
Program Brief

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"Homeland Defense: Issues and Challenges" **A Nixon Center Luncheon with Warren B. Rudman**

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One day before testifying on Capitol Hill, former Senator Warren Rudman outlined key challenges facing the Bush Administration in implementing its plans to create a Department of Homeland Security. Speaking at a recent Nixon Center luncheon, Rudman supported the reorganization plan, but also warned against moving too many agencies into the new organization – and against allowing bureaucratic changes to become a substitute for action to protect American security. Senator Rudman recently served as both Co-Chairman of the Commission on U.S. National Security/21st Century (the Hart-Rudman Commission) and as Chairman of the President's Foreign Intelligence Advisory Board. Lionel H. Olmer, a member of the Hart-Rudman panel and a partner with Rudman at Paul, Weiss, Rifkind, Wharton & Garrison, introduced the speaker and presided over the discussion.

A New Danger

The mandate of the Hart-Rudman Commission was to determine emerging threats to the United States and propose appropriate changes in American strategy and institutions to address them. According to Rudman, the distinguished and diverse panel rapidly reached an unexpected consensus: that asymmetric warfare, including terrorism, was a greater danger to U.S. interests

and a subsequently higher strategic priority than any traditional military threat. In fact, the Commission's final report – issued in March 2001 – stated clearly that "during the next 25 years, Americans in large numbers will die on American soil." In Senator Rudman's view, the principal sources of this new danger are a "new branch of radical Islam" and a widespread perception that "the U.S. speaks loudly and carries a big stick", a reference to the resentment of activist American policies. He argued that in addition to preparing to deal with this threat, the United States should carefully assess the role of individual U.S. policies in provoking this resentment, though he emphasized that America should not retreat from truly important interests or objectives for fear of potential reactions.

New Institutions

Several of the Commission's recommendations related to the establishment of a new Department of Homeland Security, which concentrates key government agencies with related missions. For example, Mr. Rudman pointed out that the Coast Guard, the Border Patrol, and the Customs Service are currently stranded in departments with differing missions, where they receive little attention or budget priority; they have therefore been constrained in performing their duties. In this

context, Rudman noted that the Customs Service inspects fewer than 2% of all cargo containers entering the U.S., and that before September 11th, some U.S.-Canada border crossings were secured overnight with "a traffic cone." These agencies and the Federal Emergency Management Agency should form the skeleton of the new Homeland Security Department, according to the Hart-Rudman Commission. Rudman was open to including the Immigration and Naturalization Service, the Secret Service, and the Transportation Security Authority to the department as the Bush Administration has proposed, but largely refrained from predicting their impact on the department's effectiveness. However, Rudman did express skepticism regarding the administration's claim that the new office would be budget-neutral; he believed this to have been credible with respect to the Commission's original proposal, but unlikely today.

In addition, Rudman explained, the Commission urged the President to direct the Secretary of Defense to make homeland security a primary mission of the National Guard, and to adjust its training, procurement, and deployment patterns accordingly. Rudman stressed that the U.S. military is the only governmental institution equipped to deal with the aftermath of a successful nuclear, chemical, or biological attack. Several other recommended changes have been implemented by the Department of Defense, including the creation of a CINC-North, (a theater commander for American forces in the continental United States). The Pentagon is also considering the appointment of an Assistant Secretary of Defense for Homeland Security. However, Rudman did not support proposals to separate visa processing functions from the Department of State.

Continuing Challenges

Senator Rudman praised plans to include an intelligence analysis unit within the department, but emphasized that the department would nevertheless be highly dependent upon intelligence collected by the FBI, CIA, and other agencies. He singled out the dissemination of information to key agencies and individuals as a principal challenge facing the entire domestic security effort. "I don't

think our problem [with intelligence agency performance] is collection ... or analysis ... our problem is dissemination," Rudman said. Rudman dismissed the notion of providing the Homeland Security Department with raw intelligence data, as he said department officials would have no basis for evaluating the reliability of the information it received. He also argued against incorporating the CIA or FBI into the department; he said that calls for such action are unrealistic and possibly even counter-productive.

More generally, Senator Rudman criticized efforts to use the creation of the new department as an opportunity to advance civil service reforms. In his view, this is likely to generate debilitating political conflicts with federal labor unions and risks allowing urgent security measures to become bogged down in "labor-management relations." Rudman also stressed the importance of finding the right kind of leader for the new department. He suggested that molding a conglomerate of diverse agencies into a coherent and effective unit while maintaining their existing structures will be quite difficult, especially in the context of possible friction with departments that lose assets to the new agency. Rudman suggested that the Bush Administration would do well to find someone with experience running large organizations, has worked with the intelligence community, and is "tough as nails."

This Program Brief was prepared by Center Director Paul J. Saunders and intern Jordan Willcox.

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