

Unlocking Interagency Secrets:

A New Rosetta Stone?

by Lino Miani

As the terrorist attacks against the United States unfolded on September 11, 2001, it became very apparent to decision makers at all levels of state and federal government that they were unable to coordinate an effective response across agency lines. As the dust settled over New York and Washington, the country realized that the terrorists had discovered and exploited a seam in our security system. This seam is a side effect of our divided government and our desire to separate our internal security mechanisms from our external ones.

Illustrating this, the 9/11 Commission Report is replete with poignant details of communication failures, bureaucratic infighting, and seemingly inexcusable lapses in teamwork among the myriad agencies of the U.S. government that had some hand in tracking Al Qaeda. There was a natural feeling of outrage at these shortcomings. Although most careful observers of the security sector did not need the 9/11 Commission Report to tell them that globalized threats require coordinated interagency responses, the initial flurry of bureaucratic fixes in the years following 9/11 showed them that making interagency processes work is more complex than simply taking action to plug the gaps. The very structure and culture of executive branch agencies often prevent them from cooperating fully, and the effects of direct Congressional advocacy and oversight make accountability and authority flow in unpredictable directions.

Despite our fear and outrage, there are deep-seated reasons why we do not want too much interagency cooperation in the security sector. The prospect of developing a monolithic security apparatus, centrally controlled by a single office or entity, violates our national tradition of separate government authorities. Our collective wariness of developing an insidious American-style *Gestapo* prevents us from going too far in building a security regime that can operate flexibly and quickly across sectors of the government and economy at the local, state, and federal levels to prevent or react to terrorist threats.

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This leaves questions about how to balance, in a way that works for us, the effectiveness of our security sector with our cultural distrust of government. Some believe that it is time for legislation in the tradition of the Goldwater-Nichols Act that effectively forced the military services to develop joint operating capabilities. Others consider a statutory solution to our interagency woes to be a distant hope at best. They prefer to work creatively within the existing system and devise organizational solutions like joint-interagency task forces and national coordination centers, or informal approaches such as interagency exchange or education programs. An example of the latter would be the Interagency Studies Program (ISP) for special operations and intelligence officers at the University of Kansas.

Whatever solution emerges in the coming years, it is clear that there is no Rosetta Stone that will help us unlock the secrets of the interagency. To make it work properly will require a cultural and inter-departmental fluency that is quite rare in today's federal workforce. The security sector will be particularly difficult to reform because it requires its officers to carefully cultivate technical skills over an entire career. Until our leaders at the political levels of government settle on a way to organize effort and manage resources more flexibly and effectively, we will be forced to rely on informal and ad hoc solutions.

Why we want interagency cooperation in the security sector

The September 11, 2001, terrorist attacks on the United States were the culmination of an enemy special operation that was global in scope, years in duration, and almost perfect in its security. The intelligence services of the United States and several of its allies and partners detected only the smallest hints of the operation that was taking place. A meeting of suspected terrorists in Kuala Lumpur; odd behavior by Arab students at flight schools in the United States; others with expired student visas; and a failed

bomb plot in the Philippines—all were significant events of themselves, but investigations into those incidents revealed virtually none of the connections that would have brought the larger picture into focus. Frustratingly, shared insight into any one of those events could have led to the disruption of Al Qaeda's plot but for the tangled web of bureaucratic restrictions and self-imposed boundaries that hindered cooperation between the U.S. agencies involved.

Prior to the end of the Cold War in 1991, security seemed much simpler. States recognized security threats as the hostile activities of a rival state and its organs. For every Soviet agency that threatened America, there was an equal and opposite U.S. agency to address it. In that environment, the division of U.S. government effort was easily clarified along organizational lines. Information could be compartmentalized for security, budgets earmarked, and jurisdictions rigidly defined.

Today however, the concept of security is expanding too quickly for governments to address effectively. Threats come from multiple sources, affect disparate segments of society, and cross national boundaries. There is no single agency that can deal with events like September 11, which saw attacks by stateless terrorists on our financial, transportation, and military systems. Transnational threats like these take many forms, from mass migration away from environmental disasters, to over-fishing, to stateless terrorists that shelter in one state, plan in a second, and act in a third.

