



Harry S. Truman Library and Museum

President Harry S. Truman meets with members of the National Security Council, August 19, 1948

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The National Security Act of 1947 was a compromise—between advocates and opponents of a highly centralized military establishment, between supporters of a regularized process for interagency policymaking and defenders of Presidential prerogatives, and between an executive branch needing new legal authorities to deal with a postwar world and a Congress determined to maintain its special powers over the Armed Forces.

As a compromise, the new law disappointed most of the contending factions by falling short of what many advocates wished while going beyond what others considered acceptable. Once enacted, however, it took on a solidity and rigidity that made changes difficult.

Many ironies are reflected in this law. It arose as a measure to reorganize the military, yet it was transformed into basic law for foreign policy and the Intelligence Community. It was crafted as a means to impose restraints on military spending, yet it provided the framework

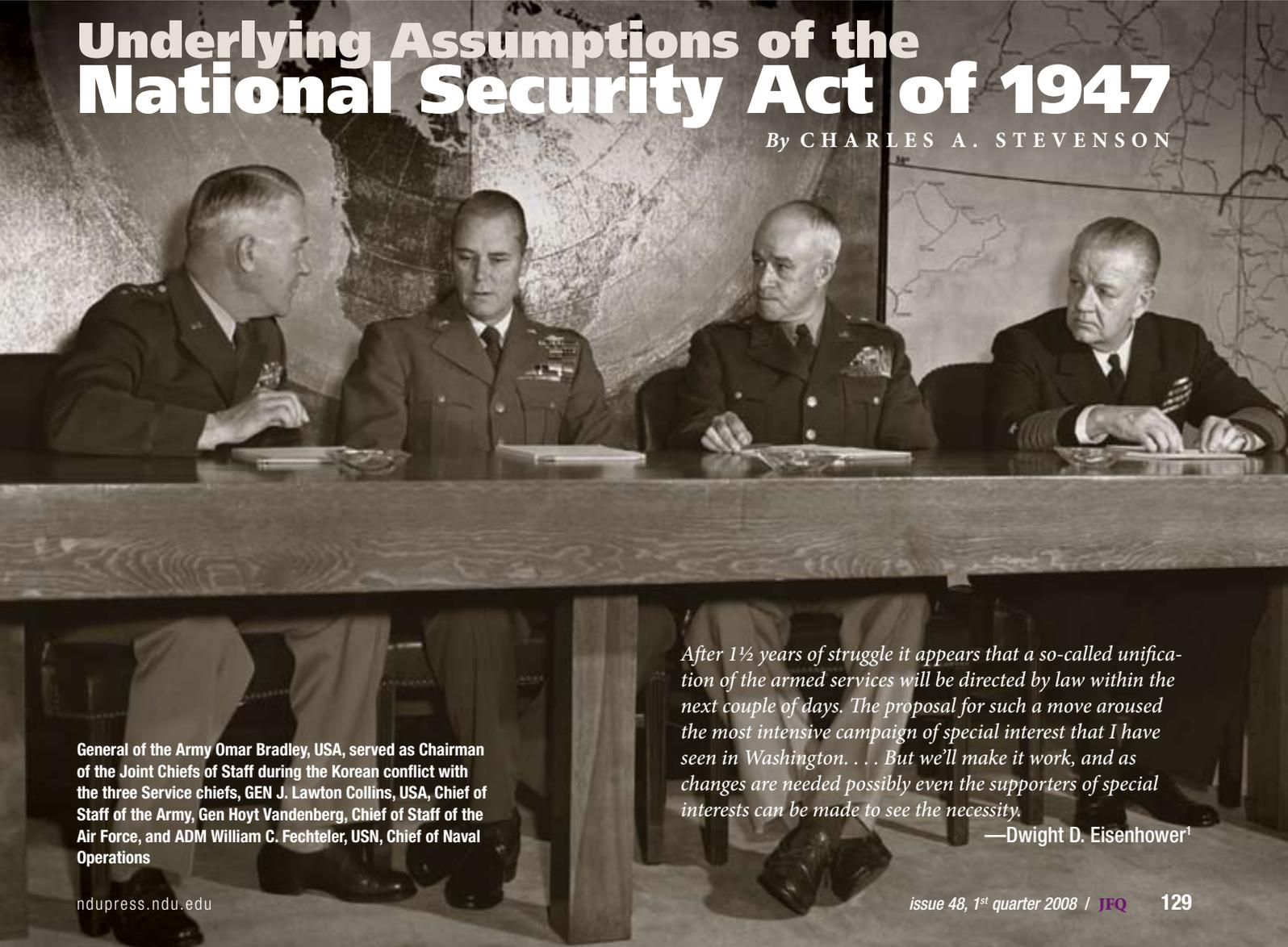
for the Cold War military buildup. Its strongest opponent was given the job of putting it into practice, yet James Forrestal himself became an advocate for changes that he had fiercely resisted. It had been one of the highest priorities for the President who signed it into law, yet he deliberately ignored or tried to undercut some of its most important provisions. The system created by the law may have been “flawed by design,” as one scholar labels it,² yet it has persisted, with only three far-reaching amendments—in 1949, 1958, and 1986.

