

The National Security Council Reform Project

A FOUNDATIONAL PROPOSAL FOR THE NEXT ADMINISTRATION



Chester A. Crocker • Daniel Levin
David C. Miller, Jr. • Thomas R. Pickering

FOREWORD BY BRENT SCOWCROFT

JASON T. KIRBY, CHIEF OF STAFF

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“During the Cold War, we were facing nuclear war if we screwed up. That was an incentive to get it right, to stay ahead of developments. Today, we have no strategy that covers the entire world – the changes that are coming. And there’s a lot of change going. For 500 years, we lived under Westphalian nation-state systems. But globalization has eroded borders. For the first time this world’s people are politicized, interconnected by technology. The nature of power is changing. The nature of international cooperation is changing. The nature of conflict is changing. We’re not evolving well to adapt. This world is not as dangerous as that during the Cold War, but it is much more complicated.”

—**Lieutenant General Brent Scowcroft, USAF (Ret.)**

9th and 17th United States Assistant to the President for National Security Affairs

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FOREWORD

BRENT SCOWCROFT

Dear Colleague,

There follows a report on the organization and performance of the National Security Council system, a subject to which I have given a good deal of thought over many years. It broadly reflects my views and those of others that have served in both Republican and Democratic administrations. Those who were interviewed or participated in seminars in the preparation of this report include more than sixty senior foreign policy, defense, and intelligence leaders. They include three- and four-star military commanders, secretaries of state and defense and other cabinet officers, senior intelligence officials, and lawyers who held senior positions at the White House and the Department of Justice.

They share a deeply held, bipartisan concern that our country has too often suffered from strategic confusion with many unintended consequences due to a failure to think two or three steps ahead. They also frequently cite the same examples of poor execution of policies that might have enjoyed much greater success if they had been well managed.

The Atlantic Council and the authors of this study believe that a well-run National Security Council system is the key to strategic coherence and thoughtful execution of national policy. Thus this report.

This report focuses on three key observations that surfaced during these interviews. First, the size of the NSC staff has increased to numbers never seen in the first five decades after it was created in 1947. This development has had major consequences for the functioning of the interagency NSC process. Second, the NSC has increasingly moved away from its traditional principal role of coordinating inputs and advice from the relevant executive branch departments and agencies to a role of active involvement in the daily management of foreign policy. And finally, not only has the staff grown dramatically in number, but criteria for selection has allowed for more junior personnel with limited expertise and a high turnover rate.

There is a great deal written about these observations in the report that follows. The report is organized into two documents of increasing size and granularity—from an executive summary to a much longer, detailed discussion of the issues raised in the interviews.

It is our hope that an incoming administration will read this report carefully. There is much to be learned from history. Reforming the size, mission, and staffing of the NSC can bring a return to models that have succeeded over many decades. Good structure does not guarantee success, but bad structure almost always overcomes good people and leads to poor results.



Lieutenant General Brent Scowcroft, USAF (Ret.)

Assistant to the President for National Security Affairs

November 3, 1975–January 20, 1977

January 20, 1989–January 20, 1993

WASHINGTON, D.C.

EXECUTIVE SUMMARY

There is a growing consensus that the United States has made serious mistakes in foreign and defense policy over the past two decades. These problems can be observed in the administrations of both political parties. They are rooted both in a failure to define clearly our international strategic objectives and in the poor execution of what we have pursued. These issues have been aggravated by a failure to anticipate both the direct impact and the unintended consequences of our actions. This inability to effectively execute foreign policy and manage military force projection has eroded public confidence in our government and the perception of American leadership globally.

This foundational report serves as a point of departure for the next administration. It contains the essential elements for building the most effective national security structure in the small window between today and the first hundred days of the next administration. The perceived simplicity of these foundational recommendations has eluded many of the preceding administrations that have tried to implement some of the elements that you will read here.

Over the past two years, this document's authors—**Ambassadors Chester Crocker, David Miller, and Thomas Pickering; the Honorable Daniel Levin; and Chief of Staff, Colonel (sel.) Jason Kirby**—personally conducted over sixty interviews with senior foreign policy, military, and intelligence officials. These officials included seven former national security advisors (NSAs),¹ eight cabinet members and deputies, and seven three- and four-star flag officers. It is our conclusion that an important contributing factor to the problems stated above has been the structural and personnel failures at the National Security Council (NSC) in the management of foreign, defense, intelligence, and legal policy. An incoming president has much to be gained by establishing an effective NSC and much to lose if the NSC is poorly structured from the beginning.

We believe an incoming president has seven fundamental decisions to make regarding the organization, staffing, and management of the National Security Council:

1. Focus the National Security Council Mission
2. Define the National Security Advisor's Role
3. Reduce and Restrict the Size of the NSC Staff
4. Designate a Strategic Planning Staff
5. Use Interagency Teams and Task Forces
6. Coordinate Legal Advice
7. Prepare for the Transition Now

As members of most prior administrations have learned, these decisions greatly influence the success or failure of the White House's foreign and defense policy management. It is understood that an incoming president will define the NSC structure that he or she wants, but the president should be aware that these choices have direct consequences for the success or failure of the policy process. Our recommendations for how these decisions should be made are based on our own experience as well as the many interviews we conducted.

SEVEN KEY RECOMMENDATIONS

Focus the National Security Council Mission. Properly defining the mission of the NSC staff is the most important decision as it largely drives the other matters discussed below. The mission of the NSC is to coordinate the development of policy options for the president using the most effective application of US diplomatic, economic, military, and intelligence resources. In doing so, the NSC presents, and seeks to incorporate and harmonize, the NSC principals' recommended policy positions. The NSC staff ensures the president's policy decisions are properly executed by integrating, supporting, and tracking—and not themselves executing, with few, if any, exceptions—the implementation of foreign and defense policy by the departments and agencies. That is, the NSC must be a coordinating “honest broker,” not a miniature and operational foreign policy establishment housed

¹ In this report, the term NSA refers to the role of national security advisor, not the National Security Agency.

within the White House. This honest broker role builds trust and confidence—straightforward, perceptive, and wise recommendations build success.

Define the National Security Advisor's Role. The selection of the national security advisor is critically important. It is arguably the most important appointment a president will make without the advice and consent of the Senate. Experienced advisors can make many structures work; inexperienced individuals can cause any structure or plan to fail. In addition to extensive foreign and security policy expertise, chief among the desired qualifications are government management experience, and the ability (and desire) to act as honest broker. This most often takes the form of seeking out and promoting multiple viewpoints for the benefit of the president's decision-making. Compatibility with the president and his or her national security team is essential. The quality of the NSC staff also flows from the selection of a competent advisor. To staff the NSC, successful national security advisors recruited outstanding foreign and security policy professionals who wanted to work with and learn from them.

Reduce and Restrict the Size of the NSC Staff. The largest professional staff recommended by any former official was two hundred, with most counseling seventy-five to a hundred. Given the expanding number of issues and crises that recent administrations have faced in the twenty-first century, limiting the NSC staff size to **100 to 150 professionals** is appropriate. The size of the NSC professional staff helps determine how a president will manage policy and supervise execution.

A staff of hundreds sends a clear message that the president largely intends to try operating foreign policy and force projection within his or her own White House staff. A smaller staff almost always means the president will rely more on the NSC principals, and the departments and agencies they lead, and leave the NSC staff to its traditional role of interagency coordination, support, and integration. The departments and agencies are then sized and funded to execute day-to-day management of diplomatic and military policy, something they have been tasked with and have executed for decades. A large size contributes to the distrust observed between the NSC staff and the career employees of the departments, agencies, and the uniformed services, and as the NSC's role shifts from supporting and integrating to directing it begins to duplicate agency roles that are almost always beyond its capacity to carry out effectively. A larger staff can also isolate the president and senior staff because it leads to conflict with cabinet officers themselves. When staff size balloons, instead of synchronizing the departments and agencies, the staff instead engenders and enables debilitating interagency battles and poor judgment over time. Finally, size exacerbates problems

with largely uncontrolled, uncoordinated, and often unknown communication from all levels of the NSC staff to departments and agencies as well as foreign missions in Washington and American embassies.

Designate a Strategic Planning Staff. Weakness in long-term strategic planning for foreign and defense policy has been observed consistently during a number of past administrations. There is a Gresham's Law at work in which daily needs drive out longer-term strategic thinking and planning, just as operational control drives out the capacity and time to formulate clear and useful policy options. While the departments and agencies contain strategic planning functions (for example, the policy planning staff at the Department of State and strategy staff at the Office of the Secretary of Defense), there is no set structure within the NSC to bring both lessons learned and strategic planning functions together on a regular and continuing basis in response to presidential requests and national needs. An effective foreign policy will, of course, be guided by smart strategy, but it must adapt the ways, means, and, when necessary, ends of that strategy to account for changed circumstances—including opportunities.

The allocation of roles and staff between strategic planning and daily integration functions should be clarified, perhaps by creating a deputy assistant to the president and a small office of five professionals dedicated to considering and integrating options before advising the president on the strategic recommendations of the NSC staff and the various departments and agencies on a regular basis. This deputy assistant would help the president and national security principals develop and disseminate a strategic overview or vision on key issues. This president's own strategic vision would provide a much-needed centerpiece and guide policy and strategy development. If this is not done, the relentless pressure of day-to-day management will continue to drive out long-run thinking and planning, leaving daily decisions to be made based on tactical reflexes without the benefit of a longer-run framework into which decisions should fit. It will eschew the forward vision of chess for the near focus of checkers.

Use Interagency Teams and Task Forces. The appointment of special envoys, representatives, coordinators, ambassadors, czars, and administrators to solve unusually vexing or pressing problems has proliferated under a variety of novel legal structures—and has frequently confused existing authorities and at times has been inadequately supported by the NSA and NSC staff. This practice should be curtailed to those few issues demanding a close relationship to the president and in which the president has a pressing strategic interest. Some serious issues facing the country require the active involvement of a number of departments and

agencies over time—sometimes over the life of several administrations. A key to their success is having the NSA appoint as a chair a senior officer from a lead department, closely supported by an NSC special assistant. It has been noted by prior participants in these activities that, given the need for funding, the Office of Management and Budget should be an active member of the strategy development and implementation process. The US response to the Kosovo War (1998–1999) and Plan Colombia (formulated 1998–1999) are notable successes that were chaired by senior officials from the NSC and/or key departments with effective support from the NSC and the related departments and agencies.

Coordinate Legal Advice. The post-9/11 legal environment was understandably one of confusion; decisions were made in a time of crisis, when speed of movement and legal flexibility were paramount. That said, a perception of “lawyer shopping” appears to have led to decisions reached and actions authorized without all of the affected department and agency senior lawyers having access to, and thereby a voice in, the decision-making process. The result has been public distrust and skepticism of the legal decision-making process. The White House legal staff supporting the NSC staff should be highly experienced and lean, tasked with coordinating legal advice while working with the Department of Justice’s Office of Legal Counsel and department and agency legal offices. The president should issue a national security directive ensuring that all relevant legal offices throughout the executive branch are transparently included in legal discussions and decisions, and that the process is transparent to the public when appropriate.

Prepare for the Transition Now. The National Security Council’s important role requires a transition that assures seamless oversight of our nation’s interests and security. The NSC staff is the president’s personal foreign policy staff and, as such, all the documents generated over a president’s term are properly removed before the transition and sent to a presidential library. In addition, almost all of the personnel are replaced on the day of the transition. Given the NSC’s unprecedented role and capacity, a phased personnel transition as well as the retention of some director-level personnel is essential. During the transition period a process of phased personnel replacement, full briefings for incoming staff, and retention of all key documents should be assured. Lead departments and agencies (also undergoing transitions) should plan to play an important role in assuring a smooth transition, watching over breaking developments and knowing the status of NSC-led activities. This transition will be unprecedented due to the volume of key issues being managed by the national security staff. A carefully developed transition leveraging an experienced cadre of leaders will be essential for success.

The 2017 transition teams need to recognize the unusually large number of foreign policy initiatives led by the National Security Council in recent years. The NSC must ensure that the records and history of these activities are not lost in a transition that may require a more comprehensive retention of records and longer transition period for personnel than observed in previous transitions.

MEMORANDUM

TO: The Presidential Candidates
SUBJECT: NSC Reform and the Success of the Next President

The nonpartisan Atlantic Council, with which we the undersigned are associated, is making a major effort to review the future structure and operation of the National Security Council (NSC) and its staff. That effort is focused on the NSC—that is, the statutory council, the national security advisor, and the staff—because the council's success or failure is uniquely critical to the formulation of policy and to the provision of the best information and advice to the president.

