From Fragmented to Streamlined: Presidential Powers and the Evolution and Reform of National Security and Defense Policy in the United States

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Abstract
Prior to World War I in 1916, the need for a unified and coordinated central military and national security establishment within the United States was identified. Political forces within the legislative and executive branches prohibited this necessary reform from coming to fruition until 1949. During the thirty-three years between identification and final implementation, numerous recommendations were presented while only a select few implemented. This paper will explore the evolution of the national security and defense establishment in the United States allowed a shift in power to occur—transferring significant control from the legislative branch to the executive. Specifically, the research will focus on how the President's role and interaction with Congress increased drastically and how Presidential power now directly influences issues and legislation more than any time in history.

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From Fragmented to Streamlined

Presidential Powers and the Evolution and Reform of National Security and Defense Policy in the United States

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Prior to World War I in 1916, the need for a unified and coordinated central military and national security establishment within the United States was identified. Political forces within the legislative and executive branches prohibited this necessary reform from coming to fruition until 1949. During the thirty-three years between identification and final implementation, numerous recommendations were presented while only a select few implemented. This paper will explore the evolution of the national security and defense establishment in the United States allowed a shift in power to occur—transferring significant control from the legislative branch to the executive. Specifically, the research will focus on how the President’s role and interaction with Congress increased drastically and how Presidential power now directly influences issues and legislation more than any time in history.
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Passed in 1916, the National Defense Act created the Council of National Defense, headed by the Secretary of War, handling matters of national defense and security. By the time the Council of National Defense was actually established, the original intent of the Council had been diluted, significantly dampening its ability to propose policy. Following World War I, discussions began regarding the need for a centralized body or council to address military issues and to streamline the defense process. In 1919, then Assistant Secretary of the Navy Franklin D. Roosevelt created the Joint Planning Making Body as a means to address the overlapping issues between the Departments of State, War, and the Navy. From 1919 through 1945, there was little opportunity to address the needs of military reform because the preponderance of government resources were devoted to addressing the Great Depression and World War II. Several recommendations, programs, and policies were proposed during this period before it was generally realized that none were comprehensive enough to address the underlying issues.

Not until World War II and the return to a more stable economy did an opportunity arise to address the needs for a centralized military. The actions and tactics of World War II made clear the need for better communication and cooperation between the different executive departments that, in the past, were notorious for not cooperating with one another. Following World War II, the

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2 Johnson, Franklyn A., “The British Committee of Imperial Defence: Prototype of U.S. Security Organization,” *The Journal of Politics* 23, no. 2 (1961): 244. The British Committee of Imperial Defence (CID) was started in 1904 under many of the same concerns the United States would begin to discuss over the next thirty years. Many of the structures of CID were incorporated into the structure and final formation of the National Security Council.
4 Souers, Sidney W., “Policy Formation for National Security,” *The American Political Science Review* 43, no. 3 (1949): 534. One of the more cohesive and successful steps taken prior to the passage of the National Security Act of 1947 was the creation of the State–War–Navy Coordinating Committee (SWNCC) later reorganized as the State, Army, Navy, Air Force Coordinating Committee (SANACC).
urgency to examine the need for a centralized military force was addressed by passing the National Security Act of 1947 and National Security Act Amendments of 1949, creating the National Security Council and the Department of Defense, along with other organizations, to help facilitate the streamlined process.\textsuperscript{6} Many of the individuals and executive departments affected by the recommendations and subsequent restructures that occurred throughout this process did not welcome the change.\textsuperscript{7}

At the beginning of the transformation, Congressional leaders often controlled when and how policies and reforms happened. This control allowed Congressional leaders to be centralized in the self-governing process. By the end of the transformation, the power of policymaking shifted, elevating the President and members of the executive to the center of power.\textsuperscript{8} As a result, the ability for members of Congress to open or close policy windows drastically shrank, compared to the ability of the President, where possibilities grew considerably. This paper will explore the case study of national security and defense policy reform from 1916 through 1949, specifically creating the military establishment as we know it today.

Initially identified in 1916 as an issue the United States needed to explore, an adequate solution for national security and defense policy was not reached for another thirty-three years where all of the concerns expressed by the legislative and executive branches were addressed. One of the reasons reforming national security and defense policy in the United States took as long as it did, was the number of powerful and influential individuals that were reluctant to support any recommendation that would remove power from their posts or change the access to the President they once enjoyed.\textsuperscript{9} One of the ploys to stall military departmental unification came from Secretary of the Navy, James

\begin{itemize}
  \item[9] Shoemaker, \textit{The NSC Staff}, 7.
\end{itemize}
Forrestal, following World War II. Forrestal was concerned that any unification with the Department of the Army would relegate the Navy to “second-class status.” Forrestal commissioned Ferdinand Eberstadt to develop a plan to address national security issues and how to best unify the departments. Eberstadt had considerable experience working with the military establishment, including serving as Vice Chairman of the War Production Board and as Chairman of the Army-Navy Munitions Board. As expected, the Eberstadt Report and recommendation worked to discredit the need for unification of the two military branches under a single department. The report did demonstrate, however, the need for better collaboration between the military branches.

To conceptualize the national security and defense policy reform, the process has been broken into four stages by Christopher Shoemaker; they include the “conceptual period (1920–1945), the birth [period] (1945–1949), the growth period (1949–1968), and the constitutional maturity (1969–present).” I contest Shoemaker’s claim that the conceptual period actually began in 1916 with the National Defense Act of 1916, making the conception period from 1916–1945. For this study, I analyzed two periods of reform evolution—the conceptual period from 1916–1941 and the birth period from 1941–1949.

From the time of identification until the final reform was made by the National Security Act Amendments of 1949, there were numerous recommendations that attempted to grapple with the restructuring. This study will explore the evolution of the different national security and defense policy recommendations, policy initiatives, and organizational restructures. Understanding the

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15 Hammond, “Device for Interdepartmental Coordination,” 899.
evolution of the reform process requires exploring multiple facets including, the policy recommendations themselves, the individuals advocating for or against the recommendations, the larger environment in existence when the recommendations are presented for consideration, and how any organizational restructures those affected would be received and how they would impact day-to-day operations.

As each one of these components is explored, this study expects to find that influential individuals directly involved in the possible restructures had a tremendous impact on their actual outcomes. These influential individuals and organizations sped up or slowed down recommendations and reform process in accordance with their personal agendas. This behavior created severe complications for the much needed reform processes. Additionally, this paper discusses how the national security and defense establishment in the United States allowed a shift in power to occur—transferring significant control from the legislative branch to the executive branch. Specifically, the research will focus on how the President’s role and interaction with Congress increased drastically and how Presidential power now directly influences issues and legislation more than any other time in history.

**Literature Review**

The transformation of any aspect of government takes a comprehensive understanding of the structure at hand, the power, influence, and desire to make the necessary sweeping changes, and the opportunity to justify why the timing is optimal for governmental reform. There are three components to understanding the basis and justification behind the need for and subsequent restructuring of national security and defense policy: first, understanding how an individual might obtain, have, and use power and influence over situations; second, how governmental organizations
exert influence and conduct internal reform; and finally, understand how policy windows are created and their intricate role in the reformation of policy.

**Powerful Individuals and their Influence**

There are individuals who are not part of the masses of society, the power elite, but nonetheless these power elite represent the wills of the masses. The power an individual has is often represented by class status. Many of the powerful elite find influence and power based on their socioeconomic placement in society; however, that is not the only area where individuals receive influence. Individuals might find themselves divided into other statuses, such as status within a family, religious institution, or school. According to C. Wright Mills, those individuals are “the power elite.” Mills writes:

The power elite is composed of men whose positions enable them to transcend the ordinary environments of ordinary men and women; they are in positions to make decisions having major consequences. Whether they do or do not make such decisions is less important than the fact that they do occupy such pivotal positions: their failure to act, their failure to make decisions, is itself an act that is often of greater consequence than the decisions they do make. For they are in command of the major hierarchies and organizations of modern society. They rule the big corporations. They run the machinery of the state and claim its prerogatives. They direct the military establishment.

The power elite theory is based on individuals and organizations holding significant power over an entity. This individual, or group of individuals, does rely upon others for guidance and support. Mills writes that these “advisors and consultants, spokesmen and opinion-makers are often the captains” of complex ideas for the ultimate decision-makers. These individuals also make up the power elite since they have direct access to the final decision-makers that are found among power elite.