Any effort to make major changes in this 60-year-old law must recognize its enduring strength and overall success. The “flawed” provisions still allowed successive leaders to make bold decisions and implement widely varying policies. Although like all laws, its words are subject to review and change, this landmark measure carries a legacy of precedents, understandings, and accommodations that impose extra burdens on the proponents of change. Even if some of the outcomes of this law were

U.S. Navy (Knudsen)

Underlying Assumptions of the National Security Act of 1947

By CHARLES A. STEVENSON



General of the Army Omar Bradley, USA, served as Chairman of the Joint Chiefs of Staff during the Korean conflict with the three Service chiefs, GEN J. Lawton Collins, USA, Chief of Staff of the Army, Gen Hoyt Vandenberg, Chief of Staff of the Air Force, and ADM William C. Fechteler, USN, Chief of Naval Operations

After 1½ years of struggle it appears that a so-called unification of the armed services will be directed by law within the next couple of days. The proposal for such a move aroused the most intensive campaign of special interest that I have seen in Washington. . . . But we'll make it work, and as changes are needed possibly even the supporters of special interests can be made to see the necessity.

—Dwight D. Eisenhower¹

unforeseen and perhaps inadvertent, the details were deliberately chosen to balance the contending views.

It is useful to look back at the process that resulted in this law and to dissect its key provisions, looking for the explicit and implicit assumptions that underlay its enactment.

Contending Forces

As World War II was drawing to a close, senior civilian and military leaders began looking toward the postwar environment. They knew that the Armed Forces had to be substantially demobilized, but they also knew that the United States could not retreat into its isolation of the interwar years. Even before it became clear that the Soviet Union would end its wartime alliance and become a political and military threat, U.S. leaders believed that America had to shoulder additional international obligations. The advent of nuclear weapons underscored the increased risks of the new international situation.

With Franklin Roosevelt's death in April 1945, and the accession to the Presidency of the relatively inexperienced Harry Truman, many senior officials wanted to create a policy structure that minimized the role of personal idiosyncrasies and maximized rational strategic planning. Even loyal admirers of Roosevelt, such as Secretary of War Henry Stimson, had been dismayed by FDR's management style. As Stimson confided to his diary in 1943, "The President is the poorest administrator I have ever worked under in respect to the orderly procedure and routine of his performance. He is not a good chooser of men and he does not know how to use them in coordination."³ Many senior leaders did not want the same organizational chaos to continue under Truman.

