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Military Space Activities: Highlights of the Rumsfeld Commission Report and Key Organization and Management Issues

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Summary

Congress created three commissions in 1999 to assess certain aspects of space activities conducted by the Department of Defense (DOD) and the Intelligence Community (IC). One of these, the Commission To Assess U.S. National Security Space Management and Organization, was chaired by Donald Rumsfeld and issued its report in January 2001. Now that Mr. Rumsfeld is Secretary of Defense, the conclusions and recommendations of the "Rumsfeld Commission" are expected to receive increased attention. This report provides an overview of the Rumsfeld Commission's report and identifies key issues about the organization and management of national security space activities on which Congress is expected to focus. More information on military space activities, and brief summaries of the reports of the other two commissions (regarding the National Reconnaissance Office and the National Imagery and Mapping Agency), are in CRS Issue Brief IB92011. This report will not be updated.

Concerned about how the Department of Defense (DOD) and the Intelligence Community (IC) are managing and executing the nation's national security space program, Congress created the Commission to Assess United States National Security Space Management and Organization in the FY2000 DOD authorization act (P.L. 106-65). Chaired by Donald Rumsfeld, it is referred to as the Rumsfeld Commission. Mr. Rumsfeld served as Secretary of Defense (SecDef) under President Ford and was sworn in again as SecDef on January 26, 2001. He resigned as chairman of the Commission on December 28, 2000 when he was nominated for Defense Secretary. Other Commissioners were: Hon. Duane P. Andrews; Mr. Robert V. Davis; Gen. Howell M. Estes III, USAF (Ret.); Gen. Ronald R. Fogleman, USAF (Ret.); LTG Jay M. Garner, USA (Ret.); Hon. William R. Graham; Gen. Charles A. Horner, USAF (Ret.); ADM David E. Jeremiah, USN (Ret.); Gen. Thomas S. Moorman, Jr., USAF (Ret.); Mr. Douglas H. Necessary; Gen. Glenn K. Otis, USA (Ret.); and Sen. Malcolm Wallop (Ret.). The report was released on January 11, 2001. The text is available at [<http://www.space.gov>] or [<http://www.house.gov/hasc/reports/miscmaterials.html>].

Rumsfeld Commission Conclusions and Recommendations

The Executive Summary of the Rumsfeld Commission report states (p. vii, p. xv) that—

... it is in the U.S. national interest to:

- Promote the peaceful use of space.
- Use the nation's potential in space to support its domestic, economic, diplomatic and national security objectives.
- Develop and deploy the means to deter and defend against hostile acts directed at U.S. space assets and against the uses of space hostile to U.S. interests.

The Commission's report presented five conclusions (pp. ix-x of the Executive Summary; pp. 99-100 of the full report). They are paraphrased here.

1. The extent of U.S. dependence on space, the rapid pace at which that dependence is increasing, and the vulnerabilities it creates, demand that U.S. national security space activities be recognized as a top national security priority. Specific guidance and direction from the very highest governmental levels, including the President, is needed. Only Presidential leadership can ensure the cooperation needed from all space sectors—commercial, civil, defense and intelligence.
2. The U.S. government, especially DOD and the IC, is not yet arranged or focused to meet the national security space needs of the 21st century. A number of disparate space activities should be merged promptly, chains of command adjusted, lines of communication opened and policies modified to achieve greater responsibility and accountability. Only then can necessary trade-offs be made and priorities established to realize opportunities for improving U.S. military and intelligence capabilities. Only with senior-level leadership, when properly managed and with the right priorities, will U.S. space programs both deserve and attract required funding.
3. U.S. national security space programs are vital to peace and stability. The two officials primarily responsible and accountable are the Secretary of Defense and the Director of Central Intelligence. Their relationship is critical to the development and deployment of space capabilities needed to support the President in war, in crisis, and in peace. They must work together in partnership.
4. Every medium—air, land and sea—has seen conflict. Reality indicates that space will be no different. Therefore, the United States must develop the means to deter and to defend against hostile acts in and from space. The United States has not yet taken the necessary steps.
5. Investment in science and technology resources—facilities and people—is essential for the United States to remain the world's leading space-faring nation. The U.S. government needs to play a role in expanding and deepening the pool of military and civilian talent in science, engineering and systems operations. It also needs to sustain its investment in enabling and breakthrough technologies.

The Commission made 10 recommendations that appear on pp. xxxi-xxxv of the Executive Summary. An 11th recommendation, and elaboration on all of them, are in the full report, pp. 82-98. They are paraphrased here.

