CHANGE AGENTS:
WHO LEADS AND WHY IN THE EXECUTION OF US NATIONAL SECURITY POLICY

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ABSTRACT

This dissertation examines the factors affecting national security mission assignment decisions. It focuses on cases in which military or civilian agents are selected in lieu of the other. Six factors are identified for testing as possible contributors to agency selection. These factors are drawn from the existing academic literature in the fields of civil-military relations, presidential and congressional politics, and public administration and bureaucratic decision-making. After isolating a post-World War II data set of American national security mission assignments, the author examines eight cases that roughly divide between military agent choice and civilian agent choice. The military cases are: the governance of defeated Germany, the 1961 transfer of civil defense responsibility to the Department of Defense, aerial and maritime detection and monitoring in the war on drugs, and support to domestic chemical, biological, radiological, and nuclear consequence management missions. Cases of civilian agent choice include the establishment of the National Aeronautics and Space Administration, the creation of civilian civil defense agencies following World War II, the training of foreign police, and the transfer to FEMA of civil defense responsibilities once managed by DoD.

From the evidence in these cases, the author concludes that the degree to which civilian decision-makers are seized with the importance of a national security mission and the implications they ascribe to military or civilian institutionalization of that role are paramount considerations in determining how agencies are selected to lead in new threat areas. Moreover, the geopolitical implications of agent selection are themselves calculated according to an agency’s effectiveness—or, alternatively, foreign and domestic public perceptions of its effectiveness. This assessment of effectiveness is critical in determining what strategic signal is being sent by its assignment to a new mission. The findings in this analysis appear to be consistent with David Mayhew’s theory that political leaders often seek symbolic value for their policy choices.

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1. WHO LEADS AND WHY?

In the wake of the 1995 bombing of the Murrah Federal Building in Oklahoma City, Congress focused on ways to improve police and firefighter response to domestic emergencies. Senators Nunn, Lugar, and Domenici spearheaded legislation that charged the Department of Defense (DoD) with the mission to train US emergency personnel in managing the consequences of weapons of mass destruction (WMD) events.\(^1\) Far from lobbying for the program, DoD was uninterested in the new mission and hired contractors to administer it. DoD ultimately divested itself of the program entirely, reaching an agreement with the Attorney General several years later to transfer the training program to the Department of Justice’s Office of Domestic Preparedness (ODP). Under ODP, the program expanded into a national Domestic Preparedness Program, building on the Department of Justice’s strong links with local law enforcement and first responder communities.

More than thirty-five years earlier, on the heels of the Soviet launch of Sputnik and its more ominous follow-on rocket, Sputnik 2, President Eisenhower oversaw the creation of the National Aeronautics and Space Administration (NASA). NASA’s birth as a civilian agency was hardly predestined. The Department of Defense had numerous space-related programs underway, particularly in the areas of reconnaissance and rocketry. Elements within the

Army and Air Force and the Advanced Research Projects Agency were in favor of organizing the national space effort under military leadership, as had occurred in the Manhattan Project. With the support of Senator Lyndon Johnson, the most powerful voice in the US Congress on space-related matters, Eisenhower’s preference for a civilian agency ultimately prevailed.

These brief, seemingly unrelated, vignettes help illustrate a simple truth: US political leaders sometimes choose civilian solutions to emerging problems and sometimes military solutions. In either case, the cause for selection is not always evident. When there is no viable alternative agent in the civilian sector, the rationale for calling upon the military in times of crisis may merely be one of expediency and capacity. This appears to be the case in Afghanistan and Iraq, where the US military has borne the majority of the responsibility for stabilization and reconstruction due to limited civilian capacity and the contested security environment in these countries. Even when viable alternatives seem to exist, however, there are instances in which political leaders have still assigned the mission to the US military. Responsibilities relating to domestic firefighting, counternarcotics, and global health surveillance are several examples of this seemingly curious mission assignment.

As the creation of NASA demonstrates, agent selection at times favors civilian actors. This can happen despite the existence of substantial military experience or know-how. The creation of the Federal Emergency Management
Agency, the Department of Homeland Security, and foreign police training are all instances of civilian agent selection over military alternatives. America’s tradition of civilian control of the military can act as a significant check on military “mission creep,” but the conditions under which American political leaders raise and lower this barrier are little discussed. Understanding those motivations and their underlying conditions could provide the political scientist with predictive power to identify likely national security agents.

For scholars of civil-military relations, the issue can be focused even more narrowly: what motivates the American public and its elected officials to turn to the military, or away from it, to manage perceived new threats? Although there has been considerable scholarly debate over the advisability of expanding the military’s role beyond traditional warfighting, there has been virtually no effort to understand why the military is sometimes decision-makers’ first choice for these missions. Furthermore, modern civil-military literature seems to accept the phenomenon of preferred military agency, whatever its causes, as universal. As the NASA case and its more modern parallels make clear, however, the military is not always the preferred choice.

For many pundits, setting aside the normative issue of the appropriate role of the military and instead assessing whether one can generalize about why mission assignment may at times preference military or civilian agents may be asking the far less interesting of the two questions. For the social scientist,
however, understanding the agent selection phenomenon is critical. It provides insight into how the President, Congress, and elites view the US military relative to other agents of government, with broad implications for national and homeland security. It also unveils the possible political, strategic, societal, and organizational dynamics that sway decision-makers to choose the military or its civilian counterparts. In both of these ways, understanding national security agent selection could fill a notable void in the civil-military literature.

The following two-by-two tables represent, in greatly simplified terms, the strategic interaction creating national security mission assignment. Figure 1 illustrates the military agency selection decision space:

<table>
<thead>
<tr>
<th>Political Decision-Makers Assignment Demand</th>
<th>US Military Assignment Demand</th>
<th>US Military No Assignment Demand</th>
</tr>
</thead>
<tbody>
<tr>
<td>Win</td>
<td>Win</td>
<td>Lose</td>
</tr>
<tr>
<td>Military Assigned Mission</td>
<td>Military Assigned Mission</td>
<td></td>
</tr>
<tr>
<td>Win</td>
<td>Win</td>
<td></td>
</tr>
<tr>
<td>Null Set (Civilian Control)</td>
<td>Mission Not Assigned to Military</td>
<td></td>
</tr>
<tr>
<td>Win</td>
<td>Win</td>
<td></td>
</tr>
</tbody>
</table>

- When political leaders and military circles overwhelming support a military agent (upper left), the mission is assigned to the military.
- Conversely, when there is no demand on the part of either the military or elected officials for assigning a task to DoD (lower right), other agents are given the responsibility. In these two quadrants, military supply and civilian demand are reconciled to the satisfaction of both sides.

- Absent a fundamental breach in civilian control of the military, there should be no cases in which the US military is undertaking a mission without approval of the elected government. The subordination of the military to civilian authority should thus create a null set in the lower left quadrant.

- In the upper right quadrant, civilian decision makers impose a mission on a reluctant military.

Figure 2 illustrates the same problem set from the civilian agency perspective.
A modest difference between Figures 1 and 2 is found in the lower left quadrant. Whereas civilian control of the military should produce a null set in Figure 1, Figure 2 is more likely to generate a few cases where civilian agencies are willing and authorized to spend resources to execute missions of little interest to elected officials. In addition to being few in number, these cases are also likely to be transient, as an agency would be unlikely to sustain a mission without financial relief from the White House and/or Capitol Hill.

These two-by-two matrices are illustrative. Few cases are likely to fall neatly into one of their boxes, as individuals or components within the political decision-maker, civilian agency, and military actor sets may lobby for a minority view on mission assignment.

This dissertation seeks to examine the factors affecting national security mission assignment decisions. It focuses on cases in which military or civilian agents are selected in lieu of the other. Chapter 2 provides possible clues and theories on agent selection drawn from existing political science and public administration literature. Chapter 3 then isolates six factors that this literature suggests as possible causes of national security agent selection. It also describes the research design and resulting dataset of instances over the past fifty-five years in which the nation’s political leaders appear to have made a conscious choice for military leadership, civilian leadership, or a division of labor between them in the national security realm.
Chapters 4 and 5 present case data for exploration of possible explanations to mission assignment choice. Chapter 4 process traces in detail three cases of military agency choice and two cases of civilian choice since the end of World War II, delineating the bureaucratic, societal, and geostrategic circumstances surrounding these choices. Chapter 5 provides three additional cases of agent selection occurring in a single mission area: US civil defense policy, which has passed from civilian to military hands and then back again over the course of thirty years. As with the short cases presented in Chapter 4, the author probes the various stages of civil defense agent selection for potential explanations.

Chapter 6 sifts through the evidence presented in the eight cases to determine which theories have the greatest explanatory power. The dissertation concludes with some areas for further research and thoughts on the implications of the findings for US national security policy.
2. STATE OF THE FIELD

Numerous strains of social science literature bear on the issue of agent selection and mission assignment. Existing works on civil-military relations and the history of American political development shed light on how civilian elites and the public view the standing US military and its roles relative to civilian agents. Presidential and national security scholarship relies on personal attributes of the president and agency leaders to explain decision-making in the Executive Branch. Congressional scholarship provides theories to explain members' voting motivations. Closely linked is the theory of the iron triangle, wherein interest politics come to dominate resource distribution in the US Government. Graham Allison's bureaucratic politics model provides possible insights into how competing interests within the government might contribute to policy decisions, and the public administration literature points to agencies' incentives to self-perpetuate. Each of these areas is addressed in turn below.

Civil-Military Relations

The civil-military relations literature can be roughly divided into two categories. One examines the military as a profession—its core principles and collective identity. The second looks at how the world's militaries are incorporated into governance structures, with much of the empirical research on developing countries and emerging democracies. The two strains of work are of course related, as a critical aspect of military professionalism is the distancing of military officers from political matters. Further, both are focused on assessing
and ensuring adequate civilian control over the military. Summarized below are three important representatives of civil-military relations literature: Morris Janowitz's *The Professional Soldier*, Samuel Huntington's *The Soldier and the State*, and Stanislav Andreski's *Military Organization and Society*.

Morris Janowitz's 1964 work, *The Professional Soldier*, is concerned with the changing nature of the military profession in the Cold War era. Janowitz's central argument is that attempts to make the military ethos more reflective of society need to be balanced against civilian respect for the unique contributions of the military mindset. "Recognition of the specialized attributes of the military profession," Janowitz states, "will provide a realistic basis for maintaining civilian political supremacy without destroying required professional autonomy."² One of Janowitz's primary concerns is the changing political behavior of the military amid the burgeoning Cold War infrastructure designed to control it. He attributes the politicization of the military to its need to respond to the differing requirements of the executive branch, in which control is highly centralized, and the legislative branch, in which control is diffuse. With the former, the military has to worry about maintaining the executive's attention in the face of competing bureaucratic interests; with the latter, the military has to remain ever ready to respond to congressional inquiry.

Relevant to this study, then, is Janowitz's conclusion on how the military copes with these realities. "The professional soldier thrives in this setting only if

he has the strongest positive commitments to the system of civilian control," Janowitz comments. "Fundamentally, this means that civilian supremacy is effective because the professional soldier believes that his political superiors are dedicated men who are prepared to weigh his professional advice with great care." Military professionalism therefore depends on civilian appreciation of the military's unique role and perspective.

Samuel Huntington's classic *The Soldier and the State*, penned seven years before Janowitz's work, addresses the question of how the military profession can best be protected from internal and external forces of disintegration. Huntington notes that the liberalism of America's forefathers prompted them to forego a standing army and that this position was widely supported in the United States until after World War II. The history of the early twentieth century and the omnipresent threat of the Cold War, Huntington argues, forced a reexamination of traditional liberalism, particularly its rejection of the standing army. The ultimate result, according to Huntington, was a shift from liberalism to a "new conservatism" that balanced civilian control with improved military readiness. New conservatism could take hold because the American public generally saw the military as apolitical and firmly rooted in democratic principles. To Huntington, this common appreciation of military professionals was crucial to the continuation of new conservatism. "If they [the military] abjure the military spirit, they destroy themselves first and their nation ultimately," Huntington warned. "If the civilians permit the soldiers to adhere to the military

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3 Ibid., 367.
standard, the nations themselves may eventually find redemption and security in making that standard their own."^4

In *The Soldier and the State*, Huntington identifies two approaches to subjective civilian control of the military within the United States.^5 The first, extirpation, involves the elimination of the military from liberal American society. The second, transmutation, occurs when liberal society is forced to accept an armed force in its midst, as it has since the end of World War II. Transmutation is a form of subjective military control that attempts to refashion the military along liberal lines in order to cope with the paradox of a standing military in a liberal society. Among its manifestations are heightened civilian interest in the militia and universal service, a loosening of the hierarchical nature of the military institution, and the use of the military for "socially desirable objectives."^6

It is this latter manifestation that ties the theory of transmutation to the process of mission assignment. Huntington states that the use of the military for non-warfighting missions “has been a persistent element throughout American history from the beginning of the public works activities of the Corps of Engineers down to the present time. It contrasts with the . . . view that the only purpose for military forces is war."^7 Because transmutation’s goal is “the subordination of functional military imperatives and the professional military viewpoint,” it offers

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^5 Ibid., 155-156.
^6 Ibid., 157.
^7 Ibid.
one explanation for why civilian elites might assign missions in the face of opposition from the military establishment.8

Civilian demands on the military are at the center of Stanislav Andreski’s *Military Organization and Society*. Andreski was the first of the post-World War II authors to write on the armed forces and society. He argued that society is pyramidically shaped, with a small number of elites at the top and the mass of society at the bottom. He then hypothesized that the few at the top would seek to control the military in order to retain their position of power. Andreski’s main contention is that the more reliant a military is on manpower from the masses, the less successful elites will be in abusing their power. Andreski’s work is directed at newly emerging states and the ends to which a powerful but small elite can put an impressionable and pre-professional military. It is thus not directly applicable to the modern US experience, and few scholars have pursued Andreski’s interest in how civilians might manipulate the military for their own purposes.9

The gap in the civil-military relations literature is therefore significant for those wishing to understand mission-assignment decisions. There is little theoretic or empiric work on how it is that, in liberal democracies, civilians have assigned seemingly non-military roles to the military. Even post-Cold War writing on civil-military relations ignores the issue of why civilians have turned to the

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8 Ibid., 155.
military for nontraditional missions. Instead, the topics of debate are, first, how to evolve the military profession in light of the increasing number of “political” missions the armed forces are assigned and, second, whether it is appropriate for the military to carry out these missions. 10

This gap in the literature may be due to authors’ focus on military professionalism to the exclusion of civilian professionalism and effectiveness. Moreover, whether civilian academics or retired military officers, those who write on the subject largely assume that the role of political leadership is one of negative control—constraining military power and budgets—rather than additive, positive control. 11 As the above summary of the civil-military relations literature demonstrates, the irony is that the continued professionalization of the military depends not only on its role as an apolitical agent of the state, but equally on political authorities’ appreciation of that unique role.

The President and National Security

“The President stands at the center of the foreign policy process in the United States,” states Morton Halperin and Priscilla Clapp in Bureaucratic Politics and Foreign Policy. “His role in and influence on decisionmaking are qualitatively

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11 A notable exception to this assertion is the subset of civil-military literature that examines civilians’ use of the military for “social experimentation.”
different from those of any other participant." Presidential scholar Michael Nelson agrees:

Presidents are held accountable, fairly or unfairly, for the functioning of the entire government, particularly when it comes to national security. It is a lot easier for voters to assign credit or blame to their member of Congress....It should come as no surprise that presidents seek power commensurate with their accountability.13

When it comes to national security, then, the president’s role and motivations should be central to understanding why one agent is selected over another.

The foundation of almost all scholarship on US presidential power is the work of Richard Nuestadt. Drawing on forty years of case studies, Neustadt argued that a chief executive’s power is derived from three main sources. First, the president has an inherent positional advantage that in many circumstances allows him to dictate his preferred solution to subordinates. Second, others’ calculations that the president is willing and able to use his power to achieve his preferred solution affect his success. Third, the view by these same stakeholders, be they in Congress or the Executive Branch, that the president has public support for his solution is critical. A president’s choices “are his means to conserve and tap the sources of his power.” Neustadt cautions, however, that “alternatively, choices are the means by which he dissipates his power.”14

Neustadt’s work is largely prescriptive, advising on how presidents should hold and increase their somewhat precarious power.\(^\text{15}\) Neither he nor subsequent presidential scholars attempt to assess in depth why presidents choose certain courses of action in peacetime beyond the scholarship on bureaucratic decision-making delineated below. Moreover, the subfield of presidential national security decision-making is dominated by an assessment of international and domestic factors affecting a decision to intervene with forces overseas. To date, the field has not paid significant attention to the rationale for president’s decisions to use the military over civilian agents, or vice versa, during times of peace or war.

**Congressional Politics**

Presidential scholars agree that Congress’s role in national security policy has been on the increase since the end of the Cold War.\(^\text{16}\) The dynamics behind congressional decision-making are highly relevant to the question of national security mission assignment. In his classic work, *Congress: The Electoral Connection*, David Mayhew contends that virtually all members of Congress focus on reelection as a proximate goal. He identifies three main types of activity that election-conscious members engage in: advertising, credit claiming, and

\(^{15}\)Although most social scientists view Neustadt’s work as unscientific, at least one presidential scholar believes Neustadt’s work contributes to a generalizable theory of accreting institutional power in the office of the president. See Matthew J. Dickson, “Neustadt, New Institutionalism, and Presidential Decision Making: A Theory and Test,” *Presidential Studies Quarterly* 35 (June 2005): 259-289.

\(^{16}\) For example, see Halperin and Clapp, 314 and Neustadt, 317.
position taking. Members advertise in order to create name recognition and a positive public image, using such media as newsletters, personal appearances, and letters and phone calls to constituents. Credit claiming is undertaken in order to demonstrate that the member is personally responsible for governmental action on a particular issue. Credit claiming is commonly achieved through the trafficking in particularized benefits, such as attending to constituent requests and complaints or providing “pork” to the home district. Further, benefits may be directed toward particular groups other than the home district, such as according to class, ethnicity, profession, issue area or other subgroup. As Mayhew explains, “campaign contributions flow into districts from the outside, so it would not be surprising to find that benefits go where the resources are.”

Because claiming credit credibly is difficult beyond such particularized allocations—witness the guffaws over “I invented the Internet” and other attempts to take individual responsibility for government policy—legislative actions that do not deal in such distributive politics are usually driven by position taking. By staking out positions and articulating them to constituents, the member is directly influencing his electoral hopes. Moreover, it is not policy success that is helpful to the individual member but the record of expressed political judgment, such as through roll call votes, floors addresses, speeches, and press releases. “The electoral requirement is not that [the member] make pleasing things happen.”

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notes Mayhew, “but that he make pleasing judgmental statements. The position itself is the political commodity.”

According to Mayhew, these electoral incentives have consequences for Congress’s three major functions: expressing public opinion, wherein Congress “emerges as a cacophonous chorus”; handling constituent requests, prompting the quick supply of particularized benefits; and legislating and overseeing administration. It is this last category, concerned with policy making, which relates to the mission assignment process most directly. In making policy and designating agents, members are motivated by the desires to claim credit and take positions. Mayhew argues that there are four distinct consequences for legislation. First, it is often marked by delay because members lack interest in mobilizing support for any particular policy outcome. Second, legislation is particularistic wherever possible so that members can credibly claim credit with an important constituency. Third and related, legislation often caters to mobilized interest groups, particularly those “nationally organized groups with enough widespread local clout to inspire favorable roll call positions on selected issues among a majority of members” or that are well endowed. Fourth, legislative effect is secondary to symbolic value. Congressional concern with administrative feasibility is quite muted, except where it affects important constituencies or committee jurisdictions.

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18 Ibid., 62.
19 Ibid., 130.
20 Ibid., 134, fn 108.
The primary concerns of credit claiming and position taking thus overshadow the pursuit of good government. Mayhew provides an excellent example of the how the tendency toward symbolic action is manifest: “When water pollution became an issue, it was more or less predictable that Congress would pass a law characterized as an antipollution act, that the law would take the form of a grant program for localities, and that it would not achieve its proclaimed end.” If congressional pressure for national security mission assignment adheres to these same conventions, one should see evidence that symbolic value and constituent gain outweighs policy considerations in agent choice.

**Bureaucratic and Interest Politics**

Literature related to the behavior of government bureaucracies could aid our understanding of mission assignment choice. Works in this genre stress the importance of processes, relationships, and incentives in evaluating and explaining government decisions. Graham Allison, William Niskanen, James Q. Wilson, and Peri Arnold each proffer possible theories that could explain, or be modified to explain, mission assignment.