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17 Mills, *The Power Elite*, 6. While it is possible to mean all education, Mills refers explicitly to collegiate education, not primary or secondary education.
According to Mills, members of the power elite represent the driving force behind nearly all major issues within a society.\textsuperscript{21}

It is impossible for a society to function without the power elite group. “The higher circles in and around these [societies] are often thought of in terms of what their members possess,” Mills explains, “they have a greater share than other people of the things and experiences that are most highly valued.”\textsuperscript{22} President Truman commissioning the Eberstadt Report, a recommendation to restructure the Department of Defense, demonstrates these types of experiences.\textsuperscript{23} Whether right or wrong, the knowledge and experience held by a small portion of the population is coveted by society at-large; as a result, they shape policy decisions throughout many aspects of a society.\textsuperscript{24} Typically, individuals and organizations that represent the power elite are “atop [the] social stratum,” and, as Mills states, comprise “a set of groups whose members know one another, see one another socially and at business, and so, in making decisions, take one another into account.”\textsuperscript{25} These individuals and organizations explore reforms at a macro level; making significant reforms that might have otherwise not occurred.

Given the power individuals of this status possess, the influence they wield over any number of areas in a society is immense. Their decisions have wide effects on those who are not a member of the power elite class. Decisions are made and debated based on the differing of original opinions by two or more members of the power elite.\textsuperscript{26} It is assumed that members of the power elite are rational individuals, capable of making significant and quick decisions. In order to come to a

\begin{itemize}
\item \textsuperscript{21} Mills, \textit{The Power Elite}, 4.
\item \textsuperscript{22} Mills, \textit{The Power Elite}, 9.
\item \textsuperscript{23} U.S. Congress, “Unification of War and Navy Departments.”
\item \textsuperscript{24} Mills, \textit{The Power Elite}, 6.
\item \textsuperscript{25} Mills, \textit{The Power Elite}, 11.
\end{itemize}
compromise among differing opinions, the amount of influence a member has, and is willing to exert on an issue, plays a pivotal role in the decision-making process.  

For the decision-making process, influence acted as part of the power model for the shift in national security policy in the United States. Robert A. Dahl outlines three components of influence: “differences in the distribution of political resources,” “variations in the skill or efficiency with which individuals use their political resources,” and “variations in the extent to which individuals use their resources for political purposes.” Depending on an individual’s level of influence and the way an individual may wield that influence will dictate one’s overall successes. These successes working with other members of the power elite are based upon the relationships and structures of the organizations that the power elite oversee.

As each one of these influential decision-makers works to make necessary reforms, these players must understand the workings of their colleagues and counterparts. In order to do so, these powerful individuals must remain neutral to understand what each other player in the scenario is doing. This type of behavior directly correlates to Foucault’s Panopticon theory. Those who are centrally positioned are able to influence situations easier because, as Foucault explains, “it is possible to intervene at any moment and because the constant pressure acts even before the

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27 Stone, Deborah, *Policy Paradox: The Art of Political Decision Making, revised edition*, (New York: W. W. Norton & Company, 2002), 233. Stone explains rational decision making as “someone—an individual, a firm, an organization, or any entity capable of making a decision—who must choose a course of action in order to attain a desired end.” There are four steps that someone must go through to come to a conclusive decision. First, define the specific goals; second, imagine alternative means of obtaining said goals; third, evaluate the consequences on each course of action; and fourth, choose the best alternative that yields the best potential for attaining the goal.

28 Dahl, Robert A., *Modern Political Analysis: 5th Edition* (Englewood Cliffs, New Jersey: Prentice Hall, 1991), 35. The full definition reads: “Differences in the distribution of political resources. A political resource is a means by which one person can influence the behavior of other persons. Political resources therefore include money, information, food, the threat of force, jobs, friendship, social standing, the right to make laws, votes, and great variety of other things.”

29 Dahl, *Modern Political Analysis*, 35. The full definition reads: “Variations in the skill or efficiency with which individuals use their political” resources. Differences in political skill stem in turn from differences in endowments, opportunities, and incentives to learn and practice political skills.”

30 Dahl, *Modern Political Analysis*, 35–36. The full definition reads: “variations in the extent to which individuals use their resources for political purposes. Of two equally wealthy people, for example, one may use her wealth to gain influence while another may use his to achieve success in business. These variations are themselves traceable to differences in motivation that arise out of variation in endowments and experiences.”

offences, mistakes or crimes have been committed.”

32 Before power shifted to the executive branch, legislators were at the center of reform policy, allowing them the ability to intervene as necessary. However, once central power shifted to the executive, the legislator’s ability was drastically reduced. “The panoptic mechanism,” as Foucault explains, “is not simply a hinge, a point of exchange between a mechanism of power and a function; it is a way of making power relations function, and of making a function function through these power relations.”

33 The legislative and executive branches are able to not only function independently as power relations, but also work as a cohesive functioning unit within the overall governmental structure. The relationship between the two branches is a very dynamic relationship—changing depending on the situation.

Governmental structures in the US, such as the military establishment, the executive branch as a whole, or Congress, demonstrate how the power elite theory exists and is an effective method of management. Below the power elite level, Peter Bachrach and Morton Baratz articulate another dimension of power. To Bachrach and Baratz, power exists at the power elite level but also “when A devotes his energies to creating or reinforcing social and political values and institutional practices that limits the scope of the political process to public consideration of only those issues which are comparatively innocuous to A.”

34 Members and captains of the power elite use these more indirect tactics, in addition to the direct tactics, to focus their personal agenda and direct policy reform as they see fit. Secretary Forrestal used Ferdinand Eberstadt as a captain to not only compile his recommendations, but also infiltrate those concepts into mainstream discussions among the power elite, resulting in successfully staving off collaboration with the War Department until 1949.

Power, as described thus far, and for the use within the exploration of the reformation of national security and defense policy, deals solely with how the power elites interact with one another.

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32 Foucault, *Discipline and Punish*, 206.
34 Bachrach, Peter and Morton S. Baratz, “Two Faces of Power,” *The American Political Science Review* 56, no. 4 (1962), 948. “A” refers to a specific individual or organization that is working within political forces.
to reform an identified problem. Steven Lukes, offers an opposing point of view, refuting aspects of the power elite model, explaining “the bias of the system is not sustained simply by a series of individually chosen acts, but also, most importantly, by the socially structured and culturally patterned behaviour of groups, and practices of institutions, which may indeed be manifested by individuals’ inaction.” Lukes, Steven, Power: A Radical View, 2nd ed. (New York: Palgrave, 2005), 26. Above individual legislators and executives is the overarching institution that collectively can advance or stall recommendations.

In the beginning of the evolution of national security and defense policy reform, Congressional leaders, such as Senator David Walsh (D-MA), Chairman of the Committee on Naval Affairs and Senator Byron Patton “Pat” Harrison (D-MS), a member of the Joint Committee on Reorganization, utilized their positions within the institution to stall the consolidation. Though Presidents might have wished to consolidate military departments into the Department of Defense—such as President Harding’s attempted to in 1924—that was a far off dream. Cabinet secretaries, such as Navy Secretary James Forrestal in 1945, did not feel that the time was right to consolidate the Navy and War Departments into a single Department of Defense. Without the institutional power each of these individuals held, their attempt at blocking policy windows pertaining to national security and defense policy reform could have proven difficult or impossible.

\[\textbf{Governmental Roles}\]

The fundamentals of creating and shifting policy in the United States are nested in the legislative and executive branches of government. On principle, the roles have been clear—the legislative constructs and shapes the policy and executive implements and enforces the new policy as necessary. Specifically, the Constitution gives Congress the authority “to make all laws which shall

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37 U.S. Congress, “Unification of War and Navy Departments.”
be necessary and proper for carrying into execution the foregoing power, and all other powers
vested by this Constitution in the government of the United States, or in any department or officer
thereof.”38 The President then has the authority to sign or veto legislation approved by both Houses
of Congress39 as well as the authority to appoint officers to executive posts as the President sees fit.40
As in the rest of the Constitution, these powers and responsibilities were intentionally left open for
interpretation.

Nowhere does the Constitution specifically outline the president’s role in authoring legislation
for Congress to pass.41 Presidents through the 1930s almost solely relied on legislators to write
legislation, even on matters recommended by the president as matters pertinent to the country.42
Not until President Franklin D. Roosevelt was the role of legislator-in-chief established as part of
the unofficial job description of the president.43 This new presidential role and expansion of power
for the president also transformed the way the institution of the president works. The reform of
national security and defense policy in the United States occurred right as the increase of presidential
power, including the president’s role pertaining to legislation, was unfolding.