Army leaders had a plan: the Armed Forces would be unified under a single Chief of Staff and a single Secretary of the Armed Forces, with separate land, sea, and air components, but not separate departments. They argued that the principle of unity of command worked well in the war zones and needed to be extended to Washington. Truman agreed: "We must never fight another war the way we fought the last two," he told his staff. "I have the feeling that if the Army and the Navy had fought our enemies as hard as they fought each other, the war would have ended much earlier."⁴

Navy leaders opposed unification, fearing that they would suffer in the competition for resources, be outvoted by the Army and new Air Force chiefs, and lose naval aviation and

the ground combat forces of the Marine Corps. The result would be "fatal" to the sea service, Navy Secretary James Forrestal believed.⁵

To reverse the threatening tide, Forrestal seized upon a May 1945 proposal from the Chairman of the Senate Naval Affairs Committee, David Walsh (D-MA), who warned that "those of us who feel such a consolidation would not be effective should attempt to formulate a plan which would be more effective." Walsh urged Forrestal to make "a thorough study" of the matter and specifically suggested a "Council on National Defense as an alternative" to the proposed defense department.⁶

Forrestal asked a longtime friend, Ferdinand Eberstadt, to conduct the study. A 250-page report was submitted in September and sent to Congress in October 1945. The Eberstadt report marshaled the arguments against consolidation and fleshed out the idea of a National Security Council (NSC) as a substitute. Eberstadt argued that military unification "looks good on paper" but "has never been

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put to the acid test of modern war." The idea "strikes deeply into the traditions, fiber, morale, and operations of our military services." He also noted that the only countries that had tried such systems had no civilian control of the military. Eberstadt doubted that a single person could run the huge consolidated department: "The lone civilian Secretary would run the risk of becoming a mere puppet, completely hemmed in by the regular establishment." He also warned that "under unification Congress would be presented only with a single 'organizational line.'"⁷

The case for a National Security Council was powerful in its own right. Eberstadt argued that "strategic planning and operational execution were good" during the war, but that "there were serious weaknesses in coordination." He pointed out:

Gaps between foreign and military policy—between the State Department and the Military Establishments. Gaps between strategic planning and its logistical implementation—between the Joint Chiefs of Staff and the military and

*civilian agencies responsible for industrial mobilization. Gaps between and within the military services—principally in the field of procurement and logistics. Gaps in information and intelligence—between the executive and legislative branches of our Government, between the several departments, and between Government and the people.*⁸

Eberstadt proposed an NSC to formulate and coordinate overall policies in political and military fields; to assess and appraise U.S. foreign objectives, commitments, and risks; and to keep these in balance with American military power. He envisioned "a policy-forming and advisory, not an executive, body." He also said that such a structure could wage both peace and war. The members were to be the President as Chairman, plus the Secretaries of State, the three military departments, the Chairman of a new National Security Resources Board, which was to plan defense mobilization, and the Joint Chiefs of Staff.⁹

The idea of a National Security Council found favor with proponents of consolidation, but Forrestal and his congressional allies continued to fight Truman and the Army throughout 1946 and into 1947. Finally, the President insisted on a compromise that Navy supporters could accept—and that became the National Security Act of 1947.

That law created the post of Secretary of Defense but gave him only "general direction, authority, and control" over the three separately administered military departments, called the National Military Establishment.¹⁰ The Department of Defense was not created until the 1949 revisions to the act. But the 1947 law also created the NSC and the Central Intelligence Agency. One of the strongest advocates of military unification, General George C. Marshall, was then Secretary of State, and he complained to President Truman that the proposed law would greatly "diminish the responsibility of the Secretary of State" and make him only "the automation of the Council." Marshall also warned against the dominance of the military departments over foreign affairs.¹¹ His criticism did not stop the momentum for a comprehensive new law. Congress passed Truman's compromise bill with no significant changes in July 1947.

