

## **Government Organization and Culture**

The massive departments and agencies that prevailed in the great struggles of the twentieth century must work together in new ways, so that all the instruments of national power can be combined. Congress needs dramatic change as well to strengthen oversight and focus accountability.

—The 9/11 Commission Report

### **The White House**

Members of Congress and experts inside and outside of government have noted that no single person is in charge of and accountable for preventing WMD proliferation and terrorism, with insight into all the committees and interagency working groups focused on these issues. Indeed, the current Deputy National Security Advisor for Counterterrorism told the Commission that he devotes only about 15 percent of his time exclusively to WMD terrorism and that the Senior Director for Counterproliferation does the same. (He subsequently explained that certain Homeland Security Council officials spend 100 percent of their time on matters related exclusively to WMD terrorism.)

Reacting to these concerns, Congress passed the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53)—establishing the Office of the United States Coordinator for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism. The Coordinator would serve as the principal advisor to the President on all matters relating to the prevention of WMD proliferation and terrorism. The Coordinator would also be responsible for formulating, advocating, and overseeing the execution of a comprehensive and well-coordinated U.S. policy and strategy in this area.

The Bush administration initially opposed creating the position of

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the WMD Coordinator, arguing in a Statement of Administration Policy that such a post was unnecessary “given extensive coordination and synchronization mechanisms that now exist within the executive branch.” The White House also raised constitutional concerns, suggesting that Congress cannot direct the President to establish a Senate-confirmed position within the National Security Council (the office in which the Coordinator would logically reside). As of this writing, the position has remained vacant for nearly 15 months. In September 2008, the administration briefed the Commission on a recently developed proposal regarding the Coordinator. Since it was so close to the presidential election, the Commission counseled the White House to discuss this proposal with the incoming administration before making a final decision on it.

Although we have come a long way since 9/11, one of the central criticisms leveled by virtually every commission and panel that studied what went wrong leading up to the attacks of 9/11 was that the U.S. government suffered from a serious lack of coordination among the various agencies whose job it is to keep us safe.

Today, the President’s national security policymaking is overseen by two parallel councils: the National Security Council (NSC) and the Homeland Security Council (HSC). The artificial distinction between “national security” and “homeland security,” emerged after the attacks of September 11, 2001, and resulted in the creation of the HSC to complement the NSC. Each council has its own supporting staff and coordinating mechanisms. The HSC has focused on a rapidly expanding area of policy over the past several years, but having two separate councils and staffs has caused redundancy and has also diffused accountability through multiple, often conflicting policy-coordinating mechanisms.

The number of Policy Coordinating Committees (PCCs) that deal with WMD issues has increased, accompanied by a considerable duplication of committee agendas and taskings. Information provided to the Commission by various agencies revealed nearly 200 interagency committees and working groups that address WMD, counterproliferation, and counterterrorism issues.

For example, one agency calculated that its senior officials attend

- 22 PCCs, sub-PCCs, interagency working groups, and interagency policy groups that hold weekly meetings
- 69 that hold monthly meetings

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- 198 that hold meetings annually, semiannually, quarterly, bimonthly, monthly, biweekly, weekly, or on an ad hoc basis

A significant side effect of the redundant coordinating meetings is their consumption of considerable senior-level time and attention. Officials from the agencies that participate in all these meetings shared their concerns with our Commission.

“There are some issues that nobody manages,” one agency official told the Commission, “and other issues that have too many managers.” A number of officials from various agencies spoke of multiple meetings with a lack of sufficient coordination. According to one official, too much time at White House meetings was spent on management issues and not enough on strategic thinking. Another official said that he spends so much time going to interagency meetings that his time for actually performing his agency job was very often “crowded out.”

**RECOMMENDATION 8:** The President should create a more efficient and effective policy coordination structure by designating a White House principal advisor for WMD proliferation and terrorism and restructuring the National Security Council and Homeland Security Council.

The Commission endorses specific actions to implement this recommendation.

**ACTION:** The next Congress should amend Public Law 110-53 to eliminate the requirement to establish an Office of the United States Coordinator for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism, while retaining the mandate to appoint a senior presidential advisor with the responsibilities of the Coordinator.

The Commission strongly endorses the creation of a senior White House advisor whose sole responsibility is to serve as the President’s advocate and overseer of the policy nexus between WMD proliferation and terrorism. The position of senior advisor could readily be placed within the National Security Council structure. Alternatively, such an

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advisor could be placed within the office of the Vice President or made the head of a separate White House office.

The Commission is concerned that the provision of the 2007 act requiring that this position be Senate-confirmed could raise issues of authority and conflicting guidance within the Executive Office of the President. Senate-confirmed officials are normally accountable to Congress and can be called to testify, but the NSC staff members advise the President and do not appear before Congress. Senate confirmation would therefore likely compel the next President to place the Coordinator outside of the NSC staff.

In short, the next President may well prefer that the senior advisor not be a Senate-confirmed position. If he does, we believe that Congress should amend the law to reflect the President's decision.

