as the current global economic crisis makes abundantly clear. Their current urgency demands that they have at least coequal status in the White House—an adviser and council addressing these issues in their own terms, not wedged within a "security" perspective. Of course Larry Summers and James Jones should coordinate with one another, and they have engaged a capable joint deputy—Michael Froman—to be sure that international economic policy draws on both of their perspectives. But to go further, to subordinate economic issues within a Presidential Security Council, would be to go against both logic and experience.[2]

I am not as familiar with energy or environmental policy, but I suspect the same considerations may apply. Perhaps President Obama is not wrong to have engaged separate senior advisers for national security, economics, and energy/environment—though keeping them from working at cross-purposes on issues that overlap remains a daunting task.

So I am skeptical about a PSC—at least one going beyond merging the NSC and the HSC, which the Obama administration seems likely to do. I have a different set of doubts about establishing a "Director of National Security" in the White House.

Presumably this official would replace the current national security adviser, though the Executive Summary is not clear on that point. The position would be established by legislation, though no recommendation is made on whether or not she or he would be subject to Senate confirmation. Supported by a statutory executive secretary, this Director would not only be "the principal assistant to the president on all matters related to national security," like the current NSA, but he would also be charged with administering a wide range of planning and integrating instruments—an overall strategy, planning guidance, a resource document, a network of interagency teams, etc. (505) The Director would be asked to combine the

[2] The language of the full report seems more nuanced than the Executive Summary: it limits the integration to "economic and energy issues with security implications" (500), whatever that precisely means. But would there still be an NEC?

planning tasks of Eisenhower's Bobby Cutler and here-and-now issue management tasks of Kennedy's McGeorge Bundy.

Whence would come his power? What would make the departments and agencies commit their time and best people to this elaborate exercise, whatever its abstract merit? The PNSR report uses words like "empower," suggesting that mandating these activities is the same as making them real and effective. In practice, however, whatever the change in title, the Director would gain his power overridingly from his relationship with the president, just as national security advisers have. Would the president *want him (or her)* to spend his time this way? Eisenhower wanted Bobby Cutler to do this, but he also had Andy Goodpaster, who handled his daily decisionmaking and crisis management—often outside the formal system. Kennedy didn't want it, and he and Bundy transformed to national security adviser job to one of supporting the president's daily national security business—and connecting his senior officials to him and to one another. None of Kennedy's successors wanted an Eisenhower-Cutler planning system (save Nixon and Kissinger, who employed an improved version for about three months). There is no reason to believe that Obama, whose cerebral informality resembles Kennedy's, would want one either.

The "Director" would then have a choice. Persist in the elaborate integration mandate knowing that the president, at best, tolerated it, and knowing that one day agency officials would learn that this process was not really driving presidential decisions? Or respond to what the president really wanted him to do, delegating formal system management to the executive secretary. Then there would be two layers—an interagency planning process below, disconnected from the president and his principal advisers.

There is much that is good in this sophisticated report—in its understanding of many of the problems of the current system, in its focus on improving national security budgeting and personnel. But I do not think the key organizational recommendations survive careful analysis. So I do not think they would improve matters in the unlikely event that they were formally adopted. For in the end, it is "the president, stupid." It is he (she one day) who drives the system. His operating preferences and decision style are what any senior White House aide must accommodate. To encumber that aide with heavy formal responsibilities is to increase his distance from the president, weakening their joint capacity to achieve such national security policy coherence as our system of governance will allow.

Statement of Walter J. Oleszek
Senior Specialist, Congressional Research Service
before the
House Armed Services Subcommittee on Oversight and Investigations
concerning certain reform recommendations of the
Project on National Security Reform (PNSR)

March 19, 2009

Mr. Chairman, Mr. Ranking Member, and committee members, it is a high honor for me to testify before your committee on several of the legislative reform recommendations of the Project on National Security Reform (PNSR). I should state at the outset that I am not an expert in any way, shape, or form on issues involving the military or national security. I have been invited to testify because I have been involved in nearly every House and Senate legislative and committee reform effort since I started work at the Congressional Research Service in 1968.

Specifically, I will focus principally on one of the Project's reform recommendations: the creation of a permanent Select Committee on National Security. My testimony also includes brief commentary on the Project's proposals to consolidate oversight of homeland security in one panel; empower the House Foreign Affairs Committee; and two proposals that affect the Senate only: the nominations process and the use of "holds" on nominees for top national security positions.

