

Introduction

A Resource for Policymaking

This briefing book provides essential information on major national security issues that will require congressional oversight and action in 2007. Also included are lists of experts who are available for consultation on these issues and a glossary of terms.

An online version of this briefing book, found at www.clw.org/policy/2007_briefing_book, will be continually updated throughout the year.

We hope that you will find this information useful, and we look forward to being of further assistance to your office in the coming year.

The Role of Congress in National Security Policy

Over the past six years, Congress has failed to exercise adequate oversight on a broad range of security issues, including the deteriorating situation in both Iraq and Afghanistan. Partly as a result, the American people elected a new Congress to help chart a fresh direction for our national security policy.

Polls indicate that public opinion favors a return to a more bipartisan, cooperative foreign policy that includes a greater emphasis on multilateral action. Americans want the United States to have a strong defense, but also much stronger diplomacy.

Congress can affect the President's conduct of national security policy through forceful oversight, a careful check on budgetary requests, and new legislative initiatives or conditions on U.S. programs. All such tactics are important, and all complement each other.

The Oversight Role

Congress can fulfill its oversight function in several ways. The most ambitious would be a series of hearings featuring a broad range of expert witnesses from both inside and outside government covering, for instance, any policies requiring multibillion-dollar expenditures such as the spending of reconstruction funds in war zones like Iraq or Afghanistan.

Less ambitious, but almost as effective, would be single hearings featuring independent auditors or other experts exploring whether a particular program has been carried out in a way that is consistent with congressional intent.

Committee members must be prepared to ask forceful questions of witnesses at the hearing and pursue follow-up inquiries if responses are inadequate. Serious preparation will be required since executive branch witnesses are generally specialists well versed in national security matters, while members of Congress have broad responsibilities over a wide range of important issues.

Further follow-up in writing is essential between committee members and witnesses, especially those from the executive branch. Oversight hearings often establish a written record that makes the case for a new policy or future legislative initiatives.

The Legislative Role

Options for legislative action include the following:

- Deleting funding for an activity, program, or office
- Restricting or conditioning funding for an activity or program
- Withholding funds until certain reports or actions are completed
- Including language in a bill or, as a fallback, in a committee report, to clarify congressional intent on an issue
- Authorizing new programs within existing agencies
- Mandating specific reports from the executive branch
- Confirming or withholding confirmation from nominated officials
- Approving or withholding approval of treaties and other agreements

The Budget Committees, the authorizing committees, and the relevant subcommittees of the Appropriations Committees all share jurisdiction over every government program. The power of the purse strings is a basic element of the constitutional balance of power, and Congress must exercise it with care and diligence.

Under the right circumstances, Congress can initiate important foreign and defense policy. The respected Nunn-Lugar nonproliferation program, named for Sens. Sam Nunn (D-GA) and Richard Lugar (R-IN), is a case in point. The program accelerated the destruction and removal of missiles and warheads from the former Soviet Union but was rejected by the State Department and other agencies when originally proposed by Congress. Today, executive branch agencies trumpet the program's accomplishments.

A more recent example is the U.S.-India nuclear agreement. The President proposed that Congress pre-approve the entire deal before negotiations were concluded. The Senate and House, uncomfortable with the nuclear agreement's failure to include a role for Congress after a final agreement between the United States and India, approved it in principle in December 2006 but required the President to resubmit the package after an agreement is negotiated with the Indian government.

Congress has an important role to play on national security issues even if the President must necessarily take the lead. The checks and balances our framers wrote into the U.S. Constitution apply to both domestic and foreign policy, and it is time for Congress to reassume its critical role in formulating an intelligent approach to the world beyond our borders.