One part of that effort is reflected in the attached document. Over the past two years, this document's authors—Ambassadors Chester Crocker, David Miller, and Thomas Pickering; the Honorable Daniel Levin; and Chief of Staff, Colonel (sel.) Jason Kirby—personally conducted over sixty interviews with senior foreign policy, military, and intelligence officials. Among them were seven former national security advisors, eight cabinet members and deputies, and seven three- and four-star flag officers. Their goal was not to revisit the past or the various opinions about what may have been successful or failed efforts over the years in the NSC process. But it is undoubtedly true that difficulties in the conduct of foreign and security policy have existed in the administrations of both political parties, rooted in both a failure to clearly identify strategic objectives and prospects for achieving them, and in the flawed execution of policy. Such problems are exacerbated when there has been failure to clearly assess options and anticipate both the direct and unintended consequences of our actions.

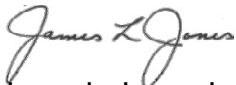
We stress this point because the next president will take office during a period of international turmoil and great danger for the United States and its allies and partners. The threats to our security are new, asymmetrical, and multiple. Neither we nor our partners are as yet well prepared to deal with them in a coherent, sustained fashion. We are challenged to defend ourselves from extreme Islamist terrorism that threatens our citizens, values, and way of life, while helping to develop and implement a long-term strategy for draining the life from the distorted ideology that animates the Islamic State of Iraq and al-Sham, al-Qaeda, and others. An assertive Russia is challenging the post-Cold War framework and institutions that had been intended to achieve and secure a whole European space of stability and freedom. Violence and conflict in the Middle East and beyond pose both immediate and long-term threats, including a tidal wave of migration. Europe is struggling to deal with new challenges to its unity, identity, and capabilities, which engage core American interests as well. In Asia, the rise of China and the risk posed by a nuclear North Korea present new and difficult questions. From the outset, these issues and others will likely tax the new president with a problem set

of historically unique immediacy and complexity. A significant mistake or setback in the first weeks and months of 2017 may set the tone for the duration of the next administration.

Given today's challenges to America's security and interests, it is vital that the transition to the new administration be as seamless and well prepared as possible. There will be no down time for the new administration. Indeed, our adversaries may seek to probe the United States' ability to manage such a complicated agenda. The recommendations in the attached document are intended to maximize the prospects of the next administration from Day One, and help avoid mistakes that have been observed in previous administrations. The purpose has been to identify what works, and what is important to success. The next US president must be well staffed and prepared to succeed in the unique role of leading in the international arena in order to protect American interests and the American people. The incoming president will have much to gain by defining the strategic direction of the national security system, and much to lose if the NSC and its relationship with the key departments of government is poorly structured from the beginning.



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APPROACH, FINDINGS, AND RECOMMENDATIONS

While it remains uncertain who will become the forty-fifth president of the United States, it is abundantly clear that the next administration will face significant foreign policy challenges. There is growing consensus and concern about perceived global disorder and uncertainty, yet views on the diagnosis and prescription for these challenges vary widely. Partisan critics too readily point to failures in national leadership, across several administrations, without adequately accounting for the rapidly changing global dynamics that seemingly force the system to focus on short-term, tactical crisis management, and the obstacle of an antiquated national security decision-making structure and process that fails to prioritize strategic thinking. An objective and effective approach to dealing with mounting global security challenges will require a clear-eyed accounting and better understanding of the serious mistakes that have been made in formulating and executing foreign and defense policy over the past two decades and of the role of the National Security Council (NSC) staff structure and personnel in those decisions.

This paper documents a nonpartisan effort by former national security leaders to assist the next administration in preparing to address these challenges. The authors of

this paper—Ambassadors Chester Crocker, David Miller, and Thomas Pickering; the Honorable Daniel Levin; and Chief of Staff, Colonel (sel.) Jason Kirby—personally conducted over sixty interviews and led, with Governor Jon Huntsman, Jr. presiding, two seminar working groups with senior foreign policy, military, and intelligence officials.

These officials included seven former national security advisors, eight former cabinet members and deputies, and seven three- and four-star flag officers. Among other conclusions, the interviews revealed a clear consensus that the National Security Council has both failed to evolve with shifts in the global landscape and evinced personnel and structural shortcomings that have resulted in poor decision-making and ineffective management of foreign, defense, intelligence, and legal policy.

The alignment of views on this problem set was uncanny—whether across party lines, professional disciplines, or period of service, the consensus viewpoint on NSC staff size, purpose, and structural failures was both striking and compelling. We began examining and testing other organizations for possible solutions including corporate structures, foreign government models, and historical models, yet none provided a viable alternative.

AT THE END OF THIS EXAMINATION AND OUR EXTENSIVE INTERVIEWS WITH SENIOR PRACTITIONERS, WE CONCLUDE THAT THERE IS NO SILVER BULLET TO QUICKLY BEGIN PRODUCING SUCCESSFUL FOREIGN POLICIES. INSTEAD, OUR PROPOSALS ARE A CRITICALLY IMPORTANT POINT OF DEPARTURE FOR THE NEXT ADMINISTRATION. THIS REPORT CONTAINS THE ESSENTIAL ELEMENTS FOR BUILDING THE MOST EFFECTIVE NATIONAL SECURITY STRUCTURE IN THE SMALL WINDOW BETWEEN TODAY AND THE FIRST HUNDRED DAYS OF THE NEXT ADMINISTRATION.



President Barack Obama meets with his national security advisors in the Situation Room of the White House on August 7, 2014. Photo credit: White House photo by Pete Souza.

At the end of this examination and our extensive interviews with senior practitioners, we conclude that there is no silver bullet to quickly begin producing successful foreign policies. Instead, our proposals are a critically important point of departure for the next administration. This report contains the essential elements for building the most effective national security structure in the small window between today and the first hundred days of the next administration.

You may review our seven recommendations and conclude that there must be a better solution set elsewhere or that there is nothing really wrong with our imperfect system. Yet, the perceived simplicity of these seven core recommendations has eluded many of the preceding administrations that have tried to implement some elements of the recommendations you will read here. This is not a comprehensive NSC restructuring proposal, nor is it a radical think tank product intended to shake up the Beltway foreign policy community and land with a splash.

Our intent is to provide America's next administration with a considered, pragmatic, and thoroughly implementable framework—it is the best way for the next administration to reset our national security system. We fully anticipate that the framework must change and adapt for the new world in which we find ourselves, and this paper serves as the base for such a dynamic, adaptive approach.

This paper focuses on the national security advisor (NSA) and the National Security Council staff due to their role

as the central node of the national security system and their principal task of coordinating national security and foreign policy recommendations for the president. The basic structure and processes of the National Security Council and the national security decision-making system have not changed appreciably since the end of the Cold War. And yet, in the intervening decades the dynamics of the global landscape have shifted radically. The tools and instruments of the twentieth-century world order are increasingly mismatched with the realities of the twenty-first-century landscape.

The increased speed and connectedness of information in the digital age has resulted in a shift of power and influence from nation-states to nonstate actors. Growing interconnectedness has also resulted in greater interdependence, reducing the effectiveness of the use of conventional, stovepiped national instruments of influence, such as sanctions and trade policy, diplomatic persuasion, and military action. Historic shifts in global demographics and human migrations threaten the borders and boundaries of the twentieth-century world order. These changes are occurring faster than the speed at which US national security processes have evolved to keep pace.

This paper shares the laments of practitioners who had hoped to reap success through sheer force of will, only to conclude years later that the odds were against them before they ever set foot in the White House. We hope, for the sake of our nation, that the next administration might not relive the foundational mistakes that have plagued its predecessors.

This team of practitioners believes there are seven fundamental decisions an incoming president must make when selecting people for, establishing the mission of, and defining the scope of activities of the NSC and determining how it transitions into 2017 and beyond:

1. Focus the National Security Council Mission
2. Define the National Security Advisor's Role
3. Reduce and Restrict the Size of the NSC Staff
4. Designate a Strategic Planning Staff
5. Use Interagency Teams and Task Forces
6. Coordinate Legal Advice
7. Prepare for the Transition Now

Our recommendations for how these decisions should be made are based on our own experience as well as the many interviews we conducted. Here they are in short:

Focus the National Security Council Mission. The NSA and the NSC staff must focus on a limited number of strategic issues and should not supplant or micromanage the departments and agencies. They are obligated to ensure the president receives direct, unfiltered input from the relevant members of his cabinet.

Define the National Security Advisor's Role. This individual must be a nationally recognized leader and strategist in foreign and security policy with significant government management experience, compatible with

the president, able to serve as a trusted advisor, and be an “honest broker” between departments and agencies and their leaders.

Reduce and Restrict the Size of the NSC Staff. Limit the NSC staff size to approximately 100 to 150 professionals with the background and expertise necessary to execute their principal duties.

Designate a Strategic Planning Staff. The strategic planning staff must apply the lessons of successful policies and analyze failed policies during strategy development; identify new, emerging trends before a crisis develops; monitor the implementation of key policy initiatives and operations; and adapt the strategy to changing circumstances during execution.

Use Interagency Teams and Task Forces. A limited number of interagency task forces should be created to respond to important twenty-first-century challenges that demand intellectually and structurally rapid, effective integration of cross-cutting activities across multiple departments and agencies.

Coordinate Legal Advice. Establish, by national security memorandum, the rules for the development, review, and implementation of legal opinions relevant to national security issues.

Prepare for the Transition Now. Develop a phased personnel transition with direct coordination between outgoing and incoming administrations to ensure that copies of pertinent records are retained for immediate continuity.

Each of the seven recommendations summarized above was discussed in many interviews, and in the larger seminar working groups convened by the Atlantic Council. Expanded observations on each of the seven points follow.

Elements of these seven recommendations can be seen in NSC models going back to the Dwight D. Eisenhower administration and can lead to successful foreign policy and force projection management. As members of most prior administrations have learned, these decisions greatly influence the success or failure of the White House's foreign and defense policy management.

While all those interviewed recognize that a president will organize the NSC in a manner that works best for him or her, they emphasized that very early decisions about NSC organization will shape the likely success or failure of presidential foreign policy management. It is not a requirement that the president must straightjacket her or himself with a preset arrangement even if in the past it was successful. Making these decisions requires careful

examination, and most of all, a good selection of leaders and an NSA who can then help inform the president-elect on options and approaches. History strongly suggests that the ideas recommended in this paper work well, and that current practices carry significant, inherent risks. In that sense, it is hard to overemphasize the importance of National Security Directive 1 that specifies the national security decision-making team and structure and reflects the president's considered views on the vital issues raised in this paper.

Focus the National Security Council Mission

As the 2008 Project on National Security Reform (PNSR) emphasized, “National security has suffered more over the



President Harry Truman at his desk in the Oval Office, signing the National Security Act Amendments of 1949, as Secretary of Defense Louis Johnson (leaning on desk) and other dignitaries look on. The National Security Act Amendments of 1949 followed the National Security Act of 1947, which took effect in September 1947. The National Security Act established, among other things, the National Security Council to advise the president in matters related to national security and to assist with interagency cooperation. *Photo credit:* National Archives and Records Administration, Office of Presidential Libraries, Harry S. Truman Library.

past few decades from the system's poor implementation of policy than from outright policy mistakes."² Properly defining the mission of the NSC staff is the most important decision as it largely drives the other matters discussed below. The NSC should be chartered to coordinate and present to the president the development of policy options for the most effective use of US diplomatic, economic, military, intelligence, and other resources. In doing so, the NSC staff should always present, and seek to incorporate, the NSC principals' recommended policy positions. At times, this must include resolving conflicts between departments and agencies.

The mission of the NSA and the NSC staff is not to supplant or micromanage the line departments and agencies in the

government. It is to represent the president's strategic thinking to them and to empower and support them in their interactions with the president. They should make sure that the president receives direct, unfiltered input from the relevant members of the cabinet and from the career civil servants and military officials responsible for the conduct of our foreign and national security policies.

The NSC staff also ensures the president's policy decisions are executed by integrating, supporting, and tracking them. With few, if any, exceptions, they do not execute the implementation of foreign and defense policy by the departments and agencies. The NSC is a coordinating body. It is not a miniature foreign policy department with execution authority located in the White House. Failure to understand this carries a serious price: departments will be less likely to take responsibility for their own statutory roles, and the quality of their participation in the interagency process will decline.