The PNSR and its leadership have provided Congress with a tremendous amount of thought-provoking information and analysis. Their fundamental idea, as I see it, is that with the end of the Cold War, the United States now faces a host of non-traditional and trans-national challenges— everything from terrorist threats to global climate change to international criminal syndicates. As currently organized, however, Congress and the executive branch lack the integrative and coordinative capacity to meet today's multiplicity of diffuse challenges. What is needed, according to the PNSR, is a number of legislative and executive branch reforms that will enhance the integrative capacities of both branches in the broadly-defined national security area.

KEY QUESTIONS

It strikes me that there are three critical questions that require resolution: (1) Is the current committee system capable of dealing with national security issues in an integrated manner? (2) If not, is the establishment of a select committee on national security the best or only approach to achieve integration and coordination? (3) Are there other effective alternatives to achieve or promote those goals? Let me briefly answer those questions now, and then focus in more detail on select committees in general: their method of creation; purposes; authority; benefits and liabilities; and alternatives to the select committee model.

Is the current committee system able to deal with national security issues in an integrated and coordinated manner? The short answer is probably "no."[1] I would add, however, that the great strength of Congress is its decentralized committee structure with specialized jurisdictions. Congress is really a "horizontal" institution, where numerous Members and committees have a chance to participate in the making of policy and to hear the views and opinions of numerous constituents and groups. Overlap, in brief, often produces positive legislative results. Congress, however, is generally short on mechanisms for integration and coordination, relying principally on party leaders and a few committees (Budget and Rules) to promote those goals.

If not, is the establishment of a select committee the best approach to achieve integration and coordination of national security issues? My answer is "perhaps," because so much depends on its charter, composition, and support, which I will discuss shortly.

Are there other alternatives to achieve greater coordination and integration of national security issues? The short answer is "yes," which I will highlight in my testimony.

Let me now focus on some of the issues that surround the establishment of select committees.

A SELECT COMMITTEE ON NATIONAL SECURITY

Creation. There are two basic ways to establish select committees in the House. One is for a Member to introduce a resolution proposing the creation of a select committee, which is referred to the Rules Committee. If that panel reports the measure, then the full House decides whether to establish the select panel. The Rules Committee could also include the creation of select committees in resolutions that it reports to the House.

The second way, rarely used, is that under House Rule XII, the Speaker has the authority to refer legislation "to a special ad hoc committee appointed by the Speaker with the approval of the House." This approach bypasses the Rules Committee and has been employed only twice: in 1975 on the Ad hoc Select Committee on the Outer Continental Shelf[2] and in 1977 for the Ad hoc Energy Committee.[3] In both cases, the Speaker (Carl Albert, D-OK, and Thomas "Tip" O'Neill, D-MA, respectively) recognized the majority leader to call up a privileged resolution establishing the select panels.

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[1] Whether Congress does an inadequate job of dealing with national security issues would require detailed study. For example, if there are problems, can these be traced back to the committee structure of Congress, or are there other factors that inhibit integrated policymaking?

[2] *Congressional Record*, April 22, 1975, pp. 11261-11262.

[3] *Congressional Record*, April 21, 1977, pp. 11550-11556.

In addition, under House Rule X, the Speaker, with the approval of the House, "may appoint special ad hoc oversight committees for the purpose of reviewing specific matters within the jurisdiction of two or more standing committees." To date, this authority has never been used by the Speaker, but it remains (along with the ad hoc approach under House Rule XII) an option for implementing the PNSR's recommendation for a select national security committee with comprehensive oversight responsibility.

Purposes. The House has a long history of establishing select committees to accomplish diverse purposes. In fact, during the House's early years that is the way business was handled, through the formation of temporary select panels, until a system of permanent committees came into being around 1816. The overlapping purposes or incentives for their creation are several. Among them are the following:

◦ *To recommend institutional reforms of the House (or Senate).* An example is the 1973-1974 Select Committee on Committees. Representative Richard Bolling, D-MO, was the principal champion for the panel's creation. As a senior and highly-regarded member, Bolling persuaded Speaker Albert and Minority Leader Gerald Ford, R-MI, of the importance and necessity of revising the committee system. The House adopted the resolution creating the bipartisan select panel.

◦ *To respond to the needs and concerns of outside groups.* A classic example is the Select Committee on Aging, chaired for a number of years by Representative Claude Pepper, D-FL. The panel's mandate was to conduct a continuing comprehensive study and review of the problems of older Americans.

◦ *To supplement the work of the standing committees.* Select committees are established to address specific topics—crime, hunger, children, assassinations, for example—that the standing committees may lack adequate time to explore and examine in depth.

◦ *To coordinate and integrate issues of major importance that overlap the jurisdictions of several standing committees.* Advocates of House select panels sometimes contend that the many jurisdictional overlaps among the standing committees inhibit the formulation of coherent and coordinated national policies. This idea is the principal rationale of the PNSR as to why the House and Senate should create a Select National Security Committee.

