

CHAPTER EIGHT

White House Policy Councils Media Government Accountability Office Interagency Collaborators **Citizens White House Office** of Management and Budget Interest Groups and Associations **Interagency Councils State** and Local Governments **Unions Congress**

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WHITE HOUSE POLICY COUNCILS

By Paul Weinstein, Jr.

As the head of your agency, a key to achieving progress on your major policy initiatives (either those that originate at your department or come from the White House) is a strong and communicative relationship with the White House Policy Councils:

- National Security Council (NSC)
- National Economic Council (NEC)
- Domestic Policy Council (DPC)
- Homeland Security Council (HSC)

The White House Policy Councils are important organizations that often get little notice in Washington (with the exception of the National Security Council). During your tenure, you will be interacting with these councils in various ways:

- If you want to include a proposal in the president's State of the Union, you will need the sign-off of one of the policy councils.
- If you want to appeal a budget decision by OMB, you will need a policy council on your side.
- If you are caught in a policy dispute with another agency, you will need the assistance of a policy council to arbitrate the disagreement.

The policy councils can make the difference between your success and failure, and you need to develop a good and effective working relationship with them. While you both report to the president, as a practical matter the policy councils have a more direct relationship with the president on a day-to-day basis.

Increasing Centralization of Policy Development in the White House

Since the end of the Second World War, control over policy development has become increasingly centralized in the White House. This trend has been driven in large part by three factors:

- The United States' growing role in the global community
- The rapidly increasing size and responsibilities of the federal government
- The evolution of the president as "policy-maker-in-chief"

From Harry Truman to George W. Bush, almost every president has accelerated the centralization of power in the Executive Office of the President (EOP). The most influential policy makers in the EOP are the Office of Management

Executive Office of the President Councils vs. White House Policy Councils

Councils within the Executive Office of the President (such as the Council of Economic Advisers and the Council on Environmental Quality) are distinct in three key ways from the White House Policy Councils:

- Top political appointees must be Senate confirmed.
- They can have programmatic, regulatory, or reporting responsibilities.
- Political appointees can be asked to testify before Congress on matters of policy.

and Budget and the four White House Policy Councils. Although OMB plays a critical role in executive branch policy making (along with its responsibilities with regard to the federal budget), the focus of this chapter is the White House Policy Councils, which are designed to serve as the principal units responsible for the coordination of presidential-level policy development.

Understanding the Role of the Policy Councils

The policy councils play three primary roles in the policy-making process:

- Arbiters between other actors in the policy-making process
- In-house think tanks for policy development
- Guardians of the president's agenda

The policy councils are very different from other agencies in the EOP or cabinet-level departments. First, they have no programmatic and regulatory responsibilities or specific constituencies beyond the president. This lack of programmatic or regulatory bias can help increase their perceived legitimacy of their role in the policy-making process, but can be easily lost if they do not act as "honest brokers" in handling agency disputes.

Second, the staffs of the policy councils are primarily made up of political appointments not subject to the delays and tribulations of Senate confirmation. As such, policy council staffs are highly accountable to the president, and they have the ability to impact the decision-making process on the first day of a new administration. However, while the councils are more flexible, they can also lack the expertise of the agencies, and turnover is relatively high, creating a lack of continuity on policy matters. The lack of expertise provides an opportunity for agencies to influence the councils by providing policy experts in a number of fields to work with the councils.

Third, the policy councils are (with the exception of the NSC), not congressionally mandated and thus not as politically beholden to Congress as

federal agencies. Indeed, presidents have often bolstered this independence by protecting internal communications with the policy councils under the claim of executive privilege.

The National Security Council

The oldest and largest of the policy councils is the NSC. The NSC was first established by the National Security Act of 1947. The first president to embrace and recognize the potential of the NSC was Dwight Eisenhower. Eisenhower dramatically expanded the size of the office and created a structured system of integrated policy review, which is still in effect today. Eisenhower held regular NSC meetings and established areas of specialization. A national security advisor (assistant to the president for national security) was created to run the office and chair the meetings in the president's absence. Members of the NSC include the vice president, secretary of defense, and secretary of state.

Over the years, the power and size of the NSC has fluctuated. Originally designed to focus on policy development and coordination, the NSC over time became increasingly involved in policy implementation. The office's role in policy implementation reached its zenith during the Nixon administration when Henry Kissinger took the lead on negotiating important international agreements such as reopening relations with the People's Republic of China.