The caustic political environment, where prejudice along political lines is endemic, must not prevent the NSC staff, or the departments and agencies, from reaching out to their counterparts on the Hill, nor should it

2 Project on National Security Reform, *Forging a New Shield* (Arlington, VA: Center for the Study of the Presidency, 2008), p. 611. The Project on National Security Reform (PNSR) was a bipartisan, private-public partnership sponsored by the Center for the Study of the Presidency. PNSR's expansive goal was approval of a new system during the Bush-Obama transition. It envisioned three sets of reforms: new presidential directives or executive orders, a new national security act, and amendments to Senate and House rules.



President Gerald Ford meets with the National Security Council in the Cabinet Room of the White House in August 1974. President Ford joined by William E. Colby, director of the CIA; Robert S. Ingersoll, deputy secretary of state; Henry Kissinger, secretary of state; James R. Schlesinger, secretary of defense; William P. Clements Jr., deputy secretary of defense; George S. Brown, chairman of Joint Chiefs. *Photo credit:* US Library of Congress, US News & World Report.

dissuade the president from continued outreach. As Ellen Tauscher, former member of Congress, shared, “If you [the administration] don’t care about Congress, they will let you know. The NSC staff does not know how to integrate with Congress.”³ Collaboration with Congress, and the development of trusted relationships, remains an essential element of a successful NSC staff and ensures the efficacy of the departments and agencies.

Define the National Security Advisor’s Role

Extensive and detailed commentary on the role and desirable characteristics of the NSA came primarily from former advisors and senior NSC officials as well as department and agency heads. All agreed that critical factors include the “personality fit” of the advisor with the president; the commitment to be an honest broker with little desire for publicity; and prior senior management experience in the national security apparatus of the government. The need for prior management experience was critical when the NSA’s national security colleagues—the secretaries of state and defense—brought prior experience, wisdom, and a strong will to their positions. It was also pointed out that the failure of the president to support the NSA in critical situations led to a rapid loss of credibility.

The national security advisor to the president is the most important position in the government not subject to

confirmation by the Senate. The selection is entirely up to the president. Thus, discussions about what is required to succeed in the position were frequent, focused, and extensive. To attract an outstanding staff, the NSA should have a reputation as an outstanding leader of the national foreign policy community.

To quote a former national security advisor, if the president is not an effective manager, and does not know how to support the NSA, “the apparent failure of the NSA is really the failure of the president.”⁴

On the issue of personality, a former national security advisor described himself as committed to listening as much as talking, while another former advisor reiterated that the NSA “has to be a good listener.”⁵ One advisor offered a number of anecdotes about protecting the cabinet officers with whom he worked, pointing out that it was a critical part of his job to preserve their trust and ensure that their views would be heard. As former Vice President Al Gore’s NSA, Leon Fuerth, stated, “I would not walk into a meeting at the deputies level or the principals level and announce that the vice president had a categorical view of the issue while the others were struggling with their recommendation.”⁶

4 Interview with a former national security advisor conducted by Thomas Pickering and David Miller, 2015.

5 Interview with a former national security advisor conducted by Thomas Pickering and David Miller, 2015.

6 David Rothkopf, *Running the World: The Inside Story of the National Security Council and the Architects of American Power* (New York: PublicAffairs, 2005), p. 312.

3 Working group discussion with Ellen Tauscher, February 8, 2016.



President Jimmy Carter and Soviet General Secretary Leonid Brezhnev sign the Strategic Arms Limitation Talks (SALT II) treaty on June 18, 1979, in Vienna, Austria. National Security Advisor Zbigniew Brzezinski is directly behind President Carter. *Photo credit: Bill Fitz-Patrick.*

The issue of trust between the president and national security advisor has come up frequently. As one former NSA said, “Without the complete trust of the president, it is impossible to make the position work.”⁷ And as one former secretary noted, “A president must want diverse opinions ... and some don’t want them.”⁸ A president who prefers a unified policy or strategy position from his cabinet will place substantial demands on the NSA. This is a key point of consideration in selecting a national security advisor.

Trust between the NSA and the cabinet members is of almost equal importance and is cited as a more frequent failure in many administrations than a loss of trust

between the NSA and the president. The honest broker role is of paramount importance. “Simple attentiveness to a few long-established rules [was essential]. Stephen Hadley had studied those rules as a protege of General Brent Scowcroft, the man who is viewed as the gold standard among national security advisors. Hadley accepted that it was a staff job.”⁹ After some discussion of options, Scowcroft would carry prioritized viewpoints forward to the president. By always acting as an honest broker, Scowcroft endowed the process with trust and prevented the White House from becoming insular, an ever-present hazard.

Historically documented breaches of this trust have led to irreparable harm to national security as well as to the overall effectiveness of the administration and its policies. An NSA who does not subscribe to the honest broker role will rapidly lose the trust and confidence of the cabinet. In reality, proximity to the president is power, and the NSA must remain disciplined to the process he or she manages, otherwise the NSA and the NSC staff will begin to insulate the president from the cabinet.

Although there are limits to any comparisons between the national security system and a profit-seeking business, one comparison seems quite reasonable.¹⁰ Unpopular options, or options that favor one department’s roles or capabilities over another, must reach the president for his or her consideration. Seeking consensus lures policy development towards providing options that substantiate all the departments’ and agencies’ views, regardless of their true merit. An effective NSA must manage this common issue.¹¹

7 Interview with a former national security advisor conducted by David Miller, 2015.

8 Interview with senior practitioner conducted by Chester Crocker, Thomas Pickering, and David Miller, January 7, 2016.

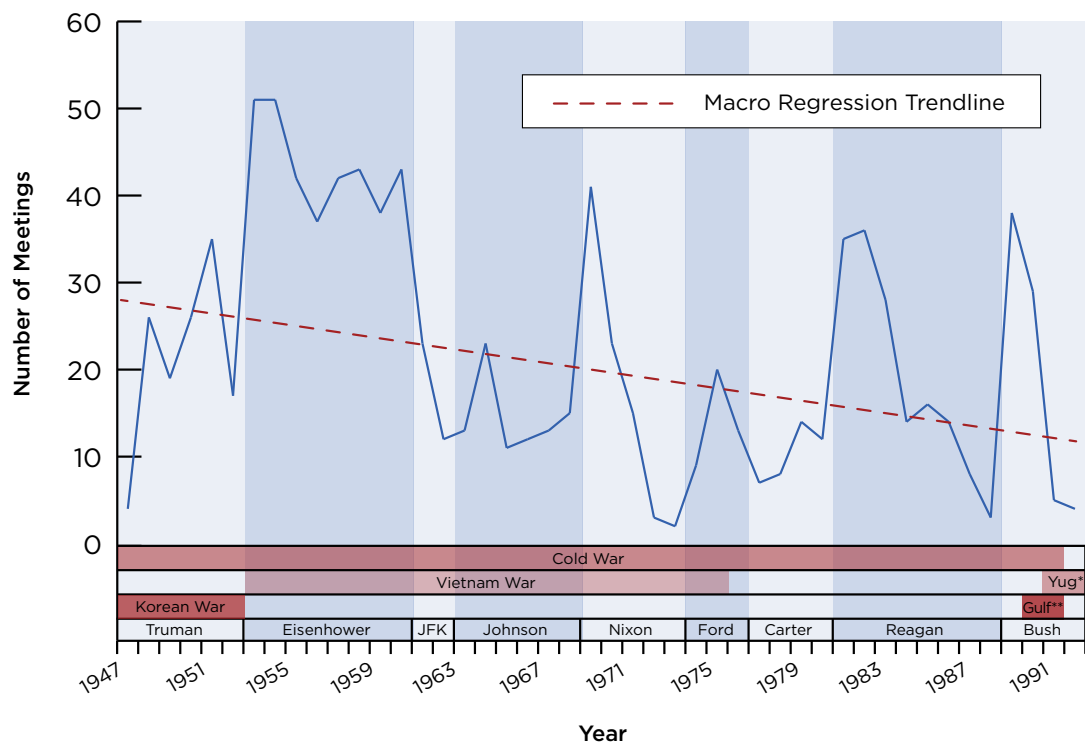
9 David Rothkopf, *National Insecurity: American Leadership in an Age of Fear* (New York: PublicAffairs, 2014), p. 345.

10 General Electric, IBM, Google, Whole Foods, 3M, W.L. Gore, and DuPont were all highlighted as learning organizations with a capacity for organizational decision-making, complex adaptive systems, organizational culture, and social psychology.

11 Rothkopf, *Running the World*, op. cit., p. 458.



FIGURE 1. NSC MEETING FREQUENCY: 1947-93



* Yugoslav Wars ** Gulf War

Source: The National Archives and Records Administration

Original chart from the PNSR - Figure 7. NSC Meetings across Administrations

KEY QUALITIES AND ATTRIBUTES OF AN EFFECTIVE NATIONAL SECURITY ADVISOR

- NATIONAL REPUTATION
- INDEPENDENCE FROM POLITICS
- PERSONAL COMPATIBILITY WITH THE PRESIDENT
- CALM TEMPERAMENT
- ENERGY
- INTERNATIONAL REPUTATION
- PROCLIVITY FOR BROKERING AND COLLEGIALLY
- DOES NOT SEE THE WORLD IN BLACK AND WHITE



President Barack Obama holds a meeting with Susan E. Rice, national security advisor; John Podesta, counselor to the president; and Phil Reiner, senior director for South Asian affairs, aboard Air Force One en route to New Delhi, India, on January 25, 2015. *Photo credit: White House photo by Pete Souza.*

We discussed at length the high cost of advisors who fail to meet the criteria above. If the president loses faith or did not know the NSA well at the outset, alternate channels to the Oval Office quickly appear. If the president fails to

support the NSA in disputes with cabinet officials, the NSA's standing evaporates in short order. If the NSA is in over their head they will quickly lose their standing as an equal participant in the national security process and instead become an executive secretary, leaving cabinet secretaries to engage in continuous disagreements and struggles to get the president's attention. Finally, no matter how strongly a president supports a national security advisor, that person's abilities and experience will determine their success or failure.

There was almost universal dismissal of the concept that loyalty was a key factor in the selection of an advisor. It is hard to find any "disloyal" national security advisors in our history. Both loyalty and familiarity are important but should not be the exclusive or even the most important criteria for selecting an NSA. After much consideration, the group concluded that compatibility is the key requirement; it incorporates loyalty but many other attributes as well. While presidents surely need close friends and advisors in the White House, the national security advisor must be picked on the basis of competence to manage the foreign and security policy objectives of the president. Campaign aides are rarely suited to the position.

Reduce and Restrict the Size of the NSC Staff

“Fortunately, Brent’s [Scowcroft] concept of the national security advisor and indeed of the NSC was to never let us forget that the last name of the NSC is ‘staff.’”

–Senior administration official for President George H. W. Bush.¹²

It is essential to select members of a National Security Council staff with the professional reputation, government experience, and intellect to be viewed as equals to the assistant secretaries with whom they will be working. Many former senior members of the NSC staff observed that the professional background of the

small staff was critical. Said one: “This is no place for on-the-job training of bright, young, but inexperienced people.”¹³ Another observed that, “You have a hard time running the interagency process if you have never held a senior position in one of the agencies.”¹⁴ A key example occurred during the Clinton administration: “. . .the one thing that all can agree on is that the process in the early days of the Clinton administration was flawed. It revealed the inexperience of a team forced by the Somalia crisis into the costly on-the-job training our political system requires of incoming administrations from a party that has been out of office for a long period.”¹⁵

Without appropriate experience, the ability of the NSC to coordinate and support department and agency activities

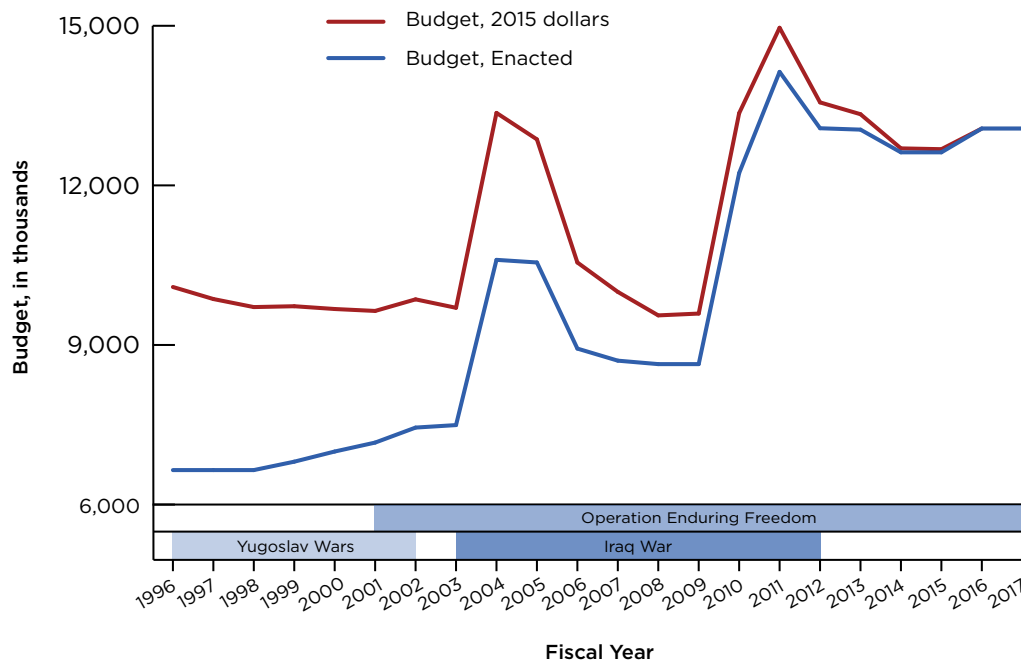
¹³ Interview with former senior member of the NSC staff conducted by Thomas Pickering, 2015.