Permanent Select or Standing Committee. The PNSR recommends that the House and Senate should first establish select task forces composed of lawmakers interested in national security matters. Then, if "these task forces perform adequately," they should be established as permanent select committees. The issues of what constitutes adequate performance, or an adequate time for assessment, are left undefined. Given the range of topics that these select entities might address, it could be difficult to determine whether or not their job performance is satisfactory.

Also left unanswered is why the PNSR recommended a permanent select committee rather than a standing committee. The principal difference between the two is in their composition. Appointment of lawmakers to most standing committees follows a three-step procedure: (1) recommendations for committee membership are made by each party's Steering Committee; (2) these recommendations are then submitted to either the Democratic Caucus or the Republican Conference, as the case may be, for approval or rejection; and, finally, (3) under House Rule X, the membership of standing committees is elected by the House "from nominations submitted by the respective party caucus or conference."

By contrast, appointment of Members to a permanent select committee is regulated by House Rule I, which states: the "Speaker shall appoint all select ... committees ordered by the House." Rules I also permits the Speaker to remove Members from select panels or to appoint additional Members. By custom, the Minority Leader chooses the minority members, who are then formally named to the select panel by the Speaker. Thus, a permanent Select Committee on National Security *might* be viewed by the House membership as a "leadership" committee. This recognition could bolster the new select committee's ability to develop working relationships with the standing committees that will continue to exercise some jurisdiction over interagency national security matters.

Legislative Authority. Most select committees are established to study a specific issue and make recommendations to the standing committees of appropriate jurisdiction. They lack legislative authority—the right to receive and report legislation—unless that power is granted to them by their authorizing resolution. During the past three decades, only four select committees have been granted legislative authority: the Ad Hoc Outer Continental Shelf Committee, created in 1975; the Ad hoc Energy Committee, formed in 1977; the Select Committee on Homeland Security, established in 2002; and the Select Homeland Security Committee, constituted in 2003.[4]

The two homeland security committees were created for different purposes. In the aftermath of 9/11, President George W. Bush proposed in June 2002, the creation of a new Department of Homeland Security (DHS). It was forged from the merger of 22 federal entities with around 180,000 personnel. Two weeks after the President's recommendation, the House adopted a resolution (H. Res. 449) creating a nine-member Select Committee on Homeland Security. H. Res. 449 explicitly placed the select panel in a coordinative role. The resolution stated: "Each standing or permanent select committee to which the Speaker refers to a bill introduced by the Majority Leader or his designee (by request) that proposes to establish a department of homeland security may submit its recommendations on the bill only to the select committee."[5]

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[4] See *House Ad Hoc Select Committees with Legislative Authority: An Analysis*, CRS Report R40223, by Michael L. Koempel. This discussion excludes the House Permanent Select Intelligence Committee, established in 1977. It has legislative authority, broad jurisdiction over the intelligence community, a membership limited in tenure, and seats reserved for certain committees with overlapping jurisdiction.
[5] *Congressional Record*, June 19, 2002, p. 10722.

Speaker J. Dennis Hastert named Majority Leader Richard Armey of Texas to chair the panel; Minority Leader Richard Gephardt named Minority Whip Nancy Pelosi to be the Ranking Member. The other seven Members all held party leadership positions. Armey introduced legislation (H.R. 5005) establishing the new department, which was referred to the Select Committee as well as twelve other committees. The Select Committee reported H.R. 5005 creating the new department and, in the end, the bill was signed into law by the President.

On the opening day (January 7, 2003) of the 108th Congress, the House established another Select Committee on Homeland Security. This panel had the responsibility, among other things, to determine whether to recommend to the Rules Committee the establishment of a new standing Committee on Homeland Security. The select panel did make that recommendation, which the House agreed to at the start of the 109th Congress.

Returning to the PNSR's proposal (p. 522, *Forging A New Shield*), the Select National Security Committee would exercise legislative and oversight jurisdiction over all interagency (1) operations and activities; (2) commands, other organizations, and embassies; (3) funding; (4) personnel policies; and (5) education and training. The select committee would also have jurisdiction for the consideration of a new national security act. The Senate select panel would have authority over "nominees for any Senate-confirmed interagency position that may be established."

This jurisdictional mandate raises at least three concerns for the Subcommittee's consideration: the definition of national security, the number of interagency groups, and the benefits and liabilities of select committees.

