

CRS Report for Congress

The National Security Council: An Organizational Assessment

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Richard A. Best Jr.
Specialist in National Defense
Foreign Affairs, Defense, and Trade Division



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The National Security Council: An Organizational Assessment

Summary

The National Security Council (NSC) was established by statute in 1947 to create an inter-departmental body to offer confidential advice to the President on all aspects of national security policy. Currently, statutory members of the Council are the President, Vice President, the Secretary of State, and the Secretary of Defense; but, at the President's request, other senior officials participate in NSC deliberations. The Chairman of the Joint Chiefs of Staff and the Director of National Intelligence are statutory advisers. In 2007, the Secretary of Energy was added to the NSC membership.

The President clearly holds final decision-making authority in the executive branch. Over the years, however, the NSC staff has emerged as a major factor in the formulation (and at times in the implementation) of national security policy. Similarly, the head of the NSC staff, the National Security Adviser, has played important, and occasionally highly public, roles in policymaking. This report traces the evolution of the NSC from its creation to the present.

The organization and influence of the NSC have varied significantly from one Administration to another, from a highly structured and formal system to loose-knit teams of experts. It is universally acknowledged that the NSC staff should be organized to meet the particular goals and work habits of an incumbent President. The history of the NSC provides ample evidence of the advantages and disadvantages of different types of policymaking structures.

Congress enacted the statute creating the NSC and has altered the character of its membership over the years. Congress annually appropriates funds for its activities, but does not, routinely, receive testimony on substantive matters from the National Security Adviser or from NSC staff. Proposals to require Senate confirmation of the Security Adviser have been discussed but not adopted.

The post-Cold War world has posed new challenges to NSC policymaking. Some argue that the NSC should be broadened to reflect an expanding role of economic, environmental, and demographic issues in national security policymaking. The Clinton Administration created a National Economic Council tasked with cooperating closely with the NSC on international economic matters. In the wake of the 9/11 attacks, the George W. Bush Administration established a Homeland Security Council. Both of these entities overlap and coordinate with the NSC, but some observers have advocated more seamless organizational arrangements.

This report will be updated.

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The National Security Council: An Organizational Assessment

Introduction

The National Security Council (NSC) has been an integral part of U.S. national security policymaking since 1947. Of the various organizations in the Executive Office of the President that have been concerned with national security matters, the NSC is the most important and the only one established by statute. The NSC lies at the heart of the national security apparatus, being the highest coordinative and advisory body within the Government in this area aside from the President's Cabinet. The Cabinet has no statutory role, but the NSC does.

This study reviews the organizational history of the NSC and other related components of the Executive Office and their changing role in the national security policy process. It is intended to provide information on the NSC's development as well as subsequent usage. This study is not intended to be a comprehensive organizational history of all components of the national security policy process nor of the process itself as a whole. Moreover, the high sensitivity and security classification of the NSC's work and organization limit available sources. It is also important to keep in mind the distinction between the NSC's statutory membership (i.e., the President, Vice President, Secretary of State, Secretary of Defense, and Secretary of Energy) and its staff (i.e., the National Security Adviser and his assistants). These two groups have very different roles and levels of influence.

Pre-NSC Coordination Methods

The Need for Interdepartmental Coordination

Successful national security policymaking is based on careful analysis of the international situation, including diplomatic, economic, intelligence, military, and morale factors. Based on a comprehensive assessment, effective government leaders attempt to attain their goals by selecting the most appropriate instrument of policy, whether it is military, diplomatic, economic, based on the intelligence services, or a combination of more than one. Although this approach has been an ideal throughout the history of international relations, prior to World War II, U.S. Presidents, focused primarily on domestic matters, and lacked organizational support to integrate national security policies. They relied instead on *ad hoc* arrangements and informal groups of advisers. However, in the early 1940s, the complexities of global war and the need to work together with allies led to more structured processes of national security decisionmaking to ensure that the efforts of the State, War, and Navy Departments

were focused on the same objectives. There was an increasingly apparent need for an organizational entity to support the President in looking at the multiplicity of factors, military and diplomatic, that had to be faced during wartime and in the early postwar months when crucial decisions had to be made regarding the future of Germany and Japan and a large number of other countries.

Given continuing worldwide responsibilities in the postwar years that involved active diplomacy, sizable military forces, sophisticated intelligence agencies, in addition to economic assistance in various forms, the United States established organizational mechanisms to analyze the international environment, identify priorities, and recommend appropriate policy options. Four decades later, the end of the Cold War saw the emergence of new international concerns, including transnational threats such as international terrorism and drug trafficking, that have continued to require the coordination of various departments and agencies concerned with national security policies.

Past Modes of Policy Coordination

Coordinative mechanisms to implement policy are largely creations of the Executive Branch, but they directly influence choices that Congress may be called upon to support and fund. Congress thus takes interest in the processes by which policies and the roles of various participants are determined. Poor coordination of national security policy can result in calls for Congress to take actions that have major costs, both international and domestic, without the likelihood of a successful outcome. Effective coordination, on the other hand, can mean the achievement of policy goals with minimal losses of human lives while providing the opportunity to devote material resources to other needs.

Throughout most of the history of the United States, until the twentieth century, policy coordination centered on the President, who was virtually the sole means of such coordination. The Constitution designates the President as Commander-in-Chief of the armed forces (Article II, Section 2) and grants him broad powers in the areas of foreign affairs (Article II, Section 2), powers that have expanded considerably in the twentieth century through usage. Given limited U.S. foreign involvements for the first hundred or so years under the Constitution, the small size of the armed forces, the relative geographic isolation of the Nation, and the absence of any proximate threat, the President, or his executive agents in the Cabinet, provided a sufficient coordinative base.

However, the advent of World War I, which represented a modern, complex military effort involving broad domestic and international coordination, forced new demands on the system that the President alone could not meet. In 1916, the Council of National Defense was established by statute (Army Appropriation Act of 1916). It reflected proposals that went back to 1911 and consisted of the Secretaries of War, Navy, Interior, Agriculture, Commerce and Labor. The statute also allowed the President to appoint an advisory commission of outside specialists to aid the

Council.¹ The Council of National Defense was intended as an economic mobilization coordinating group, as reflected by its membership — which excluded the Secretary of State. His inclusion would have given the Council a much wider coordinative scope. Furthermore, the authorizing statute itself limited the role of the Council basically to economic mobilization issues. The Council of National Defense was disbanded in 1921, but it set a precedent for coordinative efforts that would be needed in World War II.

The President remained the sole national security coordinator until 1938, when the prewar crisis began to build in intensity, presenting numerous and wide-ranging threats to the inadequately armed United States. The State Department, in reaction to reports of Axis activities in Latin America, proposed that interdepartmental conferences be held with War and Navy Department representatives. In April 1938, Secretary of State Cordell Hull, in a letter to President Franklin Roosevelt, formally proposed the creation of a standing committee made up of the second ranking officers of the three departments, for purposes of liaison and coordination. The President approved this idea, and the Standing Liaison Committee, or Liaison Committee as it was also called, was established, the members being the Under Secretary of State, the Chief of Staff of the Army, and the Chief of Naval Operations. The Standing Liaison Committee was the first significant effort toward interdepartmental liaison and coordination, although its work in the area was limited and uneven. The Liaison Committee largely concentrated its efforts on Latin American problems, and it met irregularly. Although it did foster some worthwhile studies during the crisis following the fall of France, it was soon superseded by other coordinative modes. It was more a forum for exchanging information than a new coordinative and directing body.²

An informal coordinating mechanism, which complemented the Standing Liaison Committee, evolved during the weekly meetings established by Secretary of War Henry L. Stimson, who took office in June 1940. Stimson arranged for weekly luncheons with his Navy counterpart, Frank Knox, and Cordell Hull, but these meetings also did not fully meet the growing coordinative needs of the wartime government.

In May 1940 President Roosevelt used the precedent of the 1916 statute and established the National Defense Advisory Council (NDAC), composed of private citizens with expertise in specific economic sectors.³ As with the earlier Council of National Defense, NDAC was organized to handle problems of economic

¹ Paul Y. Hammond, “The National Security Council as a Device for Interdepartmental Coordination: An Interpretation and Appraisal,” *American Political Science Review*, December, 1960, p. 899; U.S. Bureau of the Budget, *The United States at War* (Washington: Government Printing Office, 1946), p. 2.

² Mark Skinner Watson, *Chief of Staff: Prewar Plans and Preparations* (Washington: Office of the Chief of Military History, 1950), pp. 89-91, 93-94.

³ R. Elberton Smith, *The Army and Economic Mobilization* (Washington: Office of the Chief of Military History, 1959), pp. 103-04, 109-10; Bureau of the Budget, *The United States at War*, pp. 22-25, 44, 50-51.

mobilization; and by the end of the year it had given way to another organization in a succession of such groups.

During the war, there were a number of interdepartmental committees formed to handle various issues, and, while these did help achieve coordination, they suffered from two problems. First, their very multiplicity was to some degree counter-productive to coordination, and they still represented a piecemeal approach to these issues. Second, and more important, these committees in many cases were not advising the President directly, but were advising his advisers. Although their multiplicity and possible overlapping fit Roosevelt's preferred working methods, they did not represent coordination at the top. Roosevelt ran the war largely through the Joint Chiefs of Staff (JCS), who were then an *ad hoc* and *de facto* group, and through key advisers such as Harry Hopkins and James F. Byrnes, and via his own personal link with British Prime Minister Winston Churchill.

The weekly meetings arranged by Stimson evolved, however, into a significant coordinative body by 1945, with the formal creation of the State, War, Navy Coordinating Committee (SWNCC). SWNCC had its own secretariat and a number of regional and topical subcommittees; its members were assistant secretaries in each pertinent department. The role of SWNCC members was to aid their superiors "on politico-military matters and [in] coordinating the views of the three departments on matters in which all have a common interest, particularly those involving foreign policy and relations with foreign nations...." SWNCC was a significant improvement in civilian-military liaison, and meshed well with the JCS system; it did not, however, concern itself with fundamental questions of national policy during the early months of the Cold War.⁴ SWNCC operated through the end of the war and beyond, becoming SANACC (State, Army, Navy, Air Force Coordinating Committee) after the National Security Act of 1947. It was dissolved in 1949, by which time it had been superseded by the NSC.

The creation of SWNCC, virtually at the end of the war, and its continued existence after the surrender of Germany and Japan reflected the growing awareness within the Federal Government that better means of coordination were necessary. The World War II system had largely reflected the preferred working methods of President Roosevelt, who relied on informal consultations with various advisers in addition to the JCS structure. However, the complex demands of global war and the post-war world rendered this system inadequate, and it was generally recognized that a return to the simple and limited prewar system would not be possible if the United States was to take on the responsibilities thrust upon it by the war and its aftermath.

