

THE HOMELAND SECURITY COUNCIL:

Considerations for the Future

Homeland Security Policy Institute
Task Force Report

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HOMELAND SECURITY
POLICY INSTITUTE

Founded in 2003, The George Washington University Homeland Security Policy Institute (HSPI) is a nonpartisan “think and do” tank whose mission is to build bridges between theory and practice to advance homeland security through an interdisciplinary approach. By convening domestic and international policymakers and practitioners at all levels of government, the private and non-profit sectors, and academia, HSPI creates innovative strategies and solutions to current and future threats to the nation.

While consensus positions were sought and often achieved, the Task Force Co-Chairs take full responsibility for the opinions and recommendations herein.

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HOMELAND SECURITY POLICY INSTITUTE

TASK FORCE ON THE FUTURE OF THE HOMELAND SECURITY COUNCIL

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CONTENTS

Introduction.....	1
Arguments for Maintaining an Independent Homeland Security Council.....	2
Arguments for Integrating the Homeland Security Council within the National Security Council.....	3
Considerations Irrespective of Structure.....	4
Looking Ahead: A New and Improved National and Homeland Security Structure?.....	5
References.....	7
Appendix A: Task Force Biographies.....	9

INTRODUCTION

In his first Presidential Study Directive (PSD), Barack Obama initiated an ambitious review of the White House's organization for counterterrorism and homeland security issues.¹ By April 23, 2009, the Assistant to the President for Homeland Security and Counterterrorism, John Brennan², is to provide findings of the interagency review to the President for decision.³ Notably, President Obama states in the Directive, "I believe that Homeland Security is indistinguishable from National Security—conceptually and functionally, they should be thought of together rather than separately."⁴

This Brief offers a discussion of the arguments for and against merging the Homeland Security Council (HSC) with the National Security Council (NSC). We seek not to prescribe a particular organizational structure, but instead provide the perspective of many who have long studied and/or served on these Councils or in related high-level government positions. Regardless of the structure chosen, it is only one aspect of the larger matter of effective policy management by the White House. In part, Brennan's task is to help fashion a new organizational chart; but more importantly, he will help shape how President Obama receives information, makes decisions, and both marshals and leads his security team.

There is general agreement that homeland security is a part of national security.⁵ The challenge is to create an organizational construct that reflects this reality and manages it most effectively. The key questions for present purposes are: "how can the federal government best manage its role in the homeland security enterprise, and what should be the role of White House staff?" The answers to these questions are complicated by the now fairly uncontroversial proposition that homeland security is more vast and interdisciplinary, as an enterprise, than traditional national security.⁶ The former is marked by its relative newness, the wide distribution of authorities and missions, as well as the sheer number of entities involved—virtually every federal department and agency as well as stakeholders at the state, local, and tribal levels, and in both the private and non-governmental/non-profit sectors. The resulting web of interconnected, and often disjointed, bureaucracies and stakeholder groups is strikingly complicated.⁷ The role of White House homeland security staff is to advise and assist the president in developing overarching and interagency policies, and to ensure their execution.⁸ Information sharing, infrastructure protection, incident management, disaster response, and health and medical preparedness and planning are just a few examples of matters that do not necessarily fit within the traditional national security enterprise, yet must occur at all levels of government, and integrate nongovernmental actors and organizations; further complicating matters, aspects of these issues may also require close coordination and cooperation with international partners.