MATTERS FOR CONSIDERATION

Definition. The PNSR's definition of "national security" is quite expansive. The Project defines it as follows: "National security is the capacity of the United States to define, defend, and advance its position in a world that is being continuously reshaped by turbulent forces of change." The Project makes it clear that national security means more than security from aggression. It includes "security against the failure of major national infrastructure systems" and recognition that "national security depends on the sustained stewardship of the foundations of national power." And, as the Project rightfully notes, the national security system includes far more than military, diplomatic, intelligence, or homeland security matters. It includes activities of the Agriculture, Interior, Justice, Transportation, Treasury, and other departments and agencies. In short, this is a sweeping definition that would grant the Select Committee wide authority to legislate for and oversee scores of inter-agency activities that are also part of other committees' jurisdictional mandate.

Consider the number of House standing committees with jurisdiction for homeland security, a subject area whose scope somewhat matches that of national security. Even though the House has created a new standing Committee on Homeland Security, the panel's legislative history makes it clear that ten other committees retained authority for various homeland topics. The ten committees are: Agriculture; Armed Services; Energy and Commerce; Financial Services; Oversight and Government Reform; Intelligence; Judiciary; Science; Transportation and Infrastructure; and Ways and Means.[6]

Moreover, the broad definition of national security may create issues beyond jurisdictional overlap. It also raises concerns about the proposed select committee's sense of mission and purpose. If scores of issues relate to national security (terrorism, international organized crime, and so on), it is not especially clear how to distinguish the national security or even interagency dimensions of these topics from the issues themselves. And what would be the relevant expertise for membership on this select committee?

By contrast, the four most recent House select panels with legislative jurisdiction, mentioned above, all had a rather circumscribed jurisdictional focus.[7] The Outer Continental Shelf Committee was directed to report a specific bill (H.R. 6218) to the House on management of oil and natural gas in the OCS while ensuring protection of the marine and coastal environment. The Ad hoc Energy Committee's mission was to develop a comprehensive energy policy. Its authorizing resolution directed the panel "to consider and report to the House on the message of the President dated April 20, 1977." The 2002 Select Homeland Security Committee had one goal: consider the President's proposal to create a new Department of Homeland Security (DHS). Significantly, this panel played an important coordinative role in that the standing committees of jurisdiction were directed to report their recommendations to the select panel. And the 2005 Select Homeland Security Committee's mission was to determine whether the House should establish a new standing Committee on Homeland Security that could authorize and oversee various components and programs of the DHS. (This panel had specific jurisdiction over matters related to the Homeland Security Act of 2002, P.L. 107-296).

Number of Interagency Groups. It is unclear how many interagency coordinative mechanisms have been established in the national security arena. Some, of course, are especially prominent, such as the National Security Council, which President Obama recently expanded to include a larger number of participants than those originally named as members by the 1947 National Security Act.[8] President Obama has also named a number of "czars" to oversee and coordinate the policy process in various areas, such as energy and the economy. There are probably hundreds of little known, and perhaps

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[6] *Congressional Record*, January 4, 2005, pp. H25-H26.

[7] In each case, the standing committees of jurisdiction had large input in the final product of the select committees.

[8] Karen DeYoung, "National Security Structure Is Set," *The Washington Post*, February 27, 2009, p. A3.

short-lived, interagency working groups or task forces that cover a broad spectrum of policy categories.

Benefits. The fundamental benefit of select committees is that they provide a basis for coordination and integration of policy matters that cross-cut the jurisdictional responsibilities of several standing committees. Given the inter-related complexity of so many of today's public policies, select committees can pull together issues whose consideration is scattered among numerous committees and subcommittees. The result could be greater policy coherency.

Moreover, select committees might be better able than standing committees to take a comprehensive and innovative look at new and old problems. Standing committees have their own history, traditions, and culture, as well as well-established relationships with various federal agencies and outside groups. A new select committee--which starts *de novo* and whose membership reflects a diversity of experiences from a variety of committees--could bring fresh insights and perspectives to the resolution of multidimensional national security problems.

Liabilities. There are several potential issues with the formation of select committees, but one stands out among all the others. "Turf" reflects power on Capitol Hill. Members and committees do clash over their jurisdictional prerogatives. Committee jurisdictions are a "lawmaker's power base. It is no wonder that committee boundaries are hotly contested."[9] A related issue is how much consolidation of jurisdiction may be too much? An example from DHS might be relevant here. Some observers might suggest that the Federal Emergency Management Administration's (FEMA) response to Hurricane Katrina was less than adequate. Why? Because the integrative impulse that prompted creation of DHS resulted in FEMA's losing substantial competence in its traditional mission (natural disasters) compared to a new and dominant responsibility (anti-terrorism).

Any broad subject area (national security, homeland security, transportation, energy, health, and so on) touches the jurisdiction of several panels. Shared policy interests can sometimes spark inter-committee controversies. The lack of bright jurisdictional lines separating one substantive area from another can trigger disputes between or among committees. ***Importantly***, "turf wars" can still occur even with jurisdictional consolidation. Scores of issues, such as homeland security, are simply too complex to be placed in watertight jurisdiction compartments.