⁴ Ray S. Cline, *Washington Command Post: The Operations Division* (Washington: Office of the Chief of Military History, 1951), pp. 326-27; John Lewis Gaddis, *The United States and the Origins of the Cold War* (New York, Columbia University Press, 1972), p. 126; U.S. Department of State, *Foreign Relations of the United States, 1944*, v. I: *General* (Washington: Government Printing Office, 1966), pp. 1466-70.

The Creation of the NSC⁵

Introduction

The NSC was not created independently, but rather as one part of a complete restructuring of the entire national security apparatus, civilian and military, including intelligence efforts, as accomplished in the National Security Act of 1947. Thus, it is difficult to isolate the creation of the NSC from the larger reorganization, especially as the NSC was much less controversial than the unification of the military and so attracted less attention.

Proposals

As early as 1943, General George C. Marshall, Army Chief of Staff, had proposed that the prospect of a unified military establishment be assessed. Congress first began to consider this idea in 1944, with the Army showing interest while the Navy was opposed. At the request of the Navy these investigations were put off until 1945, although by then it was clear to Secretary of the Navy James Forrestal that President Truman, who had come to the White House upon the death of President Roosevelt in April 1945, favored some sort of reorganization. Forrestal believed that outright opposition would not be a satisfactory Navy stance. He also realized that the State Department had to be included in any new national security apparatus. Therefore, he had Ferdinand Eberstadt, a leading New York attorney and banker who had served in several high-level Executive Branch positions, investigate the problem.⁶

With respect to the formation of the NSC, the most significant of the three questions posed by Forrestal to Eberstadt, was:

What form of postwar organization should be established and maintained to enable the military services and other governmental departments and agencies most effectively to provide for and protect our national security?

Eberstadt's response to this question covered the military establishment, where he favored three separate departments and the continuation of the JCS, as well as the civilian sphere, where he suggested the formation of two new major bodies "to coordinate all these [civilian and military] elements." These two bodies he called the National Security Council (NSC), composed of the President, the Secretaries of State and of the three military departments, the JCS "in attendance," and the chairman of

⁵ One of the best studies on the creation and development of the NSC through the Eisenhower Administration, including hearings, studies, reports, recommendations and articles, can be found in U.S. Congress, Senate, 86th and 87th Congress, Committee on Government Operations, Subcommittee on National Policy Machinery, *Organizing for National Security*, 1961, 3 vols.

⁶ Demetrios Caraley, *The Politics of Military Unification* (New York: Columbia University Press, 1966), pp. 23-44; Walter Millis, ed., *The Forrestal Diaries* (New York: The Viking Press, 1951), pp. 62-63.

the other new body, the National Security Resources Board (NSRB). Eberstadt also favored the creation of a Central Intelligence Agency (CIA) under the NSC.⁷

Eberstadt's recommendations clearly presaged the eventual national security apparatus, with the exception of a unified Department of Defense. Furthermore, it was a central point in Forrestal's plans for holding the proposed reorganization to Navy desires, bringing in the State Department, as he desired, and hopefully obviating the need for some coalescence of the military services. The NSC was also a useful negotiating point for Forrestal with the Army, as Eberstadt had described one of its functions as being the "building up [of] public support for clear-cut, consistent, and effective foreign and military policies." This would appeal to all the service factions as they thought back on the lean and insecure prewar years.⁸

War-Navy negotiations over the shape of the reorganization continued throughout 1946 and into 1947. However, some form of central coordination, for a while called the Council of Common Defense, was not one of the contentious issues. By the end of May 1946, agreement had been reached on this and several other points, and by the end of the year the two sides had agreed on the composition of the new coordinative body.⁹

Congressional Consideration

The creation of the NSC was one of the least controversial sections of the National Security Act and so drew little attention in comparison with the basic concept of a single military department, around which most of the congressional debate centered.

The concept of a regular and permanent organization for the coordination of national security policy was as widely accepted in Congress as in the Executive. When the NSC was considered in debate, the major issues were the mechanics of the new organization, its membership, assurances that it would be a civilian organization and would not be dominated by the new Secretary of the National Military Establishment, and whether future positions on the NSC would be subject to approval by the Senate.¹⁰

⁷ Caraley, *The Politics of Military Unification*, pp. 40-41; see also Jeffrey M. Dorwart, *Eberstadt and Forrestal: A National Security Partnership, 1909-1949* (College Station, TX: Texas A & M University Press, 1991), especially pp. 90-107.

⁸ Ibid., pp. 86-87, 91; Hammond, "The NSC as a Device for Interdepartmental Coordination," pp. 900-01.

⁹ Caraley, *Politics of Military Unification*, pp. 136-37; Millis, *Forrestal Diaries*, p. 222.

¹⁰ The congressional debate over the National Security Act is summarized in Caraley, *Politics of Military Unification*, pp. 153-82; on the NSC, see p. 161. Examples of congressional opinion can be found throughout the lengthy debate. Some representative comments can be found in the *Congressional Record*, v. 93, July 7, 1947, p. 8299, and July 9, 1947, pp. 8496-97, 8518, 8520.

The NSC as Created in 1947

The NSC was created by the National Security Act, which was signed by the President on July 26, 1947. The NSC appears in Section 101 of Title I, Coordination for National Security, and its purpose is stated as follows:

(a) ... The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

(b) In addition to performing such other functions as the President may direct, for the purpose of more effectively coordinating the policies and functions of the departments and agencies of the Government relating to the national security, it shall, subject to the direction of the President, be the duty of the Council

(1) to assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security, for the purpose of making recommendations to the President in connection there with; and

(2) to consider policies on matters of common interest to the departments and agencies of the Government concerned with the national security, and to make recommendations to the President in connection therewith....

(d) The Council shall, from time to time, make such recommendations, and such other reports to the President as it deems appropriate or as the President may require.¹¹

The following officers were designated as members of the NSC: the President; the Secretaries of State, Defense, Army, Navy, and Air Force; and the Chairman of the National Security Resources Board. The President could also designate the following officers as members “from time to time:” secretaries of other executive departments and the Chairmen of the Munitions Board and the Research and Development Board. Any further expansion required Senate approval. The NSC was provided with a staff headed by a civilian executive secretary, appointed by the President.

The National Security Act also established the Central Intelligence Agency under the NSC, but the Director of Central Intelligence (DCI) was not designated as an NSC member. The act also created a National Military Establishment, with three executive departments (Army, Navy, and Air Force) under a Secretary of Defense.

Implicit in the provisions of the National Security Act was an assumption that the NSC would have a role in ensuring that the U.S. industrial base would be capable of supporting national security strategies. The Chairman of the National Security Resources Board, set up by the same act to deal directly with industrial base and

¹¹ 50 USC 402.

civilian mobilization issues, was provided a seat on the NSC. Over the years, however, these arrangements proved unsatisfactory and questions of defense mobilization and civil defense were transferred to other federal agencies and the membership of the NSC was limited to the President, Vice President, the Secretary of State and the Secretary of Defense.¹² Thus, the need for a coordinative entity that had initially been perceived to center on economic mobilization issues during World War I had evolved to one that engaged the more permanent themes of what had come to be known as national security policy.

The creation of the NSC was a definite improvement over past coordinative methods and organization, bringing together as it did the top diplomatic, military, and resource personnel with the President. The addition of the CIA, subordinate to the NSC, also provided the necessary intelligence and analyses for the Council so that it could keep pace with events and trends. The changeable nature of its organization and its designation as an advisory body to the President also meant that the NSC was a malleable organization, to be used as each President saw fit. Thus, its use, internal substructure, and ultimate effect would be directly dependent on the style and wishes of the President.

The National Security Council, 1947-2001

The Truman NSC, 1947-1953

Early Use. The NSC first met on September 26, 1947. President Truman attended the first session, but did not attend regularly thereafter, thus emphasizing the NSC's advisory role. In his place, the President designated the Secretary of State as chairman, which also was in accord with the President's view of the major role that the State Department should play. Truman viewed the NSC as a forum for studying and appraising problems and making recommendations, but not one for setting policy or serving as a centralized office to coordinate implementation.

The NSC met irregularly for the first 10 months. In May 1948, meetings twice a month were scheduled, although some were canceled, and special sessions were convened as needed.

The Hoover Commission. The first review of NSC operations came in January 1949 with the report of the Hoover Commission (the Commission on Organization of the Executive Branch of the Government), which found that the NSC was not fully meeting coordination needs, especially in the area of comprehensive statements of current and long-range policies.¹³

¹² More specific information on the history of the transfers of defense mobilization and civil defense authorities may be found in Sections 402 and 404 of *U.S. Code Annotated*, Title 50 (St. Paul, MN: West Publishing Co., 1991).

¹³ The Commission on the Organization of the Executive Branch of the Government. *National Security Organization* (Washington: Government Printing Office, 1949), especially (continued...)

The Hoover Commission recommended that better working-level liaison between the NSC and JCS be developed, that the Secretary of Defense become an NSC member, replacing the service secretaries, and that various other steps be taken to clarify and tighten roles and liaison.

1949 Amendments. In January 1949, President Truman directed the Secretary of the Treasury to attend all NSC meetings. In August 1949, amendments to the National Security Act were passed (P.L. 81-216), changing the membership of the NSC to consist of the following officers: the President, Vice President, Secretaries of State and Defense, and Chairman of the National Security Resources Board. This act also designated the JCS as “the principal military advisers to the President,” thus opening the way for their attendance, beginning in 1950, even though the Service Secretaries were excluded. In August 1949, by Reorganization Plan No. 4, the NSC also became part of the Executive Office of the President, formalizing a *de facto* situation.

Subsequent Usage and Evaluation. The outbreak of the Korean War in June 1950 brought greater reliance on the NSC system. The President ordered weekly meetings and specified that all major national security recommendations be coordinated through the NSC and its staff. Truman began presiding regularly, chairing 62 of the 71 meetings between June 1950 and January 1953. The NSC became to a much larger extent the focus of national security decisionmaking. Still, the NSC’s role remained limited. Truman continued to use alternate sources of information and advice.¹⁴ As one scholar has concluded:

Throughout his administration Truman’s use of the NSC process remained entirely consistent with his views of its purpose and value. The president and his secretary of state remained completely responsible for foreign policy. Once policy decisions were made, the NSC was there to advise the president on matters requiring specific diplomatic, military, and intelligence coordination.¹⁵

The Eisenhower NSC, 1953-1961

President Dwight Eisenhower, whose experience with a well-ordered staff was extensive, gave new life to the NSC. Under his Administration, the NSC staff was institutionalized and expanded, with clear lines of responsibility and authority, and it came to closely resemble Eberstadt’s original conception as the President’s principal arm for formulating and coordinating military, international, and internal security affairs. Meetings were held weekly and, in addition to Eisenhower himself and the other statutory members, participants often included the Secretary of the Treasury, the Budget Director, the Chairman of the JCS, and the Director of Central Intelligence.