Enduring Assumptions

Lawmakers thought that they were passing far-reaching legislation. The new law "may well change the course of history," said the Chairman of the Senate Armed Services

Committee, John Chandler Gurney (R–SD). “It is now within our power to give the President the help he so urgently needs, and to replace the security organization of 1798 with the organization of 1947.” An opponent, Senator Edward Robertson (R–WY), warned of the law’s likely impact, saying that it would “create a vast military empire . . . which will wield untrammled power over the entire social and economic structure of the Nation.”¹²

The objectives of the 1947 act were clearly expressed in the first few pages of the bill. The title declared its purpose as “to promote the national security by providing for a Secretary of Defense, for a National Military Establishment . . . and for the coordination of the activities of the National Military Establishment with other departments and agencies of the Government concerned with the national security.”¹³

Congress’s declaration of policy was also straightforward:

In enacting this legislation, it is the intent of Congress to provide a comprehensive program for the future security of the United States; to provide for the establishment of integrated policies and procedures for the departments, agencies, and functions of the Government relating to the national security; to provide three military departments for the operation and administration of the Army, the Navy (including naval aviation and the United States Marine Corps), and the Air Force, with their assigned combat and service components; to provide for their authoritative coordination and unified direction under civilian control but not to merge them; to provide for the effective strategic direction of the armed forces and for their operation under unified control and for their integration into an efficient team of land, naval, and air forces.¹⁴

In the law and other statements, Congress made clear that the landmark legislation was premised on several basic assumptions, some explicit in wording and others implicit in the structures and procedures created:

■ The United States faces a new international situation with increased responsibilities and unprecedented threats. The Eberstadt report was completed only a few weeks after the disclosure of the development and use of nuclear weapons and less than a month after the Japanese surrender. Yet it reflected a broad consensus that had already emerged when it spoke of the “greatly enlarged . . . sphere of our international obligations” as well as the “Revo-

lutionary factor of speed and destruction” in warfare. President Truman noted in a message to Congress, “whether we like it or not, we must all recognize that the victory which we have won has placed upon the American people the continuing burden of responsibility for world leadership.”¹⁵

■ U.S. national security requires more extensive, effective, and deliberate “integration of domestic, foreign, and military policies.” This was a central premise of the Eberstadt report, which stated, “For our own safety, we must in the future keep our political and military policies, objectives and actions consistent and in balance.” It also called for “an intimate, active and continuous relationship between those responsible for our foreign and military policies.” The Senate Armed Services Committee argued that “we must make certain that our foreign and military policies are mutually supporting.” Indeed, there was a broad consensus view of wartime policymakers on the need for better interagency coordination, both in policy development and in execution. One of the declared goals of the 1947 act was “to provide for the establishment of integrated policies and procedures for the departments, agencies, and functions of the Government relating to the national security.”¹⁶

■ Integration has to occur at the highest levels of government, with the President receiving a broad range of advice from civilian and military officials. Lawmakers recognized that the President was the ultimate deci-

sionmaker and should receive wide-ranging advice. Forrestal in particular wanted to be sure that Harry Truman listened to civilian officials instead of excluding them, as Roosevelt had done during much of the war. Despite his service in the Senate, Truman was a strong defender of Presidential prerogatives and responsibilities. He made little use of the National Security Council before the Korean War in part because he believed it was an effort by Forrestal to impose a British cabinet-type system. He believed that only the President could make decisions or be held accountable. “There is much to this idea,” Truman wrote in his memoirs. “In some ways a Cabinet government is more efficient—but under the British system there is a group responsibility of the Cabinet. Under our system the responsibility rests on one man—the President.”¹⁷

■ The Armed Forces should always be subject to unquestioned civilian control. Both supporters and critics of military consolidation stressed the importance of civilian leadership. Senators opposing the Army-backed unification bill in 1946 claimed that it “reduces civilian control over our military establishments to the vanishing point,” that

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Secretary of Defense Melvin R. Laird meets with members of Armed Forces Policy Council at Pentagon, January 1973

“the budget becomes essentially a military document,” and that the new Secretary of Defense “will be putty in the hands of the Chief of Staff.”¹⁸ To respond to those concerns, lawmakers in 1947 chose not to create a single Chief of Staff, and they required that the Secretary of Defense be a civilian. Congress also provided that at least one of the top two officials in the Central Intelligence Agency had to be a civilian.