What all this means in practical terms is that proposals to establish select committees—especially those with legislative authority—are generally viewed negatively by many lawmakers. Select committees are often viewed as "trespassers," intruding on the jurisdiction of the standing committees. When the 2003 Select Homeland Security Committee was created, mindful of Members' concerns about losing jurisdictional turf, Speaker Hastert assured the relevant standing committees that they "will maintain their

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[9] David C. King, *Turf Wars: How Congressional Committees Claim Jurisdiction* (Chicago: University of Chicago Press, 1997), p. 12.

[homeland security] jurisdiction and will still have authorization and oversight responsibilities."[10]

Furthermore, Members and committee staff who oppose the formation of select committees may work to mobilize allies inside and outside the House to prevent their creation. If it is evident that formation of a select panel is a foregone conclusion, opponents may work to ensure that the responsibilities of a select committee are constricted, limited to study and review only.

There are other potential **liability** issues. For instance, there may be issues of cost, office space, funding, staff, duration, and friction—lawmakers and committees jockeying for representation on the select committee. There could be referral issues if the select committee is granted legislative authority. Select committees could also introduce new rivals and inefficiencies in the committee system. There is also a bicameral element because the PNSR recommends that both chambers should create select committees. If only one chamber acts on the recommendation, might this lead to additional complexities in reconciling bicameral differences involving interagency national security issues?

Factors in Successful Creation. Legislative history suggests that three key factors need to be present if a select committee with significant jurisdiction (the Select National Security Committee, e.g.) is to be constituted. They include:

- Significant support from the party leadership, especially the Speaker and the Minority Leader. After all, the Speaker will influence the authority of any select committee and determine its majority membership.

- Bipartisan cooperation in the select panel's formation to demonstrate broad chamber agreement on its creation.

- Support of the standing committees. Assignments to select committees often come from the members who serve on the relevant standing committees of jurisdiction.

ALTERNATIVE INTEGRATIVE APPROACHES

Congress is an adaptable institution. It has a number of means by which it can coordinate dispersed policymaking and better anticipate emerging issues. Among them are seven that I will mention to illustrate the point.[11] There are advantages and

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[10] *Congressional Record*, January 7, 2003, p. H5.

[11] Informally, House committee chairs who share jurisdiction over a policy domain might agree to coordinate and produce legislation that exhibits a high degree of policy coherency. For example, three House chairs whose panels have overlapping jurisdiction over the health care system stated: "As chairs of these committees and veterans of past health reform debates, we have agreed to coordinate our efforts. Our intention is to bring similar legislation before our committees and to work from a harmonized approach to achieve success." The chairs headed the Committees on Education and Labor, Energy and Commerce, and

disadvantages to each approach, but the purpose here is simply to highlight several that the House and its committees might employ to encourage policy integration and discourage jurisdictional strife.

Task Forces and Working Groups. Informal task forces or working groups have long been created by committee leaders and Democratic or Republican Speakers. They may be either partisan or bipartisan in composition, with the membership commonly drawn from multiple committees. These informal entities are established for various reasons, including the drafting of measures that cut across committees' jurisdictional lines. Former Speaker Newt Gingrich formed a number of party task forces in the early days of the 104th Congress, so many that one newspaper article was titled "Government by Task Force: The Gingrich Model."[12]

Nine days after the terrorist attacks of 9/ll, Speaker J. Dennis Hastert announced that a bipartisan Working Group on Terrorism and Homeland Security would be converted into a subcommittee of the Permanent Select Committee on Intelligence. The Working Group was established in January 2001 by Speaker Hastert and Minority Leader Richard Gephardt in response to numerous hearings and high-level commission reports urging development of a national strategy to combat domestic terrorism. The new subcommittee, said Speaker Hastert, would be "the lead Congressional entity on this issue, and will examine all aspects of these terrorist attacks, including the vulnerability of America's infrastructure and our counter-terrorism preparedness and response capabilities."[13]

Committee Composition. Overlapping committee memberships might facilitate inter-committee cooperation on shared policy interests. The party assignment panels would each have to make a concerted and strategic effort to assign selected Members to serve on committees with overlapping policy responsibilities. Lawmakers who serve on "exclusive" panels might need waivers from party rules to serve on two standing committees, something that is fairly common today. Currently, two House committees—Budget and Intelligence—are required by House rule to have Members drawn from other standing committees. This rule might be broadened to include other panels. Two outcomes might result from this change: the cross-pollination of Member views on a wider spectrum of policy topics and the minimization of turf concerns. Worth mention is that the Speaker and Minority Leader serve as ex officio members of the Intelligence Committee and each designates a leadership member to serve on the Budget Committee.