¹³ (...continued)
pp. 15-16, 74-76.

¹⁴ Walter Millis, *Arms and the State* (New York: The Twentieth Century Fund, 1958), pp. 255, 388.

¹⁵ Anna Kasten Nelson, “President Truman and the Evolution of the National Security Council,” *Journal of American History*, September 1985, p. 377.

Organizational Changes. In his role as chairman of the NSC, Eisenhower created the position of Special Assistant for National Security Affairs,¹⁶ who became the supervisory officer of the NSC, including the Executive Secretary. The Special Assistant — initially Robert Cutler, a banker who had served under Stimson during World War II — was intended to be the President’s agent on the NSC, not an independent policymaker in his own right, and to be source of advice.¹⁷

Eisenhower established two important subordinate bodies: the NSC Planning Board, which prepared studies, policy recommendations, and basic drafts for NSC coordination, and the Operations Coordinating Board, which was the coordinating and integrating arm of the NSC for all aspects of the implementation of national security policy.

By the end of the Eisenhower Administration, the NSC membership had changed slightly. The National Security Resources Board had been abolished by Reorganization Plan No. 3 in June 1953, and this vacancy was then filled by the Director of the Office of Civil and Defense Mobilization.

In 1956, President Eisenhower, partly in response to recommendations of the second Hoover Commission on the Organization of the Executive Branch of Government, also established the Board of Consultants on Foreign Intelligence Activities in the Executive Office. This board was established by Executive Order 10656 and was tasked to provide the President with independent evaluations of the U.S. foreign intelligence effort. The Board of Consultants lapsed at the end of the Eisenhower Administration, but a similar body, the President’s Foreign Intelligence Advisory Board (PFIAB), was created by President Kennedy after the Bay of Pigs failure. PFIAB was itself abolished in 1977, but was resurrected during the Reagan Administration in 1981. Members are selected by the President and serve at his discretion.

¹⁶ This position has been a continuing one, although its title has varied over the years (Special Assistant for National Security Affairs, Assistant to the President for National Security Affairs, National Security Adviser). An adviser or an assistant to the President arguably has a position of greater independence from congressional oversight than the incumbent of a position established by statute; see Richard Ehlke, “Congressional Creation of an Office of National Security Adviser to the President,” reprinted in U.S. Congress, 96th Congress, 2d session, Senate, Committee on Foreign Relations, *The National Security Adviser: Role and Accountability*, Hearing, April 17, 1980, pp. 133-135. The position of National Security Adviser is to be distinguished from the position of Executive Secretary of the NSC, which was created by statute but has, since the beginning of the Eisenhower Administration, been essentially an administrative and logistical one. National Security Adviser positions are funded not as part of the NSC but as part of the White House Office, reflecting the incumbent’s status as that of an adviser to the President.

¹⁷ Frederick C. Thayer, “Presidential Policy Processes and ‘New Administration’: A Search for Revised Paradigms,” *Public Administration Review*, September/October 1971: 554. Robert H. Johnson, “The National Security Council: The Relevance of its Past to Its Future,” *Orbis*, v. 13, Fall 1969: 715; Robert Cutler, *No Time for Rest* (Boston: Little, Brown, 1966).

Evaluation. The formal structure of the NSC under Eisenhower allowed it to handle an increasing volume of matters. Its work included comprehensive assessments of the country's basic national security strategy, which were designed to serve as the basis for military planning and foreign policymaking. The complexity of NSC procedures under Eisenhower and its lengthy papers led to charges that quantity was achieved at the expense of quality and that the NSC was too large and inflexible in its operations. Critics alleged that it was unable to focus sufficiently on major issue areas.¹⁸ Some observers also held that NSC recommendations were often compromises based on the broadest mutually acceptable grounds from all the agencies involved, leading to a noticeable lack of innovative national security ideas. The Eisenhower NSC did, nonetheless, establish national security policies that were accepted and implemented throughout the Government and that laid the basis for sustained competition with the Soviet Union for several decades.

It may be that the NSC process became overly bureaucratic towards the end of the Eisenhower Administration, perhaps affected by the President's declining health. Hearings by the Senate Government Operations Committee in 1960-61, led by Senator Henry Jackson, produced proposals for a substantial reorientation of this "over-institutionalized" structure, and its replacement by a smaller, less formal NSC that would offer the President a clear choice of alternatives on a limited number of major problems.¹⁹

Some scholars have noted that Eisenhower himself found the lengthy NSC procedures burdensome and argue that many key decisions were made in the Oval Office in the presence of only a few advisers. Nonetheless, Eisenhower saw the NSC process as one which produced a consensus within the Administration which would lead to effective policy implementation. According to this view, the process was largely one of education and clarification.²⁰ A recent analysis has concluded, that NSC meetings

brought Eisenhower's thinking into sharper focus by forcing him to weigh it against a range of alternatives that were presented and defended by individuals whose opinions the president took seriously and whose exposure to requisite

¹⁸ Some Eisenhower-era NSC documents are reprinted in the State Department's *Foreign Relations of the United States* series, especially in volumes dealing with National Security Affairs; microfilm copies of declassified NSC documents have been made available by a commercial publisher, University Publications of America, Inc. NSC documents are usually highly classified; while some are subsequently declassified and released to the public (although not necessarily in the *Federal Register* or other official publications series), others have been withheld. Some observers have criticized this situation; see Harold C. Relyea, "The Coming of Secret Law," *Government Information Quarterly*, May 1988, pp. 106-112; U.S. General Accounting Office, "The Use of Presidential Directives to Make and Implement U.S. Policy," Report No. GAO/NSIAD-92-72, January 1992.

¹⁹ The hearings and reports of this study are cited in note 5.

²⁰ See Anna Kasten Nelson, "The 'Top of Policy Hill': President Eisenhower and the National Security Council," *Diplomatic History*, Fall 1983, p. 324; also, Stephen E. Ambrose, *The President* (New York: Simon and Schuster, 1984), pp. 345, 509.

information and expertise he assured. These individuals, in turn, were educated about the problems in the same way as Eisenhower.²¹

The Kennedy NSC, 1961-1963

President John Kennedy, who did not share Eisenhower's preference for formal staff procedures, accepted many of the recommendations of the Jackson Committee and proceeded to dismantle much of the NSC structure, reducing it to its statutory base. Staff work was carried out mainly by the various departments and agencies, and personal contacts and *ad hoc* task forces became the main vehicles for policy discussion and formulation. The NSC was now one among many sources of advice.

Kennedy's National Security Adviser, McGeorge Bundy, played an important policy role directly under the President. The nature of this position was no longer that of a "neutral keeper of the machinery"; for the first time, the Adviser emerged in an active policymaking role, in part because of the absence of any definite NSC process that might preoccupy him.²²

Kennedy met regularly with the statutory NSC members and the DCI, but not in formal NSC sessions. Studies and coordination were assigned to specific Cabinet officers or subordinates in a system that placed great emphasis on individual responsibility, initiative and action. The Secretary of State, Dean Rusk, was initially seen as the second most important national security official in the President's plans, and Kennedy indicated that he did not want any other organizations interposed between him and Rusk. However, Kennedy came to be disappointed by the State Department's inability or unwillingness to fill this role as the leading agency in national security policy.²³

At the beginning of the Kennedy Administration, the NSC was reportedly cut from seventy-one to forty-eight and "in place of weighty policy papers, produced at regular intervals, Bundy's staff would produce crisp and timely National Security Action Memoranda (NSAMs). The new name signified the premium that would be placed on 'action' over 'planning.'"²⁴ With an emphasis on current operations and crisis management, special *ad hoc* bodies came into use. The outstanding example of this was the Executive Committee (ExCom), formed in October 1962 during the

²¹ Robert R. Bowie and Richard H. Immerman, *Waging Peace: How Eisenhower Shaped an Enduring Cold War Strategy* (New York: Oxford University Press, 1998), p. 258. Recent support for the Eisenhower system is given in Fred I. Greenstein and Richard H. Immerman, "Effective National Security Advising: Recovering the Eisenhower Legacy," *Political Science Quarterly*, Fall 2000; criticism is renewed in Arthur Schlesinger, Jr., "Effective National Security Advising: A Most Dangerous Precedent," *Political Science Quarterly*, Fall 2000.

²² Thayer, "Presidential Policy Processes and 'New Administration,'" p. 555.

²³ Arthur M. Schlesinger, Jr., *A Thousand Days: John F. Kennedy in the White House* (Boston: Houghton Mifflin, 1965), pp. 406-47; see especially pp. 412-13, 426, 430-32.

²⁴ Kai Bird, *The Color of Truth: McGeorge Bundy and William Bundy: Brothers in Arms* (New York: Simon & Schuster, 1998), p. 186.

Cuban Missile Crisis, which orchestrated the U.S. response to Soviet moves to introduce missiles in Cuba.

Organizational Changes. Kennedy added the Director of the Office of Emergency Planning to the NSC, replacing the Director of the Office of Civil and Defense Mobilization. It was planned that the new appointee would fill the role originally envisioned for the National Security Resources Board in coordinating emergency management of resources.

The Planning Board and the Operations Control Board were both abolished (by Executive Order 10920) in order to avoid the Eisenhower Administration's distinction between planning and operations. The NSC staff was reduced, and outside policy experts were brought in. Bundy noted that they were all staff officers:

Their job is to help the President, not to supersede or supplement any of the high officials who hold line responsibilities in the executive departments and agencies. Their task is that of all staff officers: to extend the range and enlarge the direct effectiveness of the man they serve. Heavy responsibilities for operation, for coordination, and for diplomatic relations can be and are delegated to the Department of State. Full use of all the powers of leadership can be and is expected in other departments and agencies. There remains a crushing burden of responsibility, and of sheer work, on the President himself; there remains also the steady flow of questions, of ideas, of executive energy which a strong President will give off like sparks. If his Cabinet officers are to be free to do their own work, the President's work must be done — to the extent that he cannot do it himself — by staff officers under his direct oversight. But this is, I repeat, something entirely different from the interposition of such a staff between the President and his Cabinet officers.²⁵

Evaluation. Some critics attacked the informality of the system under Kennedy, arguing that it lacked form and direction, as well as coordination and control, and that it emphasized current developments at the expense of planning. As noted, Kennedy himself was disappointed by the State Department, on which he had hoped to rely. In retrospect, Kennedy's system was designed to serve his approach to the presidency and depended upon the President's active interest and continuous involvement. Some critics, both at the time and subsequently, have suggested that the informal methods that the Kennedy Administration adopted contributed to the Bay of Pigs debacle and the confusion that surrounded U.S. policy in the coup against President Diem of South Vietnam in 1963.