HSC and NSC share important similarities. The NSC was created over sixty years ago, in the wake of lessons learned from World War II. Established in October 2001, HSC was also created following a pivotal, precipitating event. Akin to the NSC's mission, HSC was created to "ensure coordination of all homeland security-related activities among executive departments and agencies and promote the effective development and implementation of all homeland security policies."⁹ Largely modeled after the NSC structure, the HSC was established with Principals and Deputies Committees, as well as eleven Policy Coordination Committees.¹⁰

President Obama's inaugural PSD appears to imply that the HSC will be integrated within the NSC structure under the National Security Advisor, General (ret.) James L. Jones.¹¹ However, debate continues on whether such a restructuring will better safeguard the nation. As decision-makers reflect upon HSC's future, the following questions should be considered:

- Will the ultimate choice of organizational structure, location, and staffing levels improve capabilities to present the President with complete and accurate homeland security information in a timely manner, so that decisions may be properly founded?
- Will deserving homeland issues receive the same emphasis, resources, and senior-level attention as comparable to national security concerns?
- Should the Homeland Security Advisor:
 - ❖ clearly have the mandate (and accountability) for monitoring threats both at home and abroad, and have sufficient access to the President to convey vital information and advice, and obtain policy decisions?
 - ❖ possess the status and clout to convene principals (i.e., Department and Agency heads, as well as Assistants to the President in the White House), and direct, as necessary, the deputies and policy coordinating committees process to ensure effective interagency coordination and oversight?

With these questions in mind, let us now turn to the arguments on both sides of the debate.

ARGUMENTS FOR MAINTAINING AN INDEPENDENT HOMELAND SECURITY COUNCIL

- *Standing.* A Homeland Security Advisor with a direct reporting relationship to the President, and a dedicated staff, provides that individual—and the issues within his portfolio—the standing needed within the White House and the government as a whole. Moreover, in the competition for limited administrative and technical resources, there is risk that support for highly bureaucratic but still vital homeland security initiatives involving myriad interagency and other players will be trumped by more straightforward traditional national security issues with higher visibility. With an independent HSC, the odds would be lessened that homeland security would take a back seat to other issues of import of the traditional national security variety.¹²
- *Bandwidth.* Iraq, Afghanistan, threats from rogue nations and non-state actors, and other strategic security concerns fall squarely within the National Security Advisor's portfolio. Adding homeland security issues would, at best, dilute his attention to both sets of issues and, at worst, overwhelm him¹³ as well as slow down the process of coordinating and resolving policy matters within the NSC. An independent HSC allows the National Security Advisor and his staff to focus on current NSC priorities. (At the same time, it is worth noting that an independent HSC would be free to—and indeed should—coordinate closely with the NSC on issues of mutual interest or concern).
- *Different Missions and Stakeholders.* Though many homeland security issues have an international dimension, the homeland security mission is inherently different from the traditional national security mission. Homeland security encompasses prevention, protection, preparedness, response and recovery activities related to terrorism, and both man-made and natural disasters. In addition, homeland security has vastly different stakeholders—requiring familiarity, close coordination and cooperation with state, local, and tribal governments, as well as the non-profit and private sectors. By contrast, the NSC's function, since its inception under President Truman, has been to advise and assist presidents on a range of defense and foreign policy issues—matters that have been the province of a comparatively smaller circle of federal players, many with little or no experience working domestic issues. While some national security concerns overlap with

the realm of homeland security (and vice versa), the differences in missions and stakeholders would make combining the two Councils an unhappy marriage.¹⁴

- *Unwieldy Organization.* The goals of improved efficiency and more seamless coordination are important, however, consideration should be given to the practical ramifications and potential unintended consequences of combining both councils. The case for merging is likely considerably more compelling on paper than it will be in practice. The increase in staff size, mission scope and complexity, and diversity of mission providers, stakeholders and relevant authorities will result in a very unwieldy organization.