¹⁴ Ibid.

¹⁵ Rothkopf, *Running the World*, op. cit., p. 335.

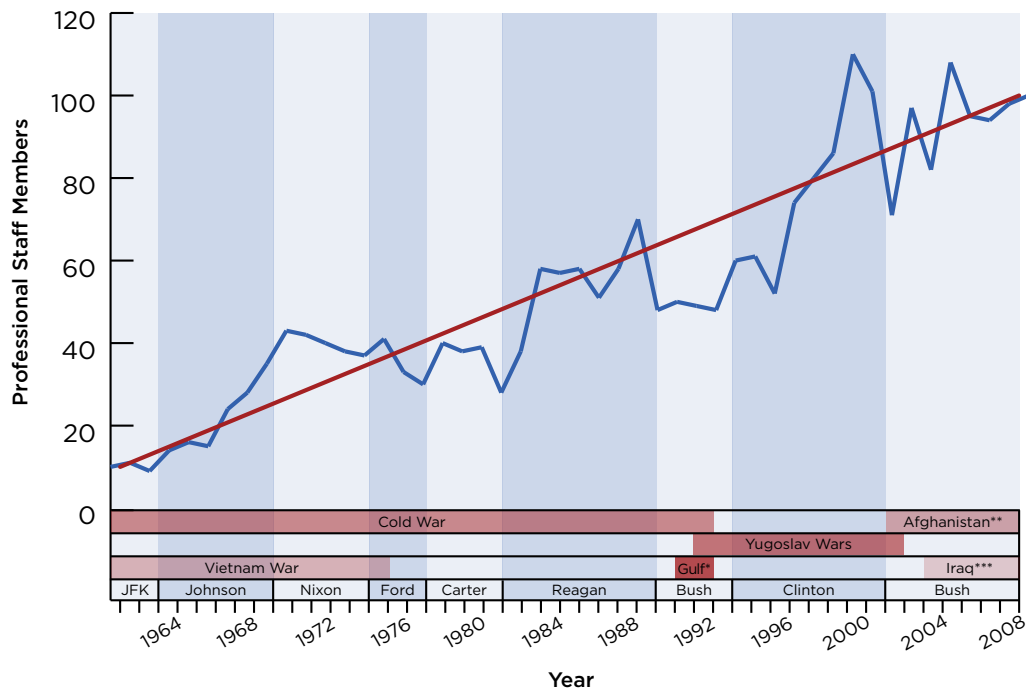
¹² Rothkopf, *Running the World*, op. cit., p. 263.

FIGURE 2. NATIONAL SECURITY COUNCIL FUNDING, 1996-2017



Source: Office of Management and Budget, Fiscal Year Appendices, Executive Office of the Vice President, Sales and Expenses; Fiscal Year 2008 was pulled from the Consolidated Appropriations Act, 2008.

Original chart from CNAS - Figure 1. National Security Council Funding, 1996-2017

FIGURE 3. AVERAGE SIZE OF NSC PROFESSIONAL POLICY STAFF, 1961-2008

* Gulf War ** Operation Enduring Freedom *** Operation Iraqi Freedom

Source: Project on National Security Council Reform, *Forging a New Shield*, November 2008

is severely limited. As Tauscher stated in a working group meeting, “The decisions are already made ... campaigning gets you on the team. These people often do not have the necessary coordination skills. We should consider creating a non-political class ... not moving back and forth. Otherwise we have a national security hazard. Loyalty ... certainly, but they need a set of skills, a temperament, to enable the president.”¹⁶ Civility and mutual respect among the White House, Congress, and the departments and agencies must be restored. Administration appointees sometimes arrive with a distrust of the rest of the government. The NSC staff must explicitly understand that they are the president’s staff, serve as his or her broker, and must perform with a strong sense of interagency cooperation and interaction. Finally, the staff must lean on the departments and agencies for implementation.

¹⁶ Working group discussion with Ellen Tauscher, February 8, 2016. The imperative for training the NSC staff was highlighted by many of those interviewed. This need is frequently mentioned in NSC studies, but has gained little momentum.

As former national security advisor Brent Scowcroft noted, “The size of the staff allows me to know my people well, and them to understand what I value and how I operate. We do not want a repeat of the Iran-Contra mess.”¹⁷ While additional problems of great importance are perceived by many interviewees to be caused by the size of the staff, as will be discussed below, the key, critical issue concerning size is the increasing potential for staff interference in department and agency strategy, policy development, and execution. NSC staff size is symptomatic of how a president intends to manage policy development between the departments and the White House. However, the hazard is not the size of staff alone, it is the lack of staff discipline and its unintended consequences for foreign and national security policy. The interagency policy development process must be outlined, adhered to, and, when necessary, enforced by the NSA and in rare circumstances, by the president.

¹⁷ Interview with Brent Scowcroft conducted by David Miller, 2015.

"[It is a false assumption that] leadership matters and organization does not."

**- Project on National Security Reform,
Forging a New Shield, 2008¹⁸**

A staff of hundreds, as observed today, sends a clear message that the president largely intends to manage foreign and security policy with his or her own White House staff exercising minute control. A smaller staff almost always indicates the president will rely more on the NSC principals, and the departments and agencies they lead, leaving the NSC staff to its traditional role of interagency coordination and integration. The departments and agencies are then empowered to execute day-to-day management of diplomatic and military policy, something they have prepared for and have executed for decades.

THE LARGEST PROFESSIONAL STAFF RECOMMENDED BY ANY FORMER OFFICIAL WAS TWO HUNDRED, WITH MOST COUNSELING SEVENTY-FIVE TO ONE HUNDRED. GIVEN THE EXPANDING NUMBER OF ISSUES AND CRISES THAT RECENT ADMINISTRATIONS HAVE FACED, LIMITING THE NSC STAFF SIZE TO **100 TO 150 PROFESSIONALS** SEEMS APPROPRIATE.

One former national security advisor observed that "The NSC has become a small foreign ministry,"¹⁹ while a former deputy secretary of state felt that the size led

to the inevitable usurpation by NSC staff members of the traditional Department of State function: conducting diplomacy and maintaining effective, coherent communication with other governments and multilateral institutions.²⁰ As a former deputy secretary of state observed, "it is particularly confusing when junior NSC staffers call American ambassadors directly ... or contact foreign embassies without coordinating with the State Department."²¹ One agency has countered by ordering its employees not to respond to "White House calls" at all, but refers them to the principal's office.²² A former national security advisor stated, "The problem with this is that the NSC staff is really too small to manage any ongoing operation, but now quite large enough to confuse decision making."²³

Virtually every person interviewed commented on the size of the NSC staff, with universal agreement that it had grown far too large (see figure 3). No individual came to the defense of the current four-hundred-plus person staff.²⁴ Two arguments were advanced to support a more modest yet capable size: the first, to quote a senior NSC official, being that "the world is much more complex now than back in the days of the Soviet Union," and the second that "the current speed of global information flow makes it imperative for the White House to have views and ideas made known publicly on a very wide range of subjects at all times." A third former official noted that Homeland Security now needed to be more closely integrated into the effort.²⁵

The largest professional staff recommended by any former official was two hundred, with most counseling seventy-five to one hundred. Given the expanding number of issues and crises that recent administrations have faced, limiting the NSC staff size to **100 to 150 professionals** seems appropriate.

The NSC staff must have a critical mass of career professionals who are disciplined and have the requisite communication skills and right sense of authority. Two former secretaries of defense comment in their memoirs on the need to obtain the president's agreement that the NSC staff would not meddle in Pentagon management.²⁶

20 Interview with a former deputy secretary of state conducted by Thomas Pickering, 2015.

21 Interview with a former deputy secretary of state conducted by Chester Crocker, 2015.

22 Interview conducted by David Miller, 2015.

23 Interview with a former national security advisor conducted by Thomas Pickering, 2015.

24 Karen DeYoung, "White House Tries for a Leaner National Security Council," *Washington Post*, June 22, 2015.

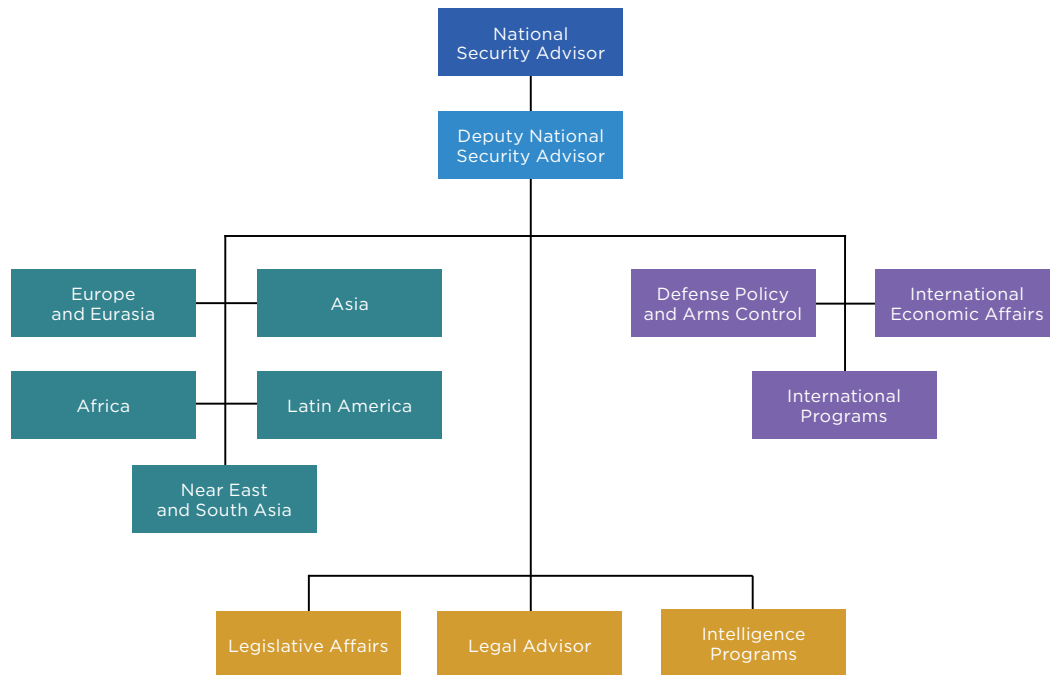
25 Working Group Session, February 8, 2016.

26 Rudy Takala, "3 Former Defense Secretaries Slam White House 'Micromanagement,'" *Washington Examiner*, April 7, 2016.

18 Project on National Security Reform, *Forging a New Shield*, op. cit., p. 565.

19 Interview with a former national security advisor conducted by Chester Crocker and David Miller, 2015.

FIGURE 4. NATIONAL SECURITY COUNCIL STAFF STRUCTURE (END OF GEORGE H.W. BUSH ADMINISTRATION), 1992



Source: Charles Ries, *Improving Decisionmaking in a Turbulent World* (Santa Monica, CA: RAND Corporation, 2016). Figure courtesy of the Project on National Security Council Reform.