Graham Allison’s *Essence of Decision* contains perhaps the most widely-read example of a bureaucratic politics theory. Allison’s model holds that “government decisions and actions result from a political process” in which the

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21 Ibid., 134.
interests and power of conflicting parties play a prominent role. "What moves the chess pieces," he explains, "is not simply the reasons that support a course of action, or the routines of organization that enact an alternative, but the power and skill of proponents and opponents of the action in question." The key factors in analyzing a decision through the lens of bureaucratic politics are who the players are; where they stand on the issue (which is derived from organizational interests); their actual and perceived power relative to other actors; and the realm of their interaction, usually defined by the broader political environment in which the decision-making process takes place.

Although Allison does not directly address the national security agent selection process, the bureaucratic politics model is easily applied to this phenomenon. For political decision makers to assign a mission to the Defense Department, for instance, bureaucratic actors must be arrayed in such a way that some combination of those with the most interest and power support the mission assignment. If the assignment is given over the objection of the military, it must be the case that the forces in favor of imposition have more bureaucratic power or interest than the military establishment. The same logic can be applied to selection of civilian agents. Simply testing these hypotheses would contribute to the political science literature.

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23 Ibid., 164-173.
Mission assignment could be driven by bureaucrats themselves, seeking to perpetuate their organizations by adding new tasks. Since Weber first wrote of bureaucracy, the study of organizations has examined the extent to which groups seek to expand their reach and budgets as an end unto themselves. Management sciences notable Peter Drucker stated, “‘Success’ in the public-service institution is defined by getting a larger budget rather than attaining results.”24 In a zero-sum or low growth environment, agencies that do not maximize their budgets will eventually be eclipsed by other agencies that have made a better case to Congress for budget growth.25

William Niskanen’s work is notable in this field. Niskanen theorized that bureaucrats are utilitarian, motivated by salary, reputation, power, ease of management, and expansion of output.26 As a result, bureaucrats maximize their organization’s budgets, or, as he later amended, their discretionary budgets. Since public bureaucracies cannot make a profit, maximization is constrained by the limitation that it cannot exceed the “minimum total costs of supplying the output expected by the bureau’s sponsor.”27 Bureaucrats must thus oversupply services and inflate costs in order to justify expanded budgets, and government services along with it. The bureaucracy’s sponsors in the Executive and Legislative Branches do not have the information necessary to properly oversee

24 Quoted in Randal O’Toole, Reforming the Forest Service (Washington: Island Press, 1988), 104.
25 Ibid., 107.
27 Ibid., 42.
the agency, with resultant inefficiencies in government services. Niskanen believes outsourcing should correct for these problems by introducing market incentives to improve performance.\textsuperscript{28}

If Niskanen’s theory applies to mission assignment, one should see agencies competing for new missions that promise higher budgets. These bureaus, and not their sponsors in Congress or the Executive Branch, should be the primary engines for expansion. Moreover, budgets for any new missions should expand over time, creating an oversupply of mission capability. One should also see an excess of capacity or mission capability relative to demand for capability. As a corollary, when effective congressional oversight mitigates principal-agent information gaps, new missions should be less expansive over time.

James Q. Wilson takes issues with Niskanen’s budget maximization theory. In \textit{Bureaucracy}, Wilson argues that government agencies and those populating them are guided by many more incentives than commonly acknowledged. A skeptic of general theories of bureaucratic behavior, Wilson argues that “bureaucrats have a variety of preferences; only part of their behavior can be explained by assuming they are struggling to get bigger salaries or fancier

\textsuperscript{28} Niskanen’s budget maximization theory, and its policy prescription for greater outsourcing of government services, has its critics. One critique is its inapplicability to a field such as US national security, where there are limited private sector parallels. John Conybeare, for example, argues that the more purely public a good is, the more difficult the comparison to private sector output. “Markets,” Conybeare argues, “will probably fail to provide any of the public good where there are a large number of beneficiaries.” John A. C. Conybeare, “Bureaucracy, Monopoly, and Competition: A Critical Analysis of the Budget-Maximizing Model of Bureaucracy,” \textit{American Journal of Political Science} 28 (August 1984): 492-493.
offices or larger budgets." He points to the effects of institutional culture, statutes and regulations, the pressures exerted by all three federal branches of government, and individual leadership capabilities and style, among other factors, on decision-making.

Wilson places special emphasis on the role of Congress, calling it "the architect of the bureaucracy." He notes that, at times, Congress chooses to limit its power over agencies. His examples imply that it does so, however, only when such limitations bring potential political gain to members. More generally, Wilson argues that the extent of congressional influence on (and interest in) an agency will depend on the political environment in which that agency operates and the types of tasks it performs. During peacetime, most national security agencies fall into Wilson's definition of a procedural organization. Such organizations have clearly defined and relatively visible tasks and processes, but the outcomes of their actions are difficult to measure. Wilson argues that procedural agencies are "vulnerable to any politician who wants to tell them how to do their job but deriving little help from them in evaluating how well the job is done."  

As with the type of task an agency is asked to undertake, the political environment contributes to how Congress acts with respect to agency activities.

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30 Ibid., 236.
31 Ibid., 245.
Wilson's description of an entrepreneurial environment appears to point to the causes of a congressionally-imposed assignment of emerging national security missions. Policy entrepreneurship often occurs on the heels of a scandal or significant media coverage that "inflames public sentiment."\(^{32}\) It relies on members of Congress seeking an issue on which to campaign, concentration of the costs of action, such as on a particular agency, and a widely distributed benefit from the action. Entrepreneurial solutions, such as the creation of a new agency, are obviously easiest to impose when opposition is modest, but even when a particular agency or interest group opposes a change, entrepreneurship can succeed.

Wilson's treatment of the president's role in agency life is equally illuminating. A good president seeks to make agencies accountable. The tools he uses to do so are choosing leaders, changing procedures, reorganizing agencies, and ensuring coordination. In appointing people, the president often seeks those who are ideologically compatible. In managing the bureaucracy, presidents frequently centralize control in White House operations. In reorganizing, presidents pursue a "fad diet" approach to improving outcomes.\(^{33}\) And, in coordinating, the president seeks to reduce agency duplication and harmonize competing interests.

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\(^{32}\) Ibid., 78.
\(^{33}\) Ibid., 264.
Wilson’s brief description of presidential motivations for reorganization is probably the most instructive of his insights for understanding how the chief executive views agency selection. “A reorganization promises a painless way of making big changes,” he states. “Of course, not all reorganizations are intended to make a difference; some...were intended chiefly to satisfy campaign promises or to appease politically important interest groups.” Agency mission assignment, whether accomplished through reorganization or simple addition, can be seen as one manifestation of the president’s attempt to live up to public expectations or campaign promises at low political cost. In the area of national security, Wilson predicts that a president’s routine influence is likely to be greater than that of Congress because of its procedural nature, in which there are distributed benefits and concentrated costs.

Complementing and often reflecting the academic and business literature on government decision-making is the series of government reform commissions, panels, and reviews that have accompanied the growth of the Executive Branch. Peri Arnold has chronicled the rise of presidentially-created panels. Arnold distinguishes three periods of influence on the reform of government processes. In the first era, from 1905 to 1949, reform efforts aimed to describe and justify presidential power as a means of better managing the administration of government. In the second era, from 1949-1972, presidential commissions focused on the need to increase analytic capacity in the government, such as the

34 Ibid., 265.
Defense Department's systems analysis approach developed under Robert McNamara. The third phase, begun in 1976 and continuing today, seeks to bring efficiency through customer focus, privatization, and improved process performance.

Whereas structural reorganizations were prominent in the first phase, the latter two phases focused more attention on business process improvements. Such evolutions are unsurprising, as they mimic more general trends in management theory. They are nevertheless important in their implications. Arnold argues that the first two periods of reform literature aimed to create political power for the president through the guise of apolitical administrative changes. If there is a relationship between the motivation for creating these panels between 1905 and 1972, then that for national security mission assignment over the same period, when instigated by the Executive Branch, ought to display a public rationale of apolitical, administrative (re)alignment. One might nevertheless find evidence of private political motivations.

Arnold's analysis, if applicable to mission assignment, indicates a shift in rationale for reorganization and reform by the mid-1970s. Presidential statements about mission assignment after this period should indicate a desire to reduce public discord with government operations, even if at the expense of strengthening administrative rationality. As compared to prior eras, private statements should be focused less on accreting power to the Executive Branch.
than on improving electoral prospects. "Comprehensive reform identifies a president with aspirations or values that might guide voters' choices," Arnold states. "It is not the activity of reform that can rise to the level of a major issue, but comprehensive reform can serve a president politically by evoking symbols and values that are major concerns with the electorate." Could the same be said for national security agent selection?

This chapter presents the state of the field on agency mission assignment and decision-making in the national security realms. The literature summarized above illuminated several themes that may bear on how and why US decision makers select military or non-military agents for pressing national security missions. These include strategic factors relating to the environment (Huntington), the role of the military in society (Janowitz, Huntington, and Andreski), electoral rationales (Wilson, Mayhew, and Arnold), and agency motives and interactions (Allison, Niskanen, and Wilson).

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3. RESEARCH DESIGN AND METHODOLOGY

In Chapter 2, I established that multiple social science and public administration fields can shed light on the question of national security mission assignment. At the same time, the discussion in Chapter 2 underscores the inadequacy of existing literature in determining how agent selection occurs in the United States. This appears to be the case for domestic as well as foreign policy choices. Limiting myself to US national security policy as a window of inquiry, I seek to understand what geostrategic, societal, and agency factors may affect the assignment of missions to military or civilian agents.

**Inferring Theories of Mission Assignment**

There are no existing theories of national security mission assignment. Some of the literature delineated in Chapter 2 could be extrapolated to create such a theory, especially the work relating to models of interest politics and bureaucratic and congressional decision-making. Further, civil-military relations literature may provide unique insight into the way in which American political leaders view the uses of the military in peacetime. The research design therefore focuses on gaining case study insights from which one might infer a theory of mission assignment with strong explanatory power in the national security realm. Work from the fields of civil-military relations, public administration, and political science reviewed in Chapter 2 point to several key factors, summarized below, that may contribute to national security mission
assignment. In each case study probed in Chapters 4 and 5, I assess the potential role of these factors in the search for a possible mission assignment causal chain.

STRATEGIC FACTORS

Nature of the strategic environment: During the Cold War, the military was almost entirely focused on its warfighting mission. Some observers believe that in the 1990s, political authorities increased the number of non-traditional military missions because a strategic vacuum allowed them to do so. In the post-September 11 environment, the military is once again deeply engaged. This period has led to a counter claim: that the dramatic threat posed by Al Qaeda and associated movements has ushered in an era of militarization of national security. Is there a relationship between the security of the international system and the selection of agents for national security missions? Does peace favor the use of the military or does conflict?

SOCIETAL FACTORS

Perceptions of the Military and Civilian Agents: Is the concern about a standing military that is rooted in American liberal tradition easing? Although concern is at times expressed about the possible militarization of national security, since the 1980s the majority of Americans have expressed general comfort with the military and its role in missions from counternarcotics to homeland security to policing abroad. In 1971, the Harris Poll found only 27 percent of Americans had
confidence in their military. Since 1989, however, the same poll has named the US military as the most admired institution in the country. As traditional liberalism abates, has circumspection about the military likewise eased and relative confidence in civilian institutions declined?

Do decision-makers view either the military or civilians as more effective agents for particular types of missions? Is there a belief among political decision-makers that assigning a task to the military offers a better chance of success than assigning it to a domestic agency? How might this factor differ in cases of civilian agent selection?

POLITICAL FACTORS

Electoral Value: Does one agent or another provide greater electoral value to the decision-maker(s)? How much do distributive politics, symbolic action, and the concentration of executive power appear to weigh in the agency selection decision?

AGENCY FACTORS

Agency design: Many civilian agencies are sized and shaped for day-to-day operations; the U.S. military is by design a surge force, with a substantial capability available on a daily basis. Agencies are also designed to cultivate

particular expertise: the Department of State provides diplomacy, the US Department of Justice provides law enforcement, the US Agency for International Development works against global poverty. Can national security agent selection be correlated with the nature of the mission and the nature and expertise of the agent?

**Budgetary consequences:** Mission assignment requires resourcing. Both the president, in developing the budget, and Congress, in authorizing and appropriating funds, have a role in creating and sustaining or altering agencies’ resources for missions. Do they find ease and advantage in funding some types of projects through one agent over another? Does the relative size of the Defense Department create an almost irrefutable logic that causes leaders to refer it for new missions?

**Inter- and intra-agency politics:** Within the bureaucracies themselves, are there substantial push and pull pressures to assign a mission to a particular agent? For example, are there subunits within the military establishment lobbying for a task, or is there an attempt by other agents to pass off unwanted missions to an obedient, can-do military?

**Case Universe**

To weigh the strength of these factors on national security mission assignment, I assessed a series of cases from the following categories:
1) National security missions seemingly within the purview of another
agent—or sought by another agent—that were assigned to the
Defense Department,

2) National security missions seemingly within the purview of the
Department of Defense—or sought by the Department of Defense—
that were assigned to a civilian agency.

For purposes of scoping the case universe, national security herein is defined to
include the defense of the United States of America, protection of its
constitutional system of government, and the advancement of US interests
around the globe.\(^{38}\) Mission is defined in accordance with common military
usage: a duty assigned to an individual or unit; a task.\(^{39}\) Mission assignment is
coded as civilian if a civilian agency is assigned responsibility for a mission, such
as in statute or executive order. Mission assignment is coded as military if an
element of the Department of Defense was given responsibility for the mission,
such as in statute or executive order. I included the National Guard and US
Coast Guard operating in their Title 10 roles as elements of the Department of
Defense.\(^{40}\)

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\(^{38}\) There is significant debate over the appropriate scope and definition of national security. The
definition used here conforms to "traditionalist" views of national security and is drawn from
President George W. Bush, *Organization of the National Security System*, National Security
Presidential Directive-1 (NSPD-1) (February 13, 2001): 1. As of this writing, President Obama
has not updated Bush's definition.

\(^{39}\) Derived from the *DoD Dictionary of Military and Associated Terms*, Joint Publication 1-02, as

\(^{40}\) Except when explicitly directed to operate as an arm of the Department of Defense under Title
10 of US Code, the US Coast Guard is an element of the Department of Homeland Security.
Likewise, National Guard units serve in their state capacity (Title 32) except when expressly
directed to operate as an arm of the Department of Defense (Title 10).
Two further limitations on the case universe are important. First, the data set is limited to agency selection within the United States. The proscribed role of the US military in American society, the absence of a constabulary force or national police force to whom political leaders could turn for “non-traditional” or paramilitary security missions, and the interactive effects of the competing branches of federal power, widely cited in past literature, should make the factors affecting mission assignment unique in the United States. Second, the case universe is limited to instances of national security mission assignment since World War II. The rapid expansion of the congressional committee system, the growth and institutionalization of the Executive Branch’s national security structure, and modern scholarly and public views of relative US military and civil servant roles and capabilities all trace their origins to the years immediately following the US defeat of Japan, marking the distinctiveness of the current era.

Using all of these parameters, I conducted a full-text search of the *New York Times* from January 1, 1946 to January 1, 2008 to identify possible cases of US national security mission assignment. My primary search term was “military.” In cases where political leaders chose civilian agents in lieu of military alternatives, the term “military” should nevertheless appear. I then cross-checked this approach by reviewing all instances of “mission” and, separately, “national security” used in the *New York Times*. These searches revealed
eighteen cases of national security mission selection over the past fifty years. Table 1 displays the universe of plausible cases.
<table>
<thead>
<tr>
<th>National Security Issue</th>
<th>Agent Assignment</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atomic energy, 1945-1946</td>
<td>X</td>
<td>The Atomic Energy Commission was established as a civilian agency after consideration of making it report to the Secretary of War and having military representation</td>
</tr>
<tr>
<td>Administration of Germany, 1944-1949</td>
<td>X</td>
<td>After clear perception of civilian inadequacies for the mission, and immediate need for military control following the end of the war, the military is assigned responsibility for a &quot;middle&quot; period of administration. Despite some discussion of the need to transition to civilian US administration, it did not occur.</td>
</tr>
<tr>
<td>Administration of Japan, 1945-1952</td>
<td>X</td>
<td>No evidence of potential US civilian leadership.</td>
</tr>
<tr>
<td>Domestic intelligence</td>
<td>X</td>
<td>No evidence of potential US military leadership</td>
</tr>
<tr>
<td>Foreign intelligence, 1947-present</td>
<td>X</td>
<td>CIA was established as a separate, civilian agency, but military intelligence services were allowed to remain independent.</td>
</tr>
<tr>
<td>Space exploration, 1957-present</td>
<td>X</td>
<td>NASA was established as a separate, civilian agency. Other agencies, including DoD and the intelligence community, retain sizable space-related programs, but NASA leads for space exploration.</td>
</tr>
<tr>
<td>Civil defense, 1950-present</td>
<td>X</td>
<td>Civilian agency (1950-1961); military lead (1961-1979); civilian lead (1979-present).</td>
</tr>
<tr>
<td>Narcotics detection and monitoring, 1989-present</td>
<td>X</td>
<td>Congress pushed President George H. W. Bush to give DoD the lead, which he did despite significant military opposition.</td>
</tr>
<tr>
<td>Vietnam Pacification, 1967-1975</td>
<td>X</td>
<td>Johnson created the civil operations and revolutionary development support (CORDS) structure to have civilian leadership but be embedded in a military organization (MACV). In practice, operated with relative independence.</td>
</tr>
<tr>
<td>Development assistance (USAID and Peace Corps), 1945-present</td>
<td>X</td>
<td>No evidence of potential military role. There was some consideration of allowing peace corps service count as selective service duty.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>National Security Issue</th>
<th>Agent Assignment</th>
<th>Civilian</th>
<th>Military</th>
<th>Mixed Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil engineering, 1945-present</td>
<td></td>
<td></td>
<td></td>
<td>X Army Corps of Engineers frequently used for non-military construction.</td>
</tr>
<tr>
<td>Domestic law enforcement and disaster relief, 1945-present</td>
<td>X</td>
<td></td>
<td></td>
<td>Clear civilian lead, with decentralized, federal approach. DoD provides support upon request.</td>
</tr>
<tr>
<td>Training domestic first responders in WMD consequence management, 1995-present</td>
<td></td>
<td></td>
<td></td>
<td>X In 1995, Congress assigned lead to DoD. DoD subsequently transferred the mission to the Department of Justice. The mission is now under the purview of the Department of Homeland Security.</td>
</tr>
<tr>
<td>Training foreign police, 1957-present</td>
<td>X</td>
<td></td>
<td></td>
<td>Eisenhower created the USAID Office of Public Safety. Congress banned training in 1974 amid the &quot;Family Jewels&quot; intelligence scandals. Congress subsequently allowed ever-broader exceptions, especially for counternarcotics purposes. Leadership has shifted from USAID to Justice to State. Most recently, DoD has assumed significant responsibility in Iraq and Afghanistan and has been granted some flexible authorities for providing foreign security force (including police) assistance, provided the State Department concurs.</td>
</tr>
<tr>
<td>Stabilization and reconstruction/peacekeeping</td>
<td></td>
<td></td>
<td></td>
<td>X In non-permissive or semi-permissive environments, this mission has largely been military-led due to limited civilian capacity and exigencies of post-conflict environments. The various Provisional Reconstruction Team (PRT) concepts employed in Iraq and Afghanistan attempt to mix membership, akin to the Vietnam-era CORDS program.</td>
</tr>
<tr>
<td>Critical infrastructure protection, 2003-present</td>
<td>X</td>
<td></td>
<td></td>
<td>The Department of Homeland Security is assigned leadership for domestic critical infrastructure protection. DoD has responsibility for protecting its own infrastructure and ensuring protection of the defense industrial base.</td>
</tr>
<tr>
<td>Counterterrorism, 1970s-present</td>
<td>X</td>
<td></td>
<td></td>
<td>The State Department is the lead agency for counterterrorism overseas; the FBI has lead within the US. DoD typically has overseas lead when military assets are required. To date, DoD has never had domestic lead.</td>
</tr>
</tbody>
</table>
This case universe appears relatively small. The small data size could be due to the rarity of an explicit civilian versus military agent selection phenomenon. The presence of several "mixed" agent selection cases, in which evidence points to different agents used at different times or for different mission sub-sets, seems to underscore the likely infrequency of civil-military agent trade-offs in post-World War II American history. Italicized in Table 1 are cases where agency assignment appears to have been uncontested. There are most likely many more such cases that never rise to public interest or reporting but are instead handled as routine matters of administration and governance.