ARGUMENTS FOR INTEGRATING THE HOMELAND SECURITY COUNCIL WITHIN THE NATIONAL SECURITY COUNCIL

- *Common security missions and structures.* The missions and structures of HSC and NSC are similar. Both HSC and NSC focus on contemporary security challenges, and are responsible for developing, coordinating, and ensuring implementation of policies, for example, to counter the threat of terrorism. The staffs are among the only in the White House with the highest security clearances, and work in secure areas. The organizational structures are nearly identical with HSC having adopted both the staff organization¹⁵ as well as policy coordination mechanisms¹⁶ of NSC.
- *Overlap and (Dis)Unity of Effort.* Just as the maxim that politics stops at the water's edge is outdated, so too is the notion that homeland and national security can be bifurcated into two distinct disciplines or entities.¹⁷ The overlaps are many: counterterrorism has both international and domestic aspects; the security of our borders, ports, and transportation systems involve steps inside the United States as well overseas; and intelligence involves measures both at home and abroad. These issues require expertise and capabilities of both a homeland and international security nature. The current separate HSC and NSC structures therefore embody an artificial distinction, and undermine an integrated and concerted approach to our security.¹⁸ The organizational divisions create a "wall" between HSC and NSC staff, leading to a decreased understanding of what the other is doing, thereby increasing coordination challenges, sometimes resulting in confusion – and even competition – over issues. Separate structures also create needless duplication of administrative and technical resources within the White House.
- *Eliminating Stovepipes and Improving Decision-making.* Just as intelligence agencies have been criticized for not adequately sharing information or integrating the various components of this vast community, our nation's security should not be artificially divided into homeland and national security components.¹⁹ Gen. Jones explained the Obama administration's conception of the national security community in a recent interview this way: "the whole concept of what constitutes...the national security community...has got to embrace a broad membership."²⁰ Executive decision-making would be well served by unified forums and processes that further, in a coordinated manner, discussion, debate, implementation and oversight.
- *Parity.* Viewed by some as the NSC's "weak sibling," many observers saw the HSC under President Bush as never on par with the more established NSC.²¹ The interagency community regarded the NSC as more "important," and tended to be more responsive to it than to the HSC. Moreover, the HSC staff was generally no larger than a quarter of the NSC's, and many of the HSC's small cadre of officials received lower pay compared to their national security counterparts.²² Without significant staff upgrades, the HSC may not have the personnel to adequately marshal and coordinate the homeland security policy process.²³

CONSIDERATIONS IRRESPECTIVE OF STRUCTURE

Regardless of the bureaucratic placement of HSC in the White House, the Council's mission and functions remain essential, and its capabilities should be strengthened. To that end, the following should be considered:

- *Interagency Budgetary Authority.* During the Bush Administration, the HSC staff had a relatively small say in interagency budgetary matters. Often the HSC staff became involved in budgetary matters late in the budget process, or learned the details of Department and Agency budgets after they had been submitted to the Office of Management and Budget (OMB), and even then, had little opportunity to have significant input prior to the President's budget being finalized. HSC staff should be empowered to work closely and early with OMB staff in order to establish and review government-wide homeland security budget priorities; and the homeland and budget staffs should review annual budget submissions together.
- *Additional Resources.* Among the criticisms of the HSC under President Bush were that it was understaffed, underpaid, and simply did not have the vast resources that NSC possessed. Boosting staffing, compensation, and the ability of the organization to garner technical, support, and other resources will help ensure a more effective policy process. Given the current domestic economic crisis, and concerns abroad, homeland security may not be a front-burner issue for the White House at the moment—of course, that could change in an instant—but it is critical that investments be made now.
- *Integrating State and Local Perspective.* Issues such as preparedness, information sharing, and disaster response are top tier concerns for state and local officials. It is imperative that there be individuals who can articulate their perspective in the White House. The Homeland Security Advisor should also strive to integrate state, local, and tribal officials into the White House homeland security structure.²⁴ Incorporating non-federal officials and ideas will ensure that the president hears views from outside Washington.²⁵
- *Political and/or Career Staff.* Many of the HSC staff under President Bush were political appointees. NSC relies much more heavily on career staff loaned to the organization for a year at a time. Due to the strict internal White House personnel vetting rules that applied to HSC—but not NSC—otherwise qualified HSC staff candidates were turned away in some cases.²⁶ Thus, consideration should be given to candidates irrespective of their party affiliation when it is in the interests of the nation's security. That said, the value of having competent political appointees as part of a homeland staff should not be overlooked—being “political” actually helped HSC staff achieve its policy objectives. For example, the fact that certain HSC staffers were appointees of the President gave them enhanced standing with the most senior members of the White House staff, and in certain quarters, those HSC staffers were considered as more trusted members of the Administration team. Furthermore, it was easier for HSC's political appointees to develop closer working relationships with colleagues across other key offices within the White House. Regardless of where the homeland staff is located, the advantages and disadvantages of having political versus career appointees must be addressed, with the likely right answer being a combination of both.
- *Role of the Secretary of Homeland Security.* The Secretary of Homeland Security should coordinate domestic operations, with the White House staff supporting and providing policy guidance and interagency policy coordination as appropriate. To most successfully enable homeland security, White House staff must resist the urge to manage incidents, and should support and empower the Secretary of Homeland Security. For her part, the Secretary must embrace her interagency incident management responsibilities and work in a