1. **Presidential Leadership.** The President should consider establishing space as a national security priority.
2. **Presidential Space Advisory Group.** The President should consider the appointment of a Presidential Space Advisory Group to provide independent advice on developing and employing new space capabilities.
3. **Senior Interagency Group for Space.** The President should direct that a Senior Interagency Group for Space be established and staffed within the National Security Council structure.
4. **SecDef/DCI Relationship.** The Secretary of Defense and the Director of Central Intelligence should meet regularly to address national security space policy, objectives and issues.
5. **Under Secretary of Defense for Space, Intelligence and Information.** Such a position should be established to oversee DOD's research and development, acquisition, launch and operation of its space, intelligence and information assets; coordinate the military intelligence activities within DOD; and work with the IC on long-range intelligence requirements for national security.
6. **Commander in Chief of U.S. Space Command and NORAD and Commander, Air Force Space Command.** The Secretary of the Air Force should assign responsibility for the command of Air Force Space Command to a four-star officer other than CINCSPACE/CINCNORAD. The Secretary of Defense should end the practice of assigning only Air Force flight-rated officers to the positions of CINCSPACE and CINCNORAD to ensure that an officer from any Service with an understanding of combat and space could be assigned to this position.
7. **Military Services.** The Air Force should realign headquarters and field commands to more effectively organize, train, and equip for prompt and sustained space operations. Air Force Space Command should have responsibility for providing the resources to execute space research, development, acquisition and operations. The Army and Navy would still establish requirements and develop and deploy space systems unique to each Service. Title 10 U.S.C. should be amended to assign the Air Force responsibility to organize, train and equip for prompt and sustained offensive and defensive air and space operations. Also, the SecDef should designate the Air Force as Executive Agent for Space within DOD.
8. **Aligning Air Force and NRO Space Programs.** The Under Secretary of the Air Force should be assigned as Director of the National Reconnaissance Office and as Acquisition Executive for Space.
9. **Innovative Research and Development.** The SecDef and DCI should direct the creation of an organization to focus on the requirement for innovative research and development. The SecDef should direct the Defense Advanced Research Projects

Agency and the Service's laboratories to undertake development and demonstration of innovative space technologies and systems for dedicated military missions.

10. **Budgeting for Space.** The SecDef should establish a Major Force Program for Space to provide better visibility into the level and distribution of fiscal and personnel resources, improving management and oversight of space programs.
11. **Congress.** Congress will play a key role in reviewing and coordinating many of the recommendations in this report and helping promote greater public understanding of the importance of national security space.

The report also calls for an early review of national space policy and a review of the approach the United States takes to intelligence collection from space. Two other themes are emphasized. One is that U.S. government policy should ensure that conditions exist so that the U.S. commercial space industry can field systems one generation ahead of its foreign competitors, and that the U.S. government can field systems one generation ahead of the commercial sector. The other is that the United States needs to accelerate space control efforts to prevent a "Space Pearl Harbor," including making better assessments of the threat environment to space systems (including satellites in orbit, their launch sites, and the ground stations needed to communicate with the satellites).

Key Issues Regarding Organization and Management

The Commission took a broad look at DOD and IC space activities. Following are three recommendations from the report regarding organization and management that may be an initial focus of congressional attention.

The Concept of a "Space Force". One of the factors that led Congress to create the Rumsfeld Commission was concern that the Air Force was not devoting sufficient attention to space policy and programs. According to the Commission's report (p. xxii), 85% of DOD's space-related budget activity is within the Air Force. An Air Force General serves as Commander in Chief of U.S. Space Command (CINCSPACE). U.S. Space Command is one of the nine U.S. unified commands, with component commands from the Army, Navy, and Air Force. CINCSPACE also serves as Commander in Chief of the North American Aerospace Defense Command (CINCNORAD), a joint U.S.-Canadian organization that monitors objects in Earth orbit and detects, validates, and warns of attacks against North America by aircraft, missiles, or space vehicles. He also serves as Commander of Air Force Space Command. Still, according to the report, "Many believe the Air Force treats space solely as a supporting capability [to] ... air operations. Despite official doctrine that calls for the integration of space and air capabilities, the Air Force does not treat the two equally." (p. xxii-xxiii)

Some argue that it is now time to create a Space Force separate from the Air Force, just as the Air Force was separated from the Army in 1947, to increase attention to and resources for national security space activities. The Commission did not recommend establishing a Space Force today, but stated that it almost certainly would happen sometime in the future. For now, it made sweeping recommendations about reorganizing management of national security space programs. In the mid-term, it suggested a "Space Corps" might be created within the Air Force, similar to the Marine Corps within the Department of the Navy, someday leading to a separate Space Force.

Among the advocates of a Space Force is Senator Bob Smith, who is widely credited with spearheading creation of the Rumsfeld Commission to address that issue in particular. In a January 11, 2001 press release, Senator Smith stated “The Commission's recommendations lay the foundations for what I have often maintained—that we should evolve to the eventual creation of a separate Space Force. These near-term management and organization reforms will begin to put in place the leadership and advocacy for space programs that have long been lacking.” Separately, Air Force Chief of Staff Michael Ryan was quoted (*Aerospace Daily*, February 9, 2001, p. 217) as saying that neither a Space Force nor a Space Corps will be needed for at least 50 years.

Also, the Commission recommended a change in the practice of assigning only flight-rated Air Force Generals as CINCSPACE/CINCNORAD so that officers from any of the services with knowledge of combat and space could be eligible. It also recommended that two different four-star officers serve as CINCSPACE/CINCNORAD and Commander of Air Force Space Command instead of the same person.