²⁵ McGeorge Bundy to Henry M. Jackson, September 4, 1961, reprinted in *Organizing for National Security*, I, 1338.

The Johnson NSC, 1963-1969

President Lyndon Johnson's sudden accession to power, the need for a show of continuity, and pressures from the upcoming Presidential election all forced Johnson, at least until 1965, to rely heavily on Kennedy's system and personnel, especially as Johnson was less familiar with national security than domestic affairs.

Organizational Changes. Johnson, like Truman, sought out advice from a number of sources other than the NSC and its member departments, although he relied heavily on the Secretaries of State and Defense, Dean Rusk and Robert McNamara.

The institutional system that evolved under Johnson depended heavily on the ability of the State Department to handle the planning and coordination process. This system came about from a study headed by General Maxwell Taylor in 1966 that led to National Security Action Memorandum (NSAM) 341 which concluded that it was necessary to enhance the State Department's role in the policy process and to improve "country team expertise" in Washington, which was felt to be far below that in the various embassies. NSAM 341 led to a new system of interagency committees. The most important of these was the Senior Interdepartmental Group (SIG), whose members were: the Under Secretary of State, Deputy Secretary of Defense, Administrator of the Agency for International Development, DCI, JCS Chairman, Director of the U.S. Information Agency, and the National Security Adviser. In support of the SIG were a number of Interdepartmental Regional Groups (IRGs), each headed by the appropriate Assistant Secretary of State.

Within the NSC itself, structure and membership remained what they had been under Kennedy (with the Office of Emergency Planning changing title to the Office of Emergency Preparedness in 1968), although the title Special Assistant to the President for National Security Affairs was shortened to Special Assistant when Walt W. Rostow replaced Bundy in 1966. This reflected the frequent diversion of the occupant of this position away from NSC affairs to more general concerns.

Evaluation. Johnson's NSC system barely existed as such. The role of the NSC staff was more restricted, and budget and personnel both declined. Key decisions, those especially regarding the war in Vietnam, were made during Tuesday lunches attended by the President, the Secretaries of State and Defense, and a few other invited officials.

Johnson's informal system was not a wholly successful replacement for the highly structured system developed in the Eisenhower Administration. The SIG/IRG system fulfilled neither old functions nor the objectives set forth in NSAM 341. Although this new structure was dominated by the State Department, there was little enthusiasm for the system as a whole on the part of the department's leadership. The State Department did not provide decisive leadership and settled for a system of consensus opinions. Vagueness as to authority in the SIG/IRG system reduced its effect on the bureaucracies. Moreover, there was an insufficient allocation of resources for staff support for the new organization. By 1969, the NSC existed largely in name. Johnson conferred constantly with a wide number of advisers within

and outside government; while he respected institutional responsibilities, his own decisionmaking was an intensely personal process.

The Nixon NSC, 1969-1974

Experience in the Eisenhower Administration clearly had a formative effect on President Richard Nixon's approach to national security organization. Wanting to switch White House priorities from current operations and crisis management to long-range planning, Nixon revived the NSC. Nixon's NSC staff structure resembled Eisenhower's, with an emphasis on examining policy choices and alternatives, aiming for a number of clear options reaching the highest level, where they would be treated systematically and then effectively implemented. Nixon made it clear that he wanted distinct options presented to him from which he could choose, rather than consensus opinions requiring only acceptance or rejection. Nixon used an NSC framework similar to that set in place by Eisenhower but intended, as much as Kennedy, to give the NSC staff a powerful policy role.

Organizational Changes. While adopting the basic form of the Eisenhower NSC, Nixon streamlined its procedures.²⁶ The position of Assistant for National Security Affairs was revived, and Henry Kissinger, a Harvard professor and occasional government adviser, was named to fill it. NSC meetings were limited to the statutory members, with Kissinger and the JCS Chairman also sitting in and the DCI attending for intelligence matters. In January 1973, the Office of Emergency Preparedness was abolished along with the NSC seat that originally had belonged to the Chairman of the National Security Resources Board.

Six interdepartmental groups, similar to Johnson's IRGs, formed the NSC's support network, preparing basic studies and developing policy options. However, the influence of the State Department was reduced, and Kissinger's influence soon predominated. Four major new bodies were created:

- Washington Special Action Group (WASAG): headed by Kissinger and designed to handle contingency planning and crises.
- NSC Intelligence Committee: chaired by Kissinger and responsible for providing guidance for national intelligence needs and continuing evaluations of intelligence products.
- Defense Program Review Committee: chaired by Kissinger and designed to achieve greater integration of defense and domestic considerations in the allocation of natural resources. This committee was intended to allow the President, through the NSC, to gain greater control over the defense budget and its implications and

²⁶ Much of the documentary basis of the Nixon NSC effort is provided in U.S., Department of State, *Foreign Relations of the United States, 1969-1976*, Vol. II, *Organization and Management of U.S. Foreign Policy, 1969-1972* (Washington, DC: Government Printing Office, 2006).

policy requirements. As a result of opposition by Defense Secretary Melvin Laird, its role was, however, significantly circumscribed.

- **Senior Policy Review Group:** chaired by Kissinger, this group directed and reviewed policy studies and also served as a top level deliberative body.

This system had two principal objectives: the retention of control at the top, and the development of clear alternative choices for decisionmakers.

Evaluation. Most of the criticism of the Nixon NSC centered on the role played by Kissinger. His position in a number of the key committees gave him control over virtually the entire NSC apparatus, leading to charges that the system, for all its efficiency, now suffered from overcentralization, and later from domination by one man.

During Nixon's first term, Kissinger competed with the State Department for control of foreign policy, and soon overshadowed Secretary of State William Rogers. Critics felt that Kissinger stifled dissent within the NSC and the rest of the national security apparatus. Kissinger's venture into "shuttle diplomacy" and the unique circumstances of the Watergate scandal further emphasized his key role. Kissinger's accession to Rogers' position in September 1973, while retaining his National Security Council post, brought renewed criticism of his role. The direct involvement of the NSC Adviser in diplomatic negotiations set a precedent that some observers have criticized as undercutting the established responsibilities of the State Department and as an attempt to orchestrate national security policy beyond the reach of congressional oversight.

Kissinger's predominance derived from his unique intellectual abilities, skill at bureaucratic maneuvering, and the support of a President determined to act boldly in international affairs without being restrained by bureaucratic or congressional inhibitions. It was achieved at a time of profound political differences over foreign policy in which Administration and congressional goals were, on occasion, diametrically opposed. However, under President Nixon, the NSC was restored to a central role in the policy process, acting as the major vehicle and conduit for the formation of national security policy.

The Ford NSC, 1974-1977

President Gerald Ford, who inherited his predecessor's NSC, took no major steps to change the system per se, although Kissinger was replaced as National Security Adviser by Air Force Lt. General Brent Scowcroft in November 1975. The national security policy process continued to be dominated by Kissinger, who retained his position as Secretary of State, an indication of the preeminence he had achieved, as well as a reflection of Ford's limited experience in the conduct of foreign policy prior to his sudden accession.

In June 1975, the Commission on the Organization of the Government for the Conduct of Foreign Policy, also known as the Murphy Commission, issued a report on ways to more effectively formulate and implement foreign policy. Its

recommendations dealt in part with the Executive Office of the President and the NSC structure.²⁷

Implicitly criticizing the expansive role of the NSC staff under Kissinger, the Commission recommended that only the President should have line responsibility in the White House; that staff officials should not themselves issue directives to departmental officials; that, in the future, the National Security Adviser have no other official responsibilities; that the Secretary of the Treasury be made a statutory member of the NSC and that the NSC's scope be expanded to include major international economic policy issues; and that senior officials concerned with domestic policy be invited to NSC meetings when issues with domestic implications were discussed.

The Commission also considered general alternative structures and pointed out their basic advantages and disadvantages. It also noted that,

Policymaking is not a branch of mechanics; however wisely designed or carefully utilized, no machinery is adequate to assure its results. The selective use of various mechanisms and forums in ways which fit the particular issues, positions, and personalities involved is as much a part of the President's responsibility as is the necessity, finally, to decide the substantive issues.²⁸

There were no immediate steps taken to implement the Report's recommendations.

Organizational Changes. In February 1976, President Ford issued Executive Order 11905 reorganizing the intelligence community, in response to ongoing investigations in that area. This order, among other things, reaffirmed the NSC's overall policy control over the foreign intelligence community. Some changes were made in the NSC sub-structure, including the abolition of the NSC Intelligence Committee. The so-called 40 Committee of the NSC, which was responsible for covert operations and certain sensitive foreign intelligence operations, was replaced by the Operations Advisory Group. This Executive Order also created the Intelligence Oversight Board in the Executive Office (subsequently disbanded in 1993). It was composed of three civilians and was tasked with reviewing the propriety and legality of the intelligence agencies' operations. In December 1975, Ford vetoed a bill that would have made the Secretary of the Treasury a statutory member of the NSC, saying that the Treasury Secretary is invited to participate in NSC affairs having significant economic and monetary implications, but that there is no need to involve him in all NSC activities.²⁹

²⁷ Commission on the Organization of the Government for the Conduct of Foreign Policy, Report (Washington, Government Printing Office, 1975).

²⁸ Ibid., p. 37.

²⁹ Veto of a Bill to Amend the National Security Act of 1947, January 1, 1976, *Public Papers of the Presidents: Gerald R. Ford 1976-1977* Vol. I (Washington: Government Printing Office, 1979), p. 1-2.

Evaluation. These changes did not detract from the central role that the NSC had achieved under President Nixon. Kissinger's loss of his dual position did not seem to lessen his influence over the policy process, leading critics to charge that this change was largely cosmetic. The new National Security Adviser, Brent Scowcroft, had previously served as Kissinger's deputy on the NSC staff, and was unlikely to challenge Kissinger's pre-eminence. The Ford NSC reflected the close relationship between the President and the Secretary of State, a relationship that itself became a source of controversy both in the Republican primaries of 1976 as well as the ensuing general election. Critics continued to maintain that the Ford Administration decisionmaking was secretive, impervious to congressional input, and out of touch with public opinion.

The Carter NSC, 1977-1981³⁰

Under President Jimmy Carter, steps were taken to end the dominant role of the NSC staff and make it a more coequal and cooperating partner with the Departments of State and Defense. The NSC underwent a major reorganization in the new Administration.