cooperative manner with her Cabinet colleagues. In this sense, the Secretary must further integrate other Departments and Agencies, as well as state, local, tribal, private sector, and non-profit stakeholders; an over-reliance on DHS components has proven to be problematic in the past. The system can function in the manner described only if there is mutual trust and respect for the Secretary's position (both inside the White House and throughout all levels of government), and if information is provided to and from DHS in a timely and effective way. That said, based on the language in *PSD-1*, it appears the current Administration hopes to build the "capacity to coordinate" in the White House, rather than empowering the Secretary of Homeland Security with this role, which is essential to the Department's success.²⁷

Regardless of how President Obama organizes his security councils, it must be done in a manner that provides the President and his senior advisors the best opportunity to get the policymaking process right. As Daalder and Destler note in a recent essay on the position of National Security Advisor: "What is most important, in the end, is to make sure that the president makes the right decisions, that he does so in a timely manner, and that they are implemented effectively."²⁸

LOOKING AHEAD: A NEW AND IMPROVED NATIONAL AND HOMELAND SECURITY STRUCTURE?

President Obama has undertaken a number of national and homeland security structural moves early in his administration. For example, in *Presidential Policy Directive-1*²⁹, he broadened NSC membership to formally include the Secretary of Homeland Security³⁰ (consistent with the informal practice of the previous administration). *PPD-1* notes further that, "when homeland security or counter-terrorism related issues are on the agenda, the NSC's regular attendees will include the Assistant to the President for Homeland Security and Counter-Terrorism." Moving forward, steps like these must be part of a larger structure that avoids "span-of-control" issues for the National Security Advisor, that allows for the smooth resolution of turf battles, and builds a better integrated system that includes the voices of all national and homeland security stakeholders.

If the HSC is merged with the NSC as anticipated, it is important to be aware of the functional and structural implications of this decision. First and foremost, the Homeland Security Advisor must take on issues outside the traditional NSC sphere as priorities under the larger NSC structure. For example, the Homeland Security Advisor must be concerned about cross-border drug violence, pandemics and hurricanes, and not simply terrorism alone. On the structural side, at least three issues must be addressed or they may hamper the Homeland Security Advisor's ability to drive policy issues and provide oversight:

- *Perceived Status.* Although part of the Homeland Security Advisor's title includes "Assistant to the President" (implying that he is a direct report to the President), the Homeland Security Advisor is also, in contrast with his Bush White House predecessors, a *Deputy* National Security Advisor.³¹ This is a significant, if subtle, change because the Homeland Security Advisor reports, at least in part, through the National Security Advisor. As a consequence, the Homeland Security Advisor cannot convene³² or chair³³ Principals Committee meetings without approval from the National Security Advisor. Unless the President makes a deliberate and sustained effort to emphasize that the Homeland Security Advisor is truly a "principal"-level official (vs. a "deputy"), he will not be treated as a peer by status-conscious and time-constrained principals (including Cabinet members).

