

Limiting Size of NSC Staff

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BACKGROUND

The growth of the NSC in both its staff size and its role in national security decisionmaking has received attention recently. With the size of the NSC staff approaching 400, up from 40 in 1991, the National Security Council has assumed more of an operational role as opposed to focusing on strategic planning and interagency coordination. Both former Secretaries of Defense Robert Gates and Leon Panetta have complained about the NSC and White House staff's centralization of decisionmaking and intrusion into operational and tactical details. As Bob Gates stated in his memoir, "The controlling nature of the Obama White House and the NSS staff took micromanagement and operational meddling to a new level."¹

Concern over the growth of the NSC is not new, as it has been gradually expanding since the Truman administration. Even back in 2000, Brookings released a policy brief recommending the NSC limit its staff to 45, almost half of its size at the time.²

The large expansion under the Obama administration, however, has engendered several studies on NSC reforms, including staff size. The Center for a New American Security offered numerous recommendations in June 2015 about NSC processes, including that the next NSC should analyze its number of meetings and limit staff size, but did not recommend a specific number of staff.³ RAND released a study on recommended NSC

¹ Robert Gates, *Duty: Memoirs of a Secretary at War* (New York: Alfred A. Knopf, 2014), 587.

² Gates, *Duty: Memoirs of a Secretary at War*, 587; and I. M. Destler and Ivo H. Daalder, *A New NSC for a New Administration* (Washington, DC: Brookings, November 2000), <http://www.brookings.edu/research/papers/2000/11/governance-daalder>.

³ Shawn Brimley, Dafna H. Rand, Julianne Smith, and Jacob Stokes, *Enabling Decision: Shaping the National Security Council for the New President* (Washington, DC: Center for a New American Security,

reforms, including an outline for an NSC staff of 120.⁴ The Heritage Foundation also released a policy memo this year recommending that the staff should be limited to 150.⁵

The NSC staff might be compared with the Office of Management and Budget (OMB) staff. Both are part of the Executive Office of the President (EOP). OMB has about 450 personnel, NSC about 400, including detailees. OMB has 6 officials who require Senate confirmation; the NSC, none. Heads of other organizations in the EOP—Office of National Drug Control Policy, Office of Science and Technology Policy, Council of Economic Advisers, Office of the United States Trade Representative—are also Senate confirmed. These examples show that senior officials in the Executive Office of the President are not exempt from senate confirmation.

June 2015), http://www.cnas.org/sites/default/files/publications-pdf/CNAS%20Report_NSC%20Reform_Final.pdf.

⁴ Charles P. Ries, *Improving Decisionmaking in a Turbulent World* (Arlington, VA: RAND Corporation, 2016), <http://www.rand.org/pubs/perspectives/PE192.html>.

⁵ Kim R. Holmes, *Memo to a New President: How Best to Organize the National Security Council* (Washington, DC: The Heritage Foundation, April 14, 2016), <http://www.heritage.org/research/reports/2016/04/memo-to-a-new-president-how-best-to-organize-the-national-security-council>.

Table 1: Remarks from Congress and Administration

SASC	HASC	Secretary Carter/ Administration
<p>Limited to 150</p>	<p>Senate confirmation required if over 100.</p>	<p>White House and National Security Adviser Susan Rice have indicated opposition; Senate NDAA SAP included this provision in its long list of veto objections.</p>
<p>Senate NDAA 2017 S.2943, Section 1089: "The professional staff for which this subsection provides shall not exceed 150 persons, including persons employed by, assigned to, detailed to, under contract to serve on, or otherwise serving or affiliated with the staff."⁶</p>	<p>Thornberry Amendment to House NDAA 2017 H.R. 4909 Section 9___: "If the staff of the council exceeds 100 covered employees at any point during a term of the President and for the duration of such term . . . the Assistant to the President for National Security Affairs shall be appointed by the President, by and with the advice and consent of the Senate."⁷</p>	<p>SAP on Senate NDAA: "The Administration strongly objects to section 1089. . . . This provision would radically restructure the NSC staff, requiring an arbitrary reduction in personnel that could inhibit the NSC staff's ability to advise and assist the President."⁸</p> <p>SAP on House NDAA: [No comment, as NSC staff limitations were introduced via separate amendment.]</p> <p>John Earnest, White House Press Secretary: "[Under] the current National Security Advisor, Susan Rice, the size of the National Security Council has actually shrunk 10 percent in just the last 18 months or so. And that's based on her own initiative to try to streamline the National Security Council and make its actions even more efficient than it already is."⁹</p>

⁶ U.S. Senate Armed Services Committee, 114th Congress, 2nd Session, S. 2943, May 18, 2016, <http://www.armed-services.senate.gov/imo/media/doc/S2943%20-%20Committee-Passed%20NDAA.pdf>.

⁷ Amendment to the Rules Committee Print for H.R. 4909, May 9, 2016, http://amendments-rules.house.gov/amendments/Thornb_NSC_xml510161652345234.pdf.