In an interview with former combatant commander Admiral (Ret.) James Stavridis, Stavridis said that he received a call from an NSC staffer and was given a directive. The directive did not originate from the president, the secretary of defense, or the chairman but from a mid-level staffer. In response to the directive, the four-star flag officer politely accepted the input and approached the secretary of defense with his concerns about the overreach.²⁷

The large staff seen in the last two administrations also contributes to one of the most challenging issues facing any president, particularly in the second term: the isolation of the president from the cabinet officers and executive branch meant to serve him or her. The large staff, particularly when “loyalty” is a factor in selection, inherently creates a buffer of close, comfortable staff

around a president. To quote a former secretary of state: “Try getting dissenting views through to the president” when the “loyal cadre” are opposed.²⁸ A small cadre of advisors can create “an exclusionary parallel process for the innermost circle of advisors and essentially cut out many in the NSC and the cabinet from the roles they were intended to play.”²⁹ The voice and influence of senior, Senate-confirmed leaders of the foreign and security policy components of the government is diminished as access gets more difficult. The absence of informed, expert views can and has led to errors.

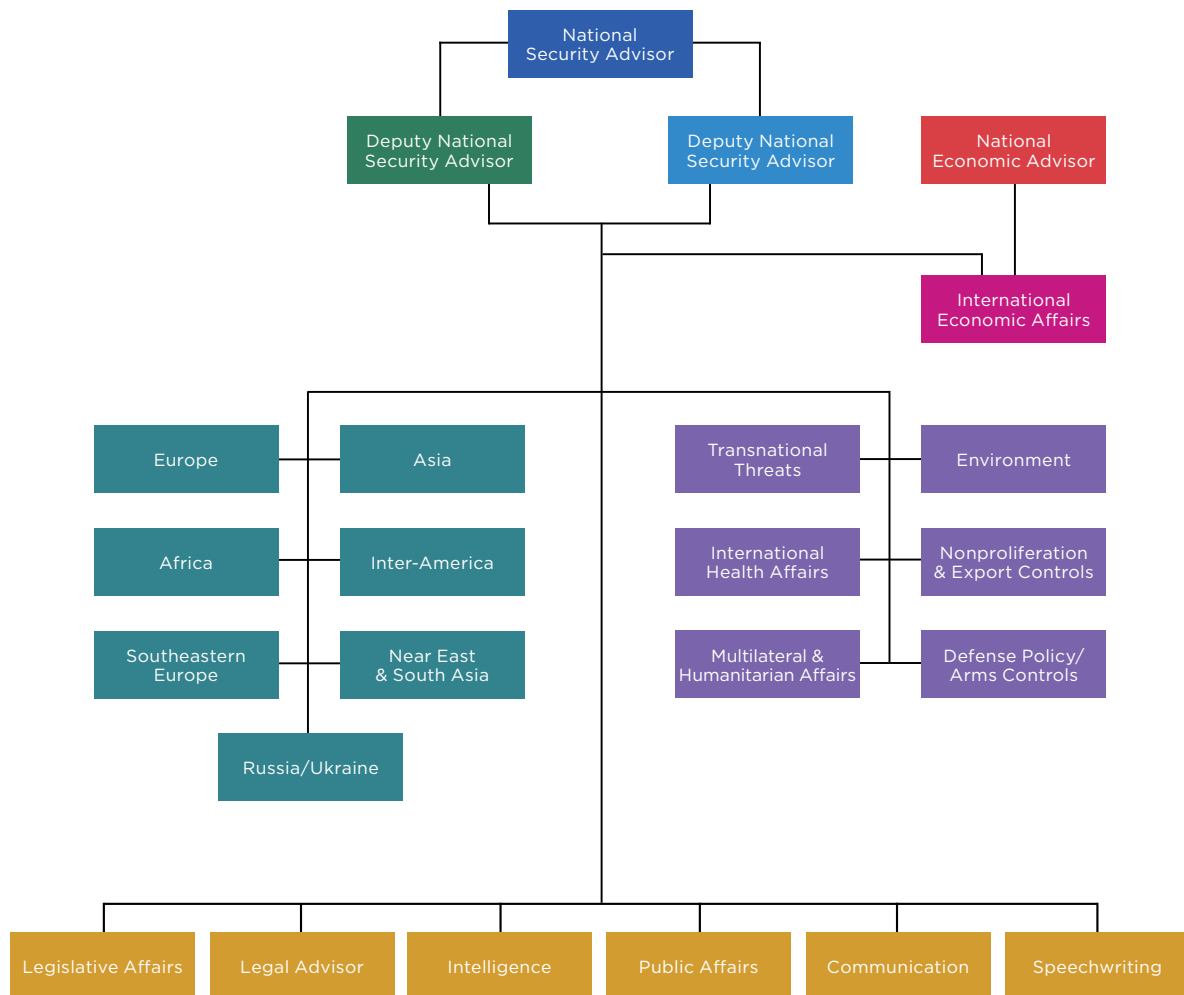
Interviewees observed that the current NSC staff is so large that the departments and agencies have “used different” NSC directorates in battles with departmental

²⁷ Interview with James Stavridis conducted by Thomas Pickering, March 21, 2016.

²⁸ Interview with a former secretary of state conducted by Chester Crocker, 2015.

²⁹ Rothkopf, *National Insecurity*, op. cit., p. 346.

**FIGURE 5. NATIONAL SECURITY COUNCIL STAFF STRUCTURE
(END OF CLINTON ADMINISTRATION), 2000**



Source: Ries, *Improving Decisionmaking in a Turbulent World*. Figure courtesy of the Project on National Security Council Reform.

adversaries.³⁰ Rather than coordinating, the NSC has become “part of the problem.”³¹ As NSC offices (both regional and functional) have multiplied (see figures 4-6), policy issues between departments—or even within a department—have spilled over into the hallways of the Old Executive Office Building, with different NSC offices

taking opposing positions. Again, the size of staff and the range of issues managed by the NSC staff have elevated what can be a minor irritant into a major problem.

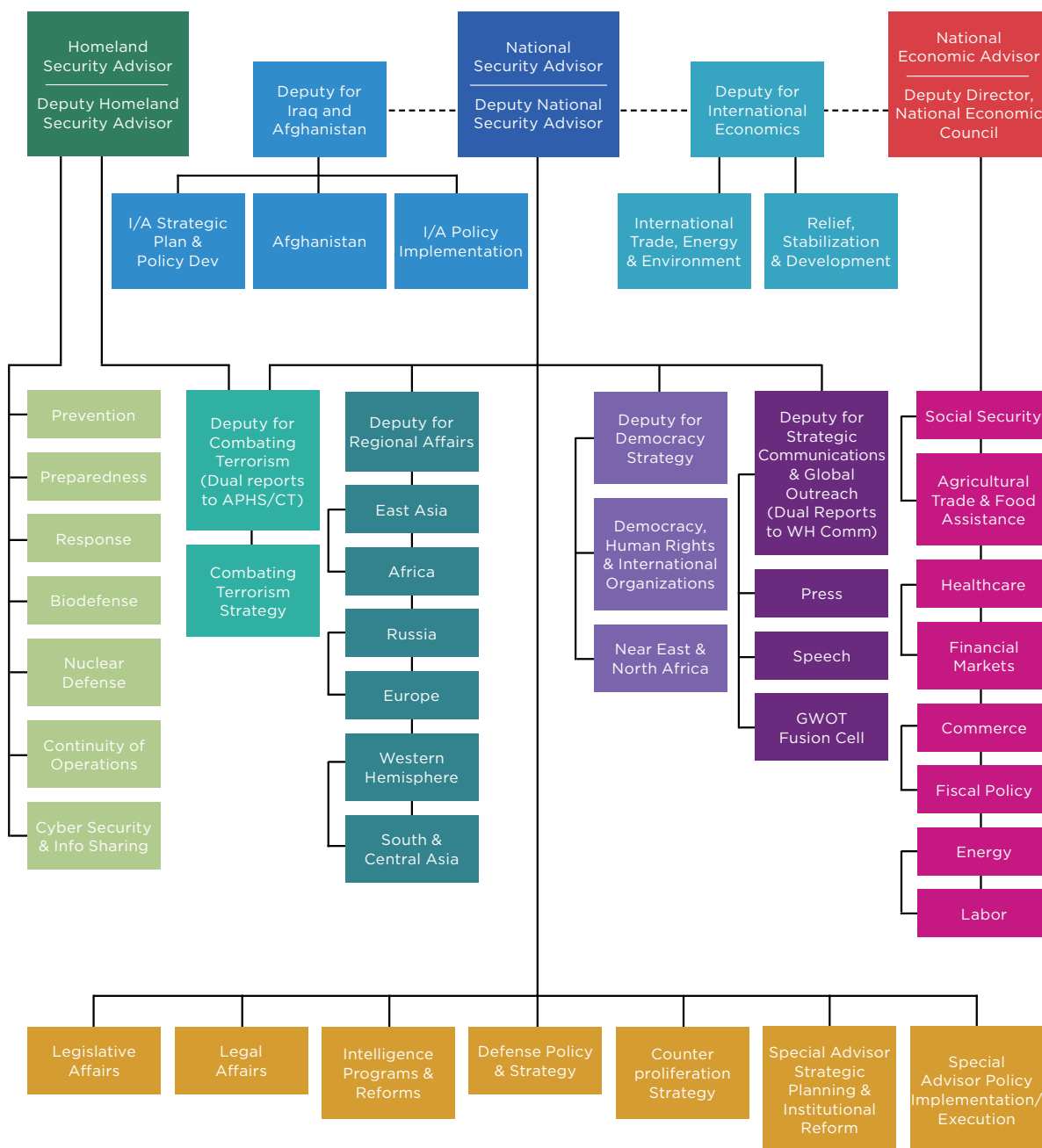
Designate a Strategic Planning Staff

Often overlooked is the growing importance of strategy development in order to employ usable, practical, actionable, analytic frameworks for viewing the regional

³⁰ Interview with former government executive conducted by Chester Crocker, 2015.

³¹ Ibid.

**FIGURE 6. NATIONAL SECURITY COUNCIL STAFF STRUCTURE
(END OF GEORGE W. BUSH ADMINISTRATION), 2008**



Source: Ries, *Improving Decisionmaking in a Turbulent World*. Figure courtesy of the Project on National Security Council Reform.

and global landscape and separating the important from the less-important issues. If done correctly, strategy can help define national paths toward greater security across key issues areas, and also help ensure coherent bureaucratic actions are taken toward shared goals. Finally, strategy helps define and prioritize resource allocation to the most important areas, and away from those of diminishing importance.

Strategies become more important in the face of an unpredictable landscape, as they help cohere action toward long-term goals and inform near-term policy responses. Without strategies, it is unclear whether policy responses constitute mere tactical reactions, or actually help an organization move forward on its core agenda.³² When used together in an integrated approach, strategic foresight, expert crowdsourcing, and strategy

development can pay untold dividends while we seek to navigate uncharted territory that features unpredictable and dynamic trends across a wide range of critical national security issue areas.

In an interview, a former under secretary asserted that, “Yes, we’ve made some serious mistakes, but I don’t necessarily see that they are NSC failures ... they are bad decisions.”³³ This charge is important, but does not fully consider the fact that careful preparation is the essence of avoiding errors where factual questions are ignored or sublimated by personal bias or political ideology. There is a Gresham’s Law at work in which daily needs drive out longer-term strategic thinking and planning, just as operational control drives out the capacity and time to formulate clear and useful policy options. A strategic planning staff, coupled with its department and agency counterparts, is essential for addressing complex, unpredictable, and interrelated challenges and opportunities such as global health, mass migration, demographics, and the role of social media in fostering violent extremism, to cite just a few examples.

³² Stephen Hadley, at the Global Trends 2030 launch, emphasized the importance of strategy: “The problem, of course, is there are so many crises to manage, that if all you do is manage crises, all you will have is more crises because you will not have put in place the policies to shape the future to avoid crises.” Stephen Hadley, “Global Trends 2030: The Atlantic Council’s US Strategy in a Post-Western World,” comments delivered at the Atlantic Council, December 11, 2012, <http://www.atlanticcouncil.org/events/past-events/global-trends-2030-the-atlantic-councils-us-strategy-in-a-postwestern-world-transcript>.

³³ Interview with senior practitioner conducted by David Miller, January 11, 2016.