- *Deputy.* The breadth and complexity of homeland security issues are unlikely to be successfully managed without a Deputy Homeland Security Advisor reporting to the Homeland Security Advisor.³⁴ Without a deputy, the Homeland Security Advisor is left to chair Principals Committee meetings as well as Deputies Committee meetings. Furthermore, it is not the decision of the Homeland Security Advisor whether to convene or chair Deputies meetings. Instead, it is up to the “principal deputy” of the National Security Advisor³⁵ to determine whether the Homeland Security Advisor may convene³⁶ or chair³⁷ Deputies meetings. Without a Deputy Homeland Security Advisor, effective oversight of the homeland security policy process is likely to suffer.
- *Focus.* The Homeland Security Advisor may have a difficult time focusing NSC staff on certain homeland matters, particularly if his staff continues to be smaller in number than that of his predecessors. His reporting to the National Security Advisor magnifies the challenge of achieving requisite focus.

Should HSC be retained as an independent organization, it should be vested with authorities and resources equivalent to those afforded to the NSC. This includes providing HSC with a semi-autonomous status similar to that which the NSC enjoys.³⁸ This would shift overall management responsibilities from the White House central management office (where smaller organizations such as Speechwriting and Legislative Affairs report), to the HSC Executive Secretariat, thereby enhancing HSC’s ability to recruit and retain highly qualified staff and manage its own budget.

Qualities such as leadership, judgment, and trust are also essential in order to strike difficult balances, and effectively coordinate and execute the president’s policies.³⁹ President Obama must have the utmost trust in his senior security advisors in order to effectively manage a challenging policy process and receive the best, unvarnished advice. These advisors must be willing and able to raise difficult issues and questions, particularly when the stakes deserve it. No system will successfully manage the policy process if not composed of effective leaders and supporting staff who have the ability and willingness to question assumptions and plans, and point out shortcomings in policy implementation.⁴⁰

Terrorism, natural disasters, border security, intelligence, and other pressing homeland security-related matters must receive the attention they deserve by President Obama. This will occur only if the President’s domestic and international security structures inside the White House are organized and properly equipped to manage an effective policy process. Success is dependent upon clear responsibilities and lines of communication; strong leadership from the President and senior security advisors; and the integration of diverse stakeholder voices. If President Obama does fold homeland security responsibilities into the NSC, he should do so in a manner that, at a minimum, enhances the prioritization, management and integration of homeland security issues without hampering the conduct of traditional national security functions.

