THE DEPARTMENT OF DEFENSE

Documents on Establishment and Organization 1944–1978

Edited by

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Foreword

Government has a responsibility not only to make history but to record it. James Madison said that a "popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy, or perhaps both." As a principal guarantor of U.S. national security, the Department of Defense has a special obligation to keep the nation informed. Publication of documents and histories is one of the ways in which government makes itself accountable to the public.

This volume, the first of a series by the Historical Office of the Office of the Secretary of Defense, affirms the importance of capturing and preserving the historical record in published works. It is a collection of documents with a single theme—the establishment and development of the organization of the Department of Defense. This reference collection contains source materials that will be useful to scholars, officials of government, reporters of current affairs, and others. It may also afford insights into the evolution of a large and complex department of government. Most important of all, the presentation of these documents in a single volume will serve well the broader purpose of informing the public about the operation of government.

HAROLD BROWN
Secretary of Defense

Preface

The basic purpose of the National Security Act of 1947 was to establish an integrated structure to formulate national security policy at the uppermost level of the U.S. Government. The military establishment received special and detailed attention in this legislation because of its central role in making and executing national security policy. The changes wrought in the military establishment by the National Security Act and subsequent legislation and Executive orders—particularly the 1949 amendments, Reorganization Plan 6 of 1953, and the Reorganization Act of 1958—were intended to bring about unification of the armed forces through more centralized direction, stronger cohesion, and greater joint effort and mutual support. In the main, progress in this direction has been achieved through the exercise of control and coordination by the Secretary of Defense, whose powers have been significantly strengthened by legislative and executive actions. During the years since 1958 the Secretaries of Defense have used these expanded powers and sought relatively few changes in the basic law. The Joint Chiefs of Staff also have contributed to the integration of military policy and programs.

In this volume are gathered the basic statutes, Executive orders, and related documents that constitute the official authentication of the creation and organization of the Department of Defense since its establishment in 1947. These documents fall into two main categories. First and foremost are those pertaining to the fundamental instrument creating the Department of Defense—the National Security Act of 1947—together with all of the significant changes in that act in the years following. The second category (Part VI of this volume) consists of documents—executive rather than legislative—which pertain to the roles and missions of the armed Services. These are essential to an understanding of the evolution of the organizations and functions of the armed Services in relation to each other and to the Office of the Secretary of Defense.

As is inevitable in such compilations, it has been necessary to be selective and discriminating in the choice of documents. The guiding principle was to restrict the choices to the highest levels of organization and function. Accordingly, documents pertaining to internal changes within the military Services and the Office of the Secretary of Defense are included only if their significance extends beyond a single Service. Pertinent history of the legislative and executive branch documents appears in headnotes, together with citations to additional sources. The organization charts presented have been altered from their original form to correct errors, clarify content, and improve readability.

The texts of the National Security Act of 1947 and the later amendments are published as found in the Statutes at Large; however, many of the provisions of these laws were subsequently repealed and reenacted without substantive change as sections of Title 10, U.S. Code. This codification of the laws relating to the Department of Defense and the military Services was undertaken as part of a broader program to codify all the general and permanent laws of the United States. The U.S. Code serves as legal evidence and makes unnecessary recourse to the numerous volumes of the Statutes at Large; it also was designed to eliminate the contradictions, duplications, ambiguities, obscurities, and obsolete provisions of the many laws enacted by successive Congresses.[1]

Title 10 also includes sections derived from other statutes that define the functions and prescribe the organization of the Army, Navy, and Air Force. The legislative history of such provisions is beyond the scope of this volume, which concentrates on the organization of the Department of Defense and the Office of the Secretary of Defense.

The changes in the legislation, particularly in 1949 and 1958, resulted in numerous deletions and additions to the basic act. All of the changes are incorporated in the texts of the act presented in this volume—deletions in italics within brackets and additions in bold face. These composite texts were prepared especially for this volume to present in one place the full scope of the changes made in each major review of the act.

Wherever possible, texts of the documents have been taken from official printed volumes—chiefly *Public Papers of the Presidents,* the *Congressional Record,* and Congressional documents. These printed versions often vary slightly in form from the original documents, but the editors have thought it preferable to use the printed texts so that readers may have readier access to the sources. Internal inconsistencies and errors in form and style that may be observed in some of the documents are as in the original printed source cited.