National Security Advisor Walt Rostow shows President Lyndon B. Johnson a model of the Khe Sanh area in the Situation Room on February 15, 1968. *Photo credit:* US National Archives and Records Administration.



President Ronald Reagan on April 15, 1986, in a briefing with National Security Council staff on the Libya bombing that took place a day prior. The air strikes served as retaliation for Libya's wider sponsorship of terrorism against American troops and citizens. Photo credit: US National Archives and Records Administration, Ronald Reagan Presidential Library.

One senior interviewee observed that the departments had “silos of tactics,” where departmental efforts failed to consider second- and third-order consequences across the range of diplomatic, military, economic, and other activities.³⁴ While the departments and agencies contain strategic planning functions (for example, the policy planning staff at the Department of State and strategy staff at the Office of the Secretary of Defense), there is no set structure within the NSC to bring both lessons learned and strategic planning functions together on a regular and continuing basis in response to presidential requests and national needs.

“The most common complaint is that despite enormous resources, the [US government] doesn’t do foresight very well. From Scowcroft through [Thomas] Donilon, there have been efforts to beef up the planning capability within the National Security Council staff. America may be a democracy, but the news cycle is a ruthless dictator that imbues small daily events with political consequences to which the White House and Congress feel compelled to respond.”³⁵ One former NSA stated that “if we know the strategy, it will be leaked. If we know the strategy is

not working, we [the administration] are inferring that we are failing.”³⁶ A strategic planning cell must delineate between politics and disciplined, multifaceted cognizance and that is where the NSC staff must play a key role in concert with the departments and agencies.

Some highly useful observations came from senior NSC staff members from different administrations who had observed many failed attempts to implement a “strategy function” in the NSC. Discussions of various options went back as far as the Eisenhower planning staff.³⁷ As Scowcroft declared, “One of my greatest frustrations in government is how you do long-range planning. I don’t know the answer. I’m still trying to figure out how you do really thoughtful work which is closely enough integrated with day-to-day operation that people say, Yes, this gives us a kind of road map and yet it’s divorced from today’s crisis.”³⁸ Almost inevitably the crush of daily

36 Working group discussion with Thomas Pickering, February 8, 2016.

37 Eisenhower’s NSA, as designed by the first NSA, Robert Cutler, had a very effective strategy development process that did not utilize a PC/DC process. Instead it consisted of the Planning Board (strategy and policy development) and the Operations Coordinating Board (implementation oversight). Refer to Paul D. Miller, “Organizing the National Security Council: I Like Ike’s,” *Presidential Studies Quarterly*, vol. 43, no. 3, 2013.

38 Rothkopf, *Running the World*, op. cit., p. 274.

34 Interview with senior practitioner conducted by David Miller, January 8, 2016.

35 Rothkopf, *National Insecurity*, op. cit., p. 264.

business overwhelms the strategy directorate, whether staffed with one person or a larger complement. As one former national security advisor observed, “To get more imaginative thinking we went outside to a range of think tanks and academic institutions to broaden our horizons.”³⁹

The allocations of roles and staff between strategic planning and daily integration functions should be clarified, perhaps by creating a deputy assistant to the president and a small office of five professionals dedicated to supporting, integrating, and advising the president on the strategic recommendations of the NSC staff and the various departments and agencies on a regular basis. This deputy assistant would help the president and national security principals develop and disseminate a strategic overview or vision on key issues. The president’s own strategic vision would provide a much-needed centerpiece and guide policy and strategy development. If this is not done, the relentless pressure of day-to-day management will continue to drive out long-run thinking and planning, leaving daily decisions to be made based on tactical reflexes without the benefit of a longer-run framework into which decisions should

fit. It will eschew the forward vision of chess for the near focus of checkers.

Strategy development has stymied many senior practitioners, but a small drafting team chaired by a deputy NSA or senior director and including Defense, State, Treasury, Central Intelligence Agency, and other key stakeholders can develop the frame of strategy, while coordinating the review process with departments and agencies. Having senior NSC staff representation will provide the authority to harness the interagency. In particular, given the emergence of new threats from nonstate actors and the speed of response required in the twenty-first century, the strategic planning staff should be tasked with identifying emerging threats and proposing methods to deal with them.

An effective foreign policy will of course be guided by smart strategy, but it must adapt the ways, means, and, when necessary, ends of that strategy to account for changed circumstances—including opportunities. President George H. W. Bush’s response to the collapse of the Soviet Union, including nuclear reductions and Nunn-Lugar, is an example. The end of the Soviet Union was a tectonic geopolitical change, but strategy needs to be adapted to lesser but major shifts. The fundamental point is that because the world changes and presents new challenges and opportunities, the strategic planning

³⁹ Interview with a former national security advisor conducted by Jason Kirby, December 3, 2015.



President Dwight D. Eisenhower meets with his National Security Council staff at Camp David in November 1955.
Photo credit: US Naval Photographer.



President George H. W. Bush talks on the telephone in the Oval Office Study regarding Operation Just Cause in Panama on December 20, 1989, as General Brent Scowcroft and White House Chief of Staff John Sununu stand nearby. *Photo credit: White House Photo Office.*

staff must be prepared to adapt US government strategy by changing means, ways, and, if necessary, ends—and do so in a timely way.

An NSC strategic planning staff must monitor the implementation of key policy initiatives and operations, with a special eye to indicators that our current strategies need modification. These indicators can and should be developed when the initial strategy is developed; in military planning these are the “key assumptions.”⁴⁰

Concurrently, lessons learned and new ideas must shape these strategies and the US government’s priorities to avoid pursuing the illusion of grand strategy. As part of this review process, experts in and outside of government should be quietly counseled and public discourse and transparency should be the norm. This process provides the ability to have a public document along with a

private, confidential one. It also gives a sense of where the president and his or her administration are going, while our government practitioners develop a better understanding of their role.

It has been noted by prior participants in these activities that, given the need for funding, the Office of Management and Budget (OMB) should be an active member of the strategy development and implementation process. Further, the PNSR proposed that strategy should be tied to resource allocation: “[The national security system should,] jointly with OMB, produce an integrated national security budget for congressional consideration. Right now, departments and agencies use resources for capabilities required by their core mandates rather than those required for national missions.”⁴¹ This can be largely attributed to the limitations of the formative National Security Act of 1947. As Jeffrey Eggers, former special assistant to the president for national security affairs, stated, “The resources are missing ... I have witnessed the OMB plug-in and it doesn’t work ... the programming is decoupled.”⁴²

Yet early on, a task force should have an understanding of where funding will come from, be it departmental, supplemental, or overseas contingency operation funding; moreover, policy formulations should not be brought to the president without a funding component included, which requires coordination with Congress and/or OMB. As Leon Fuerth noted, “Legal instruments and OMB can act as leverage to tie resources. The OMB frequently understands the government’s true intent.”⁴³ Finally, it was noted that given the increasing use of financial instruments in US foreign policy and strategy development that the department must be increasingly involved as a principal participant early in the process.

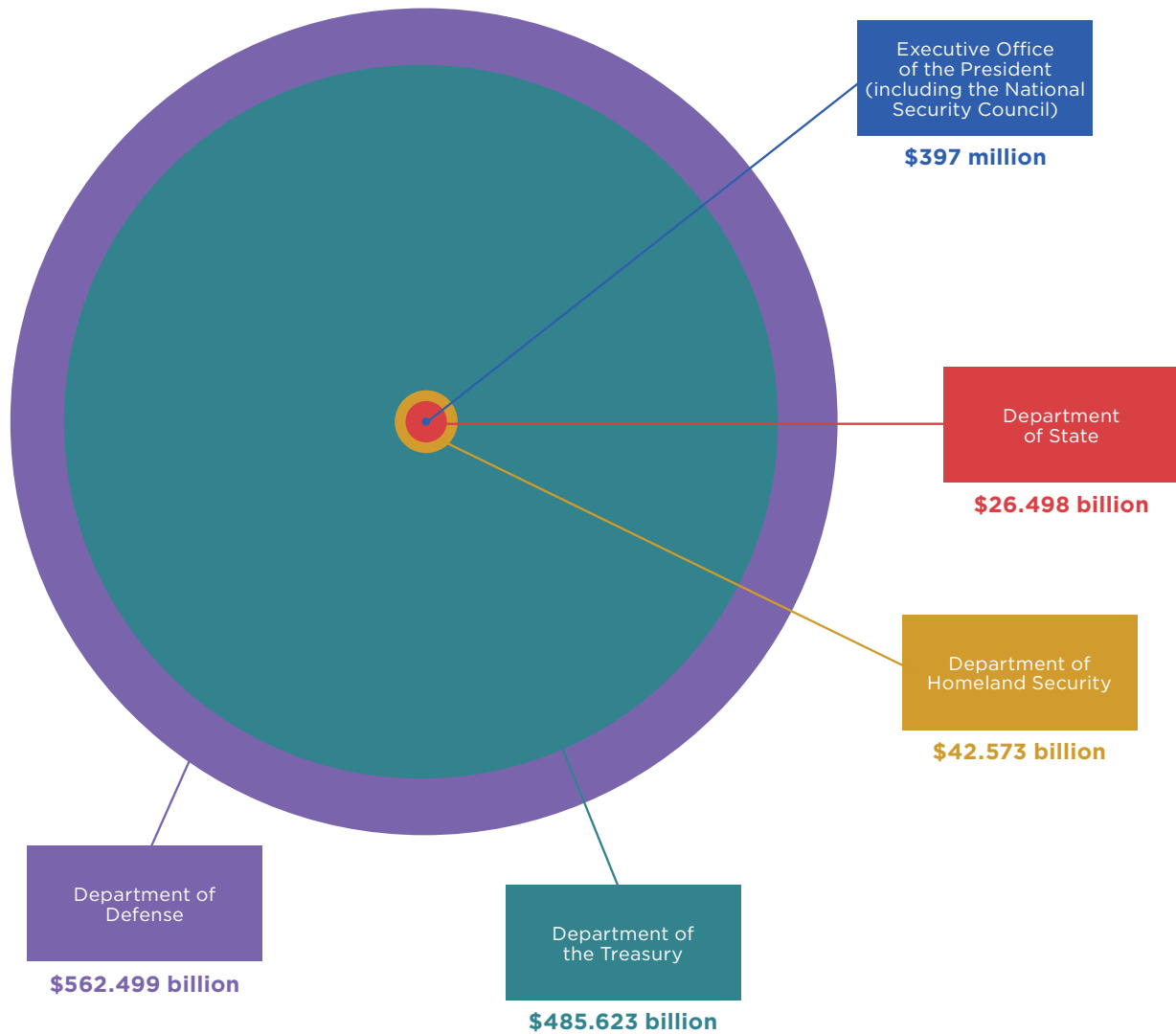
⁴¹ Project on National Security Reform, *Forging a New Shield*, op. cit., pp. 581-582.

⁴² Working Group Session, February 8, 2016.

⁴³ Ibid.

⁴⁰ Interview with James Miller conducted by David Miller, May 5, 2016.

FIGURE 7. RELATIVE SIZE OF NATIONAL SECURITY INSTITUTIONS BY BUDGET, 2015



Source: Office of Management and Budget (OMB), Table 5.2 Budget Authority by Agency: 1976–2021; <https://www.whitehouse.gov/omb/budget/Historicals>

Original chart from the PNSR - Figure 8. Relative Size of National Security Institutions by Budget

Use Interagency Teams and Task Forces

"This is our strategic weakness ... an incapacity to implement."⁴⁴

**- General John R. Allen, USMC (Ret.)
Special Presidential Envoy for the Global
Coalition to Counter the Islamic State
of Iraq and the Levant, 2014–2015**

"Like any other properly designed government structure it is not designed so it only works when it is led by great men and women. Such people come around seldom. It is designed to offset the weakness of any individual and to supplement them with the strengths of a team."⁴⁵

American foreign policy is no longer singularly driven by great nation-state rivalry. US foreign and national security interests are global, ever changing, and diffuse. Administrations are faced with not only a broader array of issues, but increasingly less time to formulate strategy and implement policy. The appointment of special envoys,

representatives, coordinators, ambassadors, czars, and administrators for unusually vexing or pressing problems has proliferated, frequently confusing existing authorities while at times being inadequately supported by the NSA and NSC staff. This practice should be curtailed to those few issues demanding a close relationship to the president and in which the president has a pressing strategic interest. Yet the practice of appointing czars suggests that many presidents lose confidence in the system's policy development and implementation oversight ability, and they establish ad hoc arrangements out of evident necessity.