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■ There should be a Central Intelligence Agency to coordinate the activities of the several intelligence activities of the government and “to perform such other functions and duties relating to intelligence” as the NSC should direct.¹⁹ Responding to investigations of the surprise Pearl Harbor attacks, Congress wanted to be sure that intelligence was developed in a fully collaborative way. When Congress concluded that the Director of Central Intelligence was not as powerful as envisioned in the 1947 act, it created in 2004 the post of Director of National Intelligence, with broader authority over the Intelligence Community.

■ Congress needs to provide close and continuing oversight of national security activities. The Eberstadt report recognized “Congressional interest in, and control of, the military services” as a constitutional principle and as a means of maintaining civilian control. Lawmakers had tolerated the administrative flexibility and virtually unlimited spending of the war years and wanted to return to the regular order of legislative control. Starting with the 1947 act, they required the Secretary of Defense to submit “annual written reports” to Congress and the President. Even more reporting requirements were added in later years, along with annual authorization hearings and bills in addition to the required appropriations measures. In order to prevent executive branch muzzling of military views, Congress also specifically authorized the chiefs to “make such recommendations to Congress” as they considered appropriate.²⁰

These assumptions have endured throughout the past six decades and have remained core principles even as the basic law has been significantly amended.

Revised Assumptions

Other assumptions in the 1947 law have been modified in practice or by legislation over time:

■ The National Security Council is only an advisory body. That was the clear intent of Congress in 1947, written into law. It was further buttressed by a requirement that only persons “appointed by the President by and with the advice and consent of the Senate” could be made members of the NSC.²¹ The only non-Cabinet level official mentioned in the law was the executive secretary of the council. In subsequent years, however, Presidents have created under their own authority the post of National Security Advisor and have given that selectee control of the ever-larger NSC staff. In some administrations, this official—who does not require Senate confirmation and who cannot be called to testify before Congress—has functioned not only as an advisor to the President but also as a policymaker and directive-issuer for the President. Congress has not challenged this development.

■ National security policy involves the integration of domestic as well as foreign and military policies. This was one of the original functions of the National Security Council listed in the 1947 law. But prior to 1993, with the creation of the National Economic Council, and 2002, with the creation of the Department of Homeland Security, little was done to include domestic and economic matters as part of national security policymaking. Now many more issues—from infectious diseases to climate change—are seen as qualifying as national security concerns.

■ Power should not be concentrated either in the Secretary of Defense or in any single member of the Joint Chiefs of Staff. Just before becoming the first Secretary of Defense, Forrestal told a friend, “This office will probably be the greatest cemetery for dead cats in history.”²² By 1949, he and the Congress recognized that the Secretary of Defense needed broader authority to meet his responsibilities. Congress also created that year the nonvoting post of Chairman of the Joint Chiefs of Staff. In 1986, lawmakers made the Chairman “the principal military advisor” to the President, the Defense Secretary, and the NSC and made his consultation with the Service chiefs discretionary—as the Chairman considers appropriate.

■ The Services need to remain separate in order to protect their unique cultures and capabilities. This key assumption of the 1947

law was first modified in 1949 by the creation of a centralized Department of Defense under a Secretary with full “direction, authority and control.” The Goldwater-Nichols Department of Defense Reorganization Act of 1986 went further by strengthening the role of the Chairman of the Joint Chiefs of Staff and by imposing requirements for inter-Service collaboration in order to achieve the original purpose of “an efficient team of land, naval and air forces.”²³

■ There should be no strong, central military staff. Lawmakers in 1947 were highly opposed to the creation of a general staff, saying it would “bring about the prussianization of our military system.” They prohibited the Secretary of Defense from having his own military staff and limited the Joint Staff for the Joint Chiefs to no more than 100 officers. In subsequent laws, Congress raised the ceiling for people, military and civilian, assigned to the Joint Staff. The limitation was finally repealed in 1991. Still on the books, however, is a 1958 provision declaring, “The Joint Staff shall not operate or be organized as an overall Armed Forces General Staff and shall have no executive authority.”²⁴