Organizational Changes. Upon taking office in January 1977, President Carter issued a directive (PD-2) reorganizing the NSC staff. The avowed purpose of the reorganization was "to place more responsibility in the departments and agencies while insuring that the NSC, with my Assistant for National Security Affairs, continues to integrate and facilitate foreign and defense policy decisions."³¹

The number of NSC staff committees was reduced from seven to two, the Policy Review Committee (PRC) and the Special Coordination Committee (SCC). The functions of these two committees were as follows:

- Policy Review Committee: the PRC had responsibility for subjects which "fall primarily within a given department but where the subject also has important implications for other departments and agencies." Examples were "foreign policy issues that contain significant military or other interagency aspects; defense policy issues having international implications and the coordination of the annual Defense budget with foreign policy objectives; the preparation of a consolidated national intelligence budget and resource allocation for the Intelligence Community...; and those international economic issues pertinent to the U.S. foreign policy

³⁰ For the Carter NSC, see Presidential Directive/NSC-1 and NSC-2, January 20, 1977; Executive Order 12036, January 24, 1978; Zbigniew Brzezinski, *Power and Principle: Memoirs of the National Security Adviser, 1977-1981* (New York: Farrar, Straus, Giroux, 1983).

³¹ Presidential Directive/NSC-2, January 20, 1977; see also Statement by White House Press Secretary, January 22, 1977, *Public Papers of the Presidents, Jimmy Carter, 1977*, Vol. I (Washington: Government Printing Office, 1977), p. 8..

and security....”³² Executive Order 12036 of January 24, 1978, added responsibility for the establishment of national foreign intelligence requirements and priorities, and periodic reviews and evaluations of national foreign intelligence products.³³ The Vice President, the Secretaries of State and Defense, and the Assistant for National Security Affairs were members of the PRC; the DCI and the Chairman of the JCS also attended. The Secretary of the Treasury, the Chairman of the Council of Economic Advisers, and other officials attended when pertinent topics were being considered. Appropriate Cabinet officers chaired the PRC in accordance with matters being considered; the DCI was chairman when the PRC considered intelligence matters as specified in E.O. 12036. NSC Interdepartmental Groups, which dealt with specific issues at the direction of the President, were under the PRC.

- Special Coordination Committee: the SCC dealt with “specific, cross-cutting issues requiring coordination in the development of options and the implementation of Presidential decisions.” These included “oversight of sensitive intelligence activities ... arms control evaluation; ... and crisis management.”³⁴ E.O. 12036 gave the SCC responsibility for sensitive foreign intelligence collection operations and counterintelligence.³⁵ The SCC thus replaced WASAG and the Operations Advisory Group. Unlike the PRC, the SCC was chaired by the Assistant for National Security Affairs; other members were the Vice President, the Secretaries of State and Defense, and the DCI — or their deputies — and other officials attended when appropriate. When intelligence “special activities” were being considered, the members had to attend, as had the Attorney General, the Chairman of the JCS, and the Director of the Office of Management and Budget (OMB); for counterintelligence activities, the Director of the FBI attended.³⁶

The initial emphasis of the NSC’s role as a policy coordinator and “think tank” represented a clear reversal of the trend that had developed under Presidents Nixon and Ford. The staff of the NSC was reduced under the Carter Administration, and National Security Adviser Zbigniew Brzezinski established a number of regional and topical offices on the NSC staff that aimed at a more “collegial” approach to staff procedures.

Although the PRC had a wider charter than the SCC, as a result of the growing importance of crisis management functions and the increasing influence of the

³² Presidential Directive/NSC-2.

³³ Executive Order 12036, January 24, 1978, Section 1-2.

³⁴ Presidential Directive/NSC-2. January 20, 1977.

³⁵ Executive Order 12036, January 24, 1978, Section 1-3.

³⁶ Executive Order 12036, January 24, 1978, Sections 1-302 to 1-304 inclusive.

National Security Adviser,³⁷ initiative passed to the SCC and there were fewer PRC meetings.

Evaluation. A rumored rivalry between Brzezinski and Secretary of State Cyrus Vance was not publicly evident during the first year of the Carter Administration, but reports of differences between the two men later increased dramatically as senior Administration officials advised different responses to such questions as Soviet and Cuban activities in Africa and the Iranian hostage question. Towards the end of the Administration, differences between Vance and Brzezinski became pronounced and were widely perceived as contributing to weak and vacillating policies. Carter's Director of Central Intelligence Stansfield Turner later wrote:

National Security Advisers and Secretaries of State and Defense had clashed before, notably under President Nixon when Henry Kissinger was the Adviser. But because Nixon tended to follow Kissinger's advice more often than not, there was no stalemate, and foreign policy moved ahead in innovative ways. However, Jimmy Carter vacillated between Brzezinski and Vance, and they often canceled each other out.³⁸

Vance, who had strongly opposed the ill-fated effort to rescue the U.S. hostages in Iran, finally resigned and was succeeded by Senator Edmund Muskie in April 1980. Brzezinski's outspokenness and his public role in policymaking became an issue, and led to calls for Senate confirmation of NSC advisers and closer congressional oversight of the NSC staff.³⁹ There were also reports of infighting between Carter loyalists on the NSC staff and those who had worked for Vice President Walter Mondale, who had been given a major policy role.⁴⁰

The Reagan NSC, 1981-1989

Campaigning for the presidency in 1980, Ronald Reagan criticized the divisions of the Carter Administration and promised to restore Cabinet leadership (as, in the 1976 campaign, he had criticized Henry Kissinger's predominant influence in the Ford Administration). Substituting Cabinet leadership for an active NSC proved, however, to be a significant challenge.

Organizational Changes. After extensive delays and bureaucratic infighting, President Reagan signed a Presidential directive (NSDD-2),⁴¹ which enhanced the role of the State Department in national security policymaking and downgraded that

³⁷ See Christopher C. Shoemaker, *The NSC Staff: Counseling the Council* (Boulder, CO: Westview Press, 1991), pp. 51-57.

³⁸ Stansfield Turner, *Terrorism and Democracy* (Boston: Houghton Mifflin, 1991), p. 58.

³⁹ See *National Security Adviser: Role and Accountability*.

⁴⁰ Brzezinski acknowledges but discounts the reports that Mondale had imposed certain staff members on him; see *Power and Principle*, pp. 74-78.

⁴¹ Reprinted in *Public Papers of the Presidents, Ronald Reagan, 1982, Vol. I* (Washington: Government Printing Office, 1983), pp. 18-22.

of the National Security Adviser. The various NSC sub-committees were to be chaired by State, Defense, and CIA officials, not NSC staff. The Reagan NSC included three Senior Interagency Groups (SIGs) — one for foreign policy, chaired by the Deputy Secretary of State; one for defense, chaired by the Deputy Secretary of Defense; and one for intelligence, chaired by the Director of Central Intelligence. There were also regional and functional interagency groups, chaired by representatives of various Cabinet departments. Crisis management formally became the direct responsibility of the Vice President.⁴²

This structure, however, had major limitations. Observers and participants portray an absence of orderly decisionmaking and uncertain lines of responsibility. As the Special Review Board (known as the Tower Board) appointed by the President to assess the proper role of the NSC system in the wake of the Iran-Contra revelations, pointedly noted:

A President must at the outset provide guidelines to the members of the National Security Council, his National Security Adviser, and the National Security Council staff. These guidelines, to be effective, must include how they will relate to one another, what procedures will be followed, what the President expects of them. If his advisors are not performing as he likes, only the President can intervene.⁴³

The Reagan Administration had a total of six National Security Advisers. Their history is poignant. The first, Richard Allen, did not have direct access to the President, but reported to him through Presidential Counselor Edwin Meese. Allen's tenure was brief; after accusations of influence peddling, he was replaced in January 1982 by Judge William Clark, a longtime Reagan associate who had served since the beginning of the Administration as Deputy Secretary of State. Clark, in turn, resigned in October 1983 to become Secretary of the Interior and his deputy, Robert McFarlane, became National Security Adviser. McFarlane was replaced in January 1986 by his deputy, Vice Admiral John Poindexter, and subsequently pleaded guilty to withholding information from Congress. Poindexter himself was relieved in the context of the Iran-Contra scandal in November 1986, and eventually went on trial for obstructing justice. An effort was made to restore NSC effectiveness under former Ambassador Frank Carlucci, who succeeded Poindexter in December 1986. When Carlucci was appointed Secretary of Defense, he was replaced by Army General Colin Powell in November 1987.

Evaluation. Until the arrival of Carlucci, the Reagan NSC structure lacked a strong, politically attuned National Security Adviser that had characterized Administrations since 1961. It also lacked the administrative structure that existed under Eisenhower, Nixon, Ford, and Carter. The absence of either influential NSC

⁴² *Public Papers of the Presidents, Ronald Reagan*, 1981 (Washington: Government Printing Office, 1982), p. 285.

⁴³ U.S., President's Special Review Board, *Report of the President's Special Review Board* (Washington: Government Printing Office, 1987), pp. V-1-V-2. The Board consisted of former Senator John Tower, former Secretary of State Edmund Muskie and former (and future) National Security Adviser Brent Scowcroft. It is often referred to as the Tower Board.

Advisers or effective administrative machinery has been seen by many critics as a major factor contributing to the Iran-Contra misadventures. Allowing NSC committees to be chaired by Cabinet officials tended to reduce the possibility that all sides of a given issue would be laid before the full NSC or the President. The Tower Board noted:

Most presidents have set up interagency committees at both a staff and policy level to surface issues, develop options, and clarify choices. There has typically been a struggle for the chairmanship of these groups between the National Security Adviser and the NSC staff on the one hand, and the cabinet secretaries and department officials on the other.

Our review of the operation of the present system and that of other administrations where committee chairmen came from the Departments has led us to the conclusion that the system generally operates better when the committees are chaired by the individual with the greatest stake in making the NSC system work.

We recommend that the National Security Adviser chair the senior-level committees of the NSC system.⁴⁴

The Reagan Administration, in its efforts to avoid the dominant influence wielded by previous NSC Advisers, fell victim to perpetual bureaucratic intrigues. The efforts of politically weak NSC Advisers, especially McFarlane and Poindexter, to undertake White House initiatives covertly over the strong opposition of senior Cabinet officials and congressional leaders called into question the basic competence of the Administration.