Alternatively, the paucity of cases may be due to my reliance on the New York Times. If explicit agent choice typically occurs behind-the-scenes in the bureaucracies of Washington, it may not be reported. If agent choice does not elicit sufficient opposition from the "losing" party, it also may not be reported. And, if the public or elites are uninterested in why a civilian or military agency may be, or has been, selected for a new mission, it most certainly will not be reported.

Despite these cautions, the eighteen-case data set provides a sufficient number and range of cases to test for causes of civilian or military choice in national security mission assignment. The case set itself also demonstrates the importance of the questions posed. Issues such as space research, drug interdiction, atomic energy research and control, and cyber policy required a
conscious choice of civilian or military leadership over the alternative. The implications of these decisions have been significant, both in terms of the missions’ success and how the mission is perceived by political elites and the American public.

The next two chapters step through the evidence for mission assignment decisions in eight cases. Chapter 3 illustrates three cases of military mission assignment and two cases of civilian mission assignment. Chapter 4 delves in-depth on mission assignment for civil defense, which switched from civilian to military and back to civilian again, creating three additional unique cases of mission assignment.
4. SELECTED CASES OF AGENT CHOICE

The decision to assign a national security mission to one agency over another has been documented well over one dozen times since the end of World War II. This chapter explores five such cases that cover every decade from the 1940s to present. In three, elected officials chose military agents for important new missions. These are post-World War II military governance in Germany, counternarcotics detection and monitoring at the end of the 1980s, and domestic weapons of mass destruction training programs in the 1990s. Two cases that serve to highlight the factors at work when civilian agents are selected then follow. These are the 1957 creation of a civilian NASA and assignment of responsibility for training foreign police, which continues as an issue in current operations in Iraq and Afghanistan.

Choosing Military Agents

Since the early 1990s, civil-military and national security experts have heatedly debated the soundness of expanding missions for the military. In the post-September 11 era, some have begun to claim that foreign policy itself has become "securitized," from the role of Combatant Commanders in diplomacy to new authorizations and appropriations for the Defense Department in the realms of development assistance, reconstruction and stabilization efforts, and the

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training and equipping of foreign security forces. Although perhaps not reaching its rhetorical apex until after the Cold War, the phenomenon of expanding military use, particularly for the Army, is hardly unique to the current period. In the 19th Century, for instance, the US Army was called upon to manage several natural resource programs, including a "lead-lease" program, whereby land owners would lease their territory to the US government for mineral extraction, and domestic water tributary management. It also housed the national weather service until 1890. During World War I and World War II, the Army guarded key economic facilities. Following World War II, the military assumed governance responsibility for both Japan and the US sector of West Germany. With victory in Europe preceding that in the Pacific by several months, the decision to have the military govern West Germany until a transfer of power to the newly sovereign nation was perhaps the first national security mission assignment of the modern US era.

**Governing Germany**

One year into the Second World War, the US Army established a School of Military Government in Charlottesville, Virginia and a Military Governance Division within the War Department. Although the Army's desire for military

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governance capacity actually preceded the US entry into the War, that conflict made its necessity.

The School of Military Government had been conceived before Pearl Harbor to remedy a potential deficiency by providing the Army with a nucleus of trained military government officers. However, the country was then plunged into a global war, and long before the first class assembled at Charlottesville, the Army's eventual engagement in military government was inevitable. What had been a contingency was soon to become a reality and a vital one.45

The Army defined its intended mission as establishing a “phase 1” of military governance in the immediate aftermath of hostilities and a “phase 2” in which it would hand off governance tasks to civilian control during a period of occupation.46 Despite this doctrine, the War Department actually assumed local, host nation control would be restored immediately following phase 1, thus eliminating any need to train U.S. civilian agencies in foreign governance.

The Army appears to have had two primary motives behind its desire to remedy its inadequacies for post-conflict governance. The first was a desire to prevent the creation of competing or parallel civilian and military chains of command following the cessation of hostilities. Such duality would complicate management of the battlespace and threaten the on-ground commander’s ability to control all US government activity in his area of operations. The second was a

fear that civilians, if given responsibility, would fail in whole or in part, leaving the United States unprepared for governance operations and risking the loss of strategic ground the military would have gained.

Some civilian agency heads were suspicious about the Army’s ambitions for military governance and its capability to fulfill these ambitions. At a 29 October 1942 cabinet meeting, Secretary of the Interior Harold Ickes raised concern about the potential imperialistic undertones of Army leadership in post-conflict governance. Civilian officials also questioned the quality of the Charlottesville school’s student body and faculty. Some accused the Army of packing the school with Republican, anti-New Dealers who might be anti-democratic or even racist. They also found the faculty wanting in prestige and inexperienced in key governance sub-fields, particularly international law. These trepidations were not universally shared among civilians, of course. Secretary of Treasury Hans Morgenthau, for example, had relayed his satisfaction with the Army’s plan to the War Department’s leadership.

Nevertheless, President Roosevelt was sufficiently concerned following the October cabinet meeting to write to Secretary of War Henry Stimson reprieving him on the establishment of the War Department’s Charlottesville school:

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47 Notes from Cabinet meeting dictated by Under Secretary of War Judge Robert Patterson. Memo, Col Robert N. Young, SGS, for CG, SOS, 30 October 43 [sic], PMGO files, 321.19, MG, in Coles and Weinberg, 233.
48 Notes from Under Secretary of War Judge Robert Patterson telephone conversation with Army Provost Marshall Gullion, 4 September 1942, in Coles and Weinberg, 18-19.
I understand that the Provost Marshal General is training a substantial number of men from civil life to assume the duties of Military Governor or civilian advisors to Military Governors of occupied territories. I should like to have from him a complete explanation of the project—a list of the personnel, officer and civilian, under such training, and a statement of their previous experience.

This whole matter is something which should have been taken up with me in the first instance. The governing of occupied territories may be of many kinds but in most instances it is a civilian task and requires absolutely first-class men and not second-string men.49

Roosevelt’s concern prompted White House officials to investigate the Army’s efforts. Roosevelt sent an emissary to view the school and meet with faculty and students. His report back to Roosevelt was positive, and for at least seven months following the October cabinet meeting, Roosevelt appears to have been complacent about the Army’s doctrine, schoolhouse, and de facto leadership. Given his stated belief that post-conflict governance was a civilian task, the reason for such complacency was likely his recognition of inadequate civilian alternatives to the Army. One of Secretary Ickes’s advisors lamented that, despite their possession of the “specialized experience and skill needed for post-war world reconstruction,” civilians had offered not offered a viable plan for the world. “The Army did,” he told the Secretary of the Interior. “And so the Army is moving in by default.”50

The realization that civilian agencies were not yet up to post-hostility challenges was reinforced by ongoing experience in North Africa. There, the

49 Memo, FDR for the Secretary of War, 29 Oct 42, in Coles and Weinberg, 22.
State Department was in charge of all political and economic issues, working alongside the military. In addition, the Bureau of Economic Warfare and Department of Agriculture had a development role and the Lend-Lease Agency a procurement, finance, and distribution role. All four agencies appeared to fail in executing their missions, let alone in integrating them. Further complicating the problem, they all operated alongside the US military, under General Dwight D. Eisenhower’s leadership. Eisenhower chafed at the State Department representatives’ dual reporting chain and the confusion over civilian and military roles and responsibilities. He wrote to General Marshall, “I am having as much trouble with civilian forces behind aiding us as I am with the enemy in front of us.” 51

James E. Webb, Director of the White House’s Bureau of the Budget, sent Roosevelt a memo on 6 February 1943 concluding, “It is the confusion in the basic war jobs—the multiplicity of operating agencies—which complicates the task” of governing North Africa. 52

President Roosevelt did not necessarily conclude from this experience that unified command of post-conflict operations under military leadership was the preferred solution to this confusion. In June 1943, he once again admonished Stimson to limit the scope of military involvement in such missions:

The civilian agencies have considerable experience and talent that it would be difficult and undesirable for the Army to duplicate. The military operations of our Army should not be unnecessarily diluted or diverted by the questions affecting relief, rehabilitation, reconstruction, restoration of

51 Thijs Brocades Zaalberg, Soldiers and Civil Power: Supporting Or Substituting Civil Authorities in Modern Peace Operations (Amsterdam: Amsterdam University Press, 2006), 27.
52 Memo, James E. Webb, Director of BoB, for Roosevelt, 6 Feb 42, WDCSA files, 386, Africa, 1942, in Coles and Weinberg, 40.
Roosevelt's memo to Stimson followed the creation within the State Department of two coordinators: the Office of Foreign Relief and Rehabilitation Operations and the Office of Foreign Economic Coordination. There lay great hope in the creation of these civilian coordinators, but their fate followed an all-too familiar bureaucratic path. Initially, other civilian agencies resisted their coordination role, and their co-existence with various other agencies, positions, and committees across the government only increased confusion over responsibilities. The lack of progress prompted President Roosevelt to consolidate coordination offices, as well as the Lend-Lease Administration and the Office of Economic Warfare, into a newly-created Foreign Economic Administration (FEA). The FEA centralized authorities and resources for controlling foreign purchases of strategic materials, relief operations in liberated countries, and the supply of arms to allied nations.

In creating the FEA, however, Roosevelt replaced one civilian coordination seam with another. *Time* magazine reported shortly after Roosevelt's decision that Secretary of State Cordell Hull, who had accreted significant power for civilian reconstruction, was pleased that the State Department could now return

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53 Letter to Stimson, 3 June 1943, CAD files, 334, OFEC (5-29-43) (1), Coles and Weinberg, 100.
54 Executive Order 9380, September 25, 1943.
to a strictly diplomatic lane. In reality, however, State Department officials treated the FEA as a competing power center, and civilian capacity-building continued to flounder.

While civilian agency efforts struggled, the Army established a Civil Affairs Division and began to prepare in earnest for “phase 1” operations. In November 1943, President Roosevelt assigned the Army responsibility for initial humanitarian relief in the event of Germany’s collapse or surrender. His statement upon doing so betrayed his grudging acceptance that civilian organizations could not provide immediate relief on the scale required by a collapse of the Nazi regime:

Although other agencies of the Government are preparing themselves for the work that must be done in connection with the relief and rehabilitation of liberated areas, it is quite apparent if prompt results are to be obtained the Army will have to assume the initial burden of shipping and distributing relief supplies. This will not only be the case in the event that active military operations are under way, but also in the event of a German collapse. I envisage that in the event of a German collapse, the need for the Army to undertake this work will be all the more apparent.

Therefore, I direct that you have the Army undertake the planning necessary to enable it to carry out this task to the end that it shall be prepared to perform this function, pending such time as civilian agencies must be prepared to carry out the longer range program of relief.

After that point, civilian agencies appear to have ceded the principle that all immediate post-hostility, or phase 1, nation-building would be led by the

56 See Ltr, Roosevelt to Stimson, 10 Nov 43, WDSCA files, 014 (1943), Coles and Weinberg, 108, and Minutes, Mtg in McCoy’s office, 14 Jan 1944, ASD, ID, Hist of Civ Sup, DS-171, in Coles and Weinberg, 110.
military. The Army established coordination mechanisms with the State Department and the FEA. By late July 1945, President Truman formally assigned the Army all responsibility for political and economic governance of Germany, and on October 1, 1945, General Eisenhower assumed the leadership of the Office of Military Government US.

**Counternarcotics**

In 1973, President Richard M. Nixon established the Drug Enforcement Agency to consolidate federal drug control efforts. At the time, Nixon declared:

> The federal government is fighting the war on drug abuse under a distinct handicap, for its efforts are those of a loosely confederated alliance facing a resourceful, elusive, worldwide enemy. Certainly, the cold-blooded underworld networks that funnel narcotics from suppliers all over the world are no respecters of the bureaucratic dividing lines that now complicate our anti-drug efforts. 58

The military had largely been on the sidelines of the "war on drugs" prior to DEA's establishment. It had provided ground sensors to the US Border Patrol in 1966 to aid in the tracking of smugglers and illegal immigrants. It had also given the Department of Justice a Vietnam-era surplus plane for use in tracking and interdiction. The limited nature of the military's involvement continued through the 1970s. In 1977, the Hawaii National Guard provided helicopter support to that state's efforts to find marijuana fields. That same year, the US Army

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57 "On 15 November 1943, the Secretary of War held a conference...at which it was stated that the Secretary of War and Secretary of State had agreed that initial responsibility for civilian relief in occupied areas should rest with the Army, and that civilian agencies would concern themselves with the long-range program afterwards." Draft of Memo for Rcd, OCS, 18 Dec 43, CAD files, 400.38 (2-20-43) (1), sec. 3, in Coles and Weinberg, 109.

provided Mexico with helicopter equipment and pilot training in support of Operation Condor, a Mexican aerial herbicide spraying campaign.

In 1981, Congress amended the Posse Comitatus Act to allow a limited range of military assistance to domestic law enforcement agencies. The Posse Comitatus Act prevents the U.S. Army or Air Force from enforcing the nation’s laws or otherwise acting as the “power or force of the county” within the United States, except where authorized by Congress. The 1981 amendment responded directly to public pressure for a stronger federal counternarcotics effort. It authorized the Defense Department to loan equipment, facilities and people to law enforcement agencies; operate military equipment used in monitoring and communicating the movement of air and sea traffic, and operate military equipment for overseas interdictions that supported law enforcement agencies, if supported by a joint declaration of emergency by the United States and the foreign nation. The amendments left intact Posse Comitatus’ fundamental tenet that military personnel could not conduct search and seizure or arrest activities unless otherwise authorized by law.

The 1981 Congressional amendment was not supported by any of the federal agencies involved in counternarcotics or by the military itself. “In fact,” as a pair of researchers aptly described, “the effort prompted an unlikely alliance between federal drug enforcement officials, who feared DOD dominance over a

59 United States Code, Title 18, Part I, Chapter 67, Section 1358.
high-profile mission; DOD officials, who feared a resource drain away from the department’s primary mission; and civil libertarians, who feared an eventual military state.” Secretary of Defense Caspar Weinberger, who had been a strong opponent of DoD leadership in counternarcotics efforts, began systematic provision of support to domestic law enforcement agencies in accordance with the amendments to the Posse Comitatus Act. He issued a Department Directive in March 1982 to guide the handling of requests for assistance from civilian law enforcement agencies, and by the end of that year had approved 121 of 126 requests for assistance. Only six months later, requests for assistance had ballooned to 453, of which DoD had approved 436. In the maritime realm alone, US Naval patrol days on counternarcotics missions rose from zero in 1983 to 2,325 in 1987. This followed the 1982 decision to allow US Coast Guard personnel to ride on Navy ships to conduct law enforcement.

Throughout the 1980s, US public concern about drugs continued to increase. Between 1982 and 1986, the percent of public respondents to a Chicago Foreign Affairs Council poll who stated that drug abuse was one of the three biggest problems facing the United States leapt from 3 to 27 percent. Taken at the height of the Cold War, the 1986 response level on drug abuse

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64 LTC Juan L. Orama, US Military Evolution in Counternarcotics Operations in Latin America (Strategic Studies Institute, USAWC: 10 April 2001), 9.
exceeded that for every foreign policy category, including “war/peace/defense” and was second only to a catch-all “other” category within domestic affairs. Foreign policy leaders were substantially less alarmist over this same period, with concern about drug abuse rising from 1 to 8 percent. Even more telling was the difference of opinion between public and elite in 1986 on support for the use of US military forces overseas in drug operations. Whereas 29 percent of the public expressed support for military counternarcotics operations, only 7 percent of elites agreed.

US military personnel did in fact participate in a DEA-led operation to disrupt cocaine production in Bolivia in 1986. The congressionally-authorized Operation Blast Furnace constituted the first use of active duty soldiers in a counternarcotics mission on foreign territory. It involved six Blackhawk helicopters and 160 US Army personnel. That same year, the Congress passed an Anti-Drug Abuse Act, which authorized greater DoD spending in support of interdiction efforts. Some members of Congress sought a greatly expanded role for the military in the drug campaign overseas, including aerial “hot pursuit” arrest authority, but its authorities ultimately remained unchanged from the 1981 amendment to Posse Comitatus.

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66 Ibid., 37.
67 The Hunter-Robinson Amendment to this effect was defeated in the Senate.
That same year, President Reagan issued National Security Decision Directive (NSDD) - 221 entitled *Narcotics and National Security*. The NSDD declared that “the expanding scope of global narcotics trafficking has created a situation which today...threatens the national security of the United States.”

Drugs were seen to be a national security threat primarily because of their destabilizing effect on democratic allies, particularly in the Western Hemisphere. The presidential directive ordered the Secretary of Defense to work with the Attorney General and Secretary of State to “develop and implement any necessary modifications to applicable statues...to enable US military forces to support counter-narcotics efforts more activity, consistent with the maintenance of force readiness and training.”

Between fiscal year 1982 and fiscal year 1987, DoD spending on narcotics interdiction support rose from $5 million to $405 million. There was public and political pressure over this timeframe to escalate the Defense Department’s involvement in counternarcotics activities even further. Military and civilian defense leaders in the Pentagon resisted a leadership role for the mission, however, preferring to support the State Department and Justice Department.

Former Secretary of Defense Caspar Weinberger cautioned in a 1988

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69 Ibid., 3.
Washington Post opinion piece that he saw limited promise in expanding the military's role:

Calling for the use of the government's full military resources to put a stop to the drug trade makes for hot exciting rhetoric. But responding to those calls would make for terrible national security policy, poor politics and guaranteed failure in the campaign against drugs.\(^{72}\)

His successor, Frank Carlucci, argued along similar lines in testimony before Congress that year.\(^{73}\)

Nineteen-eighty-eight saw the creation of a lead responsibility for the US military in counternarcotics. The 1989 National Defense Authorization Act declared drugs a “clear and present threat to U.S. security” and named DoD as the lead agency for aerial and maritime detection and monitoring of drugs headed for the United States. The Act required the Defense Department to integrate certain command, control, and technical intelligence assets to ensure their dedication to drug interdiction and to fund state plans for using Army National Guard soldiers and Air National Guard airmen to support law enforcement agencies and community-based organizations. Congress directed DoD to provide promptly to civilian agencies any intelligence information related to the drug trade that it collected. This direction was followed by an August 1989 national security directive, in which President George H. W. Bush updated Ronald Reagan's 1986 NSDD by directing a vast expansion in U.S. military


\(^{73}\) Secretary of Defense Frank Carlucci, testimony before the Joint Hearing: Senate Committee on Armed Services and the House Committee on Armed Services' Subcommittee on Investigations and the Defense Policy Panel, 15 June 1988, 1.
counter narcotics aid to Andean nations and relaxing the rules of engagement for these forces when serving in Andean countries.  

Under President Bush, the resistance of senior Defense Department civilians to the counterdrug mission eased somewhat. Defense Secretary Cheney declared the new detection and interdiction mission “a high-priority national security mission for the Pentagon.”  

Cheney assigned the interdiction lead mission to all Combatant Commands, resulting in the creation of three joint task forces to coordinate civilian and military efforts. With the passage of a September 1988 amendment to Title 10, law enforcement agencies were required to reimburse DoD for counternarcotics support, easing a significant source of prior friction. By Fiscal Year 1991, the Defense Department was spending about $1 billion annually on counternarcotics.

Yet these changes in attitude, and very real improvements in coordination and capability, did not create broad and sustained attention to the counternarcotics mission by the U.S. military establishment. In Fiscal Year 2009, the US Department of Defense still spent about $1 billion on counternarcotics, a significant real decline from its 1991 high point. Most military officers continue

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75 Bewley-Taylor, 191.
to view counternarcotics as largely a law enforcement mission. The inhospitable nature of Andean geography for conventional US military capabilities convinced many that the “war on drugs” was unwinnable, with a Vietnam-like potential to drag the US into defeat.