Organization within DOD and the IC. For the near-term, the Commission made many recommendations to reorganize DOD and IC to manage space activities more effectively. The report includes a pull-out chart showing the dozens of organizations within DOD and IC involved in national security space activities. DOD and the IC have tried a number of organizational models already. The Commission recommended another rearrangement. Two of its proposals that are garnering attention are to create a new Under Secretary of Defense for Space, Intelligence, and Information, and to expand the duties of the Under Secretary of the Air Force to include serving as Director of the National Reconnaissance Office (NRO, which builds and operates the nation’s reconnaissance satellites) and as Air Force Acquisition Executive for Space.

Today, the Assistant Secretary of Defense for Command, Communications, Control, and Intelligence, or ASD (C3I), serves as the focal point within DOD for space and space-related activities. The ASD (C3I) coordinates space policy and acquisition and has responsibility for certain aspects of DOD intelligence agencies. In addition, the National Security Space Architect (NSSA) develops mid- and long-term space architectures for DOD and intelligence space mission areas, reporting both to the ASD (C3I) and to the Community Intelligence Staff under the Director of Central Intelligence. The NSSA has no authority over budgets or acquisition, however. The Director of the NRO also serves as an Assistant Secretary of the Air Force, but has no responsibility for non-NRO Air Force space activities, which are under the Air Force Acquisition Executive.

The Commission would create a new position of Under Secretary of Defense for Space, Intelligence, and Information, or USD (SII), to provide policy, guidance, and oversight for space within a single organization in the Office of the Secretary of Defense (OSD). The new position would absorb the duties of the ASD (C3I) and serve as the senior OSD advocate for space. Within the Air Force, the Commission recommended that the Director of the NRO also serve as an Under Secretary of the Air Force (a higher level than an Assistant Secretary), and as the Air Force Acquisition Executive for Space, integrating NRO and other Air Force space activities. Furthermore, the Commission called for emendation of Title 10 of the U.S. Code to give the Air Force responsibility to organize, train and equip for prompt and sustained offensive and defensive air *and* space operations, instead of only air operations as currently stated.

According to *Space News* (January 22, 2001, p. 14), as he ended his term as Secretary of the Air Force, Whitten Peters criticized the Commission's recommendations, saying that giving the undersecretary of the Air Force additional responsibilities for NRO would overburden that individual. (Others note, however, that the Director of the NRO used to serve also as an Under Secretary of the Air Force.) Mr. Peters added that creating new positions and reassigning duties could create difficult situations because there would be "two potentially divergent defense acquisition executives...and two service acquisition executives." Conversely, a February 8, 2001 *Reuters* story quoted Air Force Maj. Gen. Brian Arnold as saying the Air Force "strongly supports the ... report and is already moving to implement many of (its) recommendations."

White House Organization: SIG/Space Versus a Space Council. Some space advocates had hoped that the Rumsfeld Commission would recommend reactivation of the National Space Council within the Executive Office of the President to coordinate military, civilian, and commercial space policy. The 1958 Act (P.L. 85-568) that created the National Aeronautics and Space Administration (NASA) to conduct U.S. civilian space activities and directed DOD to conduct military space activities, established a National Aeronautics and Space Council within the White House to coordinate between the two agencies. President Nixon abolished that Council in 1973. Several mechanisms were tried in the ensuing years to coordinate space policy. The Reagan Administration used a Senior Interagency Group/Space (SIG/Space) within the National Security Council (NSC) to serve that role. A number of criticisms were levied against SIG/Space. In particular, many were dismayed by the length of time needed to make space policy decisions in the wake of the space shuttle Challenger tragedy in 1986. Congress subsequently passed a bill creating a National Space Council in the Executive Office of the President. President Reagan vetoed that bill, but two years later, at the end of his second term, signed into law (P.L.100-685) a less prescriptive version of the language. President George H. Bush formally created the National Space Council by Executive Order 12675 in April 1999. By law, the Space Council is chaired by the Vice President.

President Clinton chose not to use the Space Council. It was never abolished, but was neither staffed nor funded. Instead, military space policy was coordinated by the NSC, and civilian and commercial space policy by the National Science and Technology Council, a cabinet-level council chaired by the President, with administrative support from the Office of Science and Technology Policy.

The Rumsfeld Commission did not recommend reactivation of the Space Council, however. Instead, it first called for the President to create a "President's Space Advisory Group" of high-level outside advisors as a counterpart to the President's Foreign Intelligence Advisory Board (PFIAB). Second, it recommended a return to the SIG/Space model used in the Reagan Administration to coordinate space policy across the defense, intelligence, civil, and commercial sectors. It noted that the current NSC official responsible for space has too many areas to cover and insufficient resources, resulting in a case-by-case approach to space policy that "has not allowed the development of a coherent, persistent and deliberate national process..." (page 50). The Commission's report does not discuss the Space Council option and why it chose SIG/Space instead. In response to a question following a February 1, 2001 speech, however, one of the commissioners commented that some members of the Commission thought the Space Council had been overly bureaucratic. Other observers note that a similar complaint about SIG/Space in the Reagan White House led to the 1989 creation of the Space Council.