Another aspect of the Reagan NSC that came under heavy criticism was the involvement of NSC staff in covert actions. Although NSC staff efforts to manage certain crises, such as the capture of the *Achille Lauro* hijackers, were successful, the participation of NSC personnel, especially Lt. Col. Oliver North, in operations run apart from the traditional intelligence apparatus, including efforts to gain the release of American hostages and to supply Nicaraguan insurgents, has been widely censured. Such efforts have been criticized as undercutting the agencies with responsibilities for such operations and which are accountable to congressional oversight committees; secondly, failing to take full advantage of the professional expertise available to the Intelligence Community, and potentially involving the country in misguided ventures. The Iran-Contra Committee recommended that “the members and staff of the NSC not engage in covert actions.”⁴⁵

⁴⁴ Ibid., p. V-5.

⁴⁵ U.S. Congress. Senate. Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition. House of Representatives. Select Committee to Investigate Covert Arms Transactions with Iran. 100th Congress, 1st session. *Report of the Congressional Committees Investigating the Iran-Contra Affair with Supplemental, Minority, and Additional Views*, S.Rept. 100-216/H.Rept. 100-433, November 1987, p. 425. The Committee added that, “By statute the NSC was created to provide advice to the President on national security matters. But there is no express statutory prohibition on the NSC (continued...) ”

Reagan's final two NSC Advisers, Carlucci and Powell, brought a period of greater stability to NSC operations and both eschewed participation in covert actions. After Poindexter's departure, Carlucci created a Senior Review Group that he himself chaired and that was composed of statutory NSC members (besides the President and Vice President). He also established a Policy Review Group that was chaired by his deputy and composed of second-ranking officials of NSC agencies.

President Reagan's own role in the details of national security policymaking remains unclear. His policies on U.S.-Soviet relations, support for an aggressive struggle against international communism, and the need for strong military forces, including strategic defenses were well-known; such positions provided the overall goals for Administration officials. It is generally acknowledged, however, that unlike some of his predecessors, President Reagan did not himself engage in detailed monitoring of policy implementation. Some maintain that his NSC structure and the absence of strong NSC Advisers led directly to bureaucratic gridlock and ill-advised involvement of the NSC staff in covert actions. Others have concluded that the experience of the Reagan Administration demonstrates that a strong and efficient National Security Adviser and staff has become essential to national security policymaking, especially if the President himself does not provide detailed direction. The absence of such an Adviser, it is argued, will undermine the development and implementation of effective national security policies. Some subsequent historians, however, give Reagan higher marks for overall national security policy even if his NSC staff was often in flux.

The George H.W. Bush NSC, 1989-1993

The Bush Administration saw the return of Brent Scowcroft as National Security Adviser. His tenure was marked by the absence of public confrontations with Cabinet officers and a close working relationship with the President. National Security Directive 1 (NSD-1) established three NSC sub-groups. The NSC Principals Committee, was composed of the Secretaries of State and Defense, the DCI, the Chairman of the JCS, the Chief of Staff to the President, and the National Security Adviser, who was the chairman. The NSC Deputies Committee, chaired by the Deputy National Security Adviser, was composed of second-ranking officials. There were also a number of NSC Policy Coordinating Committees, chaired by senior officials of the departments most directly concerned with NSC staff members serving as executive secretaries.

The Bush NSC structure most closely resembled that of the Nixon and Ford Administrations in providing for a National Security Adviser chairing most of the key committees. The key differences lay in the personalities involved and the fact that political divisions over foreign policy, while important, lacked some of the emotional heat caused by controversies over Vietnam and Nicaragua. Secretary of State James Baker was a powerful figure in the Administration and a longtime political associate of the President; similarly, Secretary of Defense Dick Cheney himself had White House experience as chief of staff in the Ford Administration and served in a

⁴⁵ (...continued)
engaging in operational intelligence activities." Ibid.

leadership post in the House of Representatives. On occasion, however, Bush did formulate policy within a narrow circle of White House aides.⁴⁶

Evaluation. Whether because of the personalities of NSC principals, the structure of NSC committees or the determination among political opponents to concentrate on the domestic economy, the Bush NSC did not come in for the heavy criticisms that were levied against most of its predecessors. Most observers would probably judge that the Bush Administration created a reasonably effective policymaking machinery and avoided the mistakes of some of its predecessors. Arguably, a standard NSC organization had been created. The Administration successfully addressed most issues that resulted from the breakup of the Soviet Union and the unification of Germany along with the conduct of Desert Storm.

The Clinton NSC, 1993-2001

President Clinton came into office with a determination to focus on domestic issues. His Administration sought to emphasize connections between international concerns and the domestic economy in such areas as trade, banking, and environmental standards. Anthony Lake, who had resigned in protest from the NSC Staff in the Nixon Administration and later served in the State Department in the Carter Administration, was appointed National Security Adviser, and continued in office until he resigned in March 1997. Lake's deputy, Samuel R. Berger, succeeded him, remaining until the end of the Clinton Administration.

With the end of the Cold War, it was widely acknowledged that there was a need for closer integration of national security policy and international economic policy. A major Clinton Administration initiative was the establishment of a National Economic Council (NEC) to coordinate international economic policy which, many observers believed, had usually received short shrift from NSC staffs focused narrowly on diplomatic and security issues. The NEC, initially headed by Robert Rubin who would subsequently become Treasury Secretary in 1995, was charged with coordinating closely with the NSC. To facilitate coordination some NEC staff were "double-hatted" as NSC officials. The close relationship has been credited with enhancing policy coordination at senior White House levels, although, according to some observers, the original promise was not realized as many aspects of international economic and trade policies became parts of major political disputes such as the North American Free Trade Agreement and most-favored-nation status for China.⁴⁷

Some observers would have preferred to include a stronger international economic component within the NSC itself, but others have raised strong objections

⁴⁶ See Robert G. Sutter, "American Policy Toward Beijing, 1989-1990: the Role of President Bush and the White House Staff," *Journal of Northeast Asian Studies*, Winter 1990.

⁴⁷ The NEC was established by Executive Order 12835 on January 25, 1993; on the NEC see Kenneth I. Jester and Simon Lazarus, *Making Economic Policy: An Assessment of the National Economic Council* (Washington: Brookings Institution Press, 1997) and I.M. Destler, *The National Economic Council: A Work in Progress* (Washington: Institute for International Economics, 1996).

to such an approach on the grounds that national security policymaking, in significant measure the province of diplomats and military officers, is not as closely related to domestic political concerns as international economic policy. Proponents of the latter view argue that economic issues inevitably involve concerns of various domestic groups and the NSC is ill-suited to integrate them into its policymaking processes.

Presidential Decision Directive (PDD) 2, Organization of the National Security Council, issued on January 20, 1993, expanded the NSC to include, in addition to statutory members and advisers, the Secretary of the Treasury, the U.S. Representative to the United Nations, the Assistant to the President for Economic Policy, and the Chief of Staff to the President. The Attorney General attended relevant meetings including those that discuss covert actions. The National Security Adviser determined the agenda of NSC meetings and ensured the preparation of necessary papers.

The Clinton NSC continued the practice of designating the National Security Adviser as chairman of the Principals Committee of Cabinet-level officers. At a lower level, a Deputies Committee was chaired by the Deputy Assistant to the President for National Security Affairs and included representatives of the key Cabinet departments (as well as the Assistant to the Vice President for National Security Affairs). The Deputies Committee was also responsible for day-to-day crisis management.

In addition, provision was made for a system of Interagency Working Groups, (IWG) some permanent, some *ad hoc*, to be established by the direction of the Deputies Committee and chaired by representatives of the relevant departments, the NEC or the NSC staff. The IWGs convened on a regular basis to review and coordinate the implementation of Presidential decisions in their policy areas.

Evaluation. In general, the Clinton NSC did not see the internecine bureaucratic warfare that had surfaced in earlier administrations. PDD 2 provided for a strong NSC staff. Lake, in his writings on national security policymaking prior to becoming National Security Adviser, reflected a keen appreciation of the disadvantages of bureaucratic infighting. He subsequently recalled that when he came into office, “My model for a national security adviser was that of the behind-the-scenes consensus builder who helped present the communal views of senior advisers to the President.” After some months, nonetheless, Lake

decided to change my approach. I would stay behind the scenes.... And I would do my best always to try to achieve consensus and to make sure that my colleagues’ views always had a fair hearing with the President. But I would be less hesitant in voicing my own views when they differed from those of my colleagues, even if it prevented consensus or put me more at odds with them — whether on NATO enlargement, Bosnia, Haiti, or other issues.⁴⁸

In 1999, the Clinton NSC staff played an important and influential role in shaping policy regarding Kosovo. Carefully attuned to shifts in U.S. public opinion,

⁴⁸ 6 *Nightmares* (Boston: Little, Brown, 2000), pp. 131,131-132.

Berger, who succeeded Lake as National Security Adviser in March 1997, reportedly focused on the political dimension of policymaking and sought to avoid options that might lead to paralyzing debate in this country or other NATO states. He is reported to have helped the Administration steer a middle course between those who recommended a ground campaign against Serbia and those more ready to compromise with the Yugoslav leadership and, as a result, the Administration maintained a strong sense of unity throughout the Kosovo campaign. One press account suggested that “What may be Berger’s distinctive accomplishment is to have put himself so preeminently at the center of decision-making while minimizing the historic antagonisms between national security advisers and secretaries of state and defense.”⁴⁹

The George W. Bush NSC, 2001-Present

In February 2001, President George W. Bush issued National Security Presidential Directive-1, “Organization of the National Security Council System.” The NSPD indicated that the NSC system was to advise and assist the President and “coordinate executive departments and agencies in the effective development and implementation” of national security policies. Among the statutory and other officials to be invited to attend NSC meetings, the Attorney General will be asked to attend meeting pertaining to his responsibilities, both matters within the Justice Department’s jurisdiction and those matters arising under the Attorney General’s responsibilities in accordance with 28 USC 511 to give advice and opinion on questions of law. The National Security Adviser was charged with determining the agenda, ensuring necessary papers are prepared, and recording NSC actions and presidential decisions.

As has been the custom, the Principals Committee of the NSC consists of relevant department heads and relevant advisory officials, and is chaired by the National Security Adviser. When economic issues are on the agenda, the National Security Adviser and the Assistant to the President for Economic Policy are to work in concert. The NSC Deputies Committees will be composed of deputy department heads and advisory officials, and is chaired by the Deputy National Security Adviser. Lower-level coordination is effected by Policy Coordinating Committees, which are to be chaired by appointees of the Secretary of State, another Cabinet level official, or the National Security Adviser.

Subsequent to 9/11, the Intelligence Reform and Terrorism Prevention Act (P.L. 108-458) abolished the position of Director of Central Intelligence and established a new position of Director of National Intelligence (DNI) with enhanced authorities over the entire Intelligence Community. The DNI replaced the DCI in NSC-level deliberations.