Though the power of the president has increased over time, it has not eliminated the role of the
legislator. Legislators, who work their agendas through this process, using any means, are known as
legislative entrepreneurs.44 There are two distinct parts to the definition of legislative
events. The first component, as John Kingdon explains, are entrepreneurs that are

“willing to invest their resources—time, energy, reputation, money—to promote a position in return

38 U.S. Constitution, art. 1, sec. 8, cl. 18.
39 U.S. Constitution, art. 1, sec. 7, cl. 2.
40 U.S. Constitution, art. 2, sec. 2, cl. 2.
York: St. Martin’s Press, 1990), 346.
42 Edwards and Wayne, Presidential Leadership, 347.
43 Edwards and Wayne, Presidential Leadership, 347.
44 Wawro, Gregory, Legislative Entrepreneurship in the U.S. House of Representatives, (Ann Arbor, Michigan: University of
for anticipated future gain in the form of material, purposive, or solidary benefits.” This definition is rather limited as it pertains to individual actors looking to advance their personal agenda, rather than working with others as a collective process. The second definition includes legislators who are accustomed to working in groups to fortify their position. Those who work the legislative process collectively are known as political entrepreneurs. Political entrepreneurship is, as Gregory Wawro notes, a “mechanism for the pooling of resources so that individuals can act effectively as a group and supply themselves with collective goods.” Collectively, these two definitions address legislative entrepreneurship as it is today. As a result, Wawro defines legislative entrepreneurship as “a set of activities that a legislator engages in, which involves working to form coalitions of other members for the purpose of passing legislation by combining various legislative inputs and issues in order to affect legislative outcomes.”

The notion of legislative entrepreneurship changed the entire legislative process. The primary goal of legislative entrepreneurs is to, as Wawro describes, “gather enough votes to pass legislation (or at least to make credible threats of passing it.) In order to pass legislations, [legislative entrepreneurs] must convince a majority in the chamber as well as other key players involved in the legislative process that the [legislative entrepreneurs’] proposals will benefit them.” In order to pass legislation successfully, there are four components legislative entrepreneurs must work through: information acquisition, drafting legislation, building coalitions and pushing legislation through. Each of these steps helps the legislative entrepreneur build support for their legislation bettering the chance for success.

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Given that the executive’s power has increased to include legislative responsibilities, legislative entrepreneurs must adapt to their new working environment. Legislative entrepreneurs now not only have to work to gain the support of their colleagues, but also have to work to thwart any presidential legislation if it is contradictory to their agenda. When reorganization of the executive branch occurred in 1924, only a portion of President Harding’s recommendations were implemented—compared to recent presidencies where their recommendations have been granted more weight.

Part of the need for the president to present policy recommendations in the form of draft legislation is due to the fact that the resources the president has at his disposal far surpasses those available to Congress. The budget appropriation (all the dollar amounts have been translated into 2008 dollars for comparison) for the entire legislative branch in 1941 was $356.7 million, compared to the State Department with appropriations at $273.06 million, the War Department with $1.086 billion, or the Navy Department with $13.11 billion. The vast majority of the federal budget is allocated to the executive branch to execute the laws enacted by the legislative branch. In order to successfully conduct day-to-day functions, executive departments need substantially more funding and resources than the legislative—hence executive departments are more qualified meeting policy goals.

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51 U.S. Congress, “Reorganization of the Executive Departments.”
53 Edwards and Wayne, *Presidential Leadership*, 286–287. Even with substantial increase in resources and additional departments, the executive branch still has significantly more access to experts in virtually any field. The executive branch is responsible for employing experts within the departments to address issues. These experts then may be called upon to provide expert recommendations for policy proposals. Due to the nature of the legislative branch, the staff members hired for advisory positions are prone to possess more generalized experience on a multitude of topics.
55 U.S. Congress, “The 1941 Budget,” 77th Congress, (Washington, D.C. 1940), A70. The appropriations bill called for $18,841,006 and the figure was converted to 2008 pre-financial collapse dollars.
56 U.S. Congress, “The 1941 Budget,” 77th Congress, (Washington, D.C. 1940), A70. The appropriations bill called for $746,652,137 and the figure was converted to 2008 pre-financial collapse dollars.
57 U.S. Congress, “The 1941 Budget,” 77th Congress, (Washington, D.C. 1940), A70. The appropriations bill called for $904,540,037 and the figure was converted to 2008 pre-financial collapse dollars.
With the significant resources the president had at his disposal, policy recommendations and analyses were more accurate and specific than those from the understaffed legislative branch. Since the president is the chief executive of the executive branch, it makes even more sense for the executive to be the architect of the needed and desired reforms, rather than having Congress, which has no part of implementation, draft the plan. As one chairman of a prominent House committee chastised an Eisenhower Administration witness; exclaiming, “Don’t expect us to start from scratch on what you people want. That’s not the way we do things here—you draft the bills and we work them over.” For the reforms of national security and defense policy, “when the War and Navy Departments were brought to agreement under the President’s leadership, [Congress] had little reason or disposition to oppose, and much to support, legislation to make the compromise effective.” This does not remove Congress from the entire process. It does work, however, to streamline the initial drafting process, resulting, ultimately, in a stronger final piece of legislation.

**Policy Reform**

The evolutionary practices of policymaking consisted of a long and slow process—often taking multiple years, and sometimes multiple administrations, to complete. These policies range widely depending on the scope of the matter they are addressing and can encompass multiple disciplines including socioeconomic, military, or procedural. Government programs deal with and reform a specific issue, often one or two items at a time. A policy encompasses a much wider scope and can include several programs of the same topic within one policy reform. The term policy has been used

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60 Neustadt, Richard E., “Presidency and Legislation: Planning the President’s Program,” *The American Political Science Review*, 49 no. 4 (1955), 1015. This comment was made during “an executive session of the House Foreign Affairs Committee in April, 1953” in response to a question pertaining to the extension of the foreign aid program.
to describe the work of programs so it is important to differentiate between the two. With both policy reforms and programs, factors such as the national mood or political party power changes help dictate the direction in which policy change occurs.

John Kingdon outlines a theoretical model for policy formation with three components and processes: “problems, policies and politics.” Each of these components feeds upon another, based on the original problem, and are designed to channel energy to bring the best solution for a problem to fruition. Often times, as is the case with the creation and restructure of national security policy in the United States, this process resembles a pinball game. The identification of the problem in question is the first and most obvious step of the three. This model has the potential to be used for small analyses such as procedural changes, or substantially larger analyses such as governmental reorganization. Problems that need to be addressed can manifest themselves in a variety of ways, including, as Kingdon describes, “a disaster, crisis, personal experience, or powerful symbol.” Once the problem itself has been identified, it is then reliant upon those power elites to elevate the problem to a status where the problem can be addressed, debated, and reformed.

From originally identifying the need to strengthen national security and defense policy to final unification with the creation of the Department of Defense, several policy windows were created. The creation of policy windows pertaining to national security and defense policy were created for one of two reasons. The first policy window was created to bolster tighter military collaboration. The second opportunity was as other departmental reorganization within the executive branch was occurring; addressing the need for military unification could be a possibility. For any of the policy windows created, there continued to be a panoptic effect between those members of the power elite who were pro-reorganization and anti-reorganization. For each window, whoever was successfully

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63 Heclo, Modern Social Politics, 4–5.
positioned centered during the reform process often was victorious at passing or blocking the legislation.

Agreeing with Mills’ notion, Kingdon articulates that the power elites and those with influence, who are able to sway the agenda depending on their opinion, also dictate the project’s momentum. At the same time however, the power elites are not necessarily able to address the needs of the problem in need of reform. The power elites’ view on a project often pertains more to the macro completion and implementation as a whole. Specialists within the field work behind the scenes to address the micro particulars of the project and present their findings and any alternatives needed to the power elite in order to continue the policy reform process.

It is important to note that the specialists making revisions and changes to the recommendations and wants of the power elite are also members of the power elite class themselves. In order for the power elite to make informed decisions, Mills explains, “advisers and consultants, spokesmen and opinion-makers are often the captains of their higher thought and decision.” Though Mills classifies professional politicians and lobbyists as a group just below the captains, these individuals and organizations are also represent the power elites, and do so at a level higher than Mills gives them credit. These individuals have direct access to the highest members of the power elite class; hence, they are power elites by access.

This reform process between the power elites and the specialists behind the scenes represents a pinball effect. This is known as a “policy stream” where ideas in their infancy will “float around, bumping into one another, encountering new ideas, and forming combinations and

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67 Kingdon, *Agendas, Alternatives, and Public Policies*, 197. Those with significant power might include President of the United States or congressional committee chairs. In the event the two aforementioned positions are clashing with one another, a Foucaultian style dichotomy presents itself—each position thinking they are centralized in the debate, trying to outwit the other.


69 Kingdon, *Agendas, Alternatives, and Public Policies*, 200. These specialists can include “academics, researchers, consultants, career bureaucrats, congressional staffers, and analysts who work for interest groups.”


recombinations.” As these ideals and recommendations develop from infancy on a variety of issues, power elites must be willing to utilize some of their influence in order to make these come to fruition. Depending on the size and drive of the issue, the ways in which it can finalize itself differ. The larger the policy reform, the smaller the opportunity for it to be effectively completed, rather than a watered-down version of the policy reform. These opportunities are “policy windows.” A policy window is when an opportunity presents itself through a problem or political shift. These windows are few and far between; when they present themselves, numerous policy reforms can be pushed through, making the influence and power elite a critical player to ensure a reform’s success.