We emphasize that to be effective, this senior advisor must be seen as speaking for the President by all relevant departments and agencies, as well as the White House. He or she must have the authority to call meetings, task agencies, and resolve interagency conflicts. The advisor must also have the budgetary authority (including a direct link to the Office of Management and Budget) to assess funding levels, fix shortfalls, and adjust programs. The advisor should play the lead role in coordinating policies and operations to prevent WMD proliferation and terrorism and would be responsible for advising the President about how policy decisions across government—foreign policy, defense, trade, and so forth—would affect the mission of preventing WMD proliferation and terrorism.

Such an advisor would have enormous responsibilities and would need to exercise commensurate authority across agency lines. The advisor should not be, or be perceived as, a junior appointee. Accordingly, the Commission urges the appointment of a person of recognized distinction in the field of WMD proliferation who would enjoy the full support and confidence of the President. The senior advisor must be seen as the alter ego of the President on issues of WMD terrorism and proliferation.

The Commission believes that this senior advisor should also play a central role in promoting a strong working relationship with Congress on preventing WMD proliferation and terrorism. In particular, the advisor could help bring improved clarity to those issues about

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which there is a substantial difference between Congress and the executive branch.

The advisor should seek to constructively intervene on the critical issue of container port security, which has recently become contentious. Congress included in the Implementing Recommendations of the 9/11 Commission Act of 2007 a requirement that by 2012, all cargo containers must be scanned before being shipped to the United States. The Departments of Energy and Homeland Security have taken steps to scan a portion of cargo overseas, and nearly all cargo as it arrives in the United States, but they have resisted meeting the comprehensive requirement included in the law, arguing that a risk-based approach focused on the largest ports overseas is more cost-effective.

Finally, the advisor should also ensure that appropriate red team exercises are conducted across the federal government with respect to WMD terrorism prevention, preparedness, and response. Red teaming is done by designated operational and subject matter experts to discover weaknesses in a plan and to identify how it can be improved. Red team exercises, conducted in structured environments to avoid the risk of public panic, can give participants an opportunity to test procedures and to identify gaps—operational, analytic, or technical—and whatever authorities are needed prior to an actual event.

**ACTION:** The next President should restructure the Homeland Security Council and National Security Council by consolidating both staffs under the NSC framework. Congress should revisit the statutory creation of the Homeland Security Council and evaluate whether two separate councils are necessary.

The U.S. government must abandon the notion that “homeland” security is somehow different from “national” security, much as it has recognized that domestic intelligence, which is largely focused on the homeland, is a central element of protecting national security. Operationally, the U.S. government functions without recognizing a division between national security and homeland security, yet these seams exist in policy coordination, and indeed have been institutionalized. The creation of the Homeland Security Council was a stopgap measure to coordinate a subset of national security policies while the Department

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of Homeland Security was being established. Now that the Department of Homeland Security is fully operational, however, the two parallel councils create ambiguity and unnecessary redundancy, lead to multiple and conflicting policy coordination mechanisms, and dilute accountability for specific issues.

To resolve these problems, the responsibilities of the HSC staff should be transferred to the NSC staff and redundancies should be eliminated. The Homeland Security Advisor should continue to serve as the President's principal advisor for preparedness and response to natural disasters and for vertical integration of federal, state, local, tribal, and territorial authorities. The Homeland Security Advisor would also be responsible for public-private cooperation on issues such as critical infrastructure protection and for interacting with organizations such as the National Governors Association, the National League of Cities, the United States Conference of Mayors, and chambers of commerce.

### **Congress**

The current structure of congressional oversight of national security is a relic of the Cold War. It has not evolved in response to the changing nature of the threats that the United States faces in the 21st century.

Since the dawn of the atomic age, Congress has undergone substantial reorganization only once and partial reform rarely. The Legislative Reorganization Act of 1946 restructured committee jurisdictions. In the 1970s, some incremental reforms were undertaken. And the few other reforms enacted in the 1990s were, in the view of most analysts, largely cosmetic.

Congress has pressured the executive branch to reform itself in ways that reflect the crosscutting, transnational nature of many of today's national security threats. Yet Congress has carried out only minor reforms of its own structure, instead preserving institutional stovepipes and protecting jurisdictional turf. Congressional oversight has thus been hampered by the fact that national security priorities such as the federal government's efforts to prevent weapons of mass destruction proliferation transcend the antiquated jurisdiction of any single committee.

Two recent commissions have called for fundamental changes in the national security oversight structure of Congress.

The National Commission on Terrorist Attacks Upon the United States (9/11 Commission) proposed a new, unified structure for the

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oversight of intelligence and counterterrorism programs, through one of two models: (1) a single committee in each chamber of Congress, with combined authorizing and appropriating authorities, or (2) a joint bicameral committee, modeled after the Joint Committee on Atomic Energy. The 9/11 Commission also proposed the creation of a single streamlined oversight structure for homeland security.

The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (the Silberman-Robb Commission), which focused on the intelligence community's abilities to identify, warn about, and respond to WMD proliferation and related threats, recommended "that the House and Senate intelligence committees create focused oversight subcommittees; that the Congress create an intelligence appropriations subcommittee and reduce the Intelligence Community's reliance on supplemental funding; and that the Senate intelligence committee be given the same authority over joint military intelligence programs and tactical intelligence programs that the House intelligence committee now exercises."