And, indeed, at the time DoD was assigned a leadership role for interdiction and monitoring, there was little evidence to support the value of such stepped-up efforts. In testimony during congressional consideration of the 1989 National Defense Authorization Act, the Comptroller General told the Senate Armed Services Committee that “although greater involvement by the military would probably result in more drug seizures and arrests,” drug supplies would largely remain unchanged because of the ease with which smugglers could develop alternative supply strategies. The Comptroller General also stated that DoD efforts were generally not cost-effective, require significant investments in air and maritime interdiction to return modest caches of smuggled drugs. 79

It appears most likely that the increased role for the military from 1988-1992 reflected the public and political frustration with the failure of the war on drugs that had fueled the increasing role for military forces throughout the 1980s. In a speech to a US Air War College class in 1988, Senator Phil Gramm argued that using the military for counternarcotics demonstrated to the nation the gravity

79 Bowsher, 10-11.
of the drug problem and the concern of political leadership over its resolution. Representative Jack Davis (R-IL) similarly declared, "When you have a war, who do you call in? . . . You call the military." 

Domestic WMD Consequence Management in the 1990s

In 1996, Congress assigned to the Department of Defense (DoD) the responsibility for training metropolitan emergency personnel how to manage the consequences of chemical, biological, radiological, and nuclear (CBRN) events. The Army, uncomfortable with the domestic mission, hired contractors to administer the program. In 1999, under an agreement reached with the Attorney General, DoD transferred authority for the training program to the Department of Justice. Beginning in 1998, Congress also significantly expanded a small National Guard effort to establish rapid response teams for domestic CBRN management. It did so despite resistance from DoD and negative readiness reports on the teams by Congress’s own General Accounting Office. In January 2001, the DoD Inspector General issued a report blasting the program for inefficiencies that severely hampered the teams’ ability to support domestic authorities. Today, Congress continues to expand the number of these so-called National Guard Civil Support Teams (CSTs). Slow to recognize its over-reliance on military agents, voices in Congress finally began calling for the creation of a

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strong civilian agent at the federal level to manage all programs for domestic consequence management. Following the September 11, 2001 terrorist attacks, the United States established a Department of Homeland Security to manage this and other domestic preparedness, response, and recovery issues. Nevertheless, there remains a strong sentiment for a leading military role in managing the consequences of a devastating event on US soil.

In January 1999, then President William Clinton named chemical, biological, and information warfare attacks as the greatest emerging threats to national security and proclaimed it “highly likely” that a terrorist group will attempt a CBRN incident in the United States in the next several years. 83 The former president’s statements echoed a growing concern among some academics and policy makers that at the end of the 20th Century, CBRN threats to the United States were increasingly probable. The convergence of three significant trends prompted this gloomy forecast. These were the proliferation of weapons of mass destruction and the expertise and technology to develop them, the evolution of terrorist tactics from discrete attacks to mass lethality, and the United States’ unparalleled military advantage and worldwide footprint.

During the early 1990s, there was no integrated framework to manage US activities across the more than forty federal departments and agencies working on some aspect of domestic terrorism. In 1995, President Clinton codified

federal agencies' roles in responding to terrorist incidents in the United States and abroad through Presidential Decision Directive (PDD)-39. These responsibilities were further delineated in PDD-62, signed in May 1998, which more narrowly addressed federal plans for managing unconventional forms of terrorism. In both documents, agency responsibilities were divided into those pertaining to crisis response and those pertaining to consequence management.

Crisis response referred to the law enforcement activities that take place before an actual release of materials. Crisis response might include render-safe operations of a detected agent or device and the identification and neutralization of perpetrators. The Federal Bureau of Investigation (FBI) was identified as the lead agency for crisis response within the United States, supported by specialized teams throughout the interagency. Consequence management activities were defined as those that take place after an agent’s release. Consequence management entails identifying the source of illness or death, treating victims, securing the contaminated area, protecting responders, and decontaminating affected areas. At the time, the lead agency for domestic consequence management was the Federal Emergency Management Agency (FEMA), also supported by interagency elements.

86 The Department of State is the lead agency for crisis response and consequence management of CBRN acts against US interests abroad.
Congress handed the Department of Defense its first domestic CBRN consequence management mission in 1996. On the heels of the bombing of the Murrah Federal Building in Oklahoma City and the Aum Shinrikyo attack in Tokyo, Congress assigned DoD responsibility for training local first responders in the nation’s 120 largest cities about the effects and response implications of chemical and biological attacks. The “train the trainers” program was administered under the direction of the Army’s Chemical and Biological Defense Command and was run by contractors with some Army reserve personnel participation. In October 2000, the Justice Department took over the program. Justice already administered several consequence management programs, including a $73.5 million grants program that provides equipment to first responders as well as a $10 million training program of its own. Prior to turning the “train the trainers” program over to the Justice Department, DoD had reached more than 22,500 first responders in more than 80 US cities.

The next major step for DoD in the domestic consequence management arena was a 1997 National Guard Bureau initiative to establish CBRN rapid response teams in the United States. Responding to significant outside pressure, most notably from Congress and the National Defense Panel, the

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87 Defense Against Weapons of Mass Destruction Act
88 Congress’s recent push to create a terrorism council at the White House is due in part to concerns that NDPO, housed in the Justice Department, cannot adequately coordinate efforts throughout the interagency.
90 Charles Cragin, Statement before the House Committee on Transportation and Infrastructure, Subcommittee on Oversight, Investigations, and Emergency Management, May 4, 2000, 3.
Secretary of Defense requested that the Guard form a “tiger team” to examine how best to integrate Reserve Components into CBRN domestic response. In 1998, the team recommended that the Secretary of Defense establish a small rapid response team in each US state and territory; Secretary Cohen decided that the National Guard should establish ten such teams, one in each of FEMA’s geographic regions.\textsuperscript{91} Congress legislated teams in 17 more states for FY2000 and five more in FY2001, for a total of 32 teams.\textsuperscript{92} Today, DoD is authorized 55 of these teams.\textsuperscript{93}

Originally called Rapid Assessment and Initial Detection (RAID) teams, these Civil Support Teams (CSTs) were given the mandate to 1) assess a suspected CBRN event in support of a local incident commander, 2) advise civilian responders regarding appropriate action, and 3) facilitate requests for assistance to expedite the arrival of additional federal assets.\textsuperscript{94} To this day, twenty-two full-time National Guard personnel staff each CST. Although an asset of the state to which they belong, other states within their region can request the assistance of a CST in the event of a crisis. Further, the federal government could choose to federalize the National Guard for a CBRN event, with the CST

\textsuperscript{91} Charles Cragin, Statement before the House Committee on Government Reform, Subcommittee on National Security, Veterans Affairs and International Relations, 23 June 1999. The first states with CSTs were California, Washington, Texas, Colorado, Missouri, Illinois, Pennsylvania, Georgia, New York, and Massachusetts.


\textsuperscript{93} Briefing by Assistant Secretary of Defense Paul McHale attended by author at the Center for Strategic and International Studies, January 14, 2008.

\textsuperscript{94} The name change reflects a public relations campaign to limit civil libertarian concerns about the teams. This issue is discussed further in the second section of the paper.
deploying as a federal asset. In such a case, local authorities would not need to request its deployment and the governor's approval would not be required. The CST's anticipated response time to an incident in their home state is approximately four to six hours after notification.

DoD participation in the CBRN consequence management arena had extremely strong support in the United States Congress. In 1995, Senators Nunn, Lugar, and Domenici chose the Defense Department to train local first responders in managing CBRN incidents, despite opposition from the active military. In their hearings on the subject, the senators also supported the development of a Department of Defense, and possibly National Guard, domestic rapid response capability. This preference for a DoD role was manifest again in Congress' 1998 and 2000 decisions to expand the number of CSTs, despite DoD's stated preference to expand more slowly and the recommendation of a congressionally-mandated General Accounting Office study to hold off on establishing more teams until a thorough reassessment of their functions and need was conducted. These voices of caution were echoed by the DoD Inspector General's office, which noted the CSTs' inability to meet the rapid readiness schedule set for them.

95 Recent amendments to the Presidential Selective Reserve Call-Up authority were made to allow for this federal role.
96 Falkenrath, 162.
There appear to have been four major drivers of congressional interest in an expanded DoD role in domestic consequence management: DoD's chemical and biological weapons expertise, its enormous budget and personnel capacity, the public's positive view of the military, and the National Guard's interest in expanding its own efforts in the mission area.

DoD's expertise in chemical and biological weapons defense was a major determining factor for Senators Nunn and Lugar's selection of DoD as the training provider for first responders. In March 1996, Senator Nunn commented, "it seems to me that the United States military that knows more about this [chemical and biological weapons] than certainly any institution or group of people in the country has some responsibility for the next few years to share their knowledge with other Federal agencies, and certainly also with the State and locals...." His staff on the Senate Committee on Governmental Affairs, which held the crucial hearings on CBRN response capabilities following the 1995 terrorist incidents in Tokyo and Oklahoma, strongly supported leveraging DoD capabilities for domestic response, noting that "there is no need to duplicate their [DoD's] efforts or reinvent the wheel" and directly calling for funding for DoD to train local first responders and to develop deployable chemical and biological response assets for domestic crises. The Committee called witnesses to

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99 Quoted in, *Global Proliferation of Weapons of Mass Destruction*, Hearings before, the United States Senate, Committee on Governmental Affairs, Permanent Subcommittee on Investigations, Part III, March 27, 1996, 18.
100 Ibid., 19, 35.
testify to the same. Conversely, extant Guard capabilities appeared to play little role in later congressional decisions to expand the number of CSTs.

The relative advantages of funding high interest programs through the DoD budget was a second major factor in explaining the Department’s participation in domestic consequence management. Key members of Congress who viewed the domestic use of DoD assets as leveraging existing capabilities stressed the resource efficiency of funding programs through DoD. Congress increased the defense budget over the president’s request every year of the Clinton and George H. W. Bush Administrations. In 1996, for example, Congress had already committed to increasing the President’s DoD FY1997 budget request by $20 billion, which surely assisted its ability to legislate the $52 million train-the-trainers program within that budget.

Moreover, the failure of the civilian emergency response system, particularly FEMA, to prepare adequately for potential CBRN crises and a stronger trust in the US military appears to have contribution to DoD’s selection. As a participant in the establishment of the train-the-trainers program noted, Senators Nunn, Lugar, and Dominici “expressed greater confidence in the Defense Department’s ability to implement the program than

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101 See, for example, Bill Richardson, P. Lamont Ewell, and Gary Marrs, Global Proliferation of Weapons of Mass Destruction, 73, 85, and 93, respectively.
103 Falkenrath, 162.
104 Global Proliferation of Weapons of Mass Destruction, 29.
that of the civilian agencies."¹⁰⁵ There were no equalizing voices with jurisdiction over civilian agencies that attempted to defend FEMA or rebut the senators' statements.

A fourth significant factor was the National Guard's strong support for an expansion of its CBRN consequence management role. The Army National Guard had difficulty adjusting to the end of the Cold War. It had been written out of war plans, on the assumption that it would not be ready in time, given only enough symbolic wartime responsibility to assuage its Congressional patrons, and been threatened with personnel reductions.¹⁰⁶ Its major nemesis in these battles was the active Army it supported. The Active Component believed that the weekend warriors in the Guard are unsuited to the decisive warfare they planned and prepared to wage. The 1997 National Defense Panel described the relationship between the two bluntly: “While the other services have continued to increase the integration of their active and reserve forces, the Army has suffered from a destructive disunity among its components, specifically between the active Army and the National Guard.”¹⁰⁷

During the late 1990s, the National Guard was working hard to regain much of its clout. Congress had created senior Guard and Reserve advisory

¹⁰⁵ Falkenrath, 163. He attributes this confidence to DoD’s greater expertise in chemical and biological defense.
positions in the Joint Staff to ensure their strong representation in analytic efforts that might affect their future size and role, and homeland security was emerging as a promising alternative use for the Guard in the event of a seemingly quiet overseas operational environment.  

The Guard sought the consequence management mission from the time of its 1997 “tiger team” report to Secretary of Defense Cohen. It was a high profile mission for which the Guard could garner substantial Congressional and public support. As the Guard Bureau’s Posture Statement astutely noted, “Homeland defense is emerging as a national priority. It has entered the imagination of the public.” Moreover, recruiting for such domestic jobs from within the Guard proved extremely easy.

Distributive politics relating to the National Guard were also critical to the Guard’s selection for the CST mission. DoD’s initial decision to fund only ten CSTs typically pit a dominant regional state against its nine lesser neighbors. Members were surely expressing a genuine concern for the welfare of their citizens in desiring CSTs in their states. Yet they were likely also interested in

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109 National Guard Bureau, National Guard Posture Statement, Fiscal Year 2000, 20.


111 Consider the following exchange between Representative Jay Dickey (R-AR) and Gen. Dennis Reimer, at the time the Army Chief of Staff: DICKEY: Are you familiar with the Pine Bluff Arsenal? REIMER: I am not familiar with it from the standpoint of having visited there. I’m familiar with it from the standpoint of knowing it exists. DICKEY: There’s an unusual combination of things that makes that a particularly good area, I think, for a counterterrorism center. . .I just wonder. . .what is the best way for us to talk to you and for me to make a pitch about (OFF-MIKE) up arsenal and that sort of thing? (United States House of Representatives, Appropriations Committee, Defense Subcommittee, Hearing on Army FY 2000 Budget Overview, 17 March 1999).
the symbolism attached to bringing home such an “elite” unit and the more practical advantage of securing twenty-two full-time Guard positions for their state, particularly given how active many Guardsmen are in local and state politics. The continuing creation of additional teams eight years after the first was authorized is further evidence of the Congress’s enthusiasm for these teams.

The four factors delineated above—military expertise, budgetary plenty, public confidence in the military and the impression of civilian ineptness, and the lobbying of the National Guard—did not operate in a vacuum. There were several potential sources of resistance to a significant military role in domestic CBRN consequence management. At least four countervailing pressures could have deflected domestic CBRN mission assignment from the military. These were the electoral attractiveness of direct grants to states and localities, other federal agents lobbying for the mission, opposition from the White House or within the Department of Defense, and the opposition of civil libertarians.

By early 2001, over fifty percent of total federal CBRN crisis and consequence management funding was devoted to assisting states and localities. In its early stages, however, congressional action on CBRN consequence management generally focused on potential federal government solutions to the problem. In FY1998, funding for states and localities was only
thirty percent of total federal spending on CBRN response and management.\textsuperscript{112} Local first responders were the most vocal critics of the early priority given to funding federal efforts in CBRN consequence management. Furthermore, these first responders testified at virtually all congressional hearings on consequence management and uniformly expressed the view that funding to localities ought to be the primary outlet for federal resources used to address the problem.\textsuperscript{113}

Civilian decision makers not only preferred federal to state and local solutions, they also preferred DoD to other federal agents. DoD spent more on defense against weapons of mass destruction than any other federal agency in FY2000. Indeed, only the Department of Energy spent anywhere near the $467 million that DoD did in this area. Much of that money went toward research and development efforts (as it does for the Department of Energy) that aid battlefield as well as domestic consequence management. Nevertheless, DoD's funding for assistance to domestic first responders and its own special response units was itself greater than that of any other single agency in FY 1999.\textsuperscript{114} This trend held steady until the establishment of the Department of Homeland Security in 2003.

Unlike local first responders, alternative agents to DoD at the federal level did not attempt to weigh in with Congress in the 1990s against the use of the military. FEMA, the lead agency for domestic consequence management, had

\textsuperscript{112} Office of Management and Budget, \textit{Annual Report to Congress on Combating Terrorism}, 18 May 2000. These figures do not appear to capture the costs of maintaining military personnel. 
\textsuperscript{113} HOLD FOR FN 
\textsuperscript{114} OMB, 18 May 2000.
been cool to the idea of assuming primary responsibility for CBRN incidents. One source of concern was that CBRN missions appeared to be outside of FEMA’s essential mission of natural disaster preparedness. Following its poor handling of Hurricane Andrew disaster relief, a newly elected President Clinton tasked FEMA Director James Witt with reforming the agency. Witt succeeded, largely by focusing FEMA on its core natural disaster mission. A related source of concern was budgetary. FEMA feared that responsibility for CBRN missions would carry significant responsibility but that the money to carry it out would not follow. “The result,” opined Richard Falkenrath, “would be a severe drain on FEMA’s limited discretionary resources and, in all likelihood, public criticism for ineffective implementation.”115 Despite these misgivings, Vice President Cheney announced in mid-2001 that FEMA would indeed assume primary responsibility for coordinating federal, state, and local CBRN consequence management efforts.116 It is unclear the extent to which FEMA sought such an expansion of its role.

For its part, DoD leadership never sought its domestic consequence management role, and was at best lukewarm to its involvement. Defense leaders’ statements on the topic are indicative of an attempt to balance the desire to remain relevant to emerging national security missions with the need for restraint toward the use of military capabilities. The public comments of then Deputy Secretary of Defense John Hamre, the most vocal executive branch

115 Falkenrath, 163.
spokesperson on the topic at the time, are emblematic. He referred to homeland defense as “the defense mission of the next century” and “an important and honorable mission.” At the same time, he also led the charge to soften the Department’s terminology, renaming “homeland defense” as “civil support” and transforming the National Guard “RAID” teams into the less offensive “CSTs.” Hamre’s emphasis that “we in DoD will always be—and never seek any other role than to be—a supporting role to local law enforcement and to local first responders” was subsequently reiterated in virtually every public statement by DoD officials on the topic, particularly before Congress. The proliferation of homeland security “coordinators” within DoD, by far the most common self-initiated response to the domestic consequence management mission at the time, seems a manifestation of this centerline approach.

The greatest Pentagon opposition to a domestic consequence management role came from the Active Army, which remains the greatest internal opponent to this day. When it was assigned the train-the-trainers program in 1996, the Army hired contractors to administer the program and happily transferred it to the Justice Department several years later. Notably, however, the Army objected only to the use of active duty forces for domestic purposes; it was quite open to the idea of using reserve and, especially, National Guard personnel in these missions. For the Active Army, the further commitment

118 Hamre, 29 April 1999.
of the Guard to its domestic role eased the political pressure to create National Guard warfighting missions.¹¹⁹ More to the point, it reduces the amount of time and resources the Active Army must spend on domestic consequence management. Congress’s expansion of the Guard’s role in CBRN consequence management, such as through the CSTs, may therefore have been a happy solution to both Active and Guard desires.

On the far left and right of the American political spectrum, Congress faced opposition to a significant military role at home.¹²⁰ The American Civil Liberties Union reacted with alarm to the initial assignment of the train-the-trainers program to the Pentagon and even more so to the CSTs, arguing that both blurred the military-civilian line, particularly in the area of law enforcement.¹²¹ These objections were made in the best tradition of American liberalism, but there was no groundswell of public opposition to the use of military units in response to natural and man-made catastrophes within the United States. As one military law expert assured at the time, “the record indicates that legal niceties or strict construction of prohibited conduct will be a minor concern. . . Pragmatism appears to prevail when American soldiers help their fellow

¹¹⁹ This particular Active-Reserve dynamic has changed significantly since the protracted ground campaigns in Iraq and Afghanistan, which have required the Army to rely substantially on the National Guard to serve in an operational role overseas.
¹²⁰ See Landay, 2.
citizens." Further, Congress stressed the consequence management aspect of DoD's potential mission, downplaying any potential law enforcement role.

Importantly, there appeared to be no significant organized pressure groups weighing in on the train-the-trainers issue. Witnesses called to testify were either local first responders, eager for a training program that would allow them to gain expertise, or proponents of capitalizing on DoD capabilities. There were no witnesses called who opposed use of the DoD in this manner. No military or civilian DoD witnesses were asked to comment on the advisability of assigning the program to the military during the original Senate Government Operations Committee hearings, although several testified on DoD's capabilities in chemical and biological agent detection and response. FEMA did not wish to assume the duties involved. Further, only after Congress assigned the train-the-trainers program to DoD did the ACLU begin to take notice of the program, which ultimately affected the extent to which Department leadership sought to distance itself from a lead response role.

The Active Army did indeed have significant expertise in chemical and biological agents—expertise that should have been tapped in any program Congress established. What it did not have was experience working within the emergency management, domestic counterterrorism, public health, or law enforcement systems. The Army also had little interest in expending personnel

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and resources on a program that was not clearly in line with their own sense of mission. Finally, the active Army was leery of the implications of training local law enforcement officials on a massive, well-publicized scale. That the Army did not want the mission, passed it off to contractors (who were by and large retired military chemical weapons officers), and ultimately had the program transferred, may indicate that Congress assigned greater importance to the symbol of initial action in this case than in monitoring the administrative feasibility or success of the program once underway. The train-the-trainers program would likely have been better administered from the beginning by the Justice Department or FEMA, both of which were well integrated with state and local systems, drawing on DoD chemical and biological defense expertise where appropriate.