Observers of the U.S. government know that the quest for interagency efficacy is not a new one. It therefore seems strange that we have suddenly discovered a need for interagency cooperation six decades after passage of the National Security Act sought to address many similar problems. Yet there are significant differences between our situations then and now. The proliferation of security concerns that took place after 1991 created a link that did not previously exist between security and

a host of social factors. For example, there is now, arguably, a correlation between social ills like poverty and ethnic inequality, and terrorism and war. Many political theorists believe that a country's economic development contributes to its stability and that without development, stability will be short-lived.

Why interagency processes are difficult

The modern threat environment presents multi-sector challenges that confound Cold War era solutions. The American system of government features two quite separate dimensions of interagency process, the first of which is a vertical differentiation that stems from the division between levels of government. The strength and independence of state and local governments in the United States are unique in the world. The limited federal role in law enforcement, and a relatively light federal tax burden, allows governments at the lower levels to do a credible job managing their own affairs

be interagency differences of opinion on what constitutes each community's security interests and how they should be pursued.

Many state and local officials see federal intrusion into their affairs as a threat to their autonomy, or even their presumed "sovereignty." They believe the distant and distracted federal government cannot manage local affairs as well as local officials can. Others complain they receive less attention from Washington than they deserve. They are forced to take expensive measures to protect their interests from transnational threats they are powerless to affect and sometimes prohibited from addressing. Whether they fear federal involvement or want more of it, officials at state and local levels tend to agree that transnational threats, if not Washington's fault, are certainly Washington's responsibility. This leaves the states and towns believing they are bullied and unprotected, and federal officials feeling ineffective and underappreciated.

The second dimension of interagency process characteristic of the U.S. governmental system is a horizontal differentiation that is intra-federal—the relationships among federal government agencies. This is what most people think of when they use the term "interagency", but the processes that determine how agencies of the executive branch of the federal government cooperate are also affected by legislative, and to a lesser extent, judicial decisions. Within this "horizontal" dimension there are structural and cultural barriers to cooperation that bear on the problem as well. The "mission sets," budgets, geographic jurisdictions, and personnel, command and control, and information systems of these agencies are compartmented from one another. This compartmented structure, a relic of the Cold War, had a number of security advantages but it is not good for healthy interagency cooperation.

At working levels, these structural barriers are overcome by cooperative arrangements between agency representatives operating under the leadership of a single "sponsor". The

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by passing laws, levying taxes, and maintaining order. This independence is a double-edged sword in today's threat environment. With the growing inability of national governments to shelter their populations from the negative effects of events beyond their borders—not all of which are hostile acts—state and local governments are ill prepared to take up the slack. This generates a need for a federal role in local preparedness and consequence-management programs; yet with over 87,000 state and local jurisdictions in the United States, it is inevitable that there will

classic example of this are the U.S. country teams at American embassies worldwide. Provincial Reconstruction Teams (PRT) in Iraq and Afghanistan provide a similar example but with military sponsorship. In the embassy model, the sponsor is the Department of State which operates the embassy itself and wields a measure of authority over the activities of the interagency offices there. A cost-sharing scheme unifies budgets that fund common functions of the embassy, and control, or more precisely, coordination, is accomplished primarily by weekly country team meetings chaired by the Chief of Mission, but also through myriad informal contacts among key embassy officers.

Although country teams and PRTs are useful and generally successful examples of interagency coordination, there are still structural barriers to effective cooperation. The main weakness of interagency constructs like these is that the leaders of these organizations do not wield complete hierarchical authority over the activities of those under their jurisdiction. In the case of the country team, agency representatives that fall under Chief of Mission authority still take their instructions, draw their budgets, and owe their career advancement to their home agencies in Washington or elsewhere. This multiplies the number of stakeholders involved and builds interagency conflict into the functioning of any country team, PRT, or similar organization.

At a higher level, these challenges are met in a similar fashion but generally take the form of specialized organizations that have an issue-based or geographic orientation. The emergence of Joint Interagency Task Forces (JIATF), or issue-based “centers” like the National Counterterrorism Center (NCTC), is driven by the need to facilitate interagency cooperation at a pan-organizational level. JIATFs, typically under Department of Defense sponsorship, are operational units that can generate action on the ground, whereas centers have a more diverse leadership and are usually limited to analysis and policy direction.