Congress responded to those calls for substantive change in the structure of congressional oversight by taking a few incremental steps—some of which made the legislative oversight process more cumbersome.

The Senate removed the term limits for members of the Select Committee on Intelligence, thereby allowing experienced members to continue serving (as they do on other Senate committees). The House of Representatives created a Select Intelligence Oversight Panel on the Appropriations Committee to review budget requests for intelligence activities and to align authorizations and appropriations for intelligence community activities. The panel includes members from the Appropriations Committee and the House Permanent Select Committee on Intelligence.

In response to the 9/11 Commission's recommendation to create dedicated oversight committees for the Department of Homeland Security (DHS), the House formed the Homeland Security Committee, while the Senate merely renamed its Governmental Affairs Committee—which became the Senate Homeland Security and Governmental Affairs Committee—and gave it additional jurisdiction over DHS.

But other House and Senate congressional committees still retained their jurisdiction over the agencies that had been moved into DHS. Thus, the creation of these new committees (and subcommit-

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tees) did nothing to streamline the number of congressional panels to which DHS must respond. In the House, 16 committees and 40 subcommittees now assert jurisdiction over DHS. In the Senate, 14 committees and 18 subcommittees share this responsibility.

The need for DHS to report to multiple committees and subcommittees makes it more likely that the department will receive conflicting direction from Congress, and unnecessarily increases its workload. By relying on such a splintered structure, Congress has jeopardized its ability to perform effective oversight of DHS. As Thomas Mann and Norman Ornstein have observed, “Congress’ failure to oversee the DHS has been crushing.”

“It was a disappointment but came as no surprise to us that the Congress did not act on the Commission’s recommendations,” Lee Hamilton, the former Vice Chairman of the 9/11 Commission, noted in late 2007. “It is much easier for the Congress to reform the Executive branch than it is to reform its own institutions.”

That Congress has yet to adequately organize itself to cope with the nuclear age, much less the post-9/11 era, is deeply troubling and demands action. We understand that reforming and streamlining the processes of Congress is not easy; members of Congress understandably do not like to relinquish the committee or subcommittee chairmanships they worked for and waited years to obtain. We also recognize that leaders from both parties in Congress have pushed for reforms, with some successes. But the urgency of the situation requires that Congress do much more.

**RECOMMENDATION 9:** Congress should reform its oversight both structurally and substantively to better address intelligence, homeland security, and crosscutting 21st-century national security missions such as the prevention of weapons of mass destruction proliferation and terrorism.

We are the third bipartisan commission to urgently and unanimously recommend that the legislative branch reorganize its oversight and budgeting processes so as to most effectively work to prevent WMD terrorism. Given the threats now facing the United States, the difficulties of institutional change and jurisdictional competition are not acceptable excuses for the failure to act on these recommendations.

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Congress's failure to reform itself has resulted in ineffective oversight of important national security threats and missions that transcend the jurisdiction of a single committee. These include federal efforts to assess and prevent WMD proliferation and terrorism. One consequence of Congress's failure to adapt to the evolving nature of national security threats is the outsourcing of national security oversight to external commissions like this one.

The next President should establish a greater level of trust by reaching out to Congress on intelligence issues, improving consultation with the intelligence committees, and making clear that Congress should play a vigorous role in overseeing intelligence. For its part, Congress should use its oversight to build cooperation and a shared sense of mission with the intelligence community and the President. The leaders of Congress should take responsibility, especially in their own parties, for ensuring that members do not make intelligence a political issue. This cooperative approach must be balanced by Congress's legitimate interest in checking executive branch power and protecting civil liberties.

**ACTION:** Congressional leadership should establish an Intelligence Subcommittee on the Appropriations Committees in both chambers of Congress with jurisdiction over the National Intelligence Program and Military Intelligence Program budgets. These subcommittees should include members drawn from committees with oversight responsibilities for programs funded by the National Intelligence Program or the Military Intelligence Program.

The creation in 2007 of a Select Intelligence Oversight Panel on the House Appropriations Committee was a positive first step toward long-overdue reform, but Congress needs to go further. Specifically, separate House and Senate Appropriations Intelligence Subcommittees should be created and given responsibility for both the National Intelligence Program and the Military Intelligence Program. The annual appropriations bill for the two types of intelligence programs would be reported by this new subcommittee and then passed to the full Appropriations Committee in both chambers, without substantive review by any other subcommittee.

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In the Senate, the National Intelligence Program and the Military Intelligence Program budgets are appropriated through the Defense Appropriations Subcommittee. This arrangement poses a number of challenges. While the authorizers on the Senate Select Committee on Intelligence devote a large majority of their time to overseeing the intelligence budget, the attention of defense appropriators is divided across the greatly increased post-9/11 budgets, emergency supplements for the conflicts in Iraq and Afghanistan, and a larger National Intelligence Program that funds sensitive and critical operations. Today, the challenges and risks of the post-9/11 world demand the full-time attention of an appropriations subcommittee.

**ACTION:** The Senate and House Homeland Security Committees should be empowered as the sole authorizing oversight committees for the Department of Homeland Security and all agencies under the department's jurisdiction.