Specialized Subcommittees. Informally or by action of the House, lawmakers from two or more subcommittees of standing committees with shared policy

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Ways and Means. See Alex Wayne, "House Chairmen Promise to Move Similar Health Care Overhaul Bills," *CQ Today*, March 12, 2009, p. 16.

[12] Deborah Kalb, "Government by Task Force: The Gingrich Model," *The Hill*, February 22, 1995, p. 3.

[13] Office of the Speaker, Press Release, "Speaker Dennis Hastert Announces Creation of Subcommittee on Terrorism and Homeland Security," September 20, 2001, p. 1. During the 110th Congress, the Subcommittee on Oversight and Investigations of the House Armed Services Committee created a Working Group on National Security Interagency Reform, and the full Committee established a Roles and Missions Panel to consider the future of national security issues.

responsibilities might be constituted as a permanent Subcommittee on National Security. A relevant model might be the Select Intelligence Oversight Panel on the House Appropriations Committee. It was created in the 110th Congress and reestablished in the 111th. It is composed of lawmakers from both Appropriations and the Permanent Select Intelligence Committee: an example of the cooperative sharing of jurisdiction.

Another approach might be for the House to designate an existing subcommittee of a standing committee as the coordinative unit for interagency national security issues. Its membership could be composed of lawmakers who serve on the relevant standing committees of jurisdiction. Worth mention is that House Rule X, which establishes limits on the number of subcommittees per standing committee, contains an exemption for the Committee on Armed Services. This Committee can establish "a special oversight panel" that might function as the coordinative oversight unit for interagency national security issues.

Multiple Referrals. Since 1975, the House has permitted the multiple referral of legislation: one bill, many committees. Under the rule, the Speaker has open-ended authority to involve several committees in the consideration of legislation, including the designation of a primary committee.[14] An objective of multiple referrals is to accommodate the prerogatives of the various standing committees that share jurisdiction over a policy domain. Use of multiple referrals also encourages integration by bringing the expertise of several committees to bear on complex issues.[15]

Integration By Party Leaders. Committees fundamentally contribute to policy fragmentation; party leaders are the principal policymaking coordinators. They are strategically positioned to weaken jurisdictional rigidities and encourage policy development from a broader perspective. The Majority Leader, as an example, meets weekly with the committee chairs. This forum might be employed to foster coordinated decisionmaking among the committees that share policy interests, including the review of interagency security matters. Or the Speaker could encourage committees with overlapping national security jurisdiction to conduct joint hearings, including with panels of the other chamber.

Foresight. The report of the PNSR highlights the importance of foresight in responding to an unpredictable world. Under House Rule X, every standing committee (except Appropriations) has the authority and responsibility to conduct "future research and forecasting on subjects within its jurisdiction." Little is known about how committees comply with this requirement, no doubt in multiple formal and informal ways. Consideration might be given to strengthening committees' anticipatory capacities so lawmakers are mindful of trends underway—globalization, climate change, population growth, etc.—that seem likely to require integrated policy action. Understandably,

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[14] If a permanent select national security panel is created, then the likelihood would be that this committee would be primary on matters involving interagency national security issues. On the other hand, several committees might still seek the primary designation from the Speaker, who has formal responsibility for the reference of legislation. The House Parliamentarian, however, refers measures on behalf of the Speaker.

lawmakers and committees focus on the major issues of the moment. In a complex world, however, it is important for Congress to be sensitive to long-term threats, challenges, or changes so it will not be caught unprepared to meet them.

An NSC for the House. The National Security Council was established as an advisory body to the President—to weigh the views of various agencies, evaluate them, and play the role of "honest broker" in presenting alternative viewpoints to the chief executive. Something analogous might be devised for the House. For example, a body with a bipartisan membership—or two partisan units—could be established to forward advice to the Speaker, the Minority Leader, and other lawmakers. This House unit could employ a limited number of highly qualified professional staff who bring intellectual breadth to the business of analyzing and synthesizing an array of interrelated issues.

Let me now make a few observations about PNSR's other recommendations for Congress.

CONSOLIDATE OVERSIGHT OF DHS

Consolidated oversight of DHS is something that is underway, but overlaps cannot be eliminated entirely. Other committees have an interest in reviewing the activities of DHS.[16] The Legislative Reorganization Act of 1946 contributed to multiple committee reviews by implicitly dividing oversight into three overlapping categories: "legislative," "investigative," and "fiscal." Legislative oversight is the purview of the authorizing committees: reviewing programs and agencies under their jurisdiction. Investigative oversight is the wide-ranging oversight authority granted to the House and Senate government operations panels. And "fiscal" oversight is the responsibility of the Appropriations Committees.