This volume was conceived and initiated by Rudolph A. Winnacker, Historian of the Office of the Secretary of Defense from 1949 to 1973. The other editors, Alice C. Cole, Alfred Goldberg, and Samuel A. Tucker, are all members of the Historical Office of the Office of the Secretary of Defense. Special acknowledgement and appreciation are owing to Alice Cole for the masterful and painstaking final editing of the entire manuscript.

ALFRED GOLDBERG
Historian, OSD

[1] For a description of the principles involved in the enactment of Title 10, U.S. Code, see U.S. Congress. House of Representatives. Committee on the Judiciary, *Revision of Title 10, U.S. Code Entitled "Armed Forces" and Title 32, U.S. Code Entitled "National Guard,"* H. Rpt. 970, pp. 1–18. 84th Congress, 1st session. Washington: Government Printing Office, 1955.

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legislation providing for a Secretary of Defense with general direction over three departments—War, Navy, and Air.

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I.
The National Security Act of 1947

1. Hearings before the House Select Committee on Post-War Military Policy—24 April–19 May 1944.

This committee was established pursuant to House Resolution 465, 78th Congress, 2nd session, approved on 28 March 1944. It held hearings on a "Proposal to Establish a Single Department of Armed Forces" on 24, 25, 26, 28 April and 10, 11, 12, 15, 17, 18, 19 May 1944.

At these hearings War Department officials urged the establishment in the near future of a single Department of the Armed Forces, while representatives of the Department of the Navy argued that the case for consolidation had not yet been proved and urged further study. Lt. Gen. Joseph T. McNarney, Deputy Chief of Staff, USA, presented a chart outlining a possible organization for the single department proposed by War Department officials. (See Chart 1.)

The report of the committee, issued on 15 June 1944, concluded that the existing stage of World War II was not the time "to write the pattern of any consolidation, if indeed such consolidation is ultimately decided to be a wise course of action," but strongly urged the armed Services to complete a deliberate and careful study of this problem, as directed by the Joint Chiefs of Staff.

Sources: U.S. Congress. House of Representatives. Select Committee on Post-War Military Policy. *Hearings on Proposal to Establish a Single Department of Armed Forces.* 78th Congress, 2nd session. Washington: Government Printing Office, 1944. (For McNarney chart, see p. 38.)

U.S. Congress. House of Representatives. Select Committee on Post-War Military Policy. *Report on Post-War Military Policy.* H. Rpt. 1645. 78th Congress, 2nd session. Washington: Government Printing Office, 1944.

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2. Joint Chiefs of Staff Special Committee for Reorganization of National Defense—9 May 1944–11 April 1945.

This committee was established by the Joint Chiefs of Staff on 9 May 1944 to study the most efficient and practicable organization of those parts of the executive branch primarily concerned with national defense, including the relative advantages and disadvantages of 1-, 2-, or 3-department organization.

The committee held hearings in Washington and in the field during the fall and winter of 1944–45 and completed its report on 11 April 1945. It recommended, with one member dissenting, the establishment of a single Department of the Armed Forces. (See Chart 2.)

The Joint Chiefs of Staff never took formal action reflecting either approval or disapproval of the recommendations of their special committee; the report was forwarded to the President on 16 October 1945, accompanied by separate memoranda from each member expressing his individual views on the proposals.

CHART 1

ORGANIZATION FOR NATIONAL SECURITY PROPOSED BY WAR DEPARTMENT (McNARNEY PLAN)

25 APRIL 1944

Note:

Under the proposed reorganization, the Chiefs of Staff would have the statutory duty to make recommendations direct to the President in his capacity as Commander-in-Chief regarding matters pertaining to strategy* and the budgetary requirements involved, as indicated on the chart. The Chiefs of Staff would obtain the information regarding budgetary requirements by request to the Secretary of the Armed Forces, and they would be required to furnish him with copies of their recommendations to the President in order that he may be prepared to excercise his duty as advisor to the President. Communications in all other matters would be channeled through, and would be subject to, the direction of the Secretary of the Armed Forces.

* By "strategy" is meant the military posture and preparations of the United States in time of peace.