**Methodology**

One of the primary methods in political science for in-depth analysis is the use of case studies. There are three different types of case studies, explanatory, descriptive, and exploratory. Each type of case study can comprise either single or multiple cases to examine the topic. Case studies “are the preferred strategy when ‘how’ or ‘why’ questions are being posed.” Explanatory case studies, Robert Yin explains, “present data bearing on cause-effect relationship—explaining which causes produced which effects.” In order to explain the transformation of national security and defense policy in the United States effectively, an explanatory case will be employed to understand the policy shift. First started in 1916, the reform process did not move directly into its final form; rather, it took several smaller recommendations and policy implementations before the final reform—the

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74 Kingdon, Agendas, Alternatives, and Public Policies, 203.
75 Kingdon, Agendas, Alternatives, and Public Policies, 203.
76 Kingdon, Agendas, Alternatives, and Public Policies, 204.
79 Yin, Applications of Case Study Research, 5.
National Security Act Amendments of 1949—brought solutions to the problem.\textsuperscript{80} The single explanatory case study method will be utilized to outline how the national security and defense policy reform took place and why it was vital to national interest that the reform occurred. Within the single case study analyzing the overall reform process, from the initial problem identification in 1916 to the comprehensive solution and enactment of the Department of Defense in 1949, numerous recommendations and failed policy implementations took place.

Incorporating theoretical frameworks into the case study allows “a researcher to achieve high[er] levels of conceptual validity.”\textsuperscript{81} Since “many of the variables that interest social scientists, such as democracy, power, political culture, state strength, and so on are notoriously difficult to measure,” using the case study method allows for deeper “contextualized comparison.”\textsuperscript{82} Contextualized comparison is designed to “address the issue of equivalence by searching for analytically equivalent phenomena—even if expressed in substantively different terms—across different context.”\textsuperscript{83} This type of contextualized comparison directly allows for the examination of different frameworks simultaneously. Given the complexity of reforming national security and defense policy, to understand each of the components throughout the process, several theoretical frameworks—including power, policy-reform models and executive privilege—will be utilized and explored through contextual comparison to allow for better comprehension.

Explanatory case studies specifically are heavily reliant upon historical accounts and analysis to decipher the thought processes during a particular study. These historical studies are based upon “primary documents, secondary documents, and cultural and physical artifacts as the main sources of evidence” since information from those who were involved or were witness to the actions are not

\textsuperscript{80} Hammond, “Device for Interdepartmental Coordination,” 899.
\textsuperscript{82} George and Bennett, \textit{Case Studies and Theory Development}, 19.
\textsuperscript{83} Locke, Richard and Kathleen Thelen, “Problems of Equivalence in Comparative Politics: Apples and Oranges, Again,” \textit{American Political Science Association: Comparative Politics Newsletter} 9, no. 1 (1998), 11. Italic emphasis from original work.
available. While a strict historical analysis of events can lead to successful conclusions, “case studies and histories can overlap” and case studies have the “ability to deal with a full variety of evidence—documents, artifacts, interviews, and observations—beyond what might be available in the conventional historical study.” To analyze the national security and defense policy reform in the United States successfully, the single case study will look at each of the failed recommendations and policy implementations that took place from the initial identification of the problem to the final outcome. Though individually they may have failed to correct the problem, each attempt may have either helped or hindered the overall movement for a need for reform. Both a case study analysis and a historical analysis will provide insight into the mood of a particular time, allowing for better understanding of the recommendations put forth—and their respective successes and failures.

Given the historical nature and the overall complexity of the national security and defense policy reform, the single explanatory case study will encompass all the necessary components to understand the policy reform’s importance thoroughly and effectively.

**National Security Reform**

The United States identified the need to reform its national security and defense policy as far back as 1916 with the National Defense Act and its creation of the Council of National Defense. Concerns regarding national security and defense policy had been, according to John Millett, “sporadic, alternating between short periods of intense concern and longer periods of general indifference.” The Council of National Defense did not address many of the concerns regarding the overarching need for stronger communications between the State, War, and Navy Departments. Stronger communication, unification, and collaboration between the three departments would not

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86 Hammond, “Device for Interdepartmental Coordination,” 899.
come until thirty-three years later with the passage of the National Security Act of 1947 and the National Security Act Amendments of 1949. Each one of these possible reform opportunities presented itself as a policy window generated by either the need for tighter military collaboration or other executive department reorganization where military unification could also have easily been addressed.

Prior to the consolidation of the different military departments, each military branch was independent from the others. All actions and decisions within the War Department were separate from those made by the Navy Department. As the United States continued to play more of a role on the international stage, and cooperation among the executive departments was critical to that success, the need for unification became imminent. In order to make that unification a reality, numerous individuals—such as Senator David Walsh (D-MA), Chairman of the Committee on Naval Affairs, James Forrestal, Secretary of the Navy, Senator Byron Patton “Pat” Harrison (D-MS), and President Harry Truman—invested considerable time and political capital to sway the unification of these two departments. As time passed, the individuals who were responsible for the actual reform process shifted from legislative to the executive, illustrating the shift in power between the two.

The idea for unifying military forces is not unique to the United States or to the National Security Act. The idea of managing national security and military forces by committee is traced back to Great Britain and the Esher Committee recommendations of 1904. It recommended the creation of the Committee of Imperial Defense (CID), which served as the unified British military establishment. The reforms of the CID in 1904 reformed British military organization in four primary ways:

(1) Its chief distinguishing element was a record-keeping secretariat, headed by a secretary having the power of initiative, of reminding the Prime Minister of his responsibilities for strategic planning and decision-making. (2) Membership (including that of the Dominions) was flexible,

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88 U.S. Congress, “Unification of War and Navy Departments,” III.
being appointed by the Prime Minister to his advisory committee, not to a cabinet committee. (3) A conscious effort was here made to relate the service departments to such other vital departments as the Exchequer, the Foreign Office, the Colonial Office, and, later, the India Office, in a modernized form of “inner cabinet.” (4) The new arrangements confirmed the politicians and the professional service leaders alike as full members of this consultative and planning organization.90

While not a perfect system upon conception and implementation, the CID worked to unify and gather information as it pertained to British security. Subcommittees within the CID worked on important aspects of British defense including, a strong navy, assessing possible invasion threats, and ensuring the security of India.91

Due to numerous factors, including political influence and timing, the British theories would not be practiced in the United States until many years later. There were numerous boards, organizations, councils, and committees formed during the thirty-three year period between the identification of the need for reform and final rectification of national security and defense policy reform. True reform did not occur until 1949 with the National Security Act Amendments, creating the Department of Defense as we know it today. This study will not look at every organization founded during that time to explain the reform process, but rather at the significant organizations and reform attempts over time. In order to do so, this study will explore shifts of the power among both individuals and governmental branches, as well as how policy windows are generated and in turn direct the reform process.

**The Conception Period (1916–1941)**

The United States emerged as a world power, militarily and economically, in 1898. Prior to 1898, the United States did not have the need for a large military presence, given its tranquil relationship

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91 Johnson, “British Committee of Imperial Defence,” 236.
with many European countries.\[92\] Upon becoming a major international power, the United States was still not fully equipped to address foreign policy issues, including ignoring many aspects of national security and defense policy.\[93\] During the conception period, two policy windows presented themselves, 1916 and 1924, providing an opportunity to unify and strengthen national security and defense policy. Substantive reform did not manifest during these times due to the power differential between the executive and legislative branches.\[94\]

The first policy window, which began the entire reform process, was the National Defense Act of 1916 and the creation of the Council of National Defense. This Act created only a partial policy window. The sole change that the National Defense Act accomplishes is more clearly defining the role of the United States Army, nothing pertaining to the Navy.\[95\] The Act creates or provides clarification for the organization of traditional Army, Army Reserves, and the Military Academy, and defines all components related to running the Department of War.\[96\] These additional resources and newly defined organizations were intended to provide needed resources to help with national security and national defense.