The House also has something called "special oversight." For specific topics, certain named authorizing committees have the right to oversee programs and agencies that are under the jurisdiction of other standing committees. At the start of the 111th Congress, the House amended its rules to grant the Committee on Homeland Security special oversight authority. The Committee "shall review and study on a continuing basis all Government activities, programs, and organizations related to homeland security that fall within its primary legislative jurisdiction." This change is a step toward implementing the PNSR's oversight recommendation for the DHS.

Even with the rules change, there will continue to be oversight overlaps for DHS programs and entities, because other panels also have review authority for specific DHS programs and entities. When the House created the new Committee on Homeland

[16] As one House committee chairman explained, "Homeland security is too diffuse and important a government activity to rest with one committee. Almost every activity of every Federal agency has some relationship to homeland security, and almost every activity of the Department of Homeland Security impinges on the activities of other agencies .... A structure that overly centralized homeland security oversight would make it harder to evaluate the Department of Homeland Security in the context of other activities of the Federal Government. An overcentralized structure could also make a congressional committee a captive of the agency that it oversees." See *Congressional Record*, January 4, 2005, p. H19.

Security, Rules Chairman David Dreier underscored that the new panel reflected "a delicately crafted architecture. It creates a primary committee while recognizing the other legitimate oversight roles of the existing committees. We envision a system of purposeful redundancy."[17]

DHS officials often complain that they have to testify before too many committees and receive contradictory signals from different House and Senate panels. Many of their staff are consumed with writing testimony and responding to follow-up questions posed during the hearings. This bureaucratic lament has been voiced many times over the years. It has to be weighed carefully, however, against Congress's vital "watchdog," lawmaking, and informing functions.

Another concern is that competing committees often jockey to get priority in having top DHS officials testify first before their committee rather than other panels. This type of inter-committee conflict or tension might be allayed through the intervention of the Speaker or written or verbal agreement among the key committees. For example, in the 110th Congress an informal agreement was reached that the Energy and Commerce Committee would have priority over the select global warming committee in receiving the testimony of top energy officials.[18]

As for the consolidation of all budget authority for homeland security in one Appropriations Subcommittee in each chamber, there are at least two issues that bear mention. First is the jurisdictional issue—protection of turf--discussed in reference to the creation of select committees. Five agencies, which receive funding from different House Appropriations Subcommittees, "account for approximately $60.7 billion (91 percent) of total Government-wide gross discretionary homeland security funding in 2009."[19] The five are DHS, Defense, Health and Human Services, Justice, and Energy. Suffice it to say that jurisdictional reshuffling among the dozen Appropriations subcommittees would not be an easy assignment. Second, the House and Senate Appropriations Committees prefer that their subcommittee structures are similar in jurisdiction. This arrangement facilitates the bicameral negotiation process when there are funding disagreements between the two chambers. Thus, this PNSR proposal would appear to require the concurrence of both chambers if it is to be effective.

EMPOWER THE HOUSE FOREIGN AFFAIRS COMMITTEE

It is unclear to me how the recommendations of the PNSR empower the House Foreign Affairs Committee. One of their proposals is to amend Section 302(a) of the

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[17] *Congressional Record*, January 4, 2005, p. H14.

[18] House Energy and Commerce Chairman John Dingell reportedly stated that he received assurances from Speaker Nancy Pelosi that "his committee will get first dibs to call witnesses where there could be potential conflict and that Pelosi will be consulted before the exercise of any compulsory powers by the select committee to ensure the appropriate coordination of efforts." See Jonathan Kaplan, *The Hill*, February 6, 2007, p. 1.

[19] *Analytical Perspectives, Budget of the United States Government, Fiscal Year 2009* (Washington, G.P.O. 2008), p. 19.

1974 Budget Act to require the Budget Committees to "recommend allocations for all national security budget function components." [Section 302(a) deals with committee spending allocations for total budget authority and total budget outlays.] As I understand the budget functions, they are for informational purposes and not enforceable by parliamentary means.

A second PNSR proposal is to reenact "firewalls" that first cap discretionary spending for different categories of programs, and, second, prevent the transferring of discretionary funds from international or defense programs to domestic programs. Firewalls were part of the Budget Enforcement Act of 1990. However, my understanding of the firewalls is that they have only an indirect effect on the authorizing committees, because the firewalls apply to appropriations bills.

Third, the PNSR recommends a supermajority requirement to waive the requirement of House rules that the authorization for a program or agency must be enacted into law prior to the consideration of appropriations for that program or agency.[20] My sense is that this provision would empower a minority to block defense and foreign policy authorizations and not empower the Foreign Affairs Committee. There are many times, too, that authorizers will both ask the Appropriations Committee to carry their legislation and support a waiver of House Rule XXI, which also is designed to prohibit legislation on appropriations bills.