In the case of the National Guard Civil Support Teams, there was indeed a strong lobby from the National Guard to secure the mission. At the same time, the evidence indicates a highly receptive Congress, possibly to avoid any blame for inaction. One Washington think tank succinctly stated at the time, “When elected officials eager to authorize a program to show they are “doing something” concrete about a problem collide with an organization in search of missions, something like the National Guard’s Rapid Assessment and Initial Detection (RAID) teams results.”

Choosing Civilians

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123 Smithson and Levy, 294.
America's political leaders do not always choose the military to oversee new or newly important missions. As Chapter 3 illustrates, in the limited universe of conscious military-civilian selection, civilian agents are sometimes preferred. This fact seems intuitively consistent with the nature of the American political system and its suspicions of a standing military. Political science and popular literature nevertheless fails to note, discuss, or debate this reality. The choice to establish NASA as an independent, civilian agency is one such key decision. The on-again, off-again desire to ensure civilian oversight of foreign police training is another.

*Establishment of the National Aeronautics and Space Administration (NASA)*

In 1957, the Soviet Union became the first nation in space with the launch of its Sputnik rocket, followed closely by the launch of a larger, more powerful Sputnik 2. The anger and embarrassment within the United States over the Soviet success was substantial. This embarrassment was exacerbated when the Navy's Vanguard rocket, equipped with a satellite, exploded soon after liftoff.

The success of Sputnik 2 and the Navy's Vanguard failure led directly to a pressing discussion of US space missions and attendant organizational approaches in the scientific and military communities. On April 2, 1958, President Eisenhower announced his intention to establish a unified national space agency. The resulting 1958 National Aeronautics and Space Act
established NASA as an independent, civilian agency to spearhead the nation’s space science agenda. By 1960, portions of the Army Ballistic Missile Agency, Naval Ordinance Laboratory, and Naval Research Laboratory were transferred from the Department of Defense to NASA, contributing to a near tripling of NASA’s original manning.¹²⁴

NASA’s birth as a civilian agency was hardly predestined. The Department of Defense had numerous space-related programs underway, particularly in the areas of reconnaissance and rocketry. Elements within the Army and Air Force, as well as the Advanced Research Projects Agency, were in favor of organizing the national space effort under military leadership, as had occurred in the Manhattan Project. These elements believed that the most important applications of space lay in the military realm, particularly reconnaissance. They lacked strong support from the secretary of defense, the president, and the scientific community, however. The Secretary of Defense concurred with the White House’s draft legislation for NASA’s creation¹²⁵ and was generally content with the retention of only military-specific programs under DoD purview.¹²⁶

¹²⁵ Letter, Maurice Stans to President Eisenhower regarding H.R. 12575, the National Aeronautics and Space Act, July 26, 1958. White House Office: Records Officer Reports to President on Pending Legislation, Box 124, 7/29/58 HR 12575.
President Eisenhower strongly favored a civilian space agency, believing that the space program should have peaceful goals and be seen as such by the international community. These views were not informed so much by altruism as by the president’s strong desire to ensure US means for early warning. Eisenhower was greatly influenced by his desire to avoid strategic surprises like that presented by the Japanese at Pearl Harbor. By arguing for “open skies” and the peaceful exploration of space, the United States could protect its ability to deploy high altitude reconnaissance assets, such as the U-2, over Soviet territory. A NASA historian argues that, far from being concerned by the Sputnik I launch, President Eisenhower saw it as an opportunity:

“Four days after Sputnik I, in fact, Eisenhower and Deputy Secretary of Defense Donald Quarles discussed the issue. Quarles observed: ‘. . . the Russians have . . . done us a good turn, unintentionally, in establishing the concept of freedom of international space.’ . . . The President then looked ahead . . . and asked about a reconnaissance [satellite] vehicle.”

When civilian satellites subsequently traversed the world’s airspace in 1958, neither the Soviets nor any other nation voiced objections, seeming to confirm the wisdom of the president’s peaceful “open skies” approach.

There were other reasons to disincline Eisenhower from selecting the Department of Defense for the space mission. He distrusted its inter-service rivalries and worried over the potential self-perpetuating nature of the defense

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industrial complex. He also knew that the military's satellite programs were more costly and complex than their civilian counterparts, and thus unlikely to yield near term reconnaissance capability. Finally, the National Academies of Science had argued to him in October 1957 that the Department of Defense faced statutory limits on its ability to oversee some of the key benefits of space exploration—meteorology, navigation, and communications.

The scientific community was largely supportive of civilian leadership in the space arena. The views of James Killian, President of MIT and chief science advisor to the president, are thought by most scholars to have been formative in shaping Eisenhower's viewpoint. Killian believed the new agency should be built around the National Advisory Committee for Aeronautics, a small civilian research agency established by Congress in 1915 in the midst of World War I to help the United States catch-up to German progress in long-range bombing and reconnaissance. H. Guyferd Steyer, chair of the Special Committee on Space Technology at the time of NASA's founding, recalls that the NACA choice was not an obvious bureaucratic choice:

NACA had no strong allies in the fierce battle that was under way. Few of its funds went to private contractors, in contrast to the heavy private investments by the military. It had a limited role in aeronautical research,

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129 See, for example, Eisenhower's Farewell Address, January 17, 1961, which warns against the establishment of a military-industrial complex.
130 Hall, 228.
although within that it did some effective things, particularly building and operating wind tunnels. But it was seen by some as unimaginative and narrow in its vision. Fairly or not, Theodore von Karman labeled it "skeptical, conservative, and reticent."³²

Killian's preference for building NASA around NACA echoed the president's desire to have US exploration of space be viewed in the most peaceful and unthreatening of contexts. Some proponents of a civilian approach to space preferred to center NASA around the Atomic Energy Commission, which had some rocketry expertise. Senator Clinton Andersen, chair of the AEC's oversight committee, was the key supporter of this approach. Eisenhower dismissed the idea with little discussion. Killian had support from the Bureau of the Budget to center the new agency around NACA. The precursor to today's Office of Management and Budget, the Bureau of the Budget was charged by President Eisenhower with drafting the NASA legislation, making its support of a NACA-centered option critical. Its support grew from its respect for the low-key, efficient nature of NACA, which operated on a shoestring relative to the Department of Defense.

Senator Lyndon Johnson, Congress' most outspoken and powerful politician on space issues, largely agreed with Eisenhower on the need for civilian leadership in space, despite his public statements that there were

³² H. Guyford Stever, In War and Peace (Washington: Joseph Henry Press, 2002), 137. Stever's commission was created to defend NACA to critics and to position it well in the midst of deliberations on a new space agency.
significant military implications to space exploration.\textsuperscript{133} For all of his heated post-Sputnik rhetoric, however, Johnson's investment in the organization of US space capability was questionable. His Senate aide and future press secretary, George Reedy, noted that Johnson “could see the [missile] issue only in terms of newspaper space and public attention....Therefore, as column inches devoted to outer space dwindled and as polls registered a diminution of popular interest, he virtually abandoned the entire project.”\textsuperscript{134} Johnson allowed the Republican White House to draft its own legislative proposal for NASA, proposing only two amendments to it on the Senate floor to ensure coordination between NASA and the military and with the White House. On the other hand, the selection of a civilian agency created for him a committee chairmanship, that of the new Senate Committee on Space and Aeronautics, an outcome that would not have occurred had the space agency been military.

Training Foreign Police Forces

Responsibility for training foreign police is a particularly interesting case of agency selection. As with civil defense, discussed in the next chapter, its assignment has moved at certain times from one agency to another. Yet despite the significant role that the US military has at times come to play in foreign police training, particularly in Iraq and Afghanistan, since the 1950s formal responsibility for policing has always remained in civilian hands.

\textsuperscript{133} Homer E. Newall, \textit{Beyond the Atmosphere: Early Years of Space Science} (Washington: NASA History Office, 1980), 96.
\textsuperscript{134} Quoted in Robert A. Caro, \textit{Master of the Senate: The Years of Lyndon Johnson} (New York: Alfred A. Knopf, 2002), 1029.
The United States has a long and contentious history of supporting the development of criminal justice systems, including police, in foreign nations. Following US military governance in Japan and Germany, President Eisenhower created the Civil Police Administration to provide foreign policing assistance. It was housed within the International Cooperation Administration, a precursor to the US Agency for International Development. The Civil Police Administration aimed to teach such traditional police capabilities as “administration, records, and traffic control” to emerging democracies overseas.\textsuperscript{135} The Central Intelligence Agency and Department of Defense also had programs aimed at improving foreign internal defense, some of which involved the training of police overseas.

By the 1960s, concern about communist movements abroad drove interest in strengthening foreign police as a key counterinsurgency tool. President Kennedy asked US Agency for International Development Director Hamilton Fowler, who had inherited the Civil Police Administration into his newly created agency, for his recommendation on how to centralize CIA, Defense Department, Treasury, FBI, and Civil Police Administration activities. At the same time, the State Department asked representatives of an ad hoc Interagency Committee for Police Assistance for their views on the future of US foreign police training. The recommendations of this committee and Fowler ultimately shaped President Kennedy’s decision to house leadership for this mission in the US Agency for International Development.

Ironically, AID Director Fowler did not actually fight for or want the international policing mission:

AID Director Fowler believed that a police program had no place in an organization whose mission was to provide economic and technical assistance in such areas as agriculture, public health, and education. He had intended to abolish the small Civil Police Administration program entirely, due to its being peripheral to, if not contrary to, AID principles. Many economists in AID were hostile to the continued inclusion of “redneck cops and spooks” in an organization supposedly involved with economic growth.136

Yet the only agency demonstrating an interest in coordinating the various interagency international policing efforts was the Department of Defense, a solution no other agency supported. There was a general concern among civilian agencies about the need to distinguish civilian policing from the counterinsurgency mission set, with which it overlapped but of which it was not a subsidiary. Some also feared that the Pentagon would not pay sufficient attention to civilian police activities given its core focus on conventional and nuclear warfare.137 One historian quotes future Vietnam civil operations and revolutionary development support (CORDS) Director Robert Komer as stating, “We don’t want a bunch of colonels running programs in which they have no expertise.”138 US AID was thus recommended to President Kennedy by both Fowler and a majority of the State Department-led Interagency Committee. Building institutions of justice, such as the police, was completely consistent with the other state institution building overseen by AID. To prevent the policing

136 Ibid., 189.
137 Ibid., 189.
mission from being marginalized within the indifferent-to-hostile USAID bureaucracy, however, it was given its own authorities for hiring and a separate budget. Kennedy named the new organization, established in 1962, The Office of Public Safety (OPS).

Mandated to train foreign police of the non-Communist world, particularly in countering communist subversion or possible insurgency, OPS provided over $300 million of assistance to police in 52 countries before it shut its doors in 1974. One of the most enduring legacies of OPS was the Washington, DC-based International Police Training Academy, opened in 1963, where tens of thousands of foreign police received training.\(^\text{139}\)

In 1974, Congress severely restricted the use of US AID funds for police assistance, effectively eliminating OPS. OPS’s demise was perhaps inevitable, given its baptism by fire in, and association with, Vietnam. OPS was at once largely sidelined in Vietnam and tainted by it. Charged with training a highly corrupt South Vietnamese police force, OPS failed to deliver a rule of law force trusted by the population. Revelations that a Vietnamese prison under OPS auspices housed tiger cages, and that OPS knew of this, were particularly damaging.\(^\text{140}\) One analyst assesses that OPS’s “personnel base, budgetary

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\(^{140}\text{See, for example, Gloria Emerson, “Americans Find Brutality in South Vietnamese Prison,” The New York Times, July 7, 1970, 31.}\)
levels, primary mission, and self-confidence were either distorted or destroyed” by Vietnam. 141

OPS did not fare well with the Congress and public elsewhere in the world, either. Despite Kennedy’s placement of OPS in USAID to establish its institution-building roots, many believed the organization’s mission was to support repression of leftist movements abroad. From its inception, critics suspected OPS had a close relationship with the CIA, which indeed used the organization as a cover for covert training of foreign police.142 The low stature of police in many countries, combined with rampant corruption of security institutions, made lasting reform difficult to ensure. Media reports of police brutality in the third world, and Latin America in particular, were linked in the popular press to the training these forces received at OPS’s International Police Training Academy. By the mid-1970s, the credibility costs associated with operating overt police training programs no longer appeared. In a 1974 Washington Post letter to the editor, Senator James Abourezk of South Dakota averred:

The International Police Training Academy here in Washington...just graduated another class of students who will return to Uruguay, Guatemala, Nigeria, Thailand, Indonesia, and the Philippines to continue the “stability” of the dictatorships and support of activities of which we are “officially unaware.”143

141 Lobe, 194.
142 Confirmation of CIA-OPS collaboration on a daily basis in training foreign police can be found in the so-called Family Jewels documents released by the CIA in 2007. See http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB222/family_jewels_full_ocr.pdf, 607-613.
That same year, Abourezk sponsored the Foreign Assistance Act amendment that prohibited US training of foreign police except in limited circumstances. These restrictions were codified in Section 660 of the Foreign Assistance Act. Exempted by this provision were counternarcotics efforts conducted by the FBI and DEA, maritime law enforcement training, and training relating to Eastern Caribbean regional security efforts.

The creation of OPS was not to be the last instance of agent selection for foreign police training, however. The United States government largely stayed out of policing training through the end of the Cold War. A major exception was in support of counternarcotics. Congress amended the Foreign Assistance Act in 1985 to allow some police training in Honduras and El Salvador and also to lift the 1974 restrictions for countries with long-standing democratic traditions, such as in Western Europe. Following these amendments, the Reagan Administration established a new organization to coordinate overseas police training, this time housed in the Department of Justice.

US AID had resisted being drawn back into police assistance, as had the FBI. In 1986, the Administration therefore created an independent International Criminal Investigative Training Assistance Program (ICITAP) reporting directly to the Deputy Attorney General and funded with development dollars from AID channeled through the State Department. ICITAP's focus was initially the bolstering of criminal justice capacity in Honduras and El Salvador. In

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the ensuring five years, as Congress became more confident that the mistakes of the OPS era would not be repeated, ICITAP's mandate slowly expanded to encompass much of what OPS had been chartered to undertake, including direct training of police in arrests and criminal investigation. Although continuing to focus on police training for counternarcotics, by Fiscal Year 1991, such training was taking place in over 100 countries through programs administered by the Defense Department, State Department, and ICITAP. ¹⁴⁵

With the collapse of the Soviet Union and the onset of various peacekeeping and counternarcotics operations in the 1990s, the need for a comprehensive US government approach to foreign police training again took on the prominence it held in the early 1960s. ICITAP’s experience in Panama marked the beginning of an era in which the US government sought once again the “restructuring of the entire law enforcement apparatus of countries in transition.” ¹⁴⁶ In 1996, following US experiences in Panama, Somalia, Haiti, and in the midst of operations in Bosnia, the Foreign Assistance Act was again amended to allow for aid to “reconstitute civilian police authority and capability in the post-conflict restoration of host nation infrastructure for the purposes of supporting a nation emerging from instability, and the provision of professional public safety training, to include training in internationally recognized standards of human rights...” ¹⁴⁷

¹⁴⁶ Call, 316.
¹⁴⁷ Public Law 87-195, The Foreign Assistance Act of 1961, as Amended, Section 660 (6).
ICITAP’s success in the interventions of the 1990s varied. In Somalia, ICITAP was withdrawn quickly, with little opportunity to improve policing. In Haiti, where the US Government exercised far better political-military planning prior to intervention in general, ICITAP played a key role and had significant near-term success. In Bosnia, however, ICITAP’s limited capacity and the confusion of interagency roles and missions, particularly between civilian and military, impaired US effectiveness and demonstrated the enduring institutional gap that OPS and ICITAP were intended to fill.

The relative roles of military and civilian agencies were at the heart of the debate over how to resolve security sector reform, including policing. In all of the 1990s interventions, initial US military force was needed to provide the level of security required to restore order. As one analyst lamented of ICITAP, “It is not configured to deploy massive numbers of personnel as a short-term international police monitoring force. As a result, other forces…must be relied upon” in the early stages of intervention.148 These “other forces” were frequently US military.

In 1995, the congressionally mandated Commission on the Roles and Missions of the Armed Forces (CORM) released its report on restructuring Department of Defense activities. Among its recommendations, the CORM advocated that the Defense Department train host-nation police on techniques to maintain civil order in the wake of a U.S. military operation. It provided the following rationale:

148 Call, 357.
We expect DOD will continue to be called upon to carry out law enforcement operations in the future. Our recent experience in Latin America, the Caribbean, and Africa shows that there are no civilian agencies capable of short-notice law enforcement operations and training in hostile, demanding environments. By default, these missions...fall to the Military.\textsuperscript{149}

The CORM specifically recommended the lifting of restrictions under Section 660 of the Foreign Assistance Act to the use of US military forces in police training and the organizing, training, and equipping of US military forces to perform the mission.\textsuperscript{150}

The Department of Defense that had expressed some interest in coordinating policing missions during the Kennedy Administration, however, had long since abandoned its desire by the 1990s. The specter of repeating the US military's experience in Vietnam, contrasted with the desire to focus on expeditionary combat operations that succeeded in Desert Storm, had instilled in military leadership an aversion to peace operations and the nation-building tasks that often accompanied them. During the 1995 US intervention in Haiti, contemporaneous with publication of the CORM report, a poll sampling 2000 personnel deployed to that country found that 49% believed the mission to be unimportant to the United States.\textsuperscript{151} Then Chairman of the Joint Chiefs of Staff, General John Shalikashvili, objected quickly and strenuously to suggestions that the US military be used in training or acting as so-called constabulary forces.

This issue came to a head that same year when U.S. military personnel

\textsuperscript{150} Ibid.
\textsuperscript{151} Ronald R. Halverson and Paul D. Bliese, "Determinants of Soldier Support for Uphold Democracy," \textit{Armed Forces and Society} 23 (Fall 1996), 84.
participating in Haiti operations were photographed failing to intervene while a Haitian national was attacked.

Despite the negative press and congressional pressure, the Chairman, backed by Secretary of Defense Perry, stood firm in his position that US military personnel would not be involved in law and order.\(^{152}\) Although the rules of engagement for US military personnel were relaxed to allow them more latitude in intervening to restore law and order, the military did not absorb the policing mission. Instead, the international community ultimately sent civilian police officers—including some from the United States—to maintain order and train Haitian police. The same civilian training mechanism was used in Bosnia.

By the end of the Clinton Administration, the need for a capable and cohesive approach to foreign police training was as prominent a discussion in intellectual and governmental circles as it had been in the early 1960s. Whereas concern in the earlier era was over the need to quash communist insurgents, and later narcotics networks, the 1990s debate focused on the requirements of institution building in weak democracies. The culmination of growing concern was a Presidential Decision Directive (PDD) on Strengthening Criminal Justice Systems in Support of Peace Operations (PDD-71), issued by President Clinton in February 2000. Reflecting yet another shift in mission assignment, the President assigned lead responsibility for all policy and operational oversight of

\(^{152}\) Call, 343.
criminal justice development to the Department of State. State’s Bureau for International Narcotics and Law Enforcement Affairs (INL) assumed the requirement to coordinate State, Defense, and Justice Department efforts to improve civilian policing overseas. The issue of agent assignment appeared closed once again.

PDD-71 was signed less than a year before the Clinton Administration’s end. In the remaining months, its tenets were not institutionalized. The Bush Administration did not rescind PDD-71, but from its first days in 2001, the Administration made clear its intention not to engage in nation-building. During the 2000 presidential debates, candidate Bush previewed his approach when asked whether the United States should develop deployable civilian capacity for post-conflict nation building:

I don’t think so. I think what we need to do is convince people who live in the lands they live in to build the nations. Maybe I’m missing something here. I mean, we’re going to have kind of a nation building core from America? Absolutely not.  

Civilian capacity building and coordination of policing functions atrophied after the issuance of PDD-71. The next opportunity to review US policy came with the 2001 invasion of Afghanistan.