Evaluation. Although there is little official documentation of the work of NSC staff in the George W. Bush Administration, the roles of both National Security Advisers, Condoleezza Rice and Stephen Hadley, have not on the whole been high-

⁴⁹ John F. Harris, “Berger’s Caution Has Shaped Role of U.S. In War,” *Washington Post*, May 16, 1999, p. A24.

profile ones. Media accounts reflect strong disagreements between Secretary of State Colin Powell and Secretary of Defense Donald Rumsfeld, but few have suggested that the National Security Adviser was dominating the decisionmaking process.

Overview of Current NSC Functions

Largely because of the major influence in policymaking exerted by Kissinger and Brzezinski, the position of National Security Adviser has emerged as a central one. Brzezinski was even accorded Cabinet status — the only National Security Adviser to be thus designated.⁵⁰ Some observers over the years have argued that the position should be subject to Senate confirmation and that the National Security Adviser should be available to testify before congressional committees as are officials from other Government departments and agencies.⁵¹ Others argue that a President is entitled to confidential advice from his immediate staff. They further suggest that making the position subject to confirmation would create confusion in the eyes of foreign observers as to which U.S. officials speak authoritatively on national security policy. This latter argument is arguably undercut, however, by the practice of recent National Security Advisers of appearing on television news programs.

National Security Advisers have come from various professions; not all have had extensive experience in foreign and defense policy. The report of the Committees Investigating the Iran-Contra Affair recommended that the National Security Adviser not be an active military officer,⁵² although no rationale was given for this recommendation.

A substantial number of NSC staff members over the years have been career military or civil servants with backgrounds in foreign policy and defense issues. A considerable number have been detailed to the NSC staff from various federal agencies, which continue to pay their salaries. This practice has been occasionally criticized as allowing the expansion of the White House staff beyond congressional authorization; nonetheless, the practice has continued with annual reports of the number of personnel involved being made to Appropriations Committees.

Beginning with the Kennedy Administration, a concerted effort was made to bring outside experts into the NSC staff in order to inject fresh perspectives and new ideas into the policymaking process. This effort has been continued to varying

⁵⁰ “Cabinet status” is not recognized in law, but is a distinction conferred by the President. See Ronald C. Moe, *The President’s Cabinet*, CRS Report No. 86-982GOV, November 6, 1986, p. 2.

⁵¹ There are differing views regarding linkage between Senatorial confirmation and an obligation to testify before congressional committees; see, for instance, Zbigniew Brzezinski, “NSC’s Midlife Crisis,” *Foreign Policy*, Winter 1987-1988, p. 95; also, the Prepared Statement of Thomas M. Franck printed in *The National Security Adviser: Role and Accountability*, pp. 40-41.

⁵² Report of the Congressional Committees Investigating the Iran-Contra Affair, p. 426.

extents by successive Administrations. Henry Kissinger made a particular effort to hire academic experts, although some would eventually resign and become bitter critics. The Reagan NSC was occasionally criticized for filling NSC staff positions with political activists. Most of the NSC staff positions in the George H.W. Bush Administration were filled with Government officials. Anthony Lake, President Clinton's first National Security Adviser, argues that the NSC staff

should be made up of as many career officials as possible, with as much carryover between administrations as can be managed. Its experts should be good (but not necessarily gray) bureaucrats who know how to get things done and how to fight for their views, and who are serving the national interest more than the political interests of their President.

He cautioned that:

a political appointee whose main credential is work on national security issues in political campaigns will have learned to think about national security issues in a partisan context. The effect of his or her advice is likely to be to lengthen the period of time during which a President, at the outset of a term, tries to make policy on the basis of campaign rhetoric rather than international reality.⁵³

NSC Executive and Congressional Liaison

The very composition of the NSC, its statutory members, and those who attend meetings on occasion serve to identify those agencies and departments with which the NSC has a regular working relationship. These are the Departments of State and Defense (both the civilian and military staffs), the CIA, the Treasury Department, the Council of Economic Advisers, and a number of other departments as needed. The Director of National Intelligence, who is under the NSC, is responsible for coordinating the nation's foreign intelligence effort. His regular contacts include the CIA, as well as the Defense Intelligence Agency (DIA), the National Security Agency (NSA), the State Department's Bureau of Intelligence and Research (INR), and other elements of the intelligence community. However, these groups are not represented individually in the current NSC structure.

As part of the Executive Office of the President, the NSC does not have the same regular relationship with Congress and its committees that the member departments and agencies have. Most briefings on intelligence matters are undertaken by the CIA and DIA or by the Director of National Intelligence; information on diplomatic and military matters comes primarily from the Departments of State and Defense. As noted above, the President's Assistant for National Security Affairs is not subject to confirmation by the Senate.

Over the years there have been a considerable number of congressional hearings and reports relating to the NSC. However, many have had to do with topics peculiar to a given period: wiretaps against NSC staff members allegedly ordered by Dr. Kissinger, the unauthorized transfer of NSC documents to officials in the Joint Chiefs of Staff, and Watergate. Annual hearings are held concerning the NSC budget, and

⁵³ 6 *Nightmares*, pp. 261-262.

there have been occasional hearings concerning NSC organization and procedures. Very few of these hearings and reports have served as briefings for Congress on current issues which the NSC might have been considering. NSC appropriations are handled by the Subcommittees on Financial Services and General Government of the House and Senate Appropriations Committees.

As has been noted, Congress's role in NSC matters and its relationship with the NSC are limited. The Senate does not approve the appointment of the National Security Adviser, although it does confirm statutory NSC members Congress does have authority over the designation of those positions that are to have statutory NSC membership, as well as budgetary authority over the NSC. In 2007, as part of the Energy Independence and Security Act of 2007 (P.L. 110-140, section 932), Congress added the Secretary of Energy to the NSC. However, Congress has little direct say in matters of NSC organization, procedure, role, or influence, although a number of hearings on these topics have been held.

The NSC is not a primary and regular source of national security information for Congress. National security information is for the most part provided by those departments and agencies that are represented on the NSC. The NSC, as a corporate entity, rarely testifies before or briefs Congress on substantive questions, although in some Administrations informal briefings have been provided.

The NSC is an organ devoted to the workings of the executive branch in the broad area of national security. Its role is basically that of policy analysis and coordination and, as such, it has been subject to limited oversight and legislative control by Congress. Both in its staff organization and functioning, the NSC is extremely responsive to the preferences and working methods of each President and Administration. It would be difficult to design a uniform NSC structure that would meet the requirements of chief executives who represent a wide range of backgrounds, work styles, and policy agendas, although some observers believe that the general pattern established in the final years of the Reagan Administration and followed by successive Presidents is likely to endure. There is unlikely to be a desire to drastically reduce the role of the NSC staff, and most observers suggest that elevating the policymaking role of the National Security Adviser at the expense of the Secretary of State leaves Presidents subject to strong criticism.

The NSC and International Economic Issues

The NSC has traditionally focused on foreign and defense policy issues. In the aftermath of the end of the Cold War, many observers argue that the major national security concerns of the United States may no longer be centered on traditional diplomatic and military issues. They suggest, further, that international economic, banking, environmental, and health issues, among others, will be increasingly important to the country's national security. These types of concerns, however, have not been regularly part of the NSC's primary areas of responsibility. The heads of

federal agencies most directly concerned with such issues have not been members of the NSC.⁵⁴

In the 1970's, Maxwell Taylor, who President Kennedy had appointed Chairman of the JCS, argued that a National Policy Council should replace the NSC and concern itself with broad areas of international and domestic policy.⁵⁵ William Hyland, an NSC official in the Reagan Administration, argued in 1980 that:

... a bad defect in the [NSC] system is that it does not have any way of addressing international economic problems. The big economic agencies are Treasury, to some extent OMB, the Council of Economic Advisers, Commerce, Labor, and Agriculture. They are not in the NSC system, but obviously energy problems, trade, and arms sales are foreign policy issues. Every Administration tries to drag them in, usually by means of some kind of a subcommittee or a separate committee. The committee eventually runs up against some other committee. There is friction, and policies are made on a very ad hoc basis by the principal cabinet officers.⁵⁶

In early 1992, Professor Ernest May of Harvard University testified to the Senate Select Committee on Intelligence:

In the early 1980s, the greatest foreign threat was default by Mexico and Brazil. That could have brought down the American banking system. Despite good CIA analysis and energetic efforts by some NSC staffers, the question did not get on the NSC agenda for more than two years. And then, the policy issues did not get discussed. The agencies concerned with money and banking had no natural connection with either the NSC or the intelligence community. We have no reason to suppose that agencies concerned with the new [post Cold War] policy issues will be any more receptive.⁵⁷

In the George H.W. Bush Administration, there remained a strong conviction that defense and foreign policy issues would remain vital and somewhat separate from other interests and that the NSC was the proper forum for them to be addressed. Before he became President Bush's National Security Adviser, Brent Scowcroft stated at a forum on national security policy organization:

First of all, if there is a consensus ... that the NSC net ought to be spread ever wider, I am not a part of it. There are many things that the NSC system can do

⁵⁴ There are other White House-level coordinative bodies, such as the Office of Management and Budget, the Council of Economic Advisers, the Office of the United States Trade Representative, and the Council on Environmental Quality, that do deal with such issues.

⁵⁵ Maxwell D. Taylor, *Precarious Security* (New York: W.W. Norton, 1976), pp. 113-116.

⁵⁶ Quoted in Lawrence J. Korb and Keith D. Hahn, eds., *National Security Policy Organization in Perspective* (Washington: American Enterprise Institute, 1980), p. 11.

⁵⁷ Ernest R. May, Statement for the Senate Select Committee on Intelligence, March 4, 1992; see also May's article, "Intelligence: Backing into the Future," *Foreign Affairs*, Summer 1992, especially pp. 64-66.

better, and it has enough on its plate now. I would not look toward its spreading its net wider.⁵⁸

As noted above, the Clinton Administration implemented its determination to coordinate foreign and domestic economic policies more closely. The National Economic Council, established by Executive Order 12835 on January 25, 1993, was designed to “coordinate the economic policy-making process with respect to domestic and international economic issues.” Close linkage with the NSC were to be achieved by having the Assistant to the President for Economic Policy also sit on the NSC, supplemented by assigning staff to support both councils. The goal was to ensure that the economic dimensions of national security policy would be properly weighed in the White House decision-making process. Observers consider that cooperation between the NSC and the NEC was productive and contributed to the enhancement of both national security and economic policymaking although one senior NSC official has noted that efforts to deal with the 1997 Asian financial crisis were initially coordinated by U.S. international economic policymakers with little input from national security and foreign policy agencies.⁵⁹

The Growing Importance of Law Enforcement Issues

The post-Cold War era has seen a much closer relationship between traditional national security concerns with international issues that have a significant law enforcement component such as terrorism and narcotics smuggling.⁶⁰ The increasing intermingling of national security and law enforcement issues could cause major difficulties for the NSC staff and the National Security Adviser, who is not a law enforcement official. The Justice Department will inevitably view with concern any incursion into what is regarded as the Attorney General’s constitutional responsibilities. The NSC also coordinates with the Office of Drug Control Policy, whose responsibilities also encompass both law enforcement and foreign policy considerations.