REFERENCES

1. “Organizing for Homeland Security and Counterterrorism,” *Presidential Study Directive-1*, The White House, February 23, 2009 (accessed at: <http://www.fas.org/irp/offdocs/psd/psd-1.pdf>).
2. Hereafter referred to as “Homeland Security Advisor.” Brennan is also Deputy National Security Advisor; this “dual-hatting” is discussed further below.
3. “...I direct the Assistant to the President for Homeland Security and Counterterrorism to lead an interagency review of ways to reform the White House organization for counter-terrorism and homeland security...”. *PSD-1*.
4. *Ibid.*
5. See, for example, Wormuth, Christine, “The Next Catastrophe: Ready or Not?” *The Washington Quarterly* (January 2009), p. 103. Carafano, too, suggests that homeland security is a sub-element of national security; see testimony of James Jay Carafano before the Senate Judiciary Committee, March 20, 2007 (accessed at: <http://www.heritage.org/Research/HomelandSecurity/tst032107a.cfm>) [contending that “Congress needs...an independent analysis of how...homeland security efforts fit within the overall national security effort”].
6. See, for example, Carafano, James Jay and David Heyman, “DHS 2.0: Rethinking the Department of Homeland Security,” *Heritage Foundation Special Report #02* (December 13, 2004), p. 7 (accessed at: http://www.heritage.org/Research/HomelandDefense/upload/72759_1.pdf).
7. See, for example, Davis, Lynn E., “Organizing for Homeland Security,” *RAND Corporation Issue Paper 220* (2002), (accessed at: http://www.rand.org/pubs/issue_papers/IP220/index2.html) [noting the challenges, within the executive branch alone, of “designing an organizational structure to coordinate homeland security activities”].
8. “Organization and Operation of the Homeland Security Council,” *Homeland Security Presidential Directive-1*, The White House, October 29, 2009 (accessed at: http://www.dhs.gov/xabout/laws/gc_1213648320189.shtm#1).
9. *Ibid.*
10. Note, however, that most of the Policy Coordinating Committees (PCCs) identified in *HSPD-1* either no longer exist or were merged into new PCCs; *HSPD-1* was not updated subsequent to its initial release.
11. “Instead of separating [homeland security and national security], we must create an integrated, effective, and efficient approach to enhance the national security of the United States. The White House must be organized in ways to reflect this reality.”
12. “Press Release: National Security Council and Homeland Security Council: Should They Be Merged?” Committee on Homeland Security and Governmental Affairs, U.S. Senate, February 12, 2009 (accessed at: http://hsgac.senate.gov/public/index.cfm?FuseAction=PressReleases.Detail&Affiliation=C&PressRelease_id=016247fc-8c71-4795-abc8-14a0a05687f9&Month=2&Year=2009).
13. Baker, Peter, “Obama is Reported Set to Revise Counterterrorism Efforts,” *The New York Times* (January 7, 2009), (accessed at: http://www.nytimes.com/2009/01/08/us/politics/08council.html?_r=2&hp).
14. For an expanded view of this argument, see testimony of former Secretary of Homeland Security Tom Ridge before the Senate Committee on Homeland Security and Governmental Affairs, February 12, 2009 (accessed at http://hsgac.senate.gov/public/_files/021209Ridge.pdf).
15. NSC and HSC staff are led by Assistants to the President and Deputy Assistants to the President, with functionally organized directorates comprised of Special Assistants to the President, Senior Directors and Directors.
16. Both NSC and HSC have Principals, Deputies and Policy Coordination Committees.
17. The Third Way, *Homeland Security Presidential Transition Initiative* (November 2008), p. 5 (accessed at: http://www.thirdway.org/data/product/file/175/Homeland_Security_Presidential_Transition_Manual_--_final.pdf).
18. Baker, “Obama is Reported Set to Revise Counterterrorism Efforts.”
19. On the artificiality of the distinction and the resulting implications, see for example, testimony of The Honorable James R. Locher III, Executive Director of the Project on National Security Reform, before the Senate Committee on Homeland Security and Governmental Affairs, February 12, 2009 (accessed at <http://hsgac.senate.gov/public/index.cfm?Fuseaction=Hearings.Detail&HearingID=4944e113-8812-4541-b574-fc03ba8d9023>).
20. DeYoung, Karen, “Obama’s NSC Will Get New Power,” *The Washington Post* (February 8, 2009).
21. Third Way, *Homeland Security Presidential Transition Initiative* at p. 5.
22. HSC staff are paid in accordance with parameters in place for all staff within the White House Office. NSC staff, by contrast, are not subject to those parameters.
23. For an expanded treatment of this argument, see testimony of Christine E. Wormuth, Center for Strategic and International Studies, before the Senate Committee on Homeland Security and Governmental Affairs, February 12, 2009 (accessed at http://hsgac.senate.gov/public/_files/021209Wormuth.pdf).