Knowing full well that coordination between the departments was needed in order to successfully lead the United States into modern military practices’ President Woodrow Wilson took the opportunity to move on the necessary reforms. Following World War I, there would have been the opportunity for a possible policy window, giving the United States government the understanding and justification for a unified military, the new structure would provide a much greater service than the 19\(^{th}\) century fragmented military operations. Unfortunately, those decision-makers central to the reform process did not feel unification was necessary.

\[92\] Millett, “National Security in Public Affairs,” 525. Notable exceptions to this tranquil period include the War of 1812 with Great Britain and the Civil War from 1861–1865.
\[93\] Johnson, “British Committee of Imperial Defence,” 244.
\[96\] U.S. Congress, An Act For making further and more effectual provision for the national defense, and for other purposes, 64\(^{th}\) Congress, (Washington, D.C., 3 June 1916), 166. Commonly known as the National Defense Act of 1916.
Joint Committee on Reorganization of the Executive Departments

Created by joint resolution in 1921, amended in 1923, the Joint Committee on Reorganization had two responsibilities: “first, what redistribution of work should be made among Government agencies, spoken of as services; and, second, what regrouping of the services themselves should be made among the departments.”

This reorganization presented a policy window to unify the military establishment while reorganizing other components of the executive branch. Though this task was traditionally entrusted solely to Congress, a hand was extended to the executive branch, allowing President Warren Harding to designate a representative to serve on the committee as a liaison. The President’s designee then served as chairman of the committee. This type of courtesy, extended to the executive branch from Congress, demonstrates the need to include the ideas and notions of the president, rather than excluding them.

The Joint Committee gathered information from two sources—joint committee hearings and President Harding’s recommendation. Appearing before the committee was every cabinet secretary, as well as numerous of bureau officers and members involved with private organizations to discuss the advantages and disadvantages of reorganization. In addition to testimony, the committee reviewed President Harding’s recommendation.

Harding’s recommendations were submitted to the committee on 13 February 1923. Harding’s recommendations include creating the Department of National Defense, which would unify the military and naval establishments, as well as transfer all nonmilitary functions out of the War and Navy Departments, allowing them to focus directly primarily on military functions, rather than other

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97 U.S. Congress, “Reorganization of the Executive Departments,” 11.
98 U.S. Congress, “Reorganization of the Executive Departments,” 1.
99 U.S. Congress, “Reorganization of the Executive Departments,” 2. The only cabinet officer not to testify was the Secretary of State whose department had little involvement in the executive reorganization. The hearings concluded April 8, 1924.
Harding felt unification was one of the most important reorganizations the committee should consider during its deliberations. Harding, however, explains that the reason for the delay of the recommendations to the committee was “cased solely by the difficulty which has been encountered in reconciling the views of the various persons charged with the responsibility of administering the executive branch of government.” Harding outright admits in his cover letter that other members of the power elite, his cabinet secretaries and agency directors, drove the discussion of reorganization, undermining Harding’s power and authority. Within the executive structure, the centers of power included were among the President and his cabinet, rather than just the President.

The committee reviewed the President’s well-thought-out recommendation; however, it only took a portion of President Harding’s recommendation, rather than fully implementing it. Allowing the President to have recommendations about the reorganization of the executive demonstrates the beginning of shift in power and influence from Congressional leaders to the President.

When the subsequent legislation and final recommendations were made for reorganization of executive departments, the unification of the War and Navy Departments was omitted. The committee explained that “due to a variety of reasons, however, the committee, after a careful consideration of the many aspects of its problem, was unable to concur in all the suggestions coming from the Chief Executive.”

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100 U.S. Congress, “Reorganization of the Executive Departments,” 35. Other important duties of the reorganization committee were to transfer “all nonmilitary functions from the War and Navy Departments to civilian departments—chiefly Interior and Commerce, remove “all nonfiscal functions from the Treasury Department,” to establish a new Department of Education and Welfare, and change the name of the Post Office Department to the Department of Communications.
101 U.S. Congress, “Reorganization of the Executive Departments,” 34.
102 U.S. Congress, “Reorganization of the Executive Departments,” 34.
103 U.S. Congress, “Reorganization of the Executive Departments,” 1.
104 U.S. Congress, “Reorganization of the Executive Departments,” 32.
105 U.S. Congress, “Reorganization of the Executive Departments,” 12.
Moore (D-VA), explains “many of the suggestions that were submitted to the committee by President Harding, as for instance that of consolidation the War and Navy Departments, have been rejected because of conflicting views of Cabinet officials.” While the committee might have felt the recommendations were valid, the dissension in the ranks between certain cabinet officials led the committee to believe that unification of the War and Navy Departments would be inappropriate at this time. As a result, the cabinet officials proved to be at the panoptic center of power, and manipulating the power elite to their agenda.

The Birth Period (1941–1949)

World War II demonstrated to the United States Government that its military and political establishments were lagging in preparedness. Several aspects of World War II in both the European and Asian theatres demonstrate a lack of unified policy goals unification among governmental departments. For instance, some plans for the European theatre were considered so secret by high-ranking military officers, that the plans were withheld from the State Department until the evening prior to the war beginning in Europe. The Asian theatre opened the political and intelligence failures, followed with difficulties of manpower and coalitions. Each policy window created during this period resulted from the need for tighter military collaboration. The four significant reforms that would evolve during this policy window were: the State-War-Navy Coordinating Committee, the Eberstadt Report, the National Security Act of 1947, and the National Security Act Amendments of 1949. Each one of these presented a slightly different recommendation.

106 U.S. Congress, “Reorganization of the Executive Departments,” 32.
107 Foucault, Discipline and Punish, 206. This type of involvement is dependent on those who have the power and are serving in those positions.
than its predecessor, building upon prior successes and failures. No one specific reform during this period wholly addressed the need for unification.

**State-War-Navy Coordinating Committee**

One of the largest steps taken to unify and assist in coordination between the three national security departments came as World War II was ending. In 1944, the State-War-Navy Coordinating Committee (SWNCC), later renamed the State-Army-Navy-Air Force Coordinating Committee (SANACC), was established.111 Prior to the creation of the Coordinating Committee, Harold Mosley, Charles McCarthy and Alvin Richardson explained the “lack of coordination between the State, War, and Navy Departments has been a rather common theme.”112 The creation of the Coordinating Committee arose from a secret executive decision in the final year of World War II as a result of the need for tighter military collaboration. The committee was established, as Moseley, McCarthy, and Richardson noted, “as the result of an exchange of letters between the Secretaries of State, War and Navy Departments” to ensure information was shared between the departments where a common interest existed.113 The policy window was opened by the need for a better flow of information during World War II and was successfully executed for two reasons. First, the committee did not require congressional approval, thus centralizing the decision-making process with the executive. Next, all three department secretaries agreed on the need, so the power struggles were reduced.

The Coordinating Committee consisted of assistant secretaries who worked on current World War II policies and plans, as well as addressed questions pertaining to post-war policies.114 The creation of the Coordinating Committee turned out to be important, as it would end up being a

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113 Moseley, McCarthy, and Richardson, “State-War-Navy Coordinating Committee,” 745.
direct ancestor of the National Security Council. The Coordinating Committee fostered communication and collaboration between the three separate military departments, as well as other departments with ties to national security and defense policy.\(^{115}\) Given, however, that the committee was created without using any Congressional means, it did not restructure the national security and defense policy establishment enough to make the needed difference.

The Coordinating Committee worked on both political and military responses as modern day warfare evolved, though it was not the original intent of the organization.\(^{116}\) The SWNCC was intended to serve as a way for the State Department to gather information from the War and Navy Departments regarding possible political ramifications of military situations. That dynamic would later change and the SWNCC would provide all three departments with valuable information.\(^{117}\) While the Committee did work on numerous policies with broad reaching topics, it fell short on two fronts—the ability to shape and make policy as well as the way its assignments were gathered. If cabinet secretaries served on the committee rather than assistant secretaries (i.e. decision making members of the power elite rather than captains to the power elite decision-makers) the committee’s ability to respond and act swiftly when necessary could have been increased.\(^{118}\)

The Committee was only granted permission to work on assignments from the cabinet department secretaries. Numerous times plans were presented to the President from his cabinet level department heads with no consideration or input on feasibility given from the Coordinating Committee. As a result, the military may or may not have been able to make good on the promises of execution presented to the President.\(^{119}\) The idea of the Coordinating Committee was a reasonable one conceptually; however practical implementation fell short of adequately addressing the needs of

\(^{115}\) May, “Development of Political-Military Consultation,” 12. Eberstadt would take the concept and structure of the Coordinating Committee and used it to recommend the creation of the National Security Council.


\(^{117}\) Moseley, McCarthy, and Richardson, “State-War-Navy Coordinating Committee,” 745.

\(^{118}\) Mills, _The Power Elite_, 4. While Mills calls the subordinate staffers “captains,” they are usually referred to as “lieutenants” in many circles, including politics and business.

national security and defense policy given its lack of influence. The type of reform needed would give broad-reaching powers to the heads of the department, allow them to review all decisions and make the needed policy recommendations and decisions, based on the best information.