⁸ Executive Office of the President, Office of Management and Budget, *Statement of Administration Policy: S. 2943, National Defense Authorization Act for Fiscal Year 2017*, June 7, 2016, https://www.whitehouse.gov/sites/default/files/omb/legislative/sap/114/saps2943s_20160607.pdf.

⁹ White House, Office of the Press Secretary, "Press Briefing by Press Secretary Josh Earnest, 4/26/16," <https://www.whitehouse.gov/the-press-office/2016/04/26/press-briefing-press-secretary-josh-earnest-42616>.

ASSESSMENT

Either bill would represent a big change from current practice. First, administrations, both Republican and Democratic, have become accustomed to having a large NSC staff available for White House taskings. Second, there are constitutional issues about the Congress's ability to restrict the president's immediate staff.

The White House and National Security Advisor (NSA) clearly do not support any limitation. They have built a national security process that incorporates a large NSC staff. This staff, from their perspective, provides the president an independent view of the agency proposals and allows the White House to operate autonomously when it is in their interests to do so.

The change will, however, affect only the next administration. It could not be implemented until next year at the earliest and by that time the Obama administration will have left office.

RECOMMENDATION FOR WAY FORWARD

- There is a broad consensus across both the Congress and the national security community that the NSC has grown far beyond its originally intended coordination function and become an independent agency of government, the president's counter to DoD and State. However, there is a real tension in devising a solution: how to put limits on NSC staff and function, consistent with other agencies, without impinging on the right of presidents to organize their personal staff as they see fit. The Senate's proposal, with its absolute limit, seems to contravene the president's constitutional prerogatives. The House proposal, however, would allow the president to make the NSC staff any size desired, but require confirmation above 100 personnel. The decision is then up to the president. The NSC staff can be small and advisory, and the NSA not subject to senate confirmation; or the NSC staff can be large and operational, but then the NSA is treated as other agency heads.
- The analogy to OMB is useful; there are many precedents for senior EOP officials being senate confirmed.
- The recommended way forward is, therefore, to adopt the House proposal.



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ADDITIONAL BACKGROUND QUOTES/STUDIES

Robert Gates, *Duty: Memoirs of a Secretary at War* (New York: Alfred A. Knopf, 2014), "This was part and parcel of an increasingly operational National Security Staff in the White House and micromanagement of military matters—a combination that had proven disastrous in the past." (352)

"The controlling nature of the Obama White House and the NSS staff took micromanagement and operational meddling to a new level." (587)

Bob Gates, Interview with Bret Baier, Fox News, April 7, 2015.

<http://www.washingtonexaminer.com/watch-3-former-defense-secretaries-slam-white-house-micromanagement/article/2587908>.

"It was the operational micromanagement that drove me nuts of White House and NSC staffers calling senior commanders out in the field and asking them questions, second guessing commanders."

Leon Panetta, *Worthy Fights: A Memoir of Leadership in War and Peace* (New York, Penguin Press, 2014).

After noting that the White House said that the CIA director should not deliver major speeches or press interviews, "I understood their point, but I felt the White House was clamping down too hard and did not trust its senior officials enough. Moreover, it meant that those officials who knew the most about certain subjects were excluded from important public debates." (232)

"[B]ecause of that centralization of that authority at the White House, there are too few voices being heard in terms of the ability to make decisions and that includes members of the cabinet." (NSC House Amendment)

Think Tank Studies

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

New American Security, June 2015),

http://www.cnas.org/sites/default/files/publications-pdf/CNAS%20Report_NSC%20Reform_Final.pdf

(Note: The CNAS study makes several structural and qualitative recommendations, but does not recommend a specific number of staff that the NSC should have.)

“Staff size and composition should reflect presidential priorities. For example, assuming Asia and the Middle East command similar levels of attention and resources in U.S. policy, then staff sizes for those directorates should also be roughly equal. In addition, if the next administration decides to transfer some press and legislative responsibilities to agencies and departments, NSC staff working on those functions could also be reduced.” (Footnote 27)

Charles P. Ries, *Improving Decisionmaking in a Turbulent World* (Arlington, VA: RAND Corporation, 2016), <http://www.rand.org/pubs/perspectives/PE192.html>.

“One can envision the resulting streamlined NSC staff sized at perhaps 120 professionals—although this would still be roughly five times the size of President Jimmy Carter’s NSC. . . . An NSC staff sized at roughly 120 professionals could ensure enough staff support for White House principals and to manage crises, but not be so large that staff members are inclined to impinge on operations that can be appropriately delegated to agencies.”

Kim R. Holmes, *Memo to a New President: How Best to Organize the National Security Council* (Washington, DC: The Heritage Foundation, April 14, 2016),

<http://www.heritage.org/research/reports/2016/04/memo-to-a-new-president-how-best-to-organize-the-national-security-council>

“The only way to resist the temptation to expand staffs is for the President consciously to insist on limiting their size. There is no ideal number, but anything above 150 should be heavily scrutinized.”

I. M. Destler and Ivo H. Daalder, *A New NSC for a New Administration* (Washington, DC: Brookings Institution, November 2000),

<http://www.brookings.edu/research/papers/2000/11/governance-daalder>.

“The staff must be limited in size to about 40–45 substantive professionals, less than half the current number.”