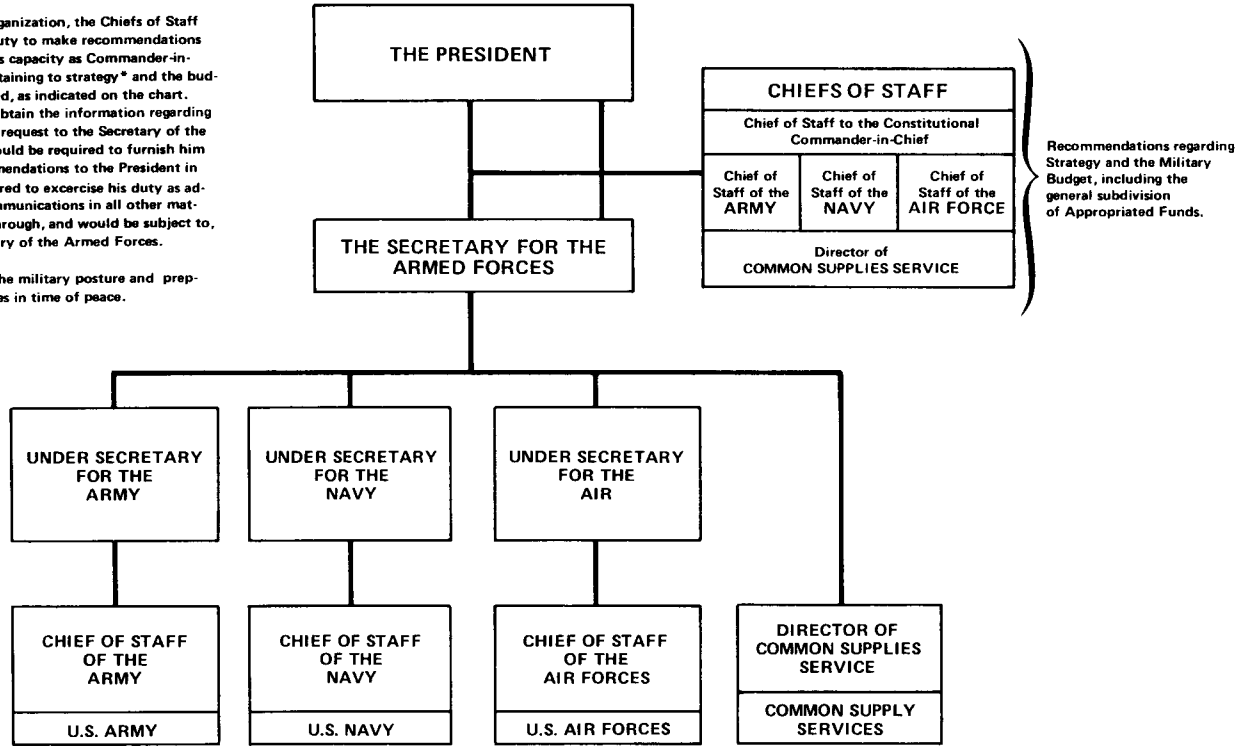
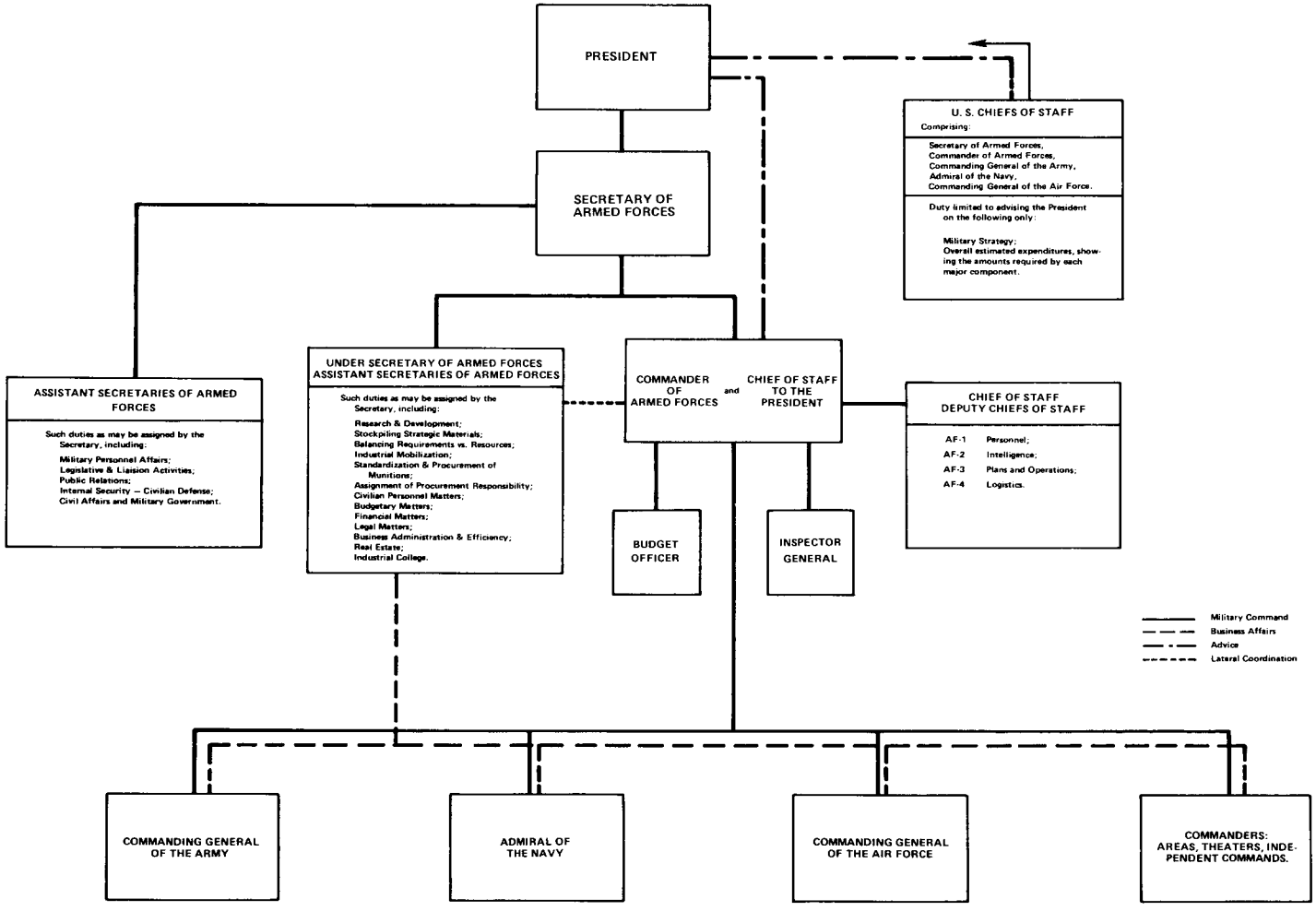