The 2001 Bonn Agreement that established the interim Afghan government accorded with candidate Bush’s preference that “nation building”

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153 At this point in time, the US Agency for International Development had lost its cabinet status and was an independent agency reporting to the Secretary of State.
would ultimately be the responsibility of the Afghans. In April 2002, following the removal of the Taliban government in Afghanistan, international donors met in Geneva to define roles and responsibilities for transition to Afghan authority. At the conference, Germany agreed to lead efforts to rebuild the Afghan National Police. Germany had a long history of training Afghans: Germans had trained Afghans prior to World War II, West Germany had trained the police prior to the Russian invasion, and East Germans had trained them during the Soviet occupation. Afghans were thus very comfortable with the prospect of German assistance in the wake of the NATO-led invasion. Germany focused on building an Afghanistan National Police Academy in Kabul, providing approximately forty police advisors. It provided one advisor to the Interior Ministry, which would need to function effectively if the police were to perform their duties. 155

Germany’s leadership of Afghan policing was thus backed by modest means. The bulk of monetary, personnel, and infrastructure assistance to the Afghan police actually came, and continues to come, from the United States. It was slow to arrive, however. At the Geneva Conference, the United States had volunteered to lead military training. For several years, it did little in the area of policing. Instead, State INL focused on providing personal security for Afghan leaders such as President Hamid Karzai. It delivered this security in the form of contract personnel from Dyncorp, a private security firm.

The failure of the Afghan police to provide for basic law enforcement caused the Bush Administration to intercede and shift significant responsibility for the policing mission to military commanders on the ground. In accordance with PDD-71, policy oversight of US policing assistance was provided by the US Ambassador, with support from INL personnel at the embassy in Kabul. Nevertheless, day-to-day oversight and direction was turned over to the US military-led Combined Security Transition Command-Afghanistan (CSTC-A). CSTC-A continues to leverage INL’s Dyncorp contract, using private trainers to supplement American military trainers both in numbers and policing expertise. It also embeds an INL employee at the Command. Success has not immediately followed this de facto, though not de jure, shift to military agency.

By 2005, the total cost of US police training efforts in Afghanistan was more than $1 billion, which included only 377 Dyncorp police advisors, far fewer trainers than many experts believed were needed. The quality of some trainers, particularly for the Ministry of Interior, was also questioned by some. In fact, a late 2006 study by the Inspectors General of the State and Defense Departments determined that Afghan police were largely failing in routine law enforcement responsibilities. The training programs made some notable improvements by 2009, but the Afghan police continue to lag behind the military in their readiness.

Although the US invasion of Afghanistan preceded its Operation Iraqi Freedom by several years, it was actually in Iraq that the US military first took an unofficial leadership role in foreign police training, a mission it had not performed since its military governance days in Germany and Japan. From 2003 to 2004, the Coalition Provisional Authority (CPA) oversaw Iraqi transition programs for the United States and its coalition partners. The CPA worked with the Departments of State and Justice, as well as with international partners, to provide civilian police advisors—largely contract personnel—for Iraq. In fact, State INL developed the initial training program for Iraqi police.¹⁵⁷ From the beginning of US operations, however, responsibility for training the police essentially resided with the US-led coalition military forces in Iraq. This arrangement was codified when the CPA stood down in June 2004. President Bush’s National Security Presidential Directive 36, which assigned US transition and reconstruction roles and responsibilities in support of the new Iraqi government, stated:

Commander, USCENTCOM, with the policy guidance of the Chief of Mission, shall direct all United States Government efforts and coordinate international efforts in support of organizing, equipping, and training all Iraqi security forces. At the appropriate time, the Secretary of State and the Secretary of Defense shall jointly decide when these functions shall transfer to a security assistance organization and other appropriate organizations under the authority of the Secretary of State and the Chief of Mission. . . . ¹⁵⁸

¹⁵⁸ Ibid., 1.
As of this writing, the Defense Department retains oversight of US police assistance to Iraq, subject, as in Afghanistan, to the policy direction of the Ambassador. In addition to police academies and regional training centers and support to the Ministry of Interior, over 200 Police Transition Teams are spread across the country to mentor the Iraqi Police Service. The transition teams are led by a military officer; an international civilian police advisor serves as the deputy on each team. Progress in training Iraqi police has been substantially better than in Afghanistan, largely owing to the relative concentration of US military forces in Iraq to date. Nevertheless, as in Afghanistan, the quality and number of trained Iraqi police lags that of its military.

In 2007, the congressionally-mandated Independent Commission on the Security Forces of Iraq, also known as the Jones Commission for its chairman, General James Jones (ret.) recommended the transfer of police training to the Department of Justice. The Commission argued that day-to-day military authority for policing programs "has inadvertently marginalized civilian police advisors and limited the overall effectiveness of the training and advisory effort."\(^{159}\) The Jones Commission pointed to the same fears expressed by some analysts since the 1960s: that military oversight was emphasizing counterinsurgency over basic law enforcement, and thus undermining population support. Moreover, the

Commission found rapid turnover and minimal policing background in the military leadership charged with the training mission.\(^{160}\)

The tenuous security situation in both Iraq and Afghanistan goes far in explaining the reliance on military forces to oversee police training activities, just as it explains the reliance on, though not necessarily leadership of, military forces for other aspects of institution building in these two countries. For now, the conduct of these operations also overshadows the broader but less time-urgent problem of fulfilling the intent of PDD-71: to provide coordinated direction and US government capacity for civilian police training. Following the stabilization and/or substantial drawdown of US forces from these two operational theaters, questions about how to organize for civilian police assistance may thus once again rise to the forefront, just as they did in post-conflict environments of the early 1960s, mid-1970s, and late 1990s. The next milestone in the history of foreign police training mission assignment may be its last—with a clear lead agent selection and capability and capacity institutionalized. If past is prologue, however, there may be many more transitions in responsibility for this national security mission. Even today, the mission's institutional home is unclear and its future in question.

\(^{160}\) Ibid., 81-82.
5. SHIFTING AGENTS: THE HISTORY OF CIVIL DEFENSE

The cases presented in Chapter 4 offer insight into how agent selection was made for several emerging national security missions. In this chapter, I will trace the agent selection process as it changed over forty years in the area of civil defense. The civil defense case appears unique in its representation of a transition first from civilian to military leadership and later back to civilian control. Tracing these changes in its agency illuminates the effects of geostrategic and public confidence factors in affecting mission assignment.

Civil Defense in the Cold War

Five days after the disaster at the Bay of Pigs, President Kennedy chaired a meeting of his national security council (NSC) to cope with the policy ramifications of the operation. In addition to discussing changes to U.S. policy toward Cuba, the NSC decided to order a review of the overall U.S. approach toward worldwide communism. As part of this review, the NSC tasked a small sub-group, headed by NSC aide Carl Kaysen, to examine the current status of the nation’s civil defense program, looking specifically at a potential role for the U.S. military might be better involved. A month later, President Kennedy announced the transfer of the entire civil defense mission from the civilian Office of Civil Defense Management (OCDM) to the Office of the Secretary of Defense. This occurred despite opposition to the reassignment from the head of OCDM.

161 NSC Actions Nos. 2406-2409, Record of Actions by the National Security Council at its Four Hundred and Seventy-Eighth Meeting held on April 22, 1961, 24 April 1961. See also National Security Action Memorandum No. 48, Memorandum to the Secretary of Defense and Director, OCDM from McGeorge Bundy, 25 April 1961.
and the previously expressed views of senior military officers. Civil defense remained a Pentagon mission until President Carter created the Federal Emergency Management Agency (FEMA) in 1979, at which time civilian authorities again took control.

The history of civil defense in the United States since the end of World War II provides a rich pool of data and a strong set of theoretical tests for evaluating the peculiar mission-assignment phenomenon. The longevity of the case is extremely valuable: formalized structures for civil defense from nuclear attack begin with the Truman Administration and still exist today. This time span neatly corresponds with the existence of a professional standing army in the United States. It also allows for significant variation in several of the factors central to the theories being tested.

First, the elite, public, and military views of the overall threat environment have varied over the past fifty years. Second, the specific perception of the importance of civil defense to national security has varied over this time. It is important to keep in mind that this factor is distinct from views of the overall threat to the United States, as the nuclear strategy of each administration significantly affected its view of the particular importance of civil defense. Third, the public's view of the military has reached perhaps its greatest highs and lows during the past fifty years. Fourth and most interesting, the civil defense mission is a unique case of authority moving not only from civilian to military agent, but
from military to civilian agent. Indeed, as Table 2 illustrates, the civil defense mission moved in each direction twice. As such, one can observe three discrete tests of each theory within the single case. In addition, the history of civil defense includes one instance where some of the theories considered would predict a transfer to the military, but where no transfer of authority occurred.

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<tr>
<th>Table 2. US Agencies Responsible for Civil Defense, 1949-2009</th>
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<tr>
<td>1948-1949: Office of Civil Defense (OSD)</td>
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<tr>
<td>1949-1951: National Security Resources Board</td>
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<td>1951-1957: Federal Civil Defense Agency</td>
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<td>1962-1964: Office of the Assistant Secretary of Defense, Civil Defense</td>
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<td>1979-present: Federal Emergency Management Agency</td>
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**Phase I: Civilian Leadership (1948-1962)**

The concept of civil defense came late to the United States. Geographically isolated from the world's other great powers, the continental United States had relatively modest civil defense measures in place during the two world wars it fought abroad. The American use of atomic weapons in the Japanese cities of Hiroshima and Nagasaki and the imminent arrival of Soviet nuclear weapons and delivery capability launched the modern American debate
over civil defense. Its first important appearance was in the 1946 Strategic Bombing Survey. The Survey, which greatly underestimated the effects of radiation, argued that one could avoid some nuclear weapons damage through “wise planning.” Among its recommendations were the widespread use of bomb shelters and planning for crisis evacuations.

As a follow-on to the Survey, the General Staff of the War Department tasked an internal study on where responsibility for civil defense planning and operations ought to reside. The resulting study, issued in April 1946, recommended that the military provide the backbone of federal civil defense efforts and coordinate other emergency management assistance to communities.¹⁶² Five months after the release of these recommendations, the War Department appointed a Civil Defense Board of senior military officers to study the potential role of the Department in civil defense. Reporting in February 1947, the Board, chaired by Major General Harold Bill, agreed with the Strategic Bombing Survey and the General Staff study on the importance of civil defense measures, but it argued that the responsibility for the mission should not be the War Department’s. “Such problems are civilian in nature,” the Bull Report concluded, “and should be solved by civilian organizations.”¹⁶³

Despite the views of the Civil Defense Board, in March 1948 President Truman gave the initial responsibility for civil defense planning to the newly created Office of the Secretary of Defense (OSD). This selection appears to have been at the suggestion of Secretary of Defense James Forrestal. Forrestal, in turn, had been persuaded to back the idea by an energetic colonel who had drafted the earlier General Staff study. The colonel’s motivation is not clear, but the study he authored two years earlier had stressed the importance of integrating civil defense into the overall national defense effort. Regardless of the rationale, Truman did not intend this decision to be the final word on civil defense organization. Instead, he tasked the new Director of Civil Defense, Russell Hopley only to prepare plans for a more permanent civil defense agency. The subsequently released Hopley Report recommended keeping civil defense within OSD to ease coordination with other aspects of military security. The report was produced without consultation from other agencies of the federal government and without state and local government input.

Whereas the previous studies related to civil defense had been classified, the Hopley Report was released in unclassified form in November 1948. It quickly met strong resistance from groups and individuals objecting to a “garrison state” concept of military security. On his regular ABC radio broadcast, Walter Winchell called the Hopley Report’s recommendations, “the greatest threat to our

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164 Kerr, 22.
165 Ibid., 20.
166 Ibid., 23.
liberties since the British burned the White House in 1814. 167 A convenient
counter-vehicle for civil defense recommendations emerged several months later
in the form of the Hoover Commission Task Force on National Security
Organization. That body held that civil defense should be the responsibility of a
civilian organization and recommended its placement in the National Security
Resources Board (NSRB). 168 President Truman happily obliged in March 1949,
assigning the NSRB with the central role in civil defense planning. This move
was in line with the low priority that Truman assigned to civil defense. As one
historian notes:

There is considerable evidence to support the view that the administration
was fearful that a civil defense program, if implemented, would consume a
disproportionate share of available resources and that the transfer of the
function to the NSRB was calculated to slow down the impetus provided
by the Hopley Report and even to bury civil defense as a significant
element of national security. 169

Truman's attitude toward civil defense began to change as the
international threat environment grew more ominous and corresponding public
interest in civil defense grew. Following the Soviet nuclear explosion on 23
September 1949, a young Senator John Kennedy publicized a letter he wrote to
Truman warning of US vulnerability to Soviet attacks. 170 Elder statesman
Bernard Baruch likewise put public pressure on the Administration for further

167 Transcript, American Broadcasting Company, Walter Winchell network radio broadcast, 21
November 1948.
168 US Commission on the Organization of the Executive Branch of Government, Task Force
169 Kerr, 24.
action on civil defense.\textsuperscript{171} In the second half of 1950, over 350 articles on civil defense appeared in \textit{The New York Times}, none reflecting opposition to the mission.\textsuperscript{172} Truman’s response was to introduce the Federal Civil Defense Act of 1950 on 30 November 1950. Congress passed the measure a mere six weeks later. The cornerstone of the new law was the creation of a Federal Civil Defense Administration (FCDA) to define national civil defense policy and provide related technical support and other guidance to state and local governments. The 1950 Act was an important development in the history of civil defense, but its effect should not be overstated. Fear of impending conflict with the Soviet Union soon ebbed, and congressional and executive interest went with it. In the two years immediately following its authorization of the FCDA, Congress denied funding for the centerpiece of the new organization, its shelter construction program, in its entirety.

By the time the Eisenhower Administration arrived in Washington, the national civil defense program was moribund. If civil defense proponents were hopeful that the new President would advocate on their behalf, they were sorely disappointed. In the early Eisenhower years, the FCDA stressed evacuation as the primary source of civil defense. This less expensive alternative to a shelter program was the budget-conscious administration’s preferred method for managing civil defense. Then, in December 1956, the director of the FCDA presented the President with a proposal for an expansive $32 billion fallout

\textsuperscript{171} \textit{New York Times}, 31 October 1949, 41.
\textsuperscript{172} Kerr, 26.
shelter program. Unlike shelter proposals made in the Truman era, which frequently were technically incompetent and poorly presented, this FCDA proposal was much more refined (putting aside the merits of the mission) and incorporated cost-benefit analysis.173 Much like his predecessor, though, Eisenhower was concerned that any significant investment in civil defense would hamper his economic efforts. In addition, he was worried that a strong civil defense program would work against his administration's nuclear strategy of mutually assured destruction.

Rather than take direct action on FCDA's proposal, Eisenhower used his usual technique of turning to outside experts for advice. In May 1957, he named the Gaither Committee to advise FCDA on the future of civil defense. In November, the Committee presented its top-secret recommendations to the President. It argued that the Administration's emphasis on evacuation was inadequate for population protection and proposed a $25 billion, six-year, nationwide shelter program, as well as further studies on blast shelter effectiveness.174 Several months later, the Rockefeller Fund published its own report on civil defense. Nelson Rockefeller chaired the Panel while Henry Kissinger prepared the report. Like the Gaither Commission, the Rockefeller Panel recommended improvements to the nation's fallout shelter program. Interestingly, the Panel also concluded, “the major difficulty with civil defense has

173 On Truman era proposals, see Kerr, 46-57. On the 1956 shelter proposal, see Kerr, 105.
been our failure to treat it as an integral part of our defense planning."\textsuperscript{175} Finally, in July 1958, the RAND Corporation released a report authored by Herman Kahn that backed the development of a nationwide fallout shelter program.\textsuperscript{176} Not surprisingly, the FCDA was buoyed by the new emphasis on shelters that these groups brought.\textsuperscript{177}

Despite the support for civil defense from these advisory bodies, Eisenhower invested little in civil defense during the remainder of his term. His immediate response to these reports was to combine the FCDA and the Office of Defense Mobilization into a new civilian Office of Civil and Defense Mobilization (OCDM).\textsuperscript{178} He then proposed that OCDM operate a modest National Shelter Policy through which the federal government would focus on public education and shelter design concepts, building only 150 prototype shelters and additional shelters for civilian federal buildings.\textsuperscript{179} Even given these scaled-back objectives, Congress cut the budget for the Office of Civil and Defense Mobilization by 40\% between 1959 and 1961.\textsuperscript{180} One prominent congressional opponent of civil defense, Senator Steve Younger of Ohio, remarked that the federal civil defense organization was “an utterly useless organization with many


\textsuperscript{176} Kerr, 111-112.

\textsuperscript{177} Snead, 136.

\textsuperscript{178} \textit{The Federal Register}, 23, 1 July 1958, 4991.

\textsuperscript{179} Kerr, 113.

\textsuperscript{180} Snead, 168-169.
thousands of men and women feeding at the public trough, but rendering no useful service."  

Eisenhower is the only president to have written at any length about the civil defense debate in his memoirs. He states two primary motivations in rejecting an expansion of civil defense: budget politics and deterrence. First, Eisenhower stressed that his course was one of moderation aimed at preventing the creation of a “garrison state.” Eisenhower applauded the Gaither Report’s “useful distillations of data” and “interesting suggestions” but rejected the product as a “master blueprint for action.” “The President, unlike a panel which concentrates on a single problem,” he later wrote, “must always strive to see the totality of the national and international situation. He must take into account conflicting purposes, responding to legitimate needs but assigning priorities and keeping plans and costs within bounds.”

His concern over the budget was nicely complemented by the implications for civil defense in the Administration’s strategic policy. John Foster Dulles strongly objected to a massive American civil defense program on strategic grounds. First, he felt that investing so heavily in civilian defense for the United States when such protection was unaffordable to US allies in Europe would undermine US-European relations and might undermine deterrence in Europe.

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181 Kerr, 114.
183 Ibid., 221.
Second, Dulles felt that a fortress America approach would undermine the strategy of massive retaliation. As quoted by Eisenhower, Dulles' rationale was, "it's hard to sustain simultaneously an offensive and defensive mood in a population. For our security, we have been relying above all on our capacity for retaliation. From this policy, we should not deviate now." 184

During the Eisenhower decade, public and congressional interest in and support for civil defense remained soft. The Gaither, Rockefeller, and RAND reports show that some concentrated interest existed for civil defense in the scientific and defense communities. One strongly pro-civil defense forum was the Military Operations Subcommittee of the House Appropriations Committee. Headed by California Democrat Chet Holifield, the committee held regular hearings on civil defense and even questioned military witnesses on the subject. The hearings of the Holifield Committee therefore shed light on the senior military's views on civil defense.

The witnesses before the Holifield Committee were generally sympathetic to the requirement for civil defense, based both on humanitarian and strategic deterrence grounds. They made clear their strong preference for it to remain a civilian responsibility, however. General Maxwell Taylor testified in 1958: "I am not responsible for civil defense, I don't want to be responsible for civil defense" and such a tasking would "conflict with our primary role of combat." 185

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184 Ibid., 223.
185 Kerr, 109.
LeMay, commander of the Strategic Air Command, was more uniformly negative about civil defense. He referred to the Gaither Report's shelter proposal as a "Maginot Line concept." Perhaps displaying an organizational bias for the offensive, LeMay commented, "I don't think I would put that much money [$5 billion per year] into holes in the ground. I would rather spend more of it on offensive systems to deter war in the first place."186

Phase II: Military Leadership (1962-1979)

Aside from his letter to President Truman in 1950, John Kennedy had paid scant attention to civil defense in his political career. He certainly had not campaigned on the issue. Once arriving in office, however, he decided to take some initiative at improving the U.S. civil defense posture. On February 1, 1962, McGeorge Bundy called Carl Kaysen, then teaching at Harvard, and asked him to oversee a revitalization of civil defense from the National Security Council (NSC).187 Kaysen, who had had some experience in civil defense during World War II, agreed to come to the NSC when his teaching duties were completed in May.

In March, Kaysen made a preliminary visit to Washington, meeting with the President, his Scientific Advisor, Jerome Wiesner, and Army specialists in the Pentagon. By that time, it was understood that the President wished to

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186 Ibid., 109.
187 Author interview with Carl Kaysen, Massachusetts Institute of Technology, Cambridge, Massachusetts, 6 December 2000.
disestablish the Office of Civil and Defense Mobilization and shift responsibility for civil defense to Robert McNamara's Defense Department. In May, Kaysen presented a proposal for the transfer, which was approved by the President. On 25 May 1961, Kennedy announced his civil defense initiative in his Second State of the Union message, stressing its importance "as insurance for the civilian population...in the event of a catastrophe." Kennedy stated that if Americans could accept the fundamental rationality of insurance in an era of potential miscalculation, then "there is no point in delaying the initiation of a nationwide long-range program of identifying present fallout shelter capacity and providing shelter in new and existing structures." Kennedy went on to announce the assignment of civil defense to a new Assistant Secretary of Defense for Civil Defense and the re-roling of OCDM into the titular White House Office of Emergency Planning.\footnote{President John F. Kennedy, \textit{Urgent National Needs}, Address to the United States, 25 May 1961.}

The military seems not to have even weighed in on the debate over civil defense reassignment. When Kaysen spoke with Army personnel in March, they seemed to accept the inevitability of the tasking.\footnote{Author interview with Carl Kaysen.} There were certainly no protests from the senior military akin to that which had occurred in the Truman and Eisenhower eras. The only vocal opponents of the move were the Director of the Office of Civil Defense Management, Frank Ellis, and Senator Albert Thomas (R-UT). The former was a Kennedy appointee from Louisiana who wielded little power in Washington. Despite putting up resistance, Ellis was
effectively outweighed by McNamara.\textsuperscript{190} As for Senator Thomas, the Administration simply circumvented a showdown with him by keeping him in the dark about the move until it was announced to the public. Thomas' own political power, and the absence of public interest in civil defense by the end of 1961, would in turn help him circumvent the Administration's plans less than a year later, when he regained oversight of civil defense appropriations.