The Eberstadt Report

Following World War II, the United States finally began to take seriously how to reform and streamline national security and defense policy. The most comprehensive report addressing the need to undertake national security and defense policy reform is known as the Eberstadt Report. Commissioned by Secretary of the Navy, James Forrestal, Ferdinand Eberstadt was asked to provide recommendations on three matters:

1. Would unification of the War and Navy Departments under a single head improve our national security?

2. If not, what changes in the present relationships of the military services and departments has our war experience indicated as desirable to improve our national security?

3. What forms of postwar organization should be established and maintained to enable the military services and other Government departments and agencies most effectively to provide for and protect our national security?

Eberstadt would later address each of these questions before outlining twelve recommendations regarding how to best address the ailing system and bring about reform.

President Truman and Secretary James Forrestal both realized the need for coordination between the different departments. Forrestal called upon Eberstadt to develop recommendations for military consolidation that were, coincidentally, released on 15 May 1945, within days of the end of the War in Europe. As power elite decision-makers themselves, Forrestal and Eberstadt wielded their tremendous power to justify why the Departments of War and Navy should not be

consolidated into one department, reporting their findings directly to the President.\textsuperscript{122} Though Forrestal and Eberstadt did not feel the Navy Department should be integrated with the War Department, Eberstadt’s recommendation would continue the policy window opportunity, allowing for the two to work together through the National Security Act of 1947.\textsuperscript{123}

In his initial response to Forrestal, Eberstadt acknowledged the need to address the shortfalls of the current military establishment. At the same time however, Eberstadt discredited the notion that a single unified department, would not be a reasonable response to unification.\textsuperscript{124} Rather than completely abandoning independent departments, Eberstadt recommended attempting to correct any conditions within the current framework that were not effective. As these conditions were addressed, it was crucial to understand whether unification would correct these conditions or create additional or different issues that would then need to be addressed.\textsuperscript{125}

Eberstadt argued that it was not the military component falling short on execution and effective tactics; rather it was failed coordination at multiple levels.\textsuperscript{126} Eberstadt explained that there were:

- gaps between foreign and military policy—between the State Department and the Military Establishments. Gaps between strategic planning and its logistic 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 Governments, between the several departments, and between Government and the people.\textsuperscript{127}

These widespread gaps throughout the government and society created faults “due primarily to lack of appropriate and seasoned mechanisms and adequate plans, policies, and procedures for coordination.”\textsuperscript{128} Eberstadt contested that the gaps were not solely the fault of the military

\textsuperscript{122} Mills, \textit{The Power Elite}, 4.
\textsuperscript{123} Perez, \textit{The Will to Win}, 9.
\textsuperscript{124} U.S. Congress, “Unification of War and Navy Departments,” 3.
\textsuperscript{125} U.S. Congress, “Unification of War and Navy Departments,” 4.
\textsuperscript{126} U.S. Congress, “Unification of War and Navy Departments,” 5.
\textsuperscript{127} U.S. Congress, “Unification of War and Navy Departments,” 5.
\textsuperscript{128} U.S. Congress, “Unification of War and Navy Departments,” 5.
establishment. It was rather, a collective, overarching failure between multiple departments and branches of government, which led to the empowered position the United States government.\(^{129}\)

Eberstadt outlined twelve courses of action to better handle coordination, planning, and procedures. The recommendations were:

1. Organization of the military forces into three coordinate departments;
2. Creation of a National Security Council;
3. Continuation of the Joint Chiefs of Staff;
4. Creation of a National Security Resources Board;
5. Creation of a Military Munitions Board;
6. Study and regrouping of present joint committees;
7. Encouragement of scientific research and development;
8. Creation of a Military Education and Training Board;
9. Creation of a Central Intelligence Agency;
10. Attainment of maximum symmetry in the administrative structures of the coordinate military departments;
11. The maintenance of close working relations with Congress;
12. Appointment of a commission to make an over-all study of the problems of national security.\(^{130}\)

Eberstadt also included a proposed organizational chart for national security.\(^{131}\) Some of these recommendations were implemented under either the National Security Act of 1947 or 1949 while others were disregarded.

Two of the last recommendations from the Eberstadt report dealt with how to effectively coordinate the administrative structures of the three military branches and have better relations with the legislative branch. Within previous military establishments, the effectiveness has been hampered due to the disorganization between the War and Navy Departments. Though the organization was understood within one department workings with other departments were often times difficult. The concept of creating two departments, to have symmetrical organizational structures, would

\(^{131}\) U.S. Congress, “Unification of War and Navy Departments,” Facing 6. The “Proposed Organization for National Security” chart is found in Appendix A.
streamline the organization, including that of military establishment.¹³² At the same time, this symmetry between departments would contribute to better support from Congressional leadership. Such support would pay off in several ways, including committee and legislative actions necessary for military operations.¹³³

The Legislative Reorganization Act of 1946

The executive branch was not the only branch of government that reviewed its structure and underwent reorganization during the 1940s. Like the executive branch, the legislative branch took many years to make substantive changes to its inner-workings.¹³⁴ Also, the legislative branch needed to change based on, as Roger Davidson articulates, “action[s] to meet constitutional and public expectations concerning the general welfare.”¹³⁵ However, Davidson also notes that Congress differs from the executive branch because “political or governmental shifts also drive [its] workload: aggressive presidential leadership, partisan realignments, and momentous Supreme Court rulings, among other things.”¹³⁶ In order to keep in tune with changing pressures, Congress reorganized many of its responsibilities and internal structures by the Legislative Reorganization Act of 1946.

The reorganization act accomplished its objective, streamlining the standing committee structure in both Houses of Congress. The Act consolidated standing committees by, as George Galloway explains, “dropping minor, inactive committees and by merging those with related functions.”¹³⁷ For the House of Representatives, this reduced the number of standing committees from 48 to 19, and in the Senate from 33 to 15.¹³⁸ In both chambers, the Military Affairs and Naval Affairs committees

were combined to form the Armed Services committees.\textsuperscript{139} Carrying the force of law, the combination of the two standing committees into the Armed Services committee via the \textit{Legislative Reorganization Act of 1946} was technically the first legal unification of the national security and defense establishment.

The actions of the legislative branch paralleled the executive branch and were limited with regard to overall unification. Combining the two committees only streamlined how oversight from Congress would occur—not departmental unification, which would also require action on the executive branch’s part. In the same spirit, the attempts by the executive branch to unify the national security and defense establishment did not allow for a significant restructure or creation of a single department, as they did not have Congressional approval to make those moves. The executive branch’s attempts only allowed for collaboration and the understanding from the existing departments that partnership and interdepartmental teamwork was necessary. It inevitably took the two branches working together, rather than trying to exclude one another, to unify the national security and defense establishment in the United States.

\textbf{The National Security Act of 1947}

Legislative action was much swifter for the National Security Act of 1947 than it was for previous legislation dealing with the same topic. This is directly related to how Congress is now using the executive branch’s recommendation, the Eberstadt Report, to write this legislation.\textsuperscript{140} The initial version of the National Security Act was introduced into the Senate as \textit{S.758} on 3 March 1947 and referred to the Senate Armed Services Committee.\textsuperscript{141} In just five short months, the legislation would have worked its way through the legislative process, passing the House with slight

\textsuperscript{139} Galloway, “Operations of Legislative Reorganization,” 42.
\textsuperscript{140} U.S. Congress, \textit{The National Security Act of 1947}, 496.
\textsuperscript{141} U.S. Congress, \textit{The National Security Act of 1947}, S. 758, 80\textsuperscript{th} Congress, 1\textsuperscript{st} session, \textit{Congressional Record}, (Washington, D.C., 3 March, 1947), 1607.
modifications on 19 July before being approved in Conference Committee five days later on 24 July. The legislation was written in such a way that the Conference Committee only needed to adjust minor word choices to suit the needs of the two Houses. Such changes included naming the new secretary the “Secretary of Defense” rather than the “Secretary of National Security,” and calling the department the “National Military Establishment” rather than the “Department of Defense.”

The Act entered into effect on 17 September 1947, upon confirmation of James Forrestal as the first Secretary of Defense, replacing the Secretary of War. At that point, the newly created National Military Establishment took control of military actions in the United States. Congress passed the National Security Act of 1947 on 26 July 1947, designed to promote the national security by providing for a Secretary of Defense; for a National Military Establishment; for a Department of the Army, a Department of the Navy, and a Department of the Air Force; 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.

The Act took many of the recommendations from Eberstadt’s report and placed them into legislative language, including creating the National Security Council, the Central Intelligence Agency, the National Security Resources Board, the National Military Establishment, the Secretary of Defense, the Joint Chiefs of Staff, the Munitions Board, and the Research and Development Board. The complete list of new agencies and reforms is found in Appendix B.