While recognizing that crosscutting programs may require consultation with other committees, the Senate and House Homeland Security Committees should be empowered as the sole oversight committees for DHS and commit to producing annual authorization bills for the department's activities. Committees that traditionally have had jurisdiction over agencies that are now a part of DHS should no longer have this authority. It is in the interest of DHS, Congress, and ultimately the nation to streamline and strengthen congressional oversight.

**ACTION:** Congress should build capacity to conduct effective oversight of crosscutting terrorism and WMD issues by such means as creating an office on the model of the Office of Technology Assessment.

Because of current jurisdictional stovepipes, the congressional oversight structure discourages rather than fosters coordination on crosscutting issues. On nuclear terrorism, for example, the Homeland Security Committees may address homeland preparedness and response, but they may not be able to discuss potential sources of fissile material or overseas efforts to prevent nuclear weapons proliferation—because jurisdiction for those issues rests in the Foreign Relations,

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Intelligence, and Armed Services Committees. The committees must do more to share information on crosscutting issues such as WMD proliferation and terrorism, and they must have experienced staff members with the appropriate expertise.

To enhance the technical and scientific expertise available to members, Congress should expand fellowship and detail opportunities from the nongovernmental sector. And to provide advice to members of Congress on technical issues, Congress should establish an office similar to the Office of Technology Assessment, which served this function for 23 years. In a recent positive development, some Intelligence Committee members and staff directors participated in training programs aimed at enhancing their oversight.

**ACTION:** Congress should work with the next administration to ensure that key aspects of U.S. law are followed with respect to required assessments of nuclear proliferation risks and the relative economic cost of civilian nuclear projects overseas.

A large body of domestic law has been developed over the past half-century to guide U.S. nuclear nonproliferation policy. The Atomic Energy Act of 1954, for example, requires nonproliferation assessment statements for any proposed nuclear cooperative agreement. But Congress did not hold hearings on Turkey or Saudi Arabia, nor did it conduct a review of the cooperation arrangements with Russia or India, particularly to ensure that the latter complies with the Henry J. Hyde United States–India Peaceful Atomic Energy Cooperation Act of 2006. Congress should make every effort to conduct a complete review of nuclear cooperation agreements that are presented to the legislature.

A second shortcoming in congressional oversight of nonproliferation activities is its failure to hold the executive branch accountable for laws regarding the safeguarding of peaceful nuclear programs. Under the Atomic Energy Act of 1954, the U.S. government is required to ensure that International Atomic Energy Agency inspections (of nuclear technologies or materials controlled under international agreements) are capable of providing “timely warning” of any diversions for military purposes. But the executive branch has not defined the requirements for IAEA inspections to provide “timely warning,” nor has it indicated

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whether inspections of U.S.-origin nuclear materials meet the standard. Congress has failed to address the issue.

Finally, there has been no attempt to implement Title V of the Nuclear Nonproliferation Act of 1978, which requires the U.S. government to do general and country-specific assessments of the relative merits of nuclear and non-nuclear energy sources for meeting the energy needs of developing nations. Such comparative assessments are needed to inform decisions on U.S. support for proposed nuclear power projects in such states as Egypt, Turkey, India, and Saudi Arabia and to assist other developing states in perfecting their own energy plans.

### **The Intelligence Community**

The intelligence community is implementing the most sweeping organizational changes since 1947 in response to the Intelligence Reform and Terrorism Prevention Act of 2004. Congress created the Office of the Director of National Intelligence (ODNI) to serve as the head of the U.S. intelligence community and to improve coordination among the 16 intelligence agencies. Although important work remains, significant progress is being made with respect to cross-organizational integration of intelligence collection and analysis. Past barriers to performing joint intelligence work are weakening and the number of collaborative efforts is increasing.

The Commission believes that praise is warranted to Congress for its efforts to push intelligence community reforms and to all of the agencies for their responses both to congressional initiatives and to the attack on 9/11. Examples of important new initiatives include the work of the National Counterterrorism Center (NCTC), the ODNI's 500 Day Plan, the revised Executive Order 12333, and the revised Attorney General Guidelines. Interviews with numerous current and former intelligence officers, as well as policymakers and nongovernmental experts, lead the Commission to believe that many of these reforms need time to settle and mature. Over the past four years, the intelligence community has had five different leaders. Creating additional organizational churn at this time is unlikely to serve the best interests of U.S. national security or to enhance the performance of the intelligence community. CIA Director Michael Hayden recently noted in public comments, "We have been pulled up by the roots to check how we are growing on about an 18 month cycle for about the last six

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years. . . . We're suffering reform and transformation fatigue." Under the circumstances, and recognizing that further reform might well be advisable in the future, we make no substantial recommendations relating to such changes at this time. We think it best to allow the current process of reform to continue unabated without significant added organizational change.

We note that despite the progress that has been made, small pockets of resistance to the changes brought about by the congressionally mandated reforms persist. The Commission found that some senior CIA officers continue to resent and resist the changes that shifted authority for leadership and management of the intelligence community to the DNI. A former CIA executive described the CIA's attitude as "rage toward the ODNI." While that view may represent only a subset of CIA personnel, the Commission encountered multiple examples of senior CIA officers expressing hostility and disdain toward the ODNI. The CIA Director needs to make organizational cooperation a priority.