■ Military consolidation saves money. A key argument at the beginning, and in several subsequent debates over defense reorganization, has been that elimination of duplicative activities should allow cost savings with no loss of effectiveness. In its 1958 revisions to the law, Congress added to the declaration of policy the intent “to eliminate unnecessary duplication” and “to provide more effective, efficient, and economical administration.”²⁵ While such efficiencies remain a high priority for defense managers and Congress, military effectiveness has become the key consideration in recent decades. Despite the costs involved, numerous reviews have decided to maintain certain capabilities and apparent redundancies—from the nuclear triad to the U.S. Marine Corps, from Service-based Special Operations Forces to separate personnel systems—for other reasons.

■ Congress must approve all changes in organization and spending. Congress has jealously guarded its power of the purse since the founding of the Republic. Creating the post of Secretary of Defense was seen by lawmakers as a means of improving congressional oversight of the military establishment by naming someone they could turn to for advice and with directions. Reorganization efforts in later years involved granting the Secretary greater flexibility over organizational changes, sometimes subject to a congressional

veto, sometimes requiring only notice and a waiting period. Congress has also established a complex system for review and oversight of transfers between defense programs and appropriations accounts, subject to dollar ceilings. Congress has resisted contingency funds often sought by the executive, however.

Unfulfilled Expectations

Pending a full assessment of causes and consequences, there remain three areas in which the results of the 1947 law seem to have fallen short of the expectations of lawmakers at the time:

Inadequate Integration. Supporters of the 1947 act intended and expected that the structures they created for interagency coordination would lead to “integrated policies and procedures.” While some issues have been well coordinated over the decades, many have fallen victim to interagency disputes, bureaucratic politics, inadequate attention, insufficient resources, and the random errors of human behavior. The departments and agencies involved in U.S. national security have differing perspectives, cultures, authorities, resources, capabilities, and personnel systems. It takes time and extraordinary effort to develop agreed approaches to problems and then to oversee the implementation of policy decisions. Often, the result is a compromise that may be ambivalent in wording or otherwise inadequate to obtain unity of effort.

Incomplete Integration of Economic and Domestic Policies. Lawmakers were unclear in how they wanted economic and domestic policy issues linked to national security, but they knew it was important. Creation of the National Security Resources Board (NSRB) with its Chairman a member of the NSC signaled a determination to plan and coordinate “industrial and civilian mobilization,” to adjust the economy “to war needs and conditions,” and to plan for “the strategic relocation” of activities “essential to the Nation’s security” (section 103). The later bureaucratic evolution of the NSRB—to the Office of Defense Mobilization, to the Office of Emergency Preparedness, to the Federal Emergency Management Agency, to the Department of Homeland Security—shows the continuing recognition of the importance of high-level coordination of economic policies with national security impacts as well as homeland protection and continuity of government.

Presidential Control and Accountability. The National Security Council, as envisioned

in 1947, was supposed to give the President the advice he needed to make decisions and then coordinate the implementation of those decisions. In practice, however, Presidents have varied widely in their use of the NSC, in the degree to which they wanted consensus advice versus vigorous debate, in the size of the NSC staff and the powers given its members, and in the matters considered at the Presidential level. Time constraints limit the number of matters brought to the attention of senior policymakers. And many participants have observed that crises and the use of force often “suck the oxygen” from all other matters. In such real-life circumstances, it can be difficult for Presidents to maintain close control over important policy matters, or even to know whom to hold accountable for results.