24. William Newmann, “Reorganizing for National Security and Homeland Security,” *Public Administration Review* 62 (September 2002). To avoid potential Constitutional prohibitions against making federal agents out of non-federal officials, the White House should work with Congress to supply block grants to state and local governments in order to pay the salaries and offset the costs of their participation within the White House. These rotations should ensure regional and threat-based representation.
25. See, for example, Stockton, Paul N., “Beyond the HSC/NSC Merger: Integrating States and Localities into Homeland Security Policymaking,” *Homeland Security Affairs* (January 2009).
26. Note, however, that according to former senior HSC staff, there were no instances in which unqualified political appointees were hired merely because they were political, nor was HSC ever forced to hire someone by senior White House staff.
27. “The review shall examine: ...How to retain within the White House the capacity to coordinate Federal, State, local, and tribal efforts to respond to natural disasters, including as a result of hurricanes, floods, fire, and other incidents, if necessary.” *PSD-1*, p. 1.
28. Daalder, Ivo H., and I. M. Destler, “In the Shadow of the Oval Office: The Next National Security Advisor,” *Foreign Affairs* (January/February 2009), p. 129.
29. “Organization of the National Security Council System,” *Presidential Policy Directive – 1*, The White House, February 13, 2009 (accessed at: <http://www.fas.org/irp/offdocs/ppd/ppd-1.pdf>).
30. Note that this was recommended by the Homeland Security Advisory Council’s Future of Terrorism Task force in their report of January 2007; see p.13 (accessed at: <http://www.dhs.gov/xlibrary/assets/hsac-future-terrorism-010107.pdf>).
31. Frances Fragos Townsend and Kenneth Wainstein each held the title of “Assistant to the President for Homeland Security and Counterterrorism,” and enjoyed full “principal” status under President Bush. They each had two Deputies—a Deputy Assistant to the President for Homeland Security and a Deputy Assistant to the President/Deputy National Security Advisor for Combating Terrorism. John Brennan, by contrast, holds the position of “Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor,” and has no deputies.
32. “The NSC/PC shall meet at the call of the National Security Advisor, in consultation with the members of the NSC/PC.” *PPD-1*.
33. “When homeland security or counter-terrorism related issues are on the agenda, the NSC/PC’s regular attendees will include the Assistant to the President for Homeland Security and Counter-Terrorism, who, at the discretion of the National Security Advisor, may serve as chair.” *Ibid*.
34. The Deputy Homeland Security Advisor position is neither explicitly mentioned nor, seemingly, contemplated in *PPD-1*. Moreover, the position of Deputy Assistant to the President/Deputy National Security Advisor for Combating Terrorism was eliminated as a consequence of *PSD-1*, which rescinded *National Security Presidential Directive-8* (titled “National Director and Deputy National Security Advisor for Combating Terrorism”).
35. The formal title of the person commonly known as the National Security Advisor’s “principal deputy” is: Assistant to the President and Deputy National Security Advisor.
36. “The Assistant to the President and Deputy National Security Advisor shall be responsible—in consultation with the members of the NSC/DC—for calling meetings of the NSC/DC...” *PPD-1*.
37. “When homeland security or counter-terrorism related issues are on the agenda, a regular attendee of meetings of the NSC/DC will include the Assistant to the President for Homeland Security and Counter-Terrorism and Deputy National Security Advisor, who, at the discretion of the Assistant to the President and Deputy National Security Advisor [i.e., Gen. James Jones’ ‘principal’ deputy], may serve as chair.” *Ibid*.
38. “...Reorganization Plan No. 4 of 1949, proposed by Truman,... transferred the NSC and NSRB to the Executive Office of the President. This reorganization formalized a *de facto* situation and evidenced the role of the NSC as an advisory arm of the President.” Cody M. Brown/Project on National Security Reform, *The National Security Council: A Legal History of the President’s Most Powerful Advisors* (2008), p. 11 (accessed at <http://www.pnsr.org/data/images/the%20national%20security%20council.pdf>), citing in turn, Reorganization Plan No. 4 of 1949, 63 Stat. 1067 (eff. Aug. 20, 1949); and Stanley L. Falk, “The NSC Under Truman, Eisenhower, and Kennedy,” *Pol. Sci. Quarterly* (Sept. 1964), vol. 79, no. 3, at p. 36.
39. Others have recognized the importance of “leadership and judgment,” while observing that they are not, in themselves, necessarily determinative of positive outcomes. See Project on National Security Reform, *Forging a New Shield: Executive Summary* (November 2008), p. iii (accessed at: http://www.pnsr.org/data/files/pnsr%20forging_exec%20summary_12-2-08.pdf).
40. For a more detailed discussion about the balances NSC officials must strike, see Daalder and Destler.

APPENDIX A: TASK FORCE BIOGRAPHIES

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