SENATE CHANGES

Nominations. The PNSR recommends that ten most senior positions in a national security department or agency--recall that this could be a large number given PNSR's definition of national security—should be placed on the Senate's executive calendar, with or without a recommendation, after no more than 30 days of legislative session." This proposal tracks P.L. 108-458, The Intelligence Reform and Terrorism Prevention Act of 2004—which has a "sense of the Senate" provision regarding expedited consideration of national security nominees. However, as we have seen with many administrations, including President Obama's, speedy nominations may come at a cost, such as the withdrawal of various nominees. The vetting of nominees is a slow process. On the other hand, it makes it difficult for a new administration to govern without many of its top people in place.

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[20] The PNSR' recommendation states: "Require a supermajority vote in the House to waive the current rule requiring passage of authorizing legislation prior to consideration of appropriations bills for defense and foreign policy." House Rule XXI, clause 2, stipulates more than passage of legislation. It requires that an "appropriation may not be reported in a general appropriation bill, and may not be in order as an amendment thereto, for an expenditure not previously authorized by law." Moreover, it is quite unusual for the House to specify supermajority requirements in its rulebook. Currently, there are only four instances: suspend the rules; dispense with the call of the Private Calendar; consider a special rule on the same day it is reported from the Rules Committee; and to approve a measure, amendment, or conference report carrying a federal income tax rate increase.

Holds. The PNSR recommends the abolition of holds on national security nominees. Holds are an informal practice of the Senate, although an effort was made in the Honest Leadership and Open Government Act of 2007 to end the practice of secret holds. My sense is that most Senators do not want to end the practice of holds. It gives every Senator bargaining leverage with the administration, which is a valuable resource to accomplish various goals. Moreover, holds serve an "early warning" function for party leaders, indicating opposition to certain nominations.

Thank you for the opportunity to testify, and I will be pleased to try and answer your questions.

BIOSKETCH

Walter J. Oleszek is a senior specialist in American national government at the Congressional Research Service, where he has worked since 1968. He has served as either a full-time professional staff aide or consultant to a number of House and Senate legislative reform efforts, such as the House Select Committee on Committees (1973-1975). In 1993, he was policy director of the Joint Committee on the Organization of Congress.

He is the author or co-author of a number of books on the Congress, including *Congressional Procedures and the Policy Process*, 7th ed. (2007), *Congress and Its Members*, 11th ed. (2008), and *Congress Under Fire: Reform Politics and the Republican Majority* (1997). A long-time adjunct faculty member at The American University, he holds a doctorate degree in political science from the Graduate School of Public Affairs, State University of New York, Albany.

QUESTIONS SUBMITTED BY MEMBERS POST HEARING

MARCH 19, 2009

QUESTION SUBMITTED BY DR. SNYDER

Dr. SNYDER. Do you believe that the professional military education system does or should play a role in designing national security strategy? Please comment.

Dr. KREPINEVICH. The professional military education system should play an important—albeit indirect—role in designing our national security strategy.

Strategy at the national level (and strategy in general) is typically done best by small groups of individuals who are talented strategists. This was the case with respect to the successful grand strategy developed by the Truman and Eisenhower administrations to prosecute the Cold War. The same is true for the "triangular" strategy developed by the Nixon administration that led to the opening to China in the early 1970s and produced a major shift in our geopolitical situation. Our overall strategy for prosecuting World War II in Europe with our British partners was crafted and directed by President Roosevelt, General Marshall, Prime Minister Churchill and General Alan Brooke.

Professional military education institutions support the design of good strategy in two ways. First, our senior military schools teach strategy. To the extent they do it well, they contribute to populating our government, over time, with senior civilian and military leaders who have a good appreciation for strategy. Second, to the extent that these institutions are able to identify those individuals who are promising strategists, it can be an important factor in their selection for senior positions that require such a skill. (There is some recent scholarship indicating that it is possible to identify those individuals who have the potential to do strategy well. Interestingly, the skill sets that the military values in selecting officers for command at the tactical level of war, are not those that translate well into skills needed for senior rank; i.e., for officers who must weigh issues at the strategic level, and who are responsible for strategy development.)

Do our senior military education institutions teach strategy well? Are they tased with identifying students who show great promise as strategists? Is this attribute valued by the career civil service and the military services when it comes to advancement and placement? These questions may be worth investigating. Both Rep Skelton and Rep Israel have a strong interest in these issues and may be worth engaging, as may Rep Thomberry.

I hope this brief response proves of use to you.