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Committee on Homeland Security and Government Affairs

"STRUCTURING NATIONAL SECURITY AND HOMELAND SECURITY AT THE WHITE HOUSE"

by

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Chairman Lieberman, Ranking Member Collins, and distinguished members of the Committee, thank you for inviting me here to discuss structuring national security and homeland security at the White House. I am honored to have the opportunity to share my views with you. I believe how the White House manages homeland security and national security issues is one of the most important determinants of how well the government addresses these challenges from a "whole-of-government" perspective.

I'd like to first discuss why I believe organizational changes are needed in how the White House manages homeland security issues. I would then like to propose a five design principles to consider when thinking about organizational options, and briefly outline how a merged council that includes the homeland security portfolio might be preferable to separate councils.

Why the Status Quo Isn't Working

Fundamentally, homeland security issues are both inextricably a part of national security issues *and* inherently interagency and intergovernmental in character. In our system of government, with a Cabinet comprised of independent department secretaries who answer directly to the President, I believe the only way to have a well-functioning homeland security enterprise is to have a White House structure that provides overall direction, sets priorities across the range of national security issues, and resolves interagency disputes during the policy-making process. To date, the Homeland Security Council has struggled to be effective in this role for three primary reasons.

First, by establishing a separate council and associated staff to address homeland security issues, the White House under President Bush artificially bifurcated its approach to a wide range of important national security challenges. Today many national security challenges have both international and domestic components that need to be addressed holistically. For example, preventing and countering nuclear proliferation starts overseas but must also include detection, neutralization and consequence management strategies here at home. Effectively combating

terrorism involves not only tracking down terrorists overseas, but working with state and local law enforcement to prevent radicalization of individuals within the United States. Determining how to allocate finite military capabilities requires weighing and prioritizing international and domestic requirements to best manage the overall level of risk to the nation. Addressing these kinds of challenges effectively requires an integrated approach, but that is difficult to achieve when there are two separate organizations working these issues inside the White House. During the Bush Administration, the two councils each had separate staffs, they had different organizational structures and reported to different advisers to the President. The two council staffs had different cultures of communication; the NSC staff principally used the classified system while the HSC staff largely operated at the unclassified level. In this kind of environment, coordination, when it did occur, was more often than not a product of staff initiative rather than standard operating procedure. In a world where it is difficult to define where homeland security ends and national security begins, managing today's globalized challenges using two separate organizations may no longer be the best answer.

Second, as numerous practitioners and commentator have noted, the HSC to date has largely been viewed as the NSC's weak stepchild. Technical, bureaucratic realities have contributed significantly to this dynamic. Because HSC staff, unlike NSC staff, counted against the White House personnel ceiling, there was pressure to keep the size of the HSC small. Where in recent years the NSC has more than 200 staff, the HSC staff hovered at around 35 to 45 people. Given the breadth of homeland security challenges and the complexity of the homeland security landscape, this is simply not enough personnel to do justice to the issues. Although HSC staff generally work the same long hours as the NSC staff and have similarly important responsibilities, HSC staff have been paid less because the HSC did not have its own budget and hence was subject to relatively tight salary caps. The salary cap, coupled with the HSC's perceived second-class status made it more difficult to attract the very best and brightest to the HSC organization. While there have been excellent public servants who have worked on the HSC staff over the last few years, on balance more HSC staff have come from political

backgrounds than do NSC staff, and the overall level of professional experience of the HSC staff has been lower than their NSC counterparts. This disparity negatively affected the staff's ability to work effectively with agency counterparts on tough interagency issues. From an organizational perspective, it is important to have a structure that is going to provide the best quality policy advice to the President on homeland security issues, and be able to promulgate that advice into the interagency process and oversee its implementation. It is not clear that the HSC to date has had the personnel to fulfill this mandate.

Third, the HSC as a separate organization has struggled to lead the interagency process in developing core strategy and guidance on homeland security issues (such as developing an interagency planning process) and has struggled to oversee implementation of policies once they are developed (such as the range of documents and processes envisioned in HSPD-8 on National Preparedness). In part this was due to the council's relatively small staff, but it also was probably associated with the Bush Administration's preference for the "lead agency" approach that focused the NSC and HSC staffs primarily on coordination rather than on leading policy development. From a historical perspective, some presidents have structured their NSCs to place greater emphasis on driving policy while others have used the NSC principally to coordinate policy. But as security challenges become more complex and interrelated, and meeting these challenges effectively will require integrating capabilities from across the government, the lead agency model is likely to prove inadequate to many tasks ahead. Current and future security challenges require a strong White House structure that will support the development of integrated strategies and oversight of their implementation. A more effective White House structure with a mandate to lead homeland security policy issues would also enable DHS, a relatively new and fragile bureaucracy, to spend less time fighting bureaucratic struggles within the executive branch and more time maturing as an organization.

Design Principles for Organizing at the White House

Ultimately, results, not wiring diagrams, are what matters when it comes to how to organize the White House staff to address homeland security issues. With that in mind, there are at least five design principles that might help guide thinking about organizational options:

- First, the White House structure should enable homeland security issues to be considered substantively as part of the larger national security domain.