In addition, while there have been significant improvements in integrating foreign and domestic intelligence, persistent cultural gaps remain. Some of these gaps can be attributed to the legacy of distinct missions and to the functional boundaries that previously existed between agencies of foreign intelligence and domestic law enforcement. The FBI continues to evolve from a purely law enforcement organization to a national security organization with significant responsibilities for detecting and preventing terrorism.

The creation of the FBI's National Security Branch and its WMD Directorate is certainly a step in the right direction. The recent revisions to the Attorney General Guidelines provide standards, procedures, and authorities intended to help the FBI perform more effective domestic intelligence collection and analysis. However, greater collaboration between the intelligence and law enforcement communities is needed to foster common understanding of the tools and best practices that each may adopt.

The Commission also found that considerable progress has been made with respect to improving information sharing across federal departments and agencies, as well as with state, local, and tribal governments. The creation of state information fusion centers has improved domestic information sharing. Such efforts are certainly laudable, but they must be pursued in effective coordination with

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other efforts such as the FBI's Joint Terrorism Task Force model. In that model, state, local, and federal law enforcement and intelligence agencies conduct joint investigations of counterterrorism cases and work to disrupt plots against the U.S. homeland.

In short, the Commission believes that the intelligence community is aggressively implementing the changes required by the Intelligence Reform and Terrorism Prevention Act of 2004. We propose no further organizational changes to the community at this time. However, the next President should direct the DNI to continue to look for ways to streamline redundant organizations, layers of management and staff, including a review of the effectiveness of the recently created National Counterproliferation Center. As discussed below, the DNI should identify challenges to current human resource strategies and propose solutions to enhance the capabilities of the current workforce.

As part of the post-9/11 reforms, two new organizations were established: the National Counterterrorism Center (NCTC) and National Counterproliferation Center (NCPC). The directors of these two organizations act as "mission managers," or senior coordinators, for all intelligence community efforts relating to terrorism and to WMD proliferation, respectively.

The NCTC coordinates both intelligence and policy implementation on counterterrorism issues throughout the executive branch. The director of this center reports to the DNI; he or she also reports directly to the President on matters of strategic operational planning. The director ensures that the operations and activities of executive branch departments and agencies are consistent with the President's priorities. The NCTC pulls together policy analysts and field operators from across the U.S. government counterterrorism community, including foreign service officers, DHS officers, FBI agents and analysts, active duty military, and personnel from the Department of Energy and other agencies. The center produces its own coordinated analyses on terrorism and publishes warnings, alerts, and advisories. The NCTC bridges the counterterrorism and counterproliferation nexus in strategic planning as well as analysis.

In contrast to the broader mission of the counterterrorism center, the role of the National Counterproliferation Center is limited to improving coordination and information sharing across the intelligence community with respect to the collection and analysis of information

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on WMD proliferation and related hard targets. The NCPC identifies long-term proliferation threats and requirements and develops strategies to ensure that the intelligence community is well positioned to address them. The NCPC also reaches out to elements inside and outside the U.S. government to identify new methods or technologies that can enhance the intelligence community's capability to detect and defeat future proliferation threats.

Two recent milestone events—the terrorist attacks of 9/11 and the 2002 Iraq WMD estimate that resulted in sustained criticism of the intelligence community—had a significant impact on the analytic community. But the counterterrorism (CT) and counterproliferation (CP) communities took away very different lessons from those events. Among the conclusions drawn by the CT analysts after 9/11 was that they must be far more forward-leaning in their threat assessments and must be willing to think creatively and take analytic risks. In contrast, the lessons the CP analysts drew from the 2002 Iraq WMD National Intelligence Estimate were to check and recheck every source, fully vet all information, clearly distinguish what is known from what is judged, and be extraordinarily cautious, even reticent, when preparing intelligence and presenting it to policymakers.

In an effort to apply a more uniform set of analytic standards and practices, the ODNI created the Analytic Integrity and Standards Office in 2006. As a result, sourcing standards, the use of alternative analysis, and the vetting of sources have improved. For example, all human source information used in National Intelligence Estimates must be reviewed and validated by the National Clandestine Service prior to final review and approval by the National Intelligence Board.

Effective collaboration between analysts and collectors is required. The Commission found that the relationship between analysts and collectors has improved in some areas, and that one goal of intelligence reform legislation—ensuring that analysis drives collection—is becoming a reality. The most significant progress has occurred at the national level in organizations such as the National Counterterrorism Center, where analysts and collectors from different organizations work collaboratively. Senior government officials told the Commission that the act of placing personnel from the CIA, FBI, Department of Defense, Department of Energy, and other agencies together in one office has done more to improve information sharing and collaboration than have any technological solutions. Per-

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sonnel working in such an interagency setting come to understand the strengths, weaknesses, and roles of other agencies and see how the different agencies fit together as pieces of a whole. But the Commission also found that progress has been slower in individual agencies, where analyst-collector integration requires reaching across organizational barriers.

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### **Meeting Future Needs**

Half of today's analysts entered the intelligence community after 9/11. Because of attrition and hiring freezes during the 1990s, there are few midcareer analysts. Consequently, analysts are being called on to assume greater technical and managerial responsibilities earlier in their careers. In particular, the Commission found that the intelligence community's base of science and technology expertise is not sufficient to meet emerging demands in these areas.