The geographic or issue-based orientation of these units gives them access to flexible funding dedicated to address the particular interest for which they were created. For example, JIATF-West, originally created to support U.S. counterdrug activities in Asia, is partially funded by money set aside by member agencies for that purpose. JIATF-West is able to use this money for both military and paramilitary activities that can cover a spectrum of operations ranging from

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capacity building to direct action. Furthermore, because JIATF-West employs forces in a discrete, mission-by-mission manner, it can exercise direct authority over the forces assigned to it for short duration tasks. Nonetheless, despite the budgetary flexibility and direct control of assets wielded by organizations like JIATF-West, these units still suffer from many of the same structural obstacles as country teams and PRTs at a lower level.

Even if we managed to iron out all the structural bugs in the interagency process, there are cultural barriers to effective cooperation that are more subtle but perhaps more powerful inhibitors. There are two types of agencies within the national security sector of the executive branch: those that are process-oriented and those that are objective-oriented. The work of process-oriented organizations, like the State Department, can never truly end. There is no perfect solution in the world of diplomacy and

therefore, no point engaging in detailed planning to achieve one. Experience is the only effective training program; everything else is a distraction. These organizations do not limit themselves to a single way of doing business, nor are they averse to accepting less-than optimal outcomes because they know that no issue is ever completely settled.¹

This point of view is very difficult for objective-oriented agencies like the military to understand. Their operations are divided into discrete events that have identifiable start and

wrongdoing, law enforcement agencies gauge their success according to their ability to apprehend offenders and build a case against them that will lead to prosecution in a court of law. Military and intelligence agencies on the other hand, are generally satisfied to neutralize threats posed by targeted individuals or entities; prosecution is not important. They prefer to act preemptively (when authorized) and only care to gather the information necessary to achieve a well-defined operation against that target. The differing priorities between law enforcement and other agencies are particularly troublesome when attempting to counter terrorism which straddles the line between criminality and warfare.

In the American system of government, legislative and judicial impositions on what would otherwise be a purely executive function can further complicate interagency cooperation. In the security sector, no less than in other areas, Congress' constitutional authority over the budget gives it a wide-ranging and powerful impact on the scope and nature of executive activity. Through the use of budgetary earmarks, the ability to mandate specific tasks for the government, and a responsibility to conduct oversight of government activities, Congress can shape what executive agencies do and how they do it. The Congressional agenda often differs from that of the President or of the agencies themselves, and can alternately require action that the bureaucracies do not want to take, or constrain them in ways that they do not wish to be constrained.

The complexity and variety of Congressional aims further crowds the field of stakeholders in the interagency realm to which judicial review adds yet another layer. The Supreme Court, and by extension, the entire federal court system, has a powerful, if sometimes ill-defined authority to shape executive branch operations through judicial review.² Judicial review allows individual members of Congress, the public, or other executive branch agencies, to challenge federal programs or even specific aspects of those

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end points. Within given parameters, objective-oriented agencies can usually determine an optimal outcome and will conduct detailed planning to achieve it. This requires an adherence to standard operating procedures and a rigid division of labor that allows their specially trained personnel to identify themselves according to their function in the organization. These cultural traits come to the fore whenever these two types of organizations cooperate to solve a common problem. Today's threat environment increasingly favors a process-oriented approach to which objective-oriented agencies like the military struggle to adapt.

There are also cultural divisions between those agencies that deal with internal security issues and those that deal with external ones. In a broad sense, the former are law enforcement agencies, and the latter are either military or intelligence agencies, or the Department of State. Law enforcement agencies take a reactive approach to their security responsibilities. Designed primarily to punish criminal

programs through lawsuits. For this reason, federal agencies are sometimes wary of taking any action, no matter how effective or legitimate, if they know it can be challenged forcefully in court.

Although international cooperation in security matters represents a third dimension of interagency relationships affecting the U.S. government, this paper will not discuss it. Suffice it to say that many of the obstacles that hinder interagency cooperation within our own government, are present, and often multiplied, when we deal with a foreign government or governments.

Why we are skeptical of interagency cooperation

American political tradition makes it simply unacceptable to entrust our internal security to a single organization. Interagency options are more acceptable precisely because they are perceived as less threatening to civil liberties than more monolithic structures. This deep cultural and philosophical undercurrent is not subject to the whims of a presidential administration or those of a congressional session. While we cannot ignore the impact of the President and Congress, or the utility of their administrative impulses, if we are to understand our difficulties with interagency processes, we must first recognize the connections between those built-in barriers, American culture and history, and the limitations imposed upon our actions by the domestic and international systems of which our country is a part.

