

Precepts for Fall 2006

Background

Every Forward Engagement class spends approximately the last third of its time in preparation of a final report, collectively written under the terms of a scenario. The scenario evolves each semester in such a manner as to permit each new class to draw upon, but not to be bound by, the work of preceding classes. The common denominator of all the scenarios is that they require students to come to conclusions about contingencies that may be the most challenging for us as a society, and to devise systems that would enable government policy-makers to “Forwardly engage” issues of this caliber.

For several years, the scenarios required students to focus on the executive branch. This changed in Fall 2004, when students were instructed to shift to the Congress on the premise that any significant modernization of practice in the executive branch could not survive, unless Congress was ready to adjust as well. The findings of each class were presented at the end of the semester to a guest panel of former members of Congress, whose comments were important influences in the evolution of concepts from one class to the next.

The class of Fall 2005 drafted a model bill to embody its recommendations for bringing Forward Engagement to the Congress. When the class of Spring 2006 commenced, students received an updated scenario, according to which Congress had enacted the model bill, thereby creating “Public Law 6414.” “PL-6414” established an entity called the House Annual Commission on Forward Engagement (HACFE), along with a parallel entity for the Senate (SACFE). The primary responsibility of the HACFE/SACFE is to organize a Congressional Forward Engagement Session (CFES) every December. The centerpiece of each CFES is to be a report submitted by the chairs of HACFE/SACFE presenting their views as to major future contingencies that might be of interest to legislators.

Under the terms of the scenario for spring 2006, students were instructed to function as though they were staffers of the HACFE, engaged in developing a report for consideration by its members. This report was delivered last May to a panel of former members of Congress (playing the roles of HACFE members). The report is the starting point for the Fall 06 scenario.

Scenario for Fall 06

It is now Fall 2006. Students are again to act as staffers of the HACFE. Last May, they submitted their preliminary report and received comments from the members. Now, they must begin the task of drafting what will be the Commission’s year-end report to the Congress, to be delivered in December. The process begins with receipt of a letter of instruction from the Chairman of the HACFE, addressed to the Staff Director.

Letter from HACFE chair to director, HACFE staff.

Dear -----:

- We now approach December, when by statute, HACFE/SACFE must organize a Congressional Forward Engagement Session (CFES). As you know, this will be the first such event, and is therefore important as a source of precedent. Accordingly, this letter transmits detailed instructions to guide staff in the preparation of a draft HACFE report, for approval by members.
- Last May's staff briefing of HACFE was well received by the members. You will remember, however, that the members had a number of strong recommendations and these are repeated here. Moreover, the staff report contained recommendations based on experience gained during its preparation, and I am also providing the Members' responses to these.
- Members strongly recommended that consideration be given to amending PL-6414 to provide for combining HACFE/SACFE into a unitary Annual Commission on Forward Engagement (ACFE). In connection with this, there was interest in creating a Joint Congressional Committee (JCC), which would be empowered to convert ACFE findings into legislative proposals to be brought to the floors of both bodies. These recommendations dealt with the Members' main concerns about the existing process: they want to see these reports be used not only to identify contingencies and issues, but as the basis for concrete legislative proposals. On the other hand, they did not want ACFE to circumvent the committee system as we know it. The JCC proposal was meant to resolve both concerns.
- Accordingly, staff is to prepare a comparative analysis of the existing vs. the proposed new structure, and to present its recommendations to the HACFE members.
- Members also reacted favorably to staff recommendations regarding analytic process, especially those recommendations which called upon existing authority under PL 6414 to innovate. This included, specifically: (1) staff recommendations for modification of the original working group structure (GETS) to incorporate explicitly focused work on subjects such as the environment, and societal developments, which the staff reported were under-represented; and (2) systematic use of nodal analysis to catch important interactions.
- The Committee also expressed particular interest in the seeing further demonstrations of the Component-Level Implementation Process (CLIP), which the staff report discussed on pgs 46-48.
- Accordingly, staff is authorized to modify the working group structure, as requested, and also to develop and apply nodal analysis to its approach.
- Finally, staff is instructed to provide, as part of its report for the CFES, additional demonstrations of CLIP as applied to selected major FCI's or "nodal clusters" of FCIs. Specifically, Members want to see CLIP used to translate issues relating to FCIs into more actionable, concrete goals that depend in whole or in part on legislative action.