In dealing with international terrorism or narcotics production and transport from foreign countries, however, diplomatic and national security issues are often involved. Apprehending a terrorist group may require cooperation from a foreign government that has its own interests and concerns. Narcotics production may be entwined in the social and economic fabric of a foreign country to an extent that precludes the country from providing the sort of cooperation that would be expected from a major ally. During the Clinton Administration, the Attorney General’s representatives have been included in NSC staff deliberations when law enforcement concerns were involved. Nonetheless, observers note public disagreements between Justice Department and State Department, for instance, regarding cooperation (or the lack thereof) from Saudi Arabia or Yemen. Clearly, the President has constitutional

⁵⁸ Quoted in Korb and Hahn, eds., *National Security Policy Organization in Perspective*, p. 34.

⁵⁹ James Steinberg, “Foreign Policy: Time to Regroup,” *Washington Post*, January 2, 2001, p. A15.

⁶⁰ See CRS Report RL30252, *Intelligence and Law Enforcement: Countering Transnational Threats to the U.S.*, by Richard A. Best, Jr., December 3, 2001.

responsibilities for both national security and law enforcement, but the status of any other official to make necessary trade-offs is unclear. Observers suggest that in some future cases, the need to establish a single U.S. position may require different ways of integrating national security and law enforcement concerns.

Today's international terrorist threat can encompass not only physical attacks on U.S. physical structures such as the World Trade Center, but also cyber-attacks on critical infrastructures, the computerized communications and data storage systems on which U.S. society has become reliant. Because such systems are in most cases owned and operated by corporations and other commercial entities, the role of the NSC is necessarily constrained. Much depends on law enforcement, as well as voluntary cooperation by the private sector. The Clinton Administration created the position of National Coordinator for Security, Infrastructure Protection, and Counterterrorism, who reported to the President through the National Security Adviser.⁶¹ The Intelligence Reform Act of 2004, however, established the National Counterterrorism Center outside the NSC structure.

In dealing with policies related to the protection of critical infrastructures, the National Security Adviser will have an important role, but one inherently different from the traditional responsibilities of the office.⁶² The position could involve in coordination of responses to threats both in the United States and from abroad and among the federal government, the states, and the private sector. It is clear to all observers that such coordination involves much uncharted territory, including a special concern that the National Security Adviser might become overly and inappropriately involved in law enforcement matters.

The Role of the National Security Adviser

The NSC was created by statute, and its membership has been designated and can be changed by statute. The NSC has also been subject to statutorily approved reorganization processes within the executive branch, as when it was placed in the Executive Office by a Reorganization Plan in August 1949. Nonetheless, the NSC has been consistently regarded as a presidential entity with which Congress is rarely involved. The internal organization and roles of the NSC have been changed by Presidents and by National Security Advisers in response to their preferences and these changes have not usually been subject to congressional scrutiny.

⁶¹ See CRS Report RL30153, *Critical Infrastructures: Background and Early Implementation of PDD-63*, by Jack D. Moteff, updated September 12, 2000.

⁶² It has been noted that the original membership of the National Security Council included officials responsible for mobilization planning, but those offices were subsequently merged into others and are no longer represented on the NSC. The need for national mobilization to sustain a global war effort is not considered a high priority in the post-Cold War world. (See Carnes Lord, "NSC Reform in the Post-Cold War Era," *Orbis*, Summer 2000, pp. 449-500.) The inclusion of such officials did, nonetheless, reflect the determination of the drafters of the National Security Act that the NSC have a wide mandate in protecting the nation's security interests and one that could extend into the private sector.

The role of the National Security Adviser has, however, become so well established in recent years that Congress has been increasingly prepared to grant the incumbent significant statutory responsibilities. The Foreign Intelligence Surveillance Act and other legislation provides for statutory roles for the National Security Adviser.⁶³ Executive Orders provide other formal responsibilities. The position has become institutionalized and the exercise of its functions has remained an integral part of the conduct of national security policy in all recent administrations.

Some observers believe that these established duties which extend beyond the offering of advice and counsel to the President will inevitably lead to a determination to include the appointment of a National Security Adviser among those requiring the advice and consent of the Senate. Advice and consent by the Senate is seen as providing a role for the legislative branch in the appointment of one of the most important officials in the federal government. Another cited advantage of this proposal would be the increased order, regularity, and formalization that are involved in making appointments that are sent to the Senate. Proponents argue that this would ultimately provide greater accountability for NSC influence and decisions. Opponents on the other hand, might point to the danger of unnecessary rigidity and stratification of organization and the potential that appointments might be excessively influenced by political considerations. There is also a potential that the NSC staff might become irrelevant if it loses the trust of a future President or if its procedures become so formalized as to stultify policymaking. Should the Adviser be subject to Senate confirmation, it is argued that an important prerogative of the President to choose his immediate staff would be compromised. In addition, the incumbent could be required or expected to make routine appearances before congressional oversight committees, arguably undermining the primary purpose of the National Security Adviser which is to provide the President with candid advice on a wide range of issues, often on an informal and confidential basis.

One historian has summed up the role of the National Security Adviser:

⁶³ The Foreign Intelligence Surveillance Act of 1978, as amended, requires that applications for orders for electronic surveillance for foreign intelligence purposes include a certification regarding the need for such surveillance by the Assistant to the President for National Security Affairs (or someone else designated by the President)(50 USC 1804 (a)(7)); a similar requirement exists for applications for physical searches (50 USC 1823(a)(7)). The Assistant to the President for National Security Affairs is also assigned as chairman of two NSC committees — the Committee on Foreign Intelligence (50 USC 402(h)(2)(D)) and the Committee on Transnational Threats (50 USC 402(i)(2)(E)). These assignments were made as part of the FY1997 Intelligence Authorization Act (P.L. 104-293); in signing it, President Clinton stated his concerns about the provisions relating to the establishment of the two NSC committees: “Such efforts to dictate the President’s policy procedures unduly intrude upon Executive prerogatives and responsibilities. (“Statement on Signing the Intelligence Authorization Act for Fiscal Year 1997,” October 11, 1996, *Weekly Compilation of Presidential Documents*, October 14, 1996, p. 2039). Other legislation placed the National Security Adviser on the President’s Council on Counter-Narcotics (21 USC 1708(b)(1)(O)) and the Director of National Drug Control policy is required to work in conjunction with the Adviser “in any matter affecting national security interests.” (21 USC 1703(b)(10))

The entire national security system must have confidence that the [National Security Adviser] will present alternate views fairly and will not take advantage of propinquity in the coordination of papers and positions. He must be able to present bad news to the president and to sniff out and squelch misbehavior before it becomes a problem. He must be scrupulously honest in presenting presidential decisions and in monitoring the implementation process. Perhaps most important, he must impart the same sense of ethical behavior to the Staff he leads.⁶⁴

The increasing difficulties in separating national security issues from some law enforcement and international economic concerns has led some observers to urge that the lines separating various international staffs at the White House be erased and that a more comprehensive policymaking entity be created. It is argued that such reforms could most effectively be accomplished without legislation.⁶⁵ Such proposals, however, raise complex questions, including the role of congressional oversight. Whereas Congress has traditionally deferred to White House leadership in national security matters, to a far greater extent than in international economic affairs, there might be serious questions about taking formal steps to place resolution of a wide range of international policies, including economic and law enforcement issues, in the hands of officials who receive little congressional oversight.

Congress had little, if any, role in the evolution of the NSC staff and the emergence of the National Security Adviser as a key figure in national security policymaking. However, in recent years, Congress has given increasing recognition to the Adviser in statutes. Thus far, however, Congress has not perceived the need for an effort to subject the NSC staff to routine oversight or to require that the National Security Adviser be appointed by and with the consent of the Senate. This approach might, however, change if the responsibilities of the NSC staff change significantly. In the past, congressional observers became most interested in requiring confirmation of National Security Advisers when holders of the position were identified as principal policymakers of an Administration. It is likely, in any event, that Congress will continue to monitor the functioning of the staff and the Adviser in the context of U.S. policymaking in a changing international environment.

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⁶⁴ Shoemaker, *NSC Staff: Counseling the Council*, p. 115.

⁶⁵ See Steinberg, "Foreign Policy: Time to Regroup."

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Note: Many of the above entries contain numerous footnotes that identify a wealth of primary and secondary sources too numerous to include here. Of special interest are the oral interviews of former NSC staff personnel conducted from 1998 to 2000 as part of the National Security Council Project undertaken by the Center for International and Security Studies at Maryland and the Brookings Institution; transcripts are available at [<http://www.cissm.umd.edu/projects/nsc.php>]. Also useful is the transcript of "A Forum on the Role of the National Security Adviser," cosponsored by the Woodrow Wilson International Center for Scholars and the James A. Baker III Institute for Public Policy of Rice University, available at [<http://wwics.si.edu/news/docs/nsa.pdf>].

Appendix. National Security Advisers, 1953-2001

Robert Cutler	March 23, 1953	April 2, 1955
Dillon Anderson	April 2, 1955	September 1, 1956
Robert Cutler	January 7, 1957	June 24, 1958
Gordon Gray	June 24, 1958	January 13, 1961
McGeorge Bundy	January 20, 1961	February 28, 1966
Walt W. Rostow	April 1, 1966	January 20, 1969
Henry A. Kissinger	January 20, 1969	November 3, 1975
Brent Scowcroft	November 3, 1975	January 20, 1977
Zbigniew Brzezinski	January 20, 1977	January 21, 1981
Richard V. Allen	January 21, 1981	January 4, 1982
William P. Clark	January 4, 1982	October 17, 1983
Robert C. McFarlane	October 17, 1983	December 4, 1985
John M. Poindexter	December 4, 1985	November 25, 1986
Frank C. Carlucci	December 2, 1986	November 23, 1987
Colin L. Powell	November 23, 1987	January 20, 1989
Brent Scowcroft	January 20, 1989	January 20, 1993
W. Anthony Lake	January 20, 1993	March 14, 1997
Samuel R. Berger	March 14, 1997	January 20, 2001
Condoleezza Rice	January 22, 2001	January 25, 2005
Stephen Hadley	January 26, 2005	Present