Without memoirs, President Kennedy's motives for embracing civil defense will never be known for certain. There is some evidence in the writings and recollections of those who worked for him, however, that his interests were founded in a mix of earnestness and politics. On the former, Kennedy made clear to Kaysen that he believed it was his responsibility as president to contemplate and plan for worst-case contingencies. He felt that if civil defense measures could improve the survival rate of the American population in a nuclear attack, he should ensure that such measures were enacted, provided they were neither overly costly nor provocative.\textsuperscript{191}

At the same time, Kennedy believed that there were domestic political benefits to improving federal civil defense. In his biography of the President, Theodore Sorensen states that the potential candidacy of Republican Nelson Rockefeller in 1964 influenced Kennedy's desire to take on civil defense before


\textsuperscript{191} Author interview with Carl Kaysen.
Rockefeller could make it a campaign issue.\textsuperscript{192} Carl Kaysen distinctly recalls Kennedy commenting, “Nelson’s trying to put it up my back. I’ll put it up his.”\textsuperscript{193} As to why Kennedy transferred responsibility for civil defense to the Defense Department, Sorensen refers only to an interest in “efficiency.”\textsuperscript{194}

Kaysen’s account goes further, recalling that McNamara thought little of the OCDM’s management and capabilities and suggested that if the President wanted something done about civil defense, he ought to transfer it under McNamara’s authority.\textsuperscript{195} Also, OCDM budget requests had met stiff resistance in the Senate Appropriations Committee’s Independent Offices Subcommittee. A transfer to DoD would move the program under the jurisdiction of the Military Operations Subcommittee.

Despite the focus on domestic, bureaucratic, and personal interests in these accounts, there were also compelling strategic rationales for a renewed emphasis on civil defense. First, Kennedy’s own strategic doctrine of flexible response was a distinct move away from the “balance of terror” that characterized Eisenhower’s massive retaliation strategy. Civil defense, as a form of damage limitation, was entirely compatible with that strategy. Second, international tensions reached new heights in 1961. Although McGeorge Bundy’s call to Kaysen in February indicates the early interest of the

\textsuperscript{193} Author interview with Carl Kaysen.
\textsuperscript{194} Sorenson, 614.
\textsuperscript{195} Author interview with Carl Kaysen.
Administration in civil defense, it was not until shortly after the Bay of Pigs fiasco that a review of the current program was formally raised and tasked in a National Security Council meeting. Interestingly, it was highlighted as one in a series of actions aimed at “strengthening the basic U.S. posture toward the communist world.”

Theodore Sorenson’s account of Kennedy’s evolving views on civil defense likewise support its link to the period of “agonizing reappraisal” between the Bay of Pigs and his Second State of the Union Message.

Further, Kennedy’s 25 May speech was given on the eve of his meeting with Khrushchev to discuss the status of Berlin. The next time he raised the issue was in his July 25 speech rejecting Khrushchev’s ultimatum to reach a German settlement by the end of the year. At that time, he announced that the transfer of OCDM’s functions to the Defense Department was complete and that preparations would begin to secure the American population in the event of any crisis. The next day, Secretary McNamara presented the Administration’s $207 million shelter expansion request to the Senate Appropriations Committee. The program involved the use of military public works centers and the Army Corps of Engineers to train surveyors and then perform surveys of the existing stock of fallout shelters. The request passed in its entirety, a first for shelter proponents.

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196 Record of Actions by the National Security Council at its Four Hundred and Seventy-Eighth Meeting held on April 22, 1961.
197 Sorenson, 613.
199 Kerr, 120-121.
Just as quickly as its prospects seemed to rise, civil defense faded from view once again. Several factors contributed to its decline. There was public confusion over just what Kennedy’s proposed program entailed. For example, would the government build private shelters or only community shelters (it was the latter)? There was also predictable outcry by liberal groups who expressed dismay at the Administration’s “provocative” actions.\textsuperscript{200} Finally, there was the peaceful resolution of the Cuban Missile Crisis. By the end of 1961, the general furor over civil defense—positive and negative—had receded.

In January 1962, Senate Appropriations Chairman Joe Cannon put civil defense back under the jurisdiction of the Independent Offices Subcommittee. This was done to placate subcommittee chairman Sen. Albert Thomas, who believed that the Administration had tried to end-run him in its move to Defense.\textsuperscript{201} The Administration’s civil defense budget requests were slashed drastically in Congress over the next two years: $695 million requested for FY1963 cut to $113 million and $347 million requested for FY1964 cut to $11.6 million.\textsuperscript{202} With the writing so clearly on the wall, the new Johnson Administration disengaged from the civil defense fight. In 1965, the responsibility for civil defense was downgraded from an OSD assistant secretary position to a directorate within the office of the Secretary of the Army and retitled the Office of Civil Defense. In testimony given before Congress in 1966, Secretary of Defense

\textsuperscript{200} See discussion of SANE reactions in Kerr, 122.
\textsuperscript{201} \textit{New York Times}, 2 January 1962, 1.
\textsuperscript{202} Snead, 179.
McNamara stated, “We have made strenuous efforts in the past to obtain larger appropriations for civil defense and have been unsuccessful. I think it is wise, instead of wasting our time continuing to press for something we cannot accomplish, to spend our resources on other more fruitful areas of activity.”

The brief flurry of activity in the Kennedy Administration was followed by fifteen years of inattention to civil defense in the public and national security realm. In 1963, already in the downswing of interest in the topic, there were 72 articles in the New York Times referencing civil defense. In 1966, the number was 20, and in 1968, it was 4. No presidential biographies or autobiographies after Eisenhower make reference to civil defense. In addition to congressional skepticism about the shelter program, which made any civil defense initiatives dead on arrival in the appropriations realm, there were several strategic factors that weighed in the neglect of civil defense. First, the strategic nuclear pendulum swung back from flexible response to mutually assured destruction, as McNamara’s damage limitation argument was gradually abandoned. Civil defense only weakened the MAD doctrine by undermining the balance of terror on which it was premised. Second, the major foreign policy focus of the United States during this time was the war in Vietnam, not a strategic nuclear exchange between the United States and the Soviet Union. Civil defense was far less salient to this kind of threat than it had been in 1961.

203 Cited in Kerr, 137.
204 Ibid., 134.
In recognition of the declining relevance of the civil defense mission, Secretary of Defense Melvin Laird abolished the Office of Civil Defense in 1972 and replaced it with a Defense Civil Preparedness Agency (DCPA) that consolidated various military civil support functions. Laird stressed the “double duty” that funding for this organization would provide in terms of support to local governments for both natural disasters and nuclear events; he also stressed the civilian character of its activities and organization. The Ford Administration subsequently attempted to peel away the peacetime disaster programs from the Department of Defense, with Secretary of Defense Rumsfeld arguing that such activities were the responsibility of local governments. The House Armed Services Committee objected strongly to this decision, however, and DCPA continued its dual-role mission.

Phase III: Civilian Leadership...Again (1979-present)

In 1976, the House Armed Services Committee and the Joint Committee on Defense Production examined the ever-expanding range of civil defense and disaster assistance provided through agencies of the federal government. The two urged the Office of Management and Budget (OMB) to consider creating an organization within the Executive Office of the President to coordinate the efforts of DCPA, the Federal Disaster Assistance Agency, located in the Department of Housing and Urban Development, and the President’s Office of Emergency

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206 Kerr, 147.
Planning. In August 1977, President Carter tasked OMB with just such a study, which culminated in the creation of the Federal Emergency Management Agency at the beginning of 1979. In the ten months of deliberations over FEMA’s creation, a major source of debate was what role the military should retain in civil defense.\textsuperscript{207} The reorganization plan that Carter ultimately approved called for the Secretary of Defense and the National Security Council to provide oversight of FEMA’s nuclear attack readiness programs.

The early Reagan years saw an increased interest in a substantial civil defense program second only to that sought by the Kennedy Administration. Several factors contributed to the growth of support for civil defense in this period. First, the Nixon strategy of détente came under attack from the right, notably from Ronald Reagan himself in the 1976 presidential election. Second, intelligence sources began to point to a significant Soviet civil defense buildup—spending perhaps ten times what the United States did—and a superior Soviet population protection capability (although the actual effectiveness of these defenses was questionable).\textsuperscript{208} Finally, the prevailing winds of nuclear strategy once again began to favor a flexible response variant. As early as 1973, right-leaning strategists began to talk about the immorality of the MAD strategy and the need to be capable of winning a nuclear exchange.\textsuperscript{209}

\textsuperscript{207} Ibid., 147-148.
\textsuperscript{208} Ibid., 152-153.
When he took office in 1981, President Ronald Reagan immediately looked to expand the US civil defense program. FEMA’s first budget request in the new administration was for $4.3 billion over seven years. It wished to jump start a fallout shelter program and provide for the mass evacuation of cities on warning. OMB head David Stockman objected strenuously to the request; he believed that not only was the program unfeasible, it was also likely to cost over $10 billion if implemented. Reagan, “the principal sponsor within the administration for expanded civil defense,” sided with FEMA.\footnote{Christopher Simpson, \textit{National Security Directives of the Reagan and Bush Administrations} (Boulder, CO: Westview Press, 1995), 57.} True to form, however, Congress cut $100 million from the initial FY1983 request of $254 million.\footnote{Congressional Quarterly, Inc., \textit{US Defense Policy, 3rd Edition} (Washington: CQ Inc., 1983), 67.} As in the 1960s, this set the tone for future executive-congressional interactions on civil defense. By 1987, the Reagan Administration had softened its civil defense rhetoric and programs. Its final national security directive on the topic tasked FEMA to concentrate on natural disasters and completely eliminated the multibillion-dollar shelter program. In language similar to that used throughout the post-war history of American civil defense, NSDD 259 emphasized the primary responsibility of state and local actors in improving national capabilities.\footnote{National Security Decision Directive 259, “US Civil Defense,” 4 February 1987.}

The fullest articulation of President Reagan’s idealized civil defense policy was given in the unclassified 1982 National Security Decision Directive (NSDD) - 47. NSC staff aide Lieutenant Colonel Oliver North and FEMA officials drafted
the directive. Intended as an unclassified call to action for civil defense, NSDD-47 tasked a wide range of federal actors, including the Defense Department, with civil defense missions, aiming for full mobilization capability by 1986. North’s assignment to the civil defense/emergency preparedness account at the NSC, and his subsequent pairing with FEMA in several ventures, became the source of great speculation and suspicion. In 1984, North forwarded a draft executive order for imposing martial law during crises to the National Security Advisor, then Bud McFarlane. The proposed order would have given FEMA the authority to appoint military commanders and run state and local governments. FEMA Director Louis Guiffrida, a former National Guardsman who had worked on a similar plan for Reagan in California, spearheaded the planning effort. Attorney General William French Smith doubted the legality of the FEMA plan and persuaded McFarlane to turn it off before the president could approve it. Although the military does not seem to have been directly considered for the civil defense task in the Reagan Administration, FEMA’s leadership, together with the key staff aide in the NSC, clearly intended to use the military to manage any kind of attack- or other crisis-generated response.

As the above historical summary delineates, primary responsibility for American civil defense has moved seven times since the end of World War II

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214 This account draws from Bill Bradlee, Jr., Guts and Glory: The Rise and Fall of Oliver North (New York: Donald L. Fine, Inc., 1988), 132-136. It is also the subject of numerous independent Internet sites and discussion threads, many of which maintain that FEMA operates a shadow government capable of subverting the democratic process in a crisis.
Three of these instances involved the transition between military and civilian responsibility. These were:

- Truman’s decision to move civil defense from the Pentagon to the National Security Resources Board (March 1949);
- Kennedy’s decision to move civil defense from the Office of Civil and Defense Mobilization to the Office of the Secretary of Defense (May 1961); and
- Carter’s decision to dissolve the Defense Civil Preparedness Agency and move civil support to the new Federal Emergency Disaster Agency.

In addition to these three cases, there occurred under the Reagan Administration a possible missed transition period in which presidential support for civil defense was strong but no organizational change took place.

Excluded from the data set is the initial post-war decision, taken by President Truman, to create an Office of Civilian Defense within DoD. Its exclusion is due to the fact that Truman never assigned operational responsibility for civil defense to the Department of Defense. Using the same rationale, Truman’s subsequent decision to assign operational responsibility to a civilian agency is included.

\[215\]  One can assume in this case that Truman’s motives were purely rational. Expertise for civil defense resided in the military at the time, and given Truman’s minimal interest in civil defense and his Secretary of Defense’s support of the assignment, this seems a minimal cost planning solution.
6. RESEARCH IMPLICATIONS AND PREDICTIONS

Since before the standing force’s inception at the end of World War II, the military has been called on to fight fires, provide relief from natural disasters, contain riots, enforce desegregation, manage civil defense programs, and participate in counternarcotics operations. At the same time, the United States has not given itself over to military dominance in all aspects of national security. The nation’s leaders have sometimes demonstrated a clear preference for civilian agents over military alternatives. The cases described in this work probe a range of factors that may be affecting agent selection for national security missions. This chapter will assess the evidence associated with each such factor, concluding that three factors appear particularly salient for agent selection. The nature of the geostrategic environment in which the decision is made appears as a factor in every case studied. Societal views about military and civilian governmental efficacy at the time and politicians’ interests in demonstrating their intent to “solve” the national security problem are also prevalent factors. Importantly, the research described herein does not strongly support a bureaucratic politics explanation for agent selection. This conclusion is surprising as this model is one of the most common applied to national security decision making.

In chapter 2, I hypothesized that cases of military versus civilian agent selection for national security could be understood as a simplified two-by-two
interaction between decision makers and potential agents. Figures 3 and 4, below, populate these theoretical interactions with the case studies assessed in the intervening chapters.

**Figure 3**

<table>
<thead>
<tr>
<th>US Military</th>
<th>Assignment Demand</th>
<th>No Assignment Demand</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration of Germany?</td>
<td>Win</td>
<td>Domestic WMD consequence management</td>
</tr>
<tr>
<td>Win</td>
<td></td>
<td>Counternarcotics detection and monitoring</td>
</tr>
<tr>
<td>Win</td>
<td></td>
<td>Civil defense, 1962-1979</td>
</tr>
</tbody>
</table>

Figure 3, describing military agent selection, is interesting for the absence of maximizing outcomes. That is, none of the cases explored here illustrates a clear "win-win" solution for political leaders and the military. In three of the cases, counternarcotics monitoring, domestic WMD consequence management, and leadership on civil defense, the Department of Defense has demonstrated a lack of interest in the mission over time. Although some segments of DoD had interest in these missions, particularly as these subcomponents were institutionalized, the Department's leadership showed, at best, grudging or very short-lived leadership.
The case of military governance proves to be its own curiosity. In chapter 1, I hypothesized that civilian control of the military would prevent the appearance of military mission assignment where civilian leadership did not support it. Although the case set bears this assumption out, the military governance mission demonstrates the extent to which civilian leaders will bend their opposition when faced with no alternatives.

**Figure 4**

US Civilian Agency
Assignment Demand | No Assignment Demand
---|---
Win | Win
NASA establishment
Foreign police training, except as noted below
Civil defense, 1947-1962 | Win
Win | Win
Foreign police training,
1974-1980s
Civil defense, 1980-present | Win
Win | Win

Figure 4 is populated with the various civilian mission assignment cases explored in this study. These results are quite different than those for the military assignment cases. They are in fact more in keeping with the expectations set out in chapter 2 and the political science and public administration literature explored therein: where agencies vie for a mission and leaders believe them best suited, the mission is indeed assigned. Where non-military government agencies have an institutional interest in maintaining the mission, but political
leaders are either apathetic or even hostile, the mission withers without strong mandate or funding.

Civilian control of foreign policing from 2001 to present is an outlier in this logic. The military, civilians, and decision makers all appear to want civilians to be assigned this mission in the long-run. Nevertheless, in times of crisis, such as during some operations in the 1990s and in Iraq and Afghanistan, the need to complete the mission successfully and the lack of viable alternatives lends an air of resignation to substantial reliance on the military. Though mission assignment may not formally change hands, the Defense Department has often times exerted on-the-ground command in these cases.

To explain these results, I assessed the evidence relating to six factors that might affect mission assignment. These were: the geostrategic environment; society’s relative views of military and non-military government agencies; electoral considerations; the compatibility of a mission with agent’s design or ethos; views about the fiscal implications of selecting a particular agent; and inter- and intra-agency bureaucratic politics. This section will explore the case evidence as it relates to each of these factors in greater detail.

**Strategic Environment**

The strategic environment appears to have played a key role in all of the national security mission assignment case studies. In each case of military
mission assignment, civilian leaders voiced their support and seemed to
genuinely believe that such a choice was justified by the international
environment, although sometimes because of the environment's permissiveness
and sometimes because of its stresses. Similarly, the choice of civilian agents
occurred in the context of important geostrategic debates that civilian agency
resolved. Ironically, however, it was sometimes the weakness of civilian
solutions, rather than their relative strength, that served the strategic end.

All three civil defense eras exemplify dominant strategic considerations in
mission assignment. The evidence shows that President Truman had very little
interest in civil defense, and Congress was likewise largely apathetic. Although
concern about the strategic environment was great, the Truman Administration
was not worried about an immediate Soviet capability for devastating atomic
attacks.\footnote{This came later, as a result of NSC-48. Even then, the Soviets were not projected to have a
important to national security. "Throughout the Truman years," notes a civil
defense expert, "civil defense was regarded as a civilian responsibility distant
from the concerns of strategists.\footnote{Lawrence J. Vale, \textit{The Limit of Civil Defence in the USA, Switzerland, Britain and the Soviet
Union} (New York: St. Martin's Press, 1987), 60.} Similarly, Eisenhower tied his disinterest in
civil defense at least in part to its incompatibility with his administration's doctrine
of massive retaliation. Like Truman, Eisenhower sought to buy off political
pressure with a low-budget, low-profile civilian civil defense organization.
President Kennedy clearly took a personal interest in civil defense and appeared to genuinely believe in the importance of the mission. This approach fit with his nuclear strategy of flexible response. It also demonstrated necessary resolve on the eve of a meeting with Khrushchev. In choosing to transfer the civil defense mission to DoD, the evidence shows that President Kennedy believed the program would improve and even expand there. The military of 1961 had plenty of missions to occupy it. The assignment of civil defense was thus not made in an effort to refocus or exploit an underused military. Rather, it appears to reflect a correlation of the mission with a “war” posture and a desire to signal to the Soviets that the protection of the American public was a key component of the US nuclear deterrent.

The final 1979 transfer of civil defense to FEMA likewise seems to have had strategic roots. With the absorption of civil defense into the newly created FEMA, President Carter seemed to be reflecting a general strategic viewpoint that civil defense was not a critical capability. Although the public mood about the strategic environment was beginning to darken, there was no strong interest in the public, among politicians, or even among nuclear theorists to revitalize civil defense under civilian or military leadership.

The cases of military mission assignment explored in Chapter 4 likewise demonstrate the importance of geostrategic considerations. The de facto
assignment of military governance in Germany came at a time of high perceived threat and no strong alternatives. With the nation at war, the environment seemed to push President Roosevelt to choose a military solution despite his view that the mission was most appropriate for civilian agencies. Like Kennedy on civil defense, he appears to have been motivated by the stresses of the environment rather than its relative calm, as Huntington’s transmutation theory might suggest.