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148 U.S. Congress, The National Security Act of 1947, 496. The complete table of contents for the National Security Act of 1947 is found in Appendix B.
Up until the National Security Act, the Eberstadt Report had served merely as a recommendation to the President. Once the report was used legislatively, it drastically changed the relationship between the executive and the legislative branches. The President now served as a legislator rather than just executing decisions made by the legislative branch. At the same time, utilizing the Eberstadt Report to construct the National Security Act illustrated how the resources at the executive’s disposal were better equipped to make recommendations of this scope and magnitude.

Unlike previous attempts at unification that had been stalled by members of Congress, members began to realize and embrace the value of the expertise the different executive departments had to offer. Rather than either discrediting or completely dismissing the recommendations of the experts, on numerous occasions during debate in both houses of Congress in 1947, members had letters and comments from experts, including Dwight D. Eisenhower during his tenure as War Department Chief of Staff\textsuperscript{149} and 1942 testimony from then Senator Harry S. Truman,\textsuperscript{150} entered into the Congressional Record. While Senator Truman was in Congress he knew that reform as needed; however, he did not have the necessary power to make the unification a reality. Truman stated that “the nation’s safety must have a more solid foundation. An obvious first step is a consolidation of the Army and the Navy that will put all of our defensive and offensive strength under one tent.”\textsuperscript{151} Truman’s words at the time fell on deaf ears since he did not have the power within the system at the time to make the necessary recommendations work.

Though unbeknownst at the time, it was Truman’s work in the Senate starting 1941 that allowed him to rise to power and create the policy window to finally unify the national security and defense

\textsuperscript{149} U.S. Congress, \textit{National Security Act of 1947}, S. 758, 80\textsuperscript{th} Cong., 1\textsuperscript{st} sess., \textit{Congressional Record} 93 (Washington, D.C., July 9, 1947): 8527.


establishment in the United States. In an attempt to direct attention to a problem with national military policy, Truman called for a special committee to review all defense contracts. As a result, the Senate Special Committee to Investigate the National Defense Program, known as the “Truman Committee,” formed for that sole purpose. Truman’s role on the committee as chairman, however, would elevate him beyond just reviewing defense contracts and include other aspects of national security and defense policy.

At the beginning of this process, many in Washington did not take the Truman Committee seriously. For instance, upon creation, all but one of the committee members, Truman included, were junior senators. Regardless of rank in the Senate, senior members of the War Department were concerned with the damage that could be done to their establishment. David McCullough noted that “a single nettlesome senator could mean unending problems and bad publicity [for the War Department], let alone an ambitious chairman of an investigating committee whose main, underlying intent, more than likely, would be to advance his political fortunes.” McCullough was right; during the three years the committee was in existence, Truman was able to continue to build a name for himself and advance his political career to later be nominated as Vice President for the 1944 Democratic ticket with President Roosevelt. From there, Truman’s political career is, as they would say, history.

The passage of the Act came as the result of a policy window, created by President Truman’s expanded power and the realization during and following World War II that unification was a must. As President, rather than a Senator, even with a committee chairmanship, Truman now had the

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152 McCullough, David, *Truman* (New York: Simon & Schuster Paperbacks, 1992), 257. I would recommend a United States Senator follow in Truman’s footsteps and call for another review of how defense contracts are awarded to private contractors.


154 McCullough, *Truman*, 259. Senator Tom Connally of Texas was the only non junior senator to serve on the special committee.

155 McCullough, *Truman*, 258.

156 McCullough, *Truman*, 292.
power and ability to drive the unification and reform movement, seeking to solve a problem identified as far back as 1916. Though opportunities presented themselves and recommendations were made throughout the thirty-one years leading up to the passage of the Act, nothing substantive came to fruition. The recommendations and implemented policies went back and forth, until Truman had the power to develop and implement a practical and comprehensive plan.

Comprehensive plans do not always work the first time around. Since there was no precedence for this type of action in United States government history, the probability that the proposed idea would be perfect was improbable. Truman worked during the first two years after the act, 1947–49, to integrate these new components into the already established advisory group within the administration.\textsuperscript{157} There were still components of the newly created establishment that were not as effective as they were desired. This process of integration led to yet another reform for national security and defense policy.

The National Security Act Amendments of 1949

On 10 August 1949, the amendments to the National Security Act entered into effect—granting additional sweeping changes to the National Military Establishment and the Secretary of Defense. Initially, the National Security Act of 1947 stipulated that the National Military Establishment did not have any authority whatsoever—it served merely as a coordinating agency of the military departments.\textsuperscript{158} Though the National Military Establishment brought all three departments under one umbrella, the departments still, under section 202(a), “shall be administered as individual executive departments by their respective Secretaries and all powers and duties relating to such departments not specifically conferred upon the Secretary of Defense by this Act shall be retained

\textsuperscript{157} Organizational History of National Security, 5–6. Several new components were incorporated into the already existed advisory system for the president. One of them included having an “Administrative Assistant to the President for national security matters” who would handle briefing the President on a regular basis about the workings of the Council.

by each of their respective Secretaries.” Still concerned with having direct access to the president, this gave the service department secretaries the ability to remain a direct chain to the president, rather than through an intermediary, such as the Secretary of Defense.

The Hoover Commission Report on Organization of the Executive Branch of the Government, chaired by former President Herbert Hoover, was released in 1948 and explained how to make the executive branch more effective. Congress commissioned the report through Public Law 80-162, requesting how to best reorganize the executive branch. Congress understood, more so than in previous attempts, to consult with the executive branch for recommendations on how the reorganization should occur. Though just created a year before the Commission was released, the National Military Establish came under fire as an ineffective organization. Given that the original Act did not create any central authority for the different military branches themselves, only for the overarching coordination system itself, it failed to address one of the primary reasons for the Act to further solidify the notion of a civilian controlled military.

Without civilian control and subsequent oversight, it is impossible for the President and others to be accountable to Congress. The Report found three principles had been violated:

a. The President’s authority has been curtailed by statutory stipulation of the membership and duties of both the National Security Council and the National Security Resources Board—the Cabinet committees concerned with vital defense policies.

b. The authority of the Secretary of Defense, and hence the control of the President, is weak and heavily qualified by the provisions of the act of 1947 which set up a rigid structure of federation rather than unification.

c. In direct proportion to the limitations and confusions of authority among their civilian superiors, the military are left free of civilian control.

163 The Hoover Commission Report, 189.
The Secretary of Defense, under the original Act, was only granted limited “general” power over the military branches.\textsuperscript{164} For example, the Secretary only possessed the authority to hire or fire his direct staff. The ability to hire and fire those within the services was sheltered and power protected by those in the military branches.\textsuperscript{165} Additionally, the original Act allowed for the service secretaries to serve at the same rank and power as the Secretary of Defense on the National Security Council. This would allow the service secretaries to overrule the Secretary of Defense on particular issues before the Council\textsuperscript{166}

Given these inequalities within the National Security Act, the Report offered several recommendations.\textsuperscript{167} These recommendations included moving all current authority vested within the service departments and secretaries to the Secretary of Defense; removing the power for service secretaries to circumvent the authority and decision of the Secretary of Defense; and directing that all administrative authority be centered on the Secretary of Defense under the direction of the President—not through the service secretaries.\textsuperscript{168}

The \textit{Hoover Commission Report} is the second instance in three years in which the President continued to expand his powers to include legislative duties. Though commissioned to address the inadequacies of the original version of the National Security Act for the President, the Report did more than that—it created a policy window for revisions. Since President Truman already had much of the support needed to pass the original Act, the revisions, with the Hoover Commission Report’s recommendations, would be a relatively easy feat.

Congress did heckle between the two Houses over some of the minor details of the amended Act. To accomplish the reforms needed to increase the power and authority to the Secretary of

\textsuperscript{164} \textit{The Hoover Commission Report}, 189.
\textsuperscript{165} \textit{The Hoover Commission Report}, 189.
\textsuperscript{166} \textit{The Hoover Commission Report}, 190.
\textsuperscript{167} \textit{The Hoover Commission Report}, 193.
\textsuperscript{168} \textit{The Hoover Commission Report}, 194. The complete list of recommendations pertaining to the authority of the Secretary of Defense and the service secretaries can be found in Appendix C.
Defense, the National Security Act Amendments of 1949 made the necessary accommodations.

Section 201, pertaining to the National Military Establishment now the Department of Defense, was revised to read:

a. There is hereby established, as an Executive Department of the Government, the Department of Defense, and the Secretary of Defense shall be the head thereof.

b. There shall be within the Department of Defense (1) the Department of the Army, the Department of the Navy, and the Department of the Air Force, and each such department shall on and after the date of enactment of the National Security Act Amendments of 1949 be military departments in lieu of their prior status as Executive Departments, and (2) all other agencies created under title II of this Act.\(^{169}\)

This language removed the ability for the service secretaries to circumvent the Secretary of Defense and appeal directly to the President. The amendments to the Act redefined the different levels of the power elite and how the military secretaries were forced to work within a new framework. Now, rather than working as direct captains of the president, the military secretaries were forced to work as captains to the Secretary of Defense, who worked as a captain of the president.\(^{170}\) This differentiation of power allowed for better oversight throughout the military establishment.