With regard to nuclear weapons, the number of technical experts available to the intelligence community is declining because of retirements and the reduction in innovative nuclear weapons-related work at the U.S. national laboratories. Nuclear expertise remains in high demand by the intelligence community because it serves as a hedge against breakout capability and other technological surprises by state and non-state adversaries. Accordingly, such expertise should be protected as a national resource.

In the field of biotechnology, engaging experts outside of government is particularly important, because developments are fast-moving and most relevant expertise resides in academia, nongovernmental organizations, and the private sector. The Biological Sciences Expert Group, an advisory body to the National Counterproliferation Center that gives the intelligence community access to outside scientists, is an example of effective collaborative engagement with nongovernmental experts to work on high-priority issues.

In addition, the number and diversity of the potential counterterrorism and counterproliferation targets present a major challenge for collection. The main problem, a former senior CIA operations officer succinctly told the Commission, is "collecting the dots" rather than "connecting the dots."

Particularly difficult is collecting intelligence on suspect state and non-state biological weapons programs. Bioweapons programs can be

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hidden in seemingly legitimate scientific and industrial organizations; they can be conducted in innocuous-looking facilities; and it can be challenging to identify what is going on inside them through technical means.

Richard Danzig, a former Secretary of the Navy, has argued that traditional collection methods are not effective in this area and that a paradigm shift is needed. Danzig maintains that intelligence collection must adapt to the decentralized and transnational nature of biological risk—and he has proposed an equally decentralized approach that he calls “peripheral vision,” which would take advantage of the international networks among scientists, both formal and informal.

Such networks could be valuable for acquiring information, as well as for detecting anomalous activities that might be related to state or terrorist bioweapons efforts. The Commission believes that this approach is an innovative solution to the problem of information collection and that an outreach strategy to the scientific community should be developed in order to tap into this vast reservoir of open-source information.

**RECOMMENDATION 10:** Accelerate integration of effort among the counterproliferation, counterterrorism, and law enforcement communities to address WMD proliferation and terrorism issues; strengthen expertise in the nuclear and biological fields; prioritize pre-service and in-service training and retention of people with critical scientific, language, and foreign area skills; and ensure that the threat posed by biological weapons remains among the highest national intelligence priorities for collection and analysis.

Both within and across intelligence community agencies, the compartmentation of information remains a formidable challenge. A senior intelligence official responsible for information sharing told the Commission staff that the flow of WMD-related information in the intelligence community is still much less than it should be. Interviews with intelligence community analysts revealed a significant growth in the number of codeword compartments related to WMD proliferation and terrorism. One senior intelligence official expressed concern to Commission staff about stovepiping within the analytic communities that deal with coun-

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terproliferation, counterterrorism, and regional issues. Another senior official noted that compartmentation to preserve secrecy makes it difficult for these communities to exchange information.

**ACTION:** The intelligence community should improve the sharing of WMD proliferation and terrorism intelligence as a top priority, and should accelerate efforts to ensure that analysts and collectors receive consistent training and guidance on handling sensitive and classified information.

If analysts and collectors working against a common target do not have access to all relevant information about the target, the mission will be less likely to succeed. To ensure that sensitive sources and methods as well as privacy and civil liberties are protected, innovative methods to manage risk must accompany greater information sharing. Adopting uniform standards for handling sensitive information and increasing trust across the intelligence community are goals that have not yet been fully achieved.

**ACTION:** The intelligence community should expedite efforts to recruit people with critical language capabilities and cultural backgrounds. In conjunction with this effort, the intelligence community should streamline the hiring process, especially for applicants with critical language capabilities.

In order to prevent and counter efforts by terrorists to acquire WMD, it is imperative that human intelligence collection officers be able to gather information on the related activities of terrorist groups. This mission requires personnel with the necessary language skills, as well as ethnic and cultural backgrounds, to gain access to the communities where terrorist groups operate.

Since the implementation of Foreign Language Strategic Program in May 2003, the CIA has increased its overall language capability by 50 percent. The number of employees with tested capability in the agency's 10 mission-critical languages rose by just over 16 percent in fiscal year 2007 alone. However, for some of these languages the overall number of officers with proficiency is still too low.

The Commission believes that the intelligence community should

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continue and accelerate its efforts to hire and train individuals with critical skills and backgrounds for the counterproliferation and counterterrorism missions. To that end, the process for granting security clearances must be streamlined, while background investigations must remain thorough enough to ensure that national security is not compromised.

**ACTION:** The intelligence community should address its weakening science and technology base in nuclear science and biotechnology and enhance collaboration on WMD issues with specialists outside the intelligence community, including nongovernmental and foreign experts.

The use of cutting-edge science and technology is crucial in addressing WMD terrorism collection and analysis. This need is greater in the field of biology (more than two dozen types of bacteria, viruses, and other pathogens have been adopted or considered for use as biological warfare agents by states and non-state actors) than in nuclear science (nuclear weapons incorporate highly enriched uranium and plutonium as the primary types of fissile material). Furthermore, advances in genetic engineering and synthetic biology have raised the possibility of creating, respectively, modified versions of existing pathogens or entirely new pathogens. Advanced aerosolization technologies are also available from commercial sources.