The framers of the U.S. Constitution were very careful to limit the powers of the executive branch of the government and to safeguard the rights of the nation's citizens. Though based in liberal philosophy, this was a cultural imperative in the thirteen newly independent colonies. These colonies, like their citizens, saw themselves as independent entities, self-governing, and at home with the democratic process that is so useful for self-made men. This history is reflected, not just

in the divided power structures of the federal government, but also in the strong political identities of individual communities and the division of labor among local, state, and federal institutions.

Until the end of the bipolar system of the Cold War, the separation of internal and external security mechanisms ameliorated American concerns about a standing military.

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The arrangement, which featured a hierarchical external security system and a divided internal system, was a good one. Subordination of the Defense Department to civilian leadership and prohibiting it from interfering in domestic affairs assuaged fears of federal power. Americans grew accustomed to the benefits of having a powerful standing army with an effective command structure and a strategic doctrine dominated by airpower and nuclear deterrence. The military was designed for quick, decisive victory without the bloody cost of large-scale ground combat. But the expanding post-Cold War definition of security began to blur the lines between internal and external threats. Those threats no longer emanated exclusively from states and it was suddenly impossible to find purely military solutions to any of the nation's security problems. In the post-Cold War world, danger came from intrastate conflict, communal warfare, disease, transnational crime, uncontrolled migration, and of course, terrorism.

The September 11th attacks forced America to fundamentally change its security paradigm. Once the exclusive domain of the military,

warfare today appears to have as much to do with development as it does with direct action. “Whole of government” has become a watchword in Washington but the new approach is not universally accepted or evenly implemented. Networked, interagency solutions are inefficient and difficult to understand, but the more drastic step of consolidating paramilitary powers into a single agency responsible for internal security is simply not acceptable. The organizational task

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remains a difficult one. An interagency security apparatus is anathema to the part of U.S. culture that demands decisive action, yet a monolith with centralized police powers is unacceptable to the American sense of individual freedom. Any move towards a centralized internal security apparatus will be resisted from below and hamstrung by legislative protections. The dilemma for the U.S. government is how to reconcile an increasingly urgent need for effective defenses against new and varied unconventional threats with an American culture that is still very liberal (in the classical sense) in orientation. Earmarked budgets, cumbersome reporting requirements, and operational restrictions are all manifestations of the American cultural discomfort with the idea of an integrated security apparatus. So is the constant intervention of a Congress concerned about civil liberties.

For all these reasons, unification of the government’s security sector under a monolithic

control structure is not just implausible, it might actually cause unintended negative effects. Network governance structures like the NCTC are an effective way to deal with complex security issues such as transnational terrorism. By draining the administrative moats between organizations, network governance eliminates many of the bureaucratic boundaries that inhibit cooperation. However, the cross pollination of budgets, personnel, and most importantly information, that issue-based governance requires, will also reduce compartments or “stovepipes” carefully constructed to preserve each agency’s identity and protect each from any security breaches in another. Resolution of this dilemma goes beyond technical solutions and will demand a systemic social solution available only to the most skilled interagency-minded individuals.

How do we get interagency cooperation that is right for us?

The culture and structure of the U.S. government limits the range of possible interagency solutions for our systemic problem to a small number of technical fixes. There is general recognition among practitioners that the status quo, at least in the security sector, depends upon personal relationships built between individual officers within ad hoc structures like PRTs or in issue-based organizations like JIATF-West and the NCTC. Initially, these officers tend to be only marginally effective because they spend a great deal of time learning how to work effectively with their interagency brethren. By the time they fully understand the capabilities of their interagency counterparts, it is time for them to move on to other assignments. In many cases they return to home agencies that do not understand or value the contributions they made in their previous assignments. This deters many of the best officers from seeking jobs outside their home agencies and further institutionalizes cross-cultural barriers within the government.

Overcoming these factors would require a significant overhaul of how we do business.