The strategic environment also appears to have played a significant role in selecting the military for counternarcotics during the late 1980s and domestic train-the-trainers programs in the mid-1990s, although for very different reasons. In the immediate aftermath of the Cold War, the relative dearth of conventional military challenges seems to have created an appetite among political leaders to expand the uses of the military into new areas. This factor aligns with Huntington’s theory of military transmutation. The use of the military in counternarcotics had actually been rising throughout the 1970s and 1980s, but its leadership in aerial and maritime narcotics detection and monitoring arrived only after the fall of the Berlin Wall. In the case of domestic consequence management, the view of US territory as a new battlefront following the first bombing of the World Trade Center and the Murrah Building, and the relative availability of military forces no longer on a Cold War posture, seems to have significantly contributed to congressional leaders’ interest in shifting military resources into homeland security.
Geopolitical considerations do not always weigh in favor of military mission assignment. A strong geopolitical sense was also behind the decision to civilianize the new US space agency. Foremost in President Eisenhower’s mind in establishing NASA was the need to signal the peaceful nature of the US space program. He needed a means to pursue an “open skies” policy, which military mission assignment would have undermined.

Nested within the case set are two instances in which a geostrategic-centered theory of national security mission assignment would seem to predict a shift from civilian to military agency, but where this change did not formally take place. The first was civil defense in the early 1980s. President Reagan was himself a strong proponent of civil defense. Throughout his presidency, public and elite concern over the Soviet nuclear threat was high. Moreover, the administration’s nuclear warfighting doctrine called for significant improvements in civil defense. Although FEMA militarized the US approach in this period, however, the military was not given control over civil defense.

The second case in which strategic considerations might predict military assignment is US training of foreign police in Iraq and Afghanistan. This case bears many similarities to the conditions surrounding military governance in Germany. In both cases, the nation was at war, and winning the peace was and is seen as critical to the nation’s long-term national security. As with military
governance, the geostrategic environment seems to have pushed foreign police training, otherwise viewed as appropriate to civilians, into the military category. Yet today, no discussion of formal transfer exists. This case and the civil defense case in the 1980s suggest the likely presence of other factors at work in these (non) mission assignments.

**Nature of American Society**

The extent to which the American public and its leaders subscribe to a limited role for the military, or for government more generally, also appears to correlate with the circumstances surrounding assignment of national security missions in several of the case studies. The liberalism of American society that Samuel Huntington described does indeed appear to have abated over time. The early cases of mission assignment explored in this work are filled with examples of civilian leaders hesitating in their use of the military for new missions. The issue unfolded, after all, during a period of relative harmony between civilian and military institutions. “Civilian institutions were preeminently liberal in character,” writes Huntington of the era, “but no necessary conflict existed between them and the professional military institutions, so long as each was kept within its proper sphere.”

The case work seems to demonstrate, however, that by the 1980s, such circumspection had largely given way to an acceptance of a powerful and capable military instrument in the form of standing armed forces.

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218 Huntington, 457.
President Roosevelt's reluctance to use the military for the governance of Germany is the case set's first encounter with circumspection about its role in society and in national security. Together with Harold Ickes and other key leaders, Roosevelt was convinced that the military should not expand into the civilian governance domain and capitulates only when no alternative appears feasible. Similarly, President Eisenhower, his science advisors, and then-Senator Lyndon Johnson all worked from a premise of limiting the military face of space science. Eisenhower's reasoning was likely grounded in more than a general deference to traditional liberalism. Rather, as the discussion of strategic factors indicates, the president's primary desire appears to have been convincing the international community that America's motives were peaceful in nature, when in reality they had tremendous military application.

The 1963 assignment of foreign police training to the newly created US Agency for International Development was another case in which Huntington's description of traditional liberalism appears to be at work. Despite interest from the Defense Department in coordinating foreign police training for the US government, its civilian counterparts were wary of granting it this role. They were concerned that the military would not train police so much as create new paramilitary forces abroad.
By the late 1970s, society's view of the military was at a distinct crossroads. The Vietnam experience still cast a pall over Americans' view of the military (it would until the Grenada invasion several years later), but a backlash to the anti-military view was beginning to take root. There is little evidence, however, the President Carter was concerned about the civil-military implications of reassigning civil defense to FEMA. He and congressional decision-makers instead focused on more instrumental reasons for favoring civilian agency, which are explored further below.

There was a curious exception in the case set to the otherwise clear preference of early Cold War decision makers for a limited military role in society. At the very time civilians were expressing concern over the possibility of military leadership in foreign police training, President Kennedy was assigning civil defense to McNamara's Defense Department. Given their contemporaneous nature, the strategic environment and views on the role of the military in society are unsatisfactory in explaining why the military should be preferred for one mission and civilians for the other. Other factors relating to the agencies and missions themselves may help explain these differences.

By the late 1980s, the United States had conducted a successful invasion of Grenada and was facing down the Soviet Union in Central America and around the world. Traditional liberalism, as Huntington described it in 1957, appears to have declined markedly from the 1980s to today. In that period,
decision makers have called on the military in the War on Drugs, assigned it to lead the domestic train-the-trainers program and develop civil support teams, and relied on it in large part for foreign police training in Latin America and again in Iraq and Afghanistan. As the case evidence shows, the majority of the public and its elected leaders have generally been comfortable with the military taking on these new tasks during the past thirty years.

There have been objections voiced in all of these cases, of course. A consistently vociferous advocate of limiting the military’s role in these new national security missions is the Defense Department’s own leadership, civilian and military. They are sometimes odd bedfellows with civil libertarians, development and diplomacy professionals, and the law enforcement community, all of whom seek clearer domestic/foreign and civil/military lines of authority. In the cases reviewed here, however, this opposition pales in comparison to the overwhelming acceptance of an expanding military role in foreign and national security policy.

**Electoral Value**

Public views of an agency’s effectiveness correlated with agent selection throughout the case set, suggesting that public opinion and electoral considerations are often important. This may at first strike the reader as obvious: who would not select a winning horse when wagering at the track? At times, however, the public perception of agent effectiveness ran counter to informed
opinions provided to decision-makers about where key expertise resided or should reside. This was true for two of the three cases where missions were assigned to the military: counternarcotics detection and monitoring and domestic consequence management.

The military’s assignment as the nation’s lead for aerial and maritime narcotics detection and monitoring was a clear and direct result of public pressure. The public was deeply concerned about drug use and trafficking as a national security issue, and they wanted the military involved in stopping it. This pressure does not seem to have resulted from a generally held belief that the military would be more effective than law enforcement agencies, but that the addition of the military to the war on drugs would improve the nation’s overall chances for success. The public’s trust in the military and its desire to throw all tools at the problem gave US politicians more than sufficient justification to expand the military’s role despite expert advice that doing so would not demonstrably improve national counternarcotics efforts.

As in the counternarcotics case, public leaders, particularly in Congress, sought to assign the domestic WMD train-the-trainers program to the Department of Defense and to establish the National Guard Civil Support Teams with DoD funds despite good evidence that these were not likely to be the most effective solutions. Nevertheless, public pressure to make the United States safer from possible terrorist attacks was intense, and America’s post-Gulf War military was
viewed as trustworthy and competent. That sense of military effectiveness was critical to the mission assignment choice.

The third case of military agent selection studied here, that of military governance of Germany, provided insufficient evidence to make judgments regarding public perceptions of the relative capabilities of civilian and military agencies. Elite perceptions that civilian agencies would be unlikely to succeed, however, were critical to the dynamics of agent selection. Once again, this case has similarities with foreign police training today. Although in the latter case official leadership has been retained on the civilian side, the limitations of civilian capacity have significantly contributed to an expert view, even if grudging, that the military is the only effective choice.

The civil defense cases provide mixed insights on the importance that perceptions of agencies’ effectiveness played in their selection. Truman and Eisenhower appear to have chosen civilian civil defense solutions for their very likelihood of long-term failure. Particularly in the case of Eisenhower, grander geostrategic rationales took precedence over public perceptions of agency effectiveness for the mission. Both presidents felt some public pressure to act, but their goal appears to have been satiating public demand for action with the least investment of time and resources.
The 1962 transfer of responsibility from the Office of Civil and Defense Mobilization to the Department of Defense signaled President Kennedy's desire to step up civil defense programs. Kennedy was at least in part motivated by domestic political considerations. His fear of Nelson Rockefeller's ability to turn civil defense into an election issue obviously weighed somewhat in the overall decision to increase that program's profile. He clearly supported the recommendations of the Gaither Commission and others who argued for a closer alignment of civil defense and military planning. And under McNamara, he believed, the Defense Department would get the civil defense job done better than its civilian predecessor.

In the remainder of cases, there do not appear to be significant electoral dynamics at work. Rather, there is strong correlation between elites' views of agency effectiveness and agent selection. The creation of NASA as a civilian agency, for example, was viewed as the efficacious choice by both President Eisenhower and Senator Johnson, who shepherded the White House's legislation to success. Public opinion seems to have played a minor role in agent selection. Indeed, Senator Johnson moved off of the topic quickly after public interest cooled.

The transfer of civil defense to FEMA also appears mostly to be the result of an earnest recasting of the mission as one of natural disaster preparedness. In 1978, the key issue seems to have been how best to provide a coherent
federal response to domestic emergency assistance. As a former governor, Carter was particularly sensitive to the plea from the states for better coordination. President Carter's decision centered around his view that a civilian agency would better support state and local response.

The assignment of foreign police training to US AID is a third case where electoral politics appear to have played a minor role and a reasoned assessment of relative agency effectiveness dominated. There were no arguments made to shift the mission formally to the military at any point thereafter. Each time there were peaks of civilian decision-maker interest in improving US foreign police training capacity and capability, decision-makers in the Executive and Legislative Branches concluded that growing civilian, rather than military capacity, would be most effective. Although this is true even today, the exigencies of combat environments in Iraq and Afghanistan, coupled with the apparent lack of public and political interest in expanding the development and diplomatic corps, has limited the growth of such capacity.

Agency Design and Budgetary Consequences

Agency design and budgetary capacity are closely related to one another. Agencies like the Defense Department that are built to surge in emergencies are able to absorb emerging missions more easily, with the funding mechanisms, budget largess, and congressional support to absorb such mission “shocks.” Conversely, peacetime civilian organizations, such as the Department of State
and even domestic law enforcement agencies, are sized to execute their routine missions and not to train and prepare for future contingencies. As the case set demonstrates, these factors can favor military mission assignment even when the mission appears better suited to the expertise of another agency.

The size of the military, its tremendous expeditionary and logistical capability, and its ability to develop schoolhouses and training regimes on relatively short notice were all key factors in its successful bid to oversee the governance of occupied Germany. Despite Roosevelt's strong preference for civilian leadership, Department of State and other agencies could not demonstrate their ability to succeed at the mission. In fact, they had already shown their limitations during the North Africa campaign. Likewise, each time surge capacity became an issue in civilian leadership of foreign police training, the military stepped into the mission in at least a supporting role. These instances have also generally involved non-permissive or semi-permissive operating environments in which force protection is critical to completing the mission. US civilian agencies lack the ability to protect themselves, making their assignment in conflict zones at times more burdensome to the military than simply executing the needed tasks itself.

The military's role in counternarcotics is another case where significant budgetary support, extant technology, and expeditionary capacity were critical to its involvement. The military owned planes, radars, submarines, and coastal
patrol craft to undertake the monitoring and detection role. There were clear resource efficiencies to be gained by having these tools in the counterdrug arsenal rather than building a second, comparable law enforcement “army.” The WMD Civil Support Teams likewise brought seeming resource efficiency by repurposing National Guard members and their equipment. In both the counternarcotics and WMD cases, DoD was excluded from Gramm-Rudman-Hollins balanced budget ceilings, easing constraints on funding these new missions.

For two of the cases in which civilian agencies were selected for national security missions, agency design and budget authority were built into the decision. Both NASA and FEMA were designed at the time they were absorbing space exploration and space science and civil defense, respectively. The assignment of foreign police training first to USAID and later to the Department of Justice was accompanied by the creation of new subcomponents intended to provide them greater flexibility than their parent institution and to protect them from the rest of their organizations. These cases thus may support the general rule of military preference rather than contravene it. If a civilian agent is to be selected, it appears decision-makers will need to create mechanisms to overcome the limitations of agency design and resource constraints that normally apply.
Inter- and Intra-agency Politics

One of the most surprising insights from the case set examined in this work is the limited number in which strong push and pull agency and political pressures appear to drive agency choice. Several cases involved significant lobbying on the part of some agencies or subcomponents thereof, but only in half of the cases did these pressures appear to weigh in the decision. These were the case of the WMD Civil Support Teams, military governance in Germany, Truman’s assignment of civil defense to the National Security Resources Board, and the establishment of NASA. With the exception of the WMD CSTs, there is little evidence that bureaucratic politics was pivotal.

The National Guard Bureau is a powerful organization in American politics. With members drawn from all states, many of whom are in prominent local positions, and responsibility to the governors, the Guard is often able to outmaneuver the military services, particularly the Army, on Capitol Hill. When the Guard conceived of the WMD CSTs, it had a born winner. There was opposition to funding the CSTs from inside the Department, and strong testimony from local first responders that the CSTs were unlikely to provide the return on the federal taxpayer dollar that they could. Yet the National Guard convinced Congress that the CSTs could provide distributive politics at their best, sending a 22-person gift to every US senator.
The military governance case provides the next strongest evidence for the role of inter-agency politics. The Army sought the military governance mission and attempted to sway its interagency counterparts and President Roosevelt throughout the decision-making process. What is most fascinating about this case is the extent to which the military appears to have failed in making its case, yet succeeded in obtaining the mission. Roosevelt was never persuaded that the military was the right choice for the assignment of running a country just emerging from fascist rule. He agreed with key civilian advisors that the military might be too anti-Democratic and lacking in intellectual heft to succeed at the task. In fact, if not for the abject failure of civilian agencies to present a viable alternative, civilian governance would have indeed resulted from the mission assignment deliberations. The military was advantaged by being on the ground in Germany and executing capably, creating a fait accompli that Roosevelt chose not to overturn.

In reassigning civil defense from the Office of the Secretary of Defense to the National Security Resources Board, President Truman appeared to have been won over by the bureaucratic success of pro-civilian assignment forces. They included senior members of the military, as expressed in the Bull Report, media commentators, such as Walter Winchell, and the Hoover Commission. Against these strong forces were arrayed the lesser power of Russell Hopley, the Director of Civil Defense, and possibly Secretary of Defense Forrestal, although there is no evidence from Forrestal of his position on the move. It is important to
recall, however, that the movement to place civil defense in the hands of civilians was rooted in a principled argument about traditional liberalism. Civilian government agencies do not appear to have weighed in on the debate.

The creation of a civilian NASA could be seen as a textbook case of bureaucratic politics in action. Elements within the military sought the mission, though the Secretary of Defense ultimately did not pursue it. Civilian science advisors rallied around the government’s scientific community to lobby for a non-military agency, garnering agreement for their position from the president and the chief congressional space advocate. Unfortunately, the evidence from Eisenhower’s own writings and that of contemporary historians point to geostrategic rationales that weighed most heavily in Eisenhower’s mind. It is likely that even if he had been inclined to support those within the Defense Department who sought the space lead, he would have nevertheless chosen a civilian agency to protect his search for early warning through peaceful, open skies.

None of the other cases contains sufficient evidence that bureaucratic politics played a critical role in mission assignment. There were almost certainly some special operations forces who embraced the counternarcotics role. Their influence may have been more significant than normal as Congress had just recently established the US Special Operations Command and may have been looking for missions to fulfill its mandate. There is very little in the way of
congressional testimony, opinion pieces, or first-hand accounts that substantiate this supposition, however. In the remaining cases of civil defense and foreign police training, there appears to have been very modest outside interest or lobbying on the part of any agency for the mission. Indeed, in the 1961 assignment of foreign police training to US AID, the only agency that lobbied for the mission—the Defense Department—was bested by an agency whose head actively sought to avoid it.

Through a careful sifting of the causation for mission assignment in these eight cases, a clear pattern is evident. The nature of the strategic environment, the way in which society and its elected officials view the effectiveness of potential agents, and the agencies’ own design features are, together, reliable indicators of agency selection for contested national security missions. I conclude this work by proposing these factors as a theory of national security mission assignment. I also provide some further areas of inquiry for future scholars interested in the agency selection decision phenomenon and some observations on its importance to national security policy making.
CONCLUSION

The degree to which civilian decision-makers are seized with the importance of a national security mission and the implications they ascribe to military or civilian institutionalization of that role are paramount considerations in determining how agencies are selected to lead in new threat areas. Since the end of the Second World War, the United States Government has made a conscious choice between civilian and military agents over one dozen times. Those choices all reflect some attention to the geopolitical effects of military or civilian agency.

Geopolitical effects in agent selection are themselves caused by another, often unattributed factor, however. As the evidence presented in this work demonstrates, an agency’s effectiveness—or, alternatively, foreign and domestic public perceptions of its effectiveness—are critical in determining what strategic signal is being sent by its assignment to a new mission. When a strong signal is desired, as is typically the case, an agency perceived as effective and strategically appropriate is assigned the mission. When a weak signal is preferred, which occurred early in the evolution of US civil defense policy and in foreign police training after 1974, the agent is often weak in resources and power.
Since at least the mid-1980s, these factors have favored a growth in mission assignment to the US military. With the abatement of traditional liberalism and the demonstrated strength of America’s all-volunteer force, the public has come to view the military as the most trusted institution in the nation. Over the same period of time, as Peri Arnold describes, media, politicians, and the public have increasingly branded the US government and its civilian workers as ineffectual bureaucrats. For many politicians today, the strongest alternative to giving a mission to the military may not be a civilian agency at all, but rather a non-governmental contractor.

This outcome is consistent with David Mayhew’s theory that political leaders often seek symbolic value for their policy choices. Although Mayhew was predicting behavior for members of Congress, the increasing encroachment of electoral politics into administrative realignments of the Executive Branch may argue for its applicability to the president as well. The evidence presented in this study seems to corroborate such a view of the presidency. From Eisenhower’s desire to signal symbols of peace to George H. W. Bush’s intent to appease public concern in the “war on drugs” through an expansion of military counternarcotics roles, presidents have consistently used national security agency selection for symbolic power. This is not to argue that the choices are necessarily irrational or made for purely instrumental reasons. Rather, I contend that the desire to convey a strategic message is foremost in the decision-makers mind when an issue is particularly pressing in international or national politics.
The cases presented in this study are suggestive of this theory, but they by no means confirm it. To determine whether there is independent explanatory power to a symbolism variable, several additional factors should be explored. The interplay of party politics was only touched on in this study and may be a factor in national security agency selection. Mission assignment to the military occurred under both Republican and Democratic presidents and congresses, as did civilian mission assignment. Nevertheless, there may be factors relating to unified or divided government not investigated here that shed light on why agency selection occurs or, even more probable, when it occurs. Similarly, exploring whether the causes of national security mission assignment are affected by who initiates the assignment—members of congress or the president—may generate interesting data. A more extensive review of polling data relating to foreign domestic views on particular missions is another fruitful area of inquiry. It may help to substantiate or refute a symbolic power theory.

The research presented here should be of great interest to policy makers as well as scholars. The most important policy insight provided by the case data is that there are significant consequences to using the military as a symbolic instrument in the national security realm. Doing so raises the potential for serious aberrations of American liberal tradition, in which the military's role is circumscribed and clearly subordinated to civilian control. It may also risk success in mission execution, where the military does not have the ethos or expertise to perform the mission. Moreover, a general trend of military reliance will undermine civilian national security institutions, chipping away at their already
lessened resources and mandate. Finally, it could degrade DoD’s ability to function effectively.

The national security realm is ever changing, and our institutions must adapt with it. From climate change and pandemic diseases to the possible theft and use of a nuclear device by terrorists, the range of potential threats is vast. The next major crisis may be just around the corner. Will the nation respond by assigning or shifting missions to civilian or military agents? This body of research suggests that even if civilians are assigned mission responsibility, absent significant and sustained investment in civilian agencies’ authorities, resources, and capacities, or a major operational failure by the US military, the American public and its leaders will continue to regard the military as its “agent of last resort.” Over the long-term, this dynamic risks a self-fulfilling prophecy in which US military competence increases while civilian institution building declines.

Righting this dangerous trend will require the nation to build strong civilian national security capabilities. In most cases, future challenges will require integrated, multi-disciplinary solutions that extend well beyond the expertise of any single US Government department or agency. Advancing US security in this environment will require a strong set of national security tools, military and civilian, with each providing a unique contribution in support of US interests. Improving civilian capabilities for missions so clearly within their purview is a
better long-term investment for the nation, the bureaucracy, and the military, than continuing to preference military solutions.