As with the initial National Security Act of 1947, Congressional members undertook the unification process and began to address how to best meet the needs of the National Military Establishment. President Truman continued to share his belief that “the organization of [the] War and Navy Departments, prescribed by detailed statutes, was far too rigid and inflexible for the actual conduct of war,” hence it needed more fluid policies.\(^{171}\)

The success the President had with passing the previous legislation lent him tremendous power to make necessary amendments to the National Military Establishment without facing too much opposition. That did not however prevent members of Congress from bloviating in opposition. For


instance, Congressman George Mahon, Chairman of the House Appropriations, Subcommittee on Defense, disputed that the unification underway of the War and Navy Departments did not go far enough. In a speech on the House floor, Mahon stated that “unification often involves the giving up of offices and prerogatives which present incumbents have.” Mahon went on to state that

we shall never have unification until West Point and Annapolis have been converted into national defense academies. I believe Congress should give serious consideration to such action. Personally, I think it ought to be done; and I think all military personnel, as far as that is concerned, on shore duty, should be in the same uniform. No such attempt, of course, is being made in this bill.

That all being said, even with the power that a committee or subcommittee chairman holds within the established political process, sometimes that is not enough. President Truman and other supporters of the National Security Act Amendments of 1949 overcame the objections, creating the Department of Defense and National Security Council as it exists today.

Upon enactment of the amendments to the Act, the policy window that had been created with the State-War-Navy Coordinating Committee and the Eberstadt Report closed. Adequate reforms and reorganization had taken place for national security and defense policy, leaving no additional need for significant reorganization. Each president has the authority to edit and manipulate the Council and structure of his advisors to meet his needs. While those advisors and preferences for how the system works remain fluid, the national security system itself remains constant and unchanged from administration to administration.

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172 U.S. Congress, National Security Act Amendments of 1949, H.R. 5632, 81st Cong., 1st sess., Congressional Record 95 (Washington, D.C., April 12, 1949): 4428. Mahon’s speech on the floor outlines the overall failures of the National Military Establishment, and broken down by unification, Army, Navy, and Air Force. While he does believe in unification could be a viable option, there are many concerns and issues that are not addressed in the National Security Act Amendments of 1949.


Reforming governmental structure is a daunting task to undertake and effectively execute. Executing effectively and expeditiously represents an even more complex undertaking for the president and others in power. While the need for national security and defense policy reform manifested itself in 1916, the influential individual with the wherewithal to invest the resources and expertise to effectively execute the reform process did not come until three decades later.\textsuperscript{176} During those thirty-three years, several opportunities to begin reforming the system presented themselves—however there was not a sufficiently powerful individual or group of individuals supporting the movement to make the reform prospect a reality.\textsuperscript{177}

Any reform and governmental restructure process, but most especially with as large of governmental restructure as was found with the National Security Act of 1947, takes the will of a committed and powerful individual to ensure its success. Without this component the reform process is bound to fail from the beginning. The other necessary component to bring reform to an issue is a policy window, such as the one that finally opened to create the Department of Defense. Policy windows can take on different forms depending on the type of reform warranted. Presented at the right time, coupled with someone willing to invest the necessary energy and influence to make the movement a success, large reorganization and reforms like this study outlines are possible.

The powers of the president are only as effective as the holder of the office allows them to be. Part of the reason for the failed reform process prior to the Truman administration was that prior presidents did not have as much power nor the experience with the topic to make reform as successful as Truman did. Additionally, any change in the political establishment to remove power and direct access to the President from cabinet secretaries, especially the military secretaries, was not

\textsuperscript{176} Hammond, “National Security Council Coordination,” 899.

\textsuperscript{177} Kingdon, \textit{Agendas, Alternatives, and Public Policies}, 200.
a reasonable solution to the identified national security and defense policy issue. Until World War II, the secretaries drove the conversation—not the president—about how to handle reforms that is why the country was littered with different councils and organizations attempting to address national security and defense policy reform without removing power—because the secretaries did not want that to happen. Numerous times the policy windows presented themselves, such as following World War I and anytime throughout World War II; however, secretaries possessed the power and influence to restrict or close policy windows, not allowing reform to occur. Removing half of the equation for how reforms occur does not allow it to progress forward.

Once someone takes over in a position of power and influence who is willing to use influence for matters that need addressing, the probability that change is on the horizon, in the event a policy window is available and warranted, is highly likely. The failures throughout World War II, with unification and adequate cooperation between the military departments, presented the United States Legislative and Executive Branches with the opportunity needed to bring the full sweeping reforms. That policy window represents one half of the necessary equation for sweeping reforms. The other half of the equation is the power and influence from a leader to move it forward. President Truman’s leadership and experience as the chairman of the Senate special committee on national defense gave him such leadership and influence. Both of those traits working together contributed to the manifestation of the National Security Act of 1947 and its later amendment in 1949.

Though rare, policy windows are the preferred method of governmental reorganization. National security and defense policy reform is not the only governmental restructure based on a policy window. Following the terrorist attacks of September 11, 2001, another policy window presented itself to reorganize coordination efforts within the government. Similar to the events after World War I, the United States and other countries did not adequately address security concerns in

As a result of poor planning, President George W. Bush was quick to act to reform and meet the new need to protect homeland security. In under a month, Bush appointed Tom Ridge, then governor of Pennsylvania, as a White House coordinator, or czar. Traditionally, czars did not have power or agencies of their own to make their position effective. White House czars in this regard represent the same type of organization dynamic that was found in the initial years of national security and defense policy reform—such as the State-War-Navy Coordinating Committee or the National Military Establishment—the intent is present; however, the influence and power to make the position effective is not.

Bush worked at an accelerated speed compared to the workings of national security reform process. Also, Bush worked to ensure that right after conception Ridge would have all of the necessary resources to meet the requirements of the changed world. Bush began to set plans and recommendations into place that allow Ridge the necessary resources to make his new position a success. The process employed in this case study, with some modifications as necessary, could be implemented to evaluate and analyze the reform and governmental reorganization surrounding the creation of the Department of Homeland Security.

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181 Carter, “Face of Terrorism,” 12.
182 Carter, “Face of Terrorism,” 12.


US Congress. An Act For making further and more effectual provision for the national defense, and for other purposes. 64th Congress. Washington, D.C. 1916.


United States Constitution.


APPENDIX A

Proposed Organization for National Security

**APPENDIX B**

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APPENDIX C

Recommendation No. 2186—Increased Authority to the Secretary of Defense

a. That the principle of unified civilian control and accountability be the guiding rule for all legislation concerned with the National Military Establishment and that full authority and accountability be centered in the Secretary of Defense, subject only to the President and to Congress.

b. That all statutory authority now vested in the service departments, or their subordinate units, be granted directly to the Secretary of Defense, subject to the authority of the President, with further authority to delegate them as he sees fit and wise.

c. That the Secretary of Defense shall have full authority, subject only to the President and the Congress, to establish policies and programs.

d. That the service secretaries be deprived of their privilege of appeal over the head of the Secretary of Defense; that they be directly and exclusively responsible to him; that the Secretary of Defense be the sole agent reporting to the President; that the service secretaries, to clarify their positions, be designated the Under Secretaries for Army, Navy, and Air Force.

e. That specific provisions be made that the three military services shall be administered by the several under secretaries subject to the full direction and authority of the Secretary of Defense.

f. That there shall be Joint Chiefs of Staff representing the three services, appointed by the President and subject to confirmation by the Senate and that the Secretary of Defense, with the President’s approval, shall appoint a chairman to preside over the Joint Chiefs of Staff and to represent, and report to, the Secretary of Defense.

g. That all administrative authority be centered in the Secretary of Defense, subject only to the authority of the President, including full and final authority over preparation of the military budget and over the expenditure of funds appropriated by the Congress.

h. That the Secretary be provided with an Under Secretary of Defense, who shall be his full deputy and act for him in his absence, and three assistant secretaries; and that the Secretary of Defense be empowered to set up such personal assistants to himself as he shall require to relieve him of day-to-day detail, to advise and assist him in planning and carrying out programs, and to organize this staff as he sees fit.

i. That the full authority of the procurement and management of supplies and materiel be vested in the Secretary of Defense. The Secretary can delegate this authority to the Munitions Board (or to other officers or agencies as he may determine) with directions to expedite by all possible means the elimination of costly duplication in procurement and waste in utilization among the three services. Our further recommendations

regarding the coordination of military with civilian supply manage are contained in the Commission’s report on the Office of General Services.