The national security advisor, in close coordination with the president and cabinet, should appoint a senior department official to lead a task force or interagency team when needed, closely supported by an NSC special assistant. An incoming administration must outline clearly the necessity for and intent and structure of interagency teams and task forces, rather than reacting to emerging challenges with expedient arrangements and outside personalities that can disunite cabinet members and departments at pivotal junctures. Interagency teams and task forces should be considered for issues

- where a large degree of interagency and/or international cooperation is required, as in complex negotiations over cross-cutting issues;

⁴⁴ Interview with John Allen conducted by David Miller, January 6, 2016.

⁴⁵ Rothkopf, *National Insecurity*, op. cit., p. 347.



President Barack Obama talks with advisors in the Oval Office on June 25, 2013. Pictured from left to right are Jeffrey Eggers, senior director for Afghanistan and Pakistan; Lisa Monaco, assistant to the president for homeland security and counterterrorism; Tony Blinken, deputy national security advisor; Tom Donilon, national security advisor; Ambassador Susan Rice, incoming national security advisor; and Doug Lute, deputy assistant to the president and coordinator for South Asia. Photo credit: White House photo by Pete Souza.

- that rank high in the national interest; and
- where a long-term, critical commitment is being initiated.

There are two broad purposes for these collaborative elements: **policy/strategy development** and **implementation oversight**. Although these are nominally core tasks of the NSC staff, unusually urgent or complex issues require increased attention and oversight. Finally, these teams and task forces must explicitly understand that they are accountable to the president for the success or failure of their efforts.

The NSC system nominally develops policy through the well-established process of bottom-up interagency policy committees (IPC), the deputies committee (DC),

and the principals committee (PC). Often, this process is effective for departmental collaboration and policy integration, but on select issues of key importance, it can be counterproductive. This has become a more frequent occurrence. Issues such as countering violent extremism and cyber policy will likely never be the responsibility of a single department. As such, bottom-up development can hinder the best policy formulation.

As former NSA and Secretary of State Condoleezza Rice stated, “The first thing I tried to do was cut [the staff], but the accretion of issues was something you just couldn’t solve ... [the] transnational threats [that] became the dominant factor in American foreign policy, if you think about it, they’re not only transnational, they’re transfunctional. And that, probably, to me, was the biggest

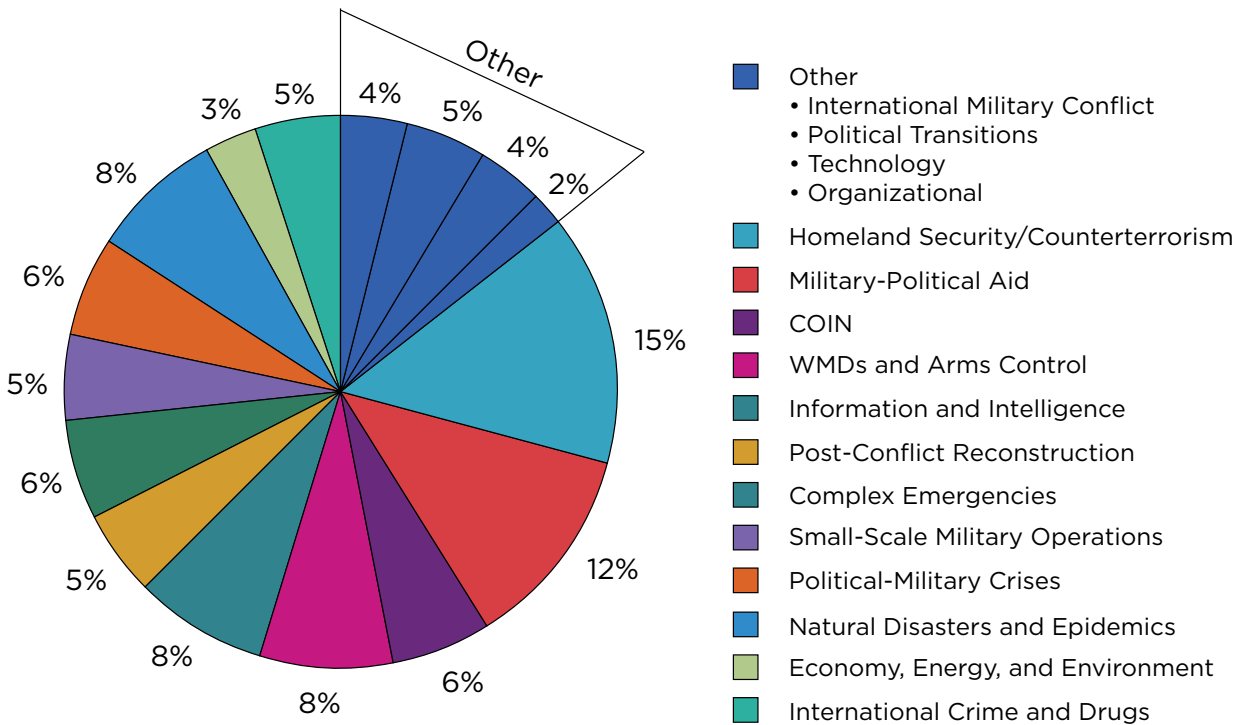
FIGURE 8. STANDARD MEETING STRUCTURES OF THE NATIONAL SECURITY COUNCIL SYSTEM

| MEETING TYPE | CHAIR AND ATTENDEES |
|---|---|
| National Security Council Meeting (NSC) | <i>Chair:</i> President <i>Attendees:</i> Vice President, Secretary of State, Secretary of Defense, Secretary of Energy, secretaries and under secretaries of other executive departments and of the military departments (when appointed by the president by and with the advice and consent of the Senate) <i>Statutory advisors:</i> Chairman of the Joint Chiefs of Staff and the Director of National Intelligence |
| Principals Committee (PC) | <i>Chair:</i> National Security Advisor <i>Attendees:</i> relevant agency and departmental secretaries |
| Deputies Committee (DC) | <i>Chair:</i> Deputy National Security Advisor <i>Attendees:</i> relevant agency and departmental deputy secretaries |
| Interagency Policy Committees (IPCs) | <i>Chair:</i> NSC senior directors <i>Attendees:</i> relevant agency and departmental assistant secretaries |
| Sub-Interagency Policy Committees (sub-IPCs) | <i>Chair:</i> NSC directors <i>Attendees:</i> relevant agency and departmental deputy assistant secretaries |

Text from the original CNAS report: 15. 50 U.S.C. § 3021, “National Security Council” states, “The Council shall be composed of—(1) the President; (2) the Vice President; (3) the Secretary of State; (4) the Secretary of Defense; (5) the Secretary of Energy; and (6) the Secretaries and Under Secretaries of other executive departments and of the military departments, when appointed by the President by and with the advice and consent of the Senate, to serve at his pleasure.” For more background, see Richard A. Best, Jr., “The National Security Council”; and Alan G. Whittaker, Shannon A. Brown, Frederick C. Smith, and Elizabeth McKune, “The National Security Policy Process: The National Security Council and Interagency System,” research report (Washington, DC: Industrial College of the Armed Forces, National Defense University, August 15, 2011).

Source: Shawn Brimley, Dr. Dafna H. Rand, Julianne Smith, and Jacob Stokes, *Enabling Decision: Shaping the National Security Council for the Next President* (Washington, DC: Center for a New American Security, 2015).

FIGURE 9. DIVERSE SECURITY CHALLENGES



Note: These percentages add up to 102%.

Source: Project on National Security Council Reform, *Forging a New Shield*, November 2008

Original graphic from the PNSR - Figure 2. Security Challenge Diversity

change from when I was here before.”⁴⁶ Her observation on the NSC system’s response to transnational threats is emblematic of the greater issue: a burgeoning operational staff that isolates the president from collaborative policy development and oversight that the departments and agencies are most suited to lead.

It is often noted that frequent NSC system meetings are not the key element of successful policy development and oversight. Yet, used on a limited basis, they can provide the foundation for personal outreach and professional relationships. Working, mutually respectful relationships can make or break the NSC system as has been witnessed

by many administrations. Michael Chertoff, former secretary of the Department of Homeland Security, stated, “It all hinges on how the president uses his/her NSC. If the president talks to cabinet secretaries directly ... that will define things for the staff. Using the NSC process of many IPCs and then offering just two options to the principals ... A or B, doesn’t work well. For example, in the case of immigration reform the cabinet secretaries formulated a policy proposal, the staff fleshed it out and developed the discrete elements, and later, the DC oversaw implementation.”⁴⁷

⁴⁶ Rothkopf, *Running the World*, op. cit., p. 405.

⁴⁷ Interview with Michael Chertoff conducted by Chester Crocker and David Miller, January 8, 2016.



President George W. Bush meets with the National Security Council on July 5, 2006, in the Situation Room at the White House to discuss the second report of the Commission for Assistance to a Free Cuba. Photo credit: White House photo by Eric Draper.

While this example shows the PC in a primary policy development role, complex and dynamic challenges demand the cross-functional expertise of a team committed to a singular multipronged task. The US response to the Kosovo War (1998–1999)⁴⁸ and Plan Colombia (formulated 1998–1999) are notable interagency successes. They were chaired by senior officials from the NSC and/or key departments and had effective support from the NSC staff and the related departments and agencies. Operation Allied Force and the associated broader US government strategy was centrally overseen by the NSC at the assistant secretary level.⁴⁹ This task force employed a synchronization matrix for all US government activities and met on an almost daily basis. A key advantage of this process, as highlighted by former Under Secretary of Defense for Policy James Miller is the ability to actively coordinate strategy implementation below agency heads, allowing faster, decentralized coordination and decision-making.⁵⁰

In the Kosovo War example, however, US government objectives were limited in terms of time, lines of effort, and objectives. More complex or longer-term strategies may make departmental leadership more appropriate.

Recent nuclear negotiations with Iran are another notable example of a collaborative interagency team led by Secretary John Kerry and his supporting staff. State was supported by several departments including Department of Energy Secretary Ernest Moniz, his staff, and the NSC staff in support. Yet in an interview with General John Allen, he stated, “The US government lacks organizational agility. The NSC staff and principals are sometimes functional experts but lack the ability to lead or manage complex organizations.”⁵¹

Encouragingly, cross-functional teams and task forces are incrementally being used to deal with transnational threats and complex issues. John Brennan, current CIA director, outlined in a 2015 public memo his agency’s intent to establish Mission Centers comprised of diverse experts accountable for their mission set:

Each new Mission Center will be led by an Assistant Director. These new Centers will not be tethered to any single Directorate; rather, we will organize within them the full range of Agency officers and elements possessing the expertise and capabilities needed to execute mission. The Mission Centers will work closely with all Agency elements to further enhance our integration and interoperability. The Assistant Directors will be accountable for integrating and advancing the mission—in all of its various forms—and for overall mission accomplishment in their respective geographic or functional area. They will be responsible for consistently preempting threats and furthering US national security objectives with the best possible information, technology, analysis, and operations.⁵²

The importance and gravity of interagency collaboration and authority is difficult to overstate and the consequences of poor implementation can directly harm the administration’s agenda and goals. The 9/11 Commission “concluded as a group that the National Security Council was dysfunctional. That even in the best of times it would have to struggle with challenges of the sort we face now ... everywhere you look there

48 Gregory Schulte, special assistant to the president for implementation of the Dayton Peace Accords, co-chaired the NSC Executive Committee that planned for the subsequent United Nations and NATO missions in Kosovo. James O’Brien served in the State Department as special presidential envoy for the Balkans and was a principal coordinator in the task force.