**ACTION:** The intelligence community and law enforcement should continue to focus and prioritize collection on WMD state and non-state networks that include smuggling, criminal enterprises, suppliers, and financiers, and they should develop innovative human and technical intelligence capabilities and techniques designed specifically to meet the intelligence requirements of WMD terrorism.

The nexus of proliferation and terrorism is a top collection priority for the intelligence community, and the array of targets is massive. They include transnational terrorist and extremist groups, supplier networks, criminal organizations, front companies, financiers, smugglers, and the WMD capabilities of state and non-state actors, to name a few.

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The ability to identify and counter foreign denial and deception activities is particularly critical in the area of WMD proliferation and terrorism. Therefore, maintaining and improving the intelligence community's ability to counter such efforts must be a top priority. Although the United States continues to have an intelligence advantage in some areas, this advantage will erode as foreign knowledge of U.S. systems and capabilities increases. Reversing this trend requires the development of intelligence systems that provide "unexpected, unwarned, and unconventional" collection capabilities, and these methods must be better protected from unauthorized disclosure.

**ACTION:** The President, in consultation with the DNI, should provide to Congress within 180 days of taking office an assessment of changes needed in existing legislation to enable the intelligence community to carry out its counterterrorism, counterproliferation, and WMD terrorism missions. In so doing, the intelligence community must keep WMD terrorism a top priority while ensuring that the broader counterterrorism and counterproliferation efforts do not suffer.

### **The National Security Workforce**

Despite recent initiatives, the U.S. national security community still lacks the flexibility and workforce culture needed to attract, train, and retain people with the skills needed to help the government respond to global network threats such as terrorism and proliferation.

In May 2007, President Bush issued Executive Order 13434, National Security Professional Development, which focuses on building and maintaining a new generation of national security professionals. Subsequently, in November 2007, an implementation plan was published to guide the executive steering committee, chaired by the Director of the Office of Personnel Management, in recruiting, training, and retaining the necessary personnel.

**RECOMMENDATION 11:** The United States must build a national security workforce for the 21st century.

The Commission believes there are several specific actions that the United States should undertake to implement this recommendation.

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**ACTION:** The U.S. government should recruit the next generation of national security experts by establishing a program of education, training, and joint duty with the goal of creating a culture of interagency collaboration, flexibility, and innovation.

The U.S. government lacks the flexibility of the private sector to accommodate individuals who are inclined to switch jobs frequently and forgo long-term stability in return for rapid professional growth and new challenges. Unless the government can offer careers that provide continuing professional and intellectual challenges, it will have difficulty attracting the best and the brightest.

The President should establish a government-wide professional education and training program for the national security officer corps, covering multiple stages of officers' careers and including curriculum on combating terrorism and WMD proliferation. To facilitate the creation of an interagency professional education program in national security, the Office of the Director of National Intelligence and the cabinet secretaries must develop a strategic plan that takes into account that, unlike the Defense Department, the intelligence community and most other national security agencies lack the manpower to assign officers to extended training programs without suffering a drop in operational capability.

**ACTION:** The National Security Professional Development Implementation Plan must meet its requirement to recruit, train, and retain sufficient national security professionals, including at the U.S. national laboratories.

The U.S. national laboratories have a critical need for an influx of new, highly trained personnel. The Commission's interviews with Secretary of Energy Samuel W. Bodman and other high-level officials of the Department of Energy, Sandia National Laboratories, the intelligence community, and the Department of Homeland Security all elicited concerns that the current workforce at the national laboratories is aging and will soon retire.

According to Secretary of Defense Robert Gates, "Half of our nuclear lab scientists are over 50 years old, and many of those under 50 have had limited or no involvement in the design and development of a

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nuclear weapon. . . . By some estimates, within the next several years, three-quarters of the workforce in nuclear engineering and at the national laboratories will reach retirement age.” There are serious uncertainties about how the government will replace individuals with highly specialized skills as they retire, especially in light of the competition for these skills from the private sector. Today’s scientists do not see the laboratories as innovative places to work and build challenging careers. No concerted effort has yet been made to recruit the “next generation” workforce—but without that workforce, our long-term national security is threatened.

**ACTION:** The implementation plan must ensure incentives for distributing experience in both combating terrorism and combating WMD. The President’s top national security officials should consider including assignments in more than one department and agency as a prerequisite for advancement to the National Security Council or to department or agency leadership level.

Greater opportunity for education and training is a necessary but not sufficient condition for creating an effective national security workforce for the 21st century. To foster true interagency collaboration, national security officers from across the government must have the experience of working closely with colleagues from other agencies. The Department of Defense pursues this goal through joint duty requirements, and a recent directive from the DNI mandated that intelligence officers must serve a joint tour before they are eligible for promotion to senior service. But the requirement for joint duty should begin early in an officer’s career. In addition, the U.S. government should promote and fund advanced education in both nuclear science and biology, as well as joint training for crisis response, including the expeditious and effective delivery of federal capabilities to state and local governments and to foreign partners.