However, the NSC's growing role in policy implementation caused a number of problems. First, it diminished the office's ability to coordinate policy, as the Department of State felt threatened by the NSC's growing involvement in diplomacy. Second, the NSC lacked the resources needed to both coordinate and implement policy. And by bringing policy implementation into the White House, the NSC made the president more vulnerable to blame for policy failures. Finally, the office receives little congressional oversight. These factors all came to a head during the Iran-Contra affair and the subsequent indictments of former National Security Advisors John Poindexter and Robert McFarlane along with staffer Oliver North. The Iran-Contra affair eventually led to a series of reforms put into place by George H. W. Bush's National Security Advisor Brent Scowcroft that pushed the office's focus back on policy development.

The National Economic Council

The creation of the NEC finds its origins in the collapse of the Soviet Union and the 1991 recession. Looking to ensure that America did not lose its economic predominance, President William Clinton wanted to create a more coordinated and centralized policy development and planning

apparatus over economic policy. In 1993, the NEC was created by presidential Executive Order.

The NEC operation is very closely modeled on the NSC. The office is led by an assistant to the president with two deputies (one who focuses on domestic economic policy and the other who focuses on international economic matters) and is staffed with political appointees who are experts in a range of areas from health care to tax policy. Like the NSC, the NEC has regular meetings with their agency members. Although it has a much smaller staff (about 20 to 30), the number of agencies that are members of the council is much greater than the NSC.

Under President Clinton, the NEC was very active. The NEC helped drive the development and successful enactment of the president's 1993 federal budget, which many credit with helping to get the budget into surplus by the end of the decade. It was also a force behind the expansion of the Earned Income Tax Credit, new tax incentives to help families pay for college (e.g., Hope Scholarship), and passage of the North American Free Trade Agreement.

Under President George W. Bush, the NEC initially played a significant policy-making role. Lawrence Lindsey, Bush's NEC director, created and led the effort to enact the president's tax cut legislation in 2001. Yet, the role of the NEC under Lindsey versus Robert Rubin (Clinton's first NEC director) was substantially different. While Rubin tried to use the NEC to build consensus among the agencies, Lindsey saw the NEC as more of an enforcer of the president's wishes, which often led to conflicts with agencies, particularly the Treasury Department. Over time these conflicts damaged the ability of the NEC to coordinate economic policy later in the administration.

The Domestic Policy Council

Although the name has changed throughout the years, a domestic policy staff has existed in the White House since the 1960s. A foundation for the current DPC was first created in the Johnson White House, when a senior-level aide spent a majority of his time developing domestic policy and attempting to organize a staff to facilitate that activity. In 1970, President Nixon issued an Executive Order creating the Office of Policy Development, a larger White House office whose budget and functions were split by President Clinton through two Executive Orders in 1993. One of the Executive Orders established the NEC discussed above; the second created the modern-day Domestic Policy Council, which was set up along the same lines of the NEC, except its membership of agencies was more focused on social issues.

During the Clinton administration, the DPC led the effort to develop and pass welfare reform and the crime bill, two of the president's biggest domestic legislative successes. President Bush continued the DPC, and appointed one of his closest policy advisers from Texas, Margaret Spellings, to lead

the council. In the first few years of the Bush administration, the DPC was the leading force behind the enactment of “No Child Left Behind,” President Bush’s education reform effort.

The Homeland Security Council

The fourth and final policy council is the Homeland Security Council. Founded in the aftermath of 9/11, this council was originally considered a bridge until the creation of the Department of Homeland Security. Yet the council lives on and operates along the same lines as its sister policy councils (headed by an assistant to the president, membership of cabinet-level rank and from other federal agencies, and responsibility for coordinating policy development in an issue area). While the council’s responsibilities could be subsumed within the NSC in the future, history has shown that it is very difficult politically to eliminate or merge an office once it has been created.

Leveraging the White House Policy Councils

Based on my experience working in a White House Policy Council, I’d like to share the following insights on how you can leverage these organizations to accomplish your agency’s mission:

Insight One: Make sure you frame your policy ideas as being consistent with and supportive of the president’s agenda. Policy council personnel often come from presidential campaigns and are sometimes more politically oriented than policy staff from agencies. This will increase the likelihood that your proposed initiatives go forward.

Insight Two: Offer your agency’s policy expertise to the White House Policy Councils. Consider detailing a key member of your staff to a policy council to assist on an important project. This would increase understanding of the work of a policy council by your agency and also be an excellent learning experience for a key staff member.

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