Sixty years later, with the basic law little changed, it is time to assess whether the National Security Act of 1947 has worked as intended or needs further change. One test is whether the law succeeded in correcting the flaws noted in the Eberstadt report. During World War II, the report declared, “Strategic planning and operational execution were good,” but “there were serious weaknesses in coordination.” How does America stand now in closing the gaps cited in 1945? Are there still “gaps between foreign and military policy—between the State Department and the Military Establishments”? How wide now are the “gaps between strategic planning and its logistical implementation—between the Joint Chiefs of Staff and the military and civilian agencies responsible for industrial mobilization”? Has subsequent legislation adequately narrowed the “gaps between and within the military services—principally in the field of procurement and logistics”? How large and significant are the “gaps in information and intelligence—between the executive and legislative branches of our Government, between the several departments, and between Government and the people”?

Looking forward, the test is whether the basic law is adequate for today’s challenges and future threats. If the problems facing America are more daunting, the structures and processes for national security more complex, and the risks of failure more severe, is the current system good enough? Can it be made more effective without spawning confusion, resistance, and dangerous unintended consequences? Can we craft a system and processes in 2007 that will still look wise in 2017 and maybe even in 2047? **JFQ**

NOTES

¹ Dwight D. Eisenhower, *The Eisenhower Diaries*, ed. Robert H. Ferrell (New York: W.W. Norton, 1981), 142.

² Amy B. Zigart, *Flawed by Design: The Evolution of the CIA, JCS, and NSC* (Stanford: Stanford University Press, 1999).

³ Henry L. Stimson and McGeorge Bundy, *On Active Service in Peace and War* (New York: Harper and Brothers, 1948), 495.

⁴ Clark Clifford, *Counsel to the President* (New York: Random House, 1991), 146.

⁵ Townsend Hoopes and Douglas Brinkley, *Driven Patriot: The Life and Times of James Forrestal* (New York: Knopf, 1992), 322.

⁶ U.S. Senate, 79th Cong., 1st sess., Naval Affairs Committee, Committee Print, “Unification of the War and Navy Departments and Postwar Organization for National Security,” October 22, 1945 (henceforth, Eberstadt Report), iii–iv.

⁷ *Ibid.*, 33, 36.

⁸ *Ibid.*, 30, 5.

⁹ *Ibid.*, 7, 6.

¹⁰ Public Law 80–253, sec. 202(a).

¹¹ U.S. Department of State, *Foreign Relations of the United States, 1947*, vol. I (Washington, DC: U.S. Government Printing Office, 1973), 712–715.

¹² Congressional Record, U.S. Senate, July 9, 1947, 8299, 8308.

¹³ Public Law 80–253.

¹⁴ Public Law 80–253, sec. 2.

¹⁵ Eberstadt Report, 17; Presidential Message to Congress, December 19, 1945, available in *The Department of Defense: Documents on Establishment and Organization, 1944–1978* (Washington, DC: Office of the Secretary of Defense Historical Office, 1978).

¹⁶ Public Law 80–253, secs. 101 and 2; Eberstadt Report, 18; U.S. Senate, 80th Cong., 1st sess., Senate Report 239, “National Security Act of 1947,” 2.

¹⁷ Paul Y. Hammond, *Organizing for Defense* (Princeton: Princeton University Press, 1961), 230.

¹⁸ U.S. Senate, 79th Cong., 2^d sess., Report 1328, part 2, “Department of Common Defense, Minority Views, to Accompany S. 2044,” May 13, 1946, 4, 5.

¹⁹ Public Law 80–253, sec. 102.

²⁰ Eberstadt Report, 15; Public Law 80–253, sec. 202(b); 10 U.S. Code 151 (f).

²¹ 50 U.S. Code 402(a)(7).

²² Charles A. Stevenson, *SecDef: The Nearly Impossible Job of Secretary of Defense* (Washington, DC: Potomac Books, 2006), 7.

²³ 50 U.S. Code 401.

²⁴ Senate Report 1328, part 2, 79th Cong., 2^d sess., 6; 10 U.S. Code 155 (e).

²⁵ Public Law 85–599, sec. 2.