#### **Global Ideological Engagement**

The United States has been successful at using its defense and intelligence resources to capture or eliminate individuals involved in al Qaeda’s quest for a WMD capability. But our nation has been less successful at using persuasion to deter terrorist recruitment and indoctrination of

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individuals who might someday use a nuclear or biological weapon against Americans or our allies.

Efforts to prevent terrorist recruitment cannot rely on the same predominantly military tools that are used to capture or kill terrorists and facilitators. Instead, the U.S. government must be more creative in developing “non-kinetic” measures to engage the enemy ideologically. U.S. counterterrorism strategy must effectively use the tools of soft power if we are to prevent WMD terrorism. Doing so will require cultural changes within the civilian foreign policy and national security agencies similar to the changes that have occurred within the military and the intelligence community.

These powers of persuasion include, at a minimum, the capability to project targeted messages about America’s intentions and beliefs in support of specific foreign policy goals and to undermine the terrorists’ credibility and recruiting efforts by assisting allied countries in developing greater social and economic stability at the grassroots level. To be effective in this undertaking, the U.S. foreign policy community must define its role in our efforts to stop the proliferation and use of WMD.

**RECOMMENDATION 12:** U.S. counterterrorism strategy must more effectively counter the ideology behind WMD terrorism. The United States should develop a more coherent and sustained strategy and capabilities for global ideological engagement to prevent future recruits, supporters, and facilitators.

The U.S. foreign policy community needs to alter its culture and organization so that it can work across agency lines to make soft power an option just as viable and effective as hard power. This change is essential; it should be a top priority of the next President’s foreign policy team.

**ACTION:** The Secretary of State, in conjunction with the U.S. Agency for International Development and other departments, should take the lead in building an organic capability within the civilian agencies of the U.S. government for coordinating, integrating, and delivering foreign assistance, public diplomacy, and strategic communications. These efforts must be integrated under a single overarching strategy.

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At present, such a coherent strategy is lacking. Like foreign assistance, programs for public diplomacy and strategic communications are dispersed throughout the U.S. government, and they are executed without coordination to ensure that they emphasize consistent messages and reinforce U.S. policy. To remedy these weaknesses, the Secretary of State should develop an integrated strategy for global ideological engagement that supports U.S. foreign assistance efforts, including a government-wide assessment of what capabilities are needed and how to create them within civilian agencies.

The Secretary should develop this strategy in close coordination with the President's senior advisor on WMD proliferation and terrorism, so that the senior advisor can consider how global ideological engagement can contribute to the overall effort to prevent WMD terrorism. The Secretary of State should then develop a process to coordinate this integrated strategy, ensuring that consistent messages accompany all public diplomacy and foreign assistance initiatives. At the same time, the strategy should be flexible enough that it can be tailored to different regions and countries. The next administration should also consider how best to reinvigorate USAID to deliver development and humanitarian assistance in an integrated fashion.

Communicating U.S. values and interests to a global audience is a major challenge in an era of instantaneous communications and 24-hour multimedia news reporting. Traditional vehicles, such as Voice of America and Radio Free Europe/Radio Liberty programming, which once reached their targeted listeners only via shortwave radio, are now available as webcasts and telecasts, in many different languages—and their English-language broadcasts have a wide global audience. But other states and non-state interests are also seeking to influence world opinion and have moved swiftly to utilize the communications tools of the 21st century. China is beaming extensive programming into Africa, in English, at a time when the U.S. government has proposed cutting the budgets for English-language broadcasting. At present, al Qaeda is using a full arsenal of media resources.

The United States must develop a comprehensive strategy for implementing this crucial facet of its public diplomacy—something that is currently lacking. The Under Secretary of State for Public Diplomacy and Public Affairs should design and implement a strategic communications plan to support global ideological engagement and

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buttress deterrence. The aim of this strategy should be to create a sense of revulsion against the idea of WMD terrorism, conveying the message that it is in everyone's interest to prevent groups like al Qaeda from acquiring such weapons. The President should engage foreign partners, especially in Muslim countries, and stress that al Qaeda's acquisition and use of WMD would be a catastrophe for all mankind.

In addition, the strategic communications plan should work to reframe Cold War deterrence strategy to address 21st-century threats. Public diplomacy and strategic communications can help promote awareness and cooperation internationally and in the private sector (industry and academia), especially regarding the prevention of bioterrorism and the misuse of biotechnology. The deterrence strategy should make clear to smugglers and facilitators that trafficking in WMD materials, technologies, or expertise is a redline. If they cross it, they will unite nations against them, resulting in the total disruption of their operations. Terrorist groups can be deterred if they believe that a particular weapon or tactic is likely to fail—and also if they become convinced that even if they have short-term success, the people whose support they most desire will turn vehemently against them. This should be another important tool in our efforts to halt terrorist efforts to obtain WMD.

As part of this plan, the President should expand the declaratory policy that threatens harsh retaliation against any state that assists a terrorist group in acquiring and using a WMD. This declaratory policy would mention possible retaliatory options and should be aligned with public statements and strategic communications, such as high-level discussions with foreign leaders. For the policy to be credible, however, the United States must demonstrate effective nuclear and biological attribution capabilities.

The United States should fight violent extremist ideology with the same commitment with which it contained Communist ideology. This commitment should include the application of cultural and ideological pressure at all points of the globe to counteract terrorist violence and nihilism.