- Second, the White House structure should facilitate consideration of homeland security issues as of equal importance relative to traditional national security issues. As a former DHS official said recently in a New York Times article about the possibility of a merger, "you want your issues considered. You don't want to be off in some second bucket."

- Third, the White House structure should minimize the need to have the President be the sole arbiter of disagreements between Cabinet secretaries over substantive policy or roles and responsibilities.

- Fourth, the White House structure should enable the organization to serve as an effective and honest broker among interagency players and as necessary, to enforce implementation of Presidential priorities and decisions on reluctant interagency actors.

- Fifth and finally, the White House structure should facilitate recruitment and retention of the best possible staff with the expertise and experience across the full range of homeland security disciplines to ensure the President receives the best possible policy advice.

What a Merged NSC Would Look Like

In my view, the best way to maximize the potential to establish a structure at the White House that is consistent with these design principles is to merge the HSC into the NSC. In reports published at CSIS, we recommended a structure that would include two deputy National Security Advisers reporting to the National Security Adviser; one deputy responsible for international affairs and another deputy for domestic affairs. Reflecting the view that most security challenges today have both international and domestic components, many staff in this merged council would report to both deputies, although there might be some portfolios that would have staff reporting to only one deputy. For example, if there is a human rights and democracy office, this office would report solely to the deputy for international affairs, while the emergency preparedness and response office would report solely to the deputy for domestic affairs. To ensure these two deputies are able to interact effectively with very senior government officials, up to and including Cabinet secretaries, they would both have to be individuals of significant expertise and stature. In this type of arrangement, homeland security issues would no longer be stove-piped organizationally and they would be more likely to receive the same level of attention as more traditional national security issues.

This merged Security Council would be empowered to lead the interagency in formulating homeland security policy and to oversee implementation of homeland security policy on behalf of the President of the United States. In reading the article in this Sunday's *Washington Post* about likely NSC reforms, it seems evident that President Obama and General Jones, the new National Security Adviser, clearly envision a more robust NSC of this nature.

Arguments Against a Merger

While many scholars and organizations have recommended a merger of the two councils, including scholars at CSIS, the Heritage Foundation, the Center for American Progress, Third Way, the Project on National Security Reform, and the Commission on the Prevention of WMD Proliferation and Terrorism, there are certainly arguments against a merger. The two most

prevalent arguments against a merger are that the National Security Adviser already has a full plate and does not have time to take on a new set of issues, and that the traditional NSC staff does not have expertise in homeland security issues which means that these issues could actually get less attention and be handled less skillfully than if addressed by a separate Homeland Security Council.

It is true that the National Security Adviser already holds one of the most grueling jobs in Washington, bearing responsibility for a vast array of issues. Merging the two councils would add to this burden, but the benefits of addressing security challenges holistically and putting homeland security issues on an equal footing with traditional national security issues probably outweigh concerns about span of control. In a merged council, the National Security Adviser would be the single person responsible and accountable to the President for the full range of security challenges. To ease the burdens of this enormous span of control, as I noted above, at CSIS we recommended establishing the two deputies, for international and domestic issues respectively, who would manage these portfolios on a day-to day basis. In the event of a crisis, the President and the National Security Adviser must be able to rely on one or the other Deputy to lead the day-to-day management of the crisis. Both Deputies will need to have close and effective working relationships with the National Security Adviser so that either one can take on this crisis management role. Moreover, if there is a conflict between the international and domestic elements of a situation during a crisis and the principals responsible cannot resolve a disagreement about policy options, the NSA can offer an integrated recommendation to the President for his consideration. To date, if there had been a conflict between the traditional national security side, represented by the NSA, and the domestic side, represented by the Homeland Security Adviser, the President alone would have to weigh the issues and make a decision.

The second major argument against merging the two councils is that the traditional NSC staff does not have the appropriate expertise or experience, particularly in terms of state and local

government perspectives, to adequately support the President on homeland security issues. I believe the answer to this concern is straightforward – don't try to staff the homeland security portfolio solely with individuals from traditional national security backgrounds. Instead, populate the merged Council staff with sufficient numbers of personnel with backgrounds in the full range of homeland security disciplines, such as law enforcement and intelligence, critical infrastructure and emergency preparedness and response, and ensure that these individuals understand and are sensitive to the concerns of state and local governments, as well as the views of the private and non-governmental sectors. Ideally I would like to see individuals with experience at the state and local level serving as detailees in a merged Security Council, just as the existing NSC now has detailees from federal agencies like the State Department and the Defense Department. This kind of rotational assignment structure, which could include sending federal employees to spend a year working at the state government level, would be entirely consistent with ongoing evolution of jointness that began with the Goldwater-Nichols Act and has continued more recently with the effort to create a National Security Professionals Program as envisioned in Executive Order 13434.

There is no single, "correct" way for the President to organize the White House to address national security challenges. Over the years presidents have used many different models, to varying degrees of success. Personalities will always play a critical role, regardless of organizational structure. Looking forward however, the security challenges we face today and in the future are increasingly complex and almost all will require the development and application of integrated, whole-of-government approaches. I believe the best way to help generate this level of integration and unity of effort is to merge the HSC and NSC into a single, robust council that is empowered by the President to lead policy development in the executive branch and oversee its implementation.

Thank you for your time and for the privilege of appearing before you today. I look forward to answering your questions.