Among other things, officers would need to have common backgrounds in training and operating principles, a common lingo, compatible planning processes, and a supportive personnel system. Some believe this would require a comprehensive legislative solution. They lament the inability of the government to achieve unity of interagency effort outside times of crisis, and they invoke the Goldwater-Nichols Department of Defense Reorganization Act of 1986 as an example to be emulated and applied to the entire government. The Goldwater-Nichols Act, intended among other things, to “provide for more efficient use of defense resources” and “enhance the effectiveness of military operations,”³ was designed to put an end to wasteful bureaucratic infighting among the military services. The Act was a response to a string of embarrassing failures attributable to a lack of service interoperability that culminated in military disasters in Iran and elsewhere. After nearly a quarter century, the Act has come close to creating an effective joint culture within the military, but there is no serious discussion of a similar statutory remedy for the rest of the government, nor is there any agreement on how best to address such an enormous undertaking. As noted earlier, generating structural and cultural change of this magnitude is nearly impossible and may even be counterproductive.

Yet there is another option, a hybrid solution that envisions developing a corps of officers with a deep interagency skill-set gained through exchange of personnel and interagency-specific education programs that equip participants with the tools necessary for success in a multi-sector environment. By providing these conceptual tools upfront, programs—such as the Masters in Interagency Studies Program (ISP) at the University of Kansas—would have the principle benefit of reducing the time an officer spends learning the nuances of interagency communication. The ISP was carefully tailored to give the students a broad and sophisticated understanding of concepts that will contribute to their success in the future. The program

encompassed classes in public administration, international law, philosophy of international relations, negotiations, American political institutions, the American culture of war, the study of terrorism, and a seminar on the practical aspects of interagency policy and implementation taught by a former Deputy Assistant Secretary of State. The latter seminar featured lengthy private discussions with policy makers at senior levels of interagency responsibility including the Deputy White House Chief of Staff, the State Department’s Coordinator for Reconstruction and Stabilization (S/CRS), a senior Central Intelligence Agency (CIA) case officer, and veterans of the Vietnam-era Civil Operations and Revolutionary Development Support program (CORDS), an interagency success story in its own right.

Graduates of the ISP are well prepared to

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serve in critical assignments within the security sector that feature particularly complex problems of interagency interoperability. The inaugural class, which graduated in July 2010, included 16 mid-level officers from diverse backgrounds within the special operations and intelligence communities. Carefully selected for their maturity, potential for promotion and their previous interagency experience, the students seized the opportunity to learn from one another, the faculty, and other Kansas University students, and to build lasting relationships with one another

that will continue to be the cornerstone of a healthy interagency process. By creating a small cadre of interagency experts, the ISP will contribute, over time, to a more smoothly functioning “interagency.”

This unique melding of the interagency with academia should not be undervalued, yet it is not a panacea. Although the innovative program shows tremendous promise, it remains extremely small and as yet untested. The proof of the concept will only come once its graduates prove their worth in future interagency assignments. Encouragingly, U.S. Special Operations Command (SOCOM) has renewed the program for 2010-11, and ISP graduates will indeed have an opportunity to use their acquired expertise in key interagency positions. However, it is worth noting that funding restrictions are likely to prevent a substantial expansion of non-Defense Department personnel participation in the program even though it would benefit tremendously from students from other departments, especially State, Justice, Energy, and the CIA. Such restrictions are a prime example of a structural obstacle to interagency cooperation.

The current generation was not the first to discover problems with interagency processes, nor will it solve them. The challenge for contemporary American security practitioners is how to strike a useful balance between effective interagency action and an over-centralization of the security sector. Although it seems there is no Rosetta Stone for the interagency, innovative programs like the ISP represent a useful evolution in post-Cold War national security thought and are surely part of the solution. Only with the right educational foundation, and a government-wide commitment to interoperability, shared training, and necessary personnel incentives, can we adapt the structure and culture of our security system to the complex threat environment that we face today. **IAJ**

NOTES

1 Rickey L. Rife and Rosemary Hansen, *Defense is from Mars, State is from Venus: Improving Communications and Promoting National Security* (Carlisle Barracks, PA: US Army War College, 1998), 207-210. See also, author conversation with Principal Deputy Assistant Secretary of State Vann Van Diepen, Bureau of International Security and Nonproliferation. Conversation conducted at the State Department, 22 June 2010.

2 Linda Camp Keith, “The US Supreme Court and Judicial Review of Congress: 1803-2001,” *Judicature* 90, No. 4 (January-February 2007): 169-170.

3 Goldwater-Nichols Department of Defense Reorganization Act of 1986, Public Law 99-433, 99th Cong. (October 1, 1986), § 3, paragraphs 6 and 8.