49 Interview with Franklin Kramer conducted by Jason Kirby, May 13, 2016.

50 Interview with James Miller conducted by David Miller, January 11, 2016.

51 Interview with John Allen conducted by David Miller, January 6, 2016.

52 See John Brennan, “Unclassified Version of March 6, 2015, Message to the Workforce from CIA Director John Brennan: Our Agency’s Blueprint for the Future,” Central Intelligence Agency, March 6, 2015, <https://www.cia.gov/news-information/press-releases-statements/2015-press-releases-statements/message-to-workforce-agencys-blueprint-for-the-future.html>. In this message, Brennan also stated, “[CIA organizational initiatives] are driven by two fundamental shifts in the national security landscape. The first is the marked increase in the range, diversity, complexity, and immediacy of issues confronting policymakers; and the second is the unprecedented pace and impact of technological advancements.”

was a sort of balkanization.”⁵³ To further emphasize the problem the 2008 PNSR report *Forging a New Shield* stated that “overly centralized decision-making authority contributed to the national security system’s inability to quickly deal with the insurgency in Iraq.”⁵⁴ The importance of using an integrated strategy was highlighted during the following interview. General Allen outlined, using another acronym for the Islamic State of Iraq and al-Sham, that,

Some of the best analysis done during the first year of the [counter-ISIL] campaign was performed by the economists who provided a rich array of targets, from oil assets to people to institutions, which if engaged through the many different means within the USG [US government], could achieve substantial effects against ISIL. Because there was no grand strategic campaign plan for defeating ISIL, there was no routine mechanism within the strategy to bring this kind of analysis forward so the various components of the USG could deliver their unique effects against individual targets, and more broadly as a combined effect within

the strategy. In essence, the departments were operating in relative isolation from each other. There was ad hoc coordination to be sure, and some of the leaders within the strategy were simply heroic in trying to make it work, but there was no strategy-wide integrative process that would have flowed naturally from a campaign plan, and would have accelerated the effects we wanted to achieve against ISIL.⁵⁵

One final, essential component of interagency teams and task forces is accountability. As Dean Rusk, former secretary of state, observed, “There are those who think that the heart of a bureaucracy is a struggle for power. That is not the case at all. The heart of the bureaucratic problem is the inclination to avoid responsibility.”⁵⁶ On select issues, policy implementation oversight must be designated to a senior interagency task force element with the authority of the president backing it. By assigning and designating a team or task force composed of trusted decision-makers with overseeing the implementation of their organization’s strategies, it will provide a previously absent element of responsibility within the bureaucracy that is needed now, more than ever.

53 Rothkopf, *Running the World*, op. cit., p. 406.

54 Project on National Security Reform, *Forging a New Shield*, op. cit., p. 574.

55 Interview with John Allen, January 6, 2016.

56 Project on National Security Reform, *Forging a New Shield*, op. cit., p. 599.



President Bill Clinton is briefed on Kosovo by Secretary of State Madeleine Albright; CIA Director George Tenet; Joint Chiefs of Staff Chairman General Hugh Shelton; and others on March 31, 1999. Photo credit: William J. Clinton Presidential Library.

Coordinate Legal Advice

The post-9/11 legal environment was understandably one of confusion. Decisions were made in a time of crisis, when speed of movement and legal flexibility were paramount. These unique circumstances appear to have led to decisions reached and actions authorized without all of the affected department and agency senior lawyers being involved in the decision-making process. The perception of “lawyer shopping” degraded the NSC staff’s relationship with its department and agency counterparts as well as the Department of Justice’s Office of Legal Counsel (OLC) and department and agency legal staffs. Equally concerning, this perception induced public distrust and skepticism of the legal decision-making process as well.

The White House legal staff supporting the NSC staff should be highly experienced and lean, tasked with coordinating legal advice while working with the Department of Justice’s OLC as well as department and agency legal offices. The president should ensure that all relevant legal offices throughout the executive branch are included in legal discussions, development, and implementation of legal guidelines for executive branch military, intelligence, and diplomatic activities. In an effort to regain public trust and confidence, the legal decision-making process and its findings should be transparent to the public when appropriate.

During the team’s interviews and working groups, some principals assessed that there were too many lawyers in the White House during their tenure over the past several decades. This is symptomatic of the lawyer-shopping perception. Confidence in White House legal findings has sometimes degraded. Were the findings politicized or driven by policy, rather than based on a firm legal foundation? Without agreeing on the extent to which this has been a problem in the past, there is a consensus that lawyers should support national security decision-making and its development rather than themselves being decision-makers, with the rare exception being for purely legal issues.

Role of the Department of Justice, Office of Legal Counsel

The OLC has a responsibility to coordinate as broadly as possible when formulating opinions, and policymakers must not unnecessarily limit that coordination. The OLC should not simply be an advocate for presidential power,

nor should it act in the role of an Article III judge.⁵⁷ As outlined in the Department of Justice memorandum *Best Practices for OLC Legal Advice and Written Opinions*, dated July 16, 2010, “OLC must always give candid, independent, and principled advice—even when that advice is inconsistent with the aims of policymakers.”⁵⁸ Unless recused, there are two entities, and a cleared staff member, that should be aware of any significant OLC opinion:

- Attorney General/Deputy Attorney General
- The chief lawyer at the responsible agency, or a head/deputy head who can request their lawyers’ active involvement

Role and Size of NSC Legal

NSC legal’s principal responsibilities include facilitating and coordinating legal advice from department and agency experts. This collaborative role mirrors the honest broker responsibility that the authors emphasize for the NSC staff itself. During interviews, there was general consensus on the nonoperational role of NSC legal, meaning that there should be no primary legal advice from within the White House itself. Instead, the departments and agencies responsible for the implementation of policy and strategy are principally informed by their legal staff not only during development but through execution. Instances have occurred where substantial legal analysis was conducted largely or wholly within White House legal with little or no interagency consultation. The authors recommend a small NSC legal staff of two to four lawyers in a coordinating role.

Prepare for the Transition Now

The National Security Council’s important role requires a transition that assures seamless oversight of our nation’s interests and security. The NSC staff is the president’s personal foreign and security policy staff and, as such, all the documents generated over a president’s term are properly removed before the transition and sent to

⁵⁷ The US Supreme Court, the federal court of appeals and district courts, and the US Court of International Trade are established under Article III of the Constitution. Justices and judges of these courts, known as Article III judges, exercise what Article III calls “the judicial power of the United States.” See “How the Federal Courts Are Organized,” Federal Judicial Center, <http://www.fjc.gov/federal/courts.nsf/autoframe?openagent&nav=menu1&page=/federal/courts.nsf/page/183>.

⁵⁸ David J. Barron, “Memorandum for Attorneys of the Office Re: Best Practices for OLC Legal Advice and Written Opinions,” US Department of Justice, Office of Legal Counsel, July 16, 2010, <https://www.justice.gov/sites/default/files/olc/legacy/2010/08/26/olc-legal-advice-opinions.pdf>.

a presidential library. In addition, almost all personnel are replaced on the day of the transition. Given the NSC's unprecedented role and capacity, a phased personnel transition as well as the retention of some director-level personnel is essential. National Security Advisor Anthony Lake "decided to keep a number of career staffers who had been in key positions in the Bush NSC and at State in their jobs or move them to other critical positions."⁵⁹ Full briefings for incoming staff and the retention of copies of all key documents should be assured. Lead department and agencies (also undergoing transitions) should plan to play an important role in all such activities. Successive transitions will be unprecedented due to the volume of key issues to be effectively managed. A carefully developed transition, leveraging an experienced cadre of leaders, is essential.

⁵⁹ Rothkopf, *Running the World*, op. cit., p. 318.

The establishment of the new administration's overarching strategic framework and procedural norms are essential for the principals and NSC staff. As former NSA Sandy Berger lamented, "I didn't really appreciate how important it was to do the Presidential Decision Directive on organizing the foreign policy process and to **get it sold during the transition** [emphasis added]."⁶⁰ This foundational directive must be crafted before January 2017 and should be well into development even before the election. As Nancy Soderberg, deputy NSA to Clinton, stated, "[it is] critical that the relationships among [the White House senior staff] be mapped out early or they would run the risk of the kind of divisions and tensions that had afflicted the previous Democratic administration."⁶¹

⁶⁰ Ibid., p. 314.

⁶¹ Ibid., p. 311.

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Ambassador Chester Crocker is the James R. Schlesinger professor of strategic studies at Georgetown University's Walsh School of Foreign Service and serves on the board of its Institute for the Study of Diplomacy. Ambassador Crocker's teaching and research focus on international security and conflict management.

From 1981 to 1989, Ambassador Crocker served as assistant secretary of state for African affairs. He developed the strategy and led the diplomacy that produced the treaties signed by Angola, Cuba, and South Africa in New York in December 1988. These agreements resulted in Namibia's independence (March 1990) and the withdrawal of foreign forces from Namibia and Angola. President Ronald Reagan granted him the Presidential Citizens Medal, the country's second-highest civilian award. Previous government experience included service on Henry A. Kissinger's National Security Council staff (1970–1972) where he worked on Middle East, Indian Ocean, and African issues.

Ambassador Crocker chaired the board of the United States Institute of Peace (1992–2004) and continued to serve as a director through 2011 of this independent, nonpartisan institution created and funded by Congress to strengthen knowledge and practice in international conflict. He serves on the boards of Universal Corporation, Inc., a leading independent trading company in tobacco and agricultural products and the Good Governance Group Ltd, an independent strategic advisory firm. He is a founding member of the Global Leadership Foundation, an international NGO that offers confidential peer-to-peer advice to leaders facing governance and conflict challenges; and also serves on the board of the International Peace and Security Institute, the Ngena Foundation, and the international advisory board of International Affairs (London). Ambassador Crocker consults as an advisor on strategy and negotiation to a number of US and European firms.

Ambassador Crocker first joined Georgetown University as director of its Master of Science in Foreign Service program, serving concurrently as associate professor of international relations (1972–1980). Since returning to the university in the 1990s, he has authored or edited nine books and numerous articles on conflict management and mediation and the role of diplomatic engagement in US foreign policy. A graduate of Ohio State University, he received his master's and PhD degrees from Johns Hopkins University.

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Daniel Levin represents clients on a wide range of issues involving criminal and civil investigations, internal corporate investigations, and complex civil litigation.

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Prior to joining White & Case, Mr. Levin was a partner in the white collar practice of another international law firm. Before that, Mr. Levin held a number of positions in the government, including senior associate counsel to the president and legal adviser to the National Security Council; chief of staff to Federal Bureau of Investigation Director Robert

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DAVID C. MILLER, JR.

Ambassador David Miller, Jr. is a partner and founding investor of Torch Hill Capital, LLC, a private equity firm that originates, structures, and acts as an equity investor in privately held companies. In his private sector career he worked for a decade in international positions for a member of the Dow Jones thirty, Westinghouse Electric Corp. In addition, he has provided international business advisory services to a number of major US corporations and has managed investments for high net worth individuals in privately held companies.

Ambassador Miller was special assistant to the president for national security affairs on the National Security Council staff at the White House from January 23, 1989, to December 31, 1990. His NSC accounts included Africa as well as counterterrorism, counter-narcotics, and hostage rescue. He served as the United States ambassador to Tanzania from 1981 to 1984 and to Zimbabwe from 1984 to 1986. During his Zimbabwe tour he was asked to run the South Africa Working Group in addition to his bilateral responsibilities in Harare.

Following a year in Vietnam working on projects primarily for the Advanced Research Projects Agency, he was selected as a White House fellow for 1968–1969. He served as a fellow with the attorney general and the following year became his confidential assistant. In 1970–1971, he was the director of the president's Commission on White House Fellows while also working with the counsel to the president.

He founded and serves as the chairman of the Special Operations Fund, which provides scholarships for the widows and children of deceased members of special operations military units. He has lectured and written on foreign policy management, including chapters in three volumes on low-intensity conflict: *Low-Intensity Conflict: Old Threats in a New World*; *Gray Area Phenomena: Confronting the New World Disorder*; and *Managing Contemporary Conflict: Pillars of Success*. Ambassador Miller also co-authored, with David Gordon and Howard Wolpe, *The United States and Africa: A Post-Cold War Perspective*, an American Assembly book published by W. W. Norton & Co.

Ambassador Miller graduated with honors from Harvard College, received a JD from the University of Michigan Law School, and an honorary Doctor of Law from Lewis and Clark. He is a member of the Council on Foreign Relations.

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Ambassador Thomas Pickering joined Hills and Co., an international consulting firm, in 2006 as vice chairman. In July 2006, he retired as senior vice president of international relations of the Boeing Company. He continues to consult for the firm.

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Since serving as an airman, Kirby has earned an in-residence graduate degree in military operational art and science as well as a master of business administration, and is a graduate of Joint Forces Staff College, Norfolk, Virginia, and Air War College by correspondence. He received his undergraduate degree in business administration from the Whittemore School of Business, University of New Hampshire. He is married to the former Melissa Rioux of South Portland, Maine, and has three daughters, Megan, Emma, and Erin.

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Legal recommendations were informed by interviews with individuals currently or previously serving in high-level legal and policy positions within the Department of Defense, Department of State, Department of Justice, Central Intelligence Agency, Federal Bureau of Investigation, and the National Security Council staff.

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