CHART 2

SINGLE DEPARTMENT OF ARMED FORCES
PROPOSED BY SPECIAL COMMITTEE OF JCS (RICHARDSON COMMITTEE)
23 MARCH 1945



Sources: For the charter of the Special Committee, see U.S. Congress. House of Representatives. Select Committee on Post-War Military Policy. *Hearings on Proposal to Establish a Single Department of Armed Forces,* pp. 141–44. 78th Congress, 2nd session. Washington: Government Printing Office, 1944.

For the Report of the Special Committee, see U.S. Congress. Senate. Committee on Military Affairs. *Hearings on S. 84 and S. 1482: Department of Armed Forces; Department of Military Security,* pp. 411–39. 79th Congress, 1st session. Washington: Government Printing Office, 1945. (For Special Committee chart, see p. 412.)

3. The Eberstadt Report—19 June–25 September 1945.

On 15 May 1945, Chairman David I. Walsh of the Senate Committee on Naval Affairs suggested to Secretary of the Navy James Forrestal that a study be made on an alternative to the proposed consolidation of the War and Navy Departments. At the request of Secretary Forrestal, Ferdinand Eberstadt, formerly Chairman of the Army-Navy Munitions Board and Vice Chairman of the War Production Board, undertook such a study on 19 June and completed his report on 25 September 1945.

The Eberstadt Report advised against the establishment of a single defense department, recommended the creation of a new Air Department, and emphasized the need for effective coordination of foreign policies as well as of domestic and economic policies with military activities. It proposed the establishment of a National Security Council and a National Security Resources Board supported by the Joint Chiefs of Staff, a Military Munitions Board, and special agencies for intelligence and research. (See Chart 3.)

The Secretary of the Navy transmitted the Eberstadt Report to the Congress on 18 October 1945 and discussed it in testimony before the Senate Committee on Military Affairs on 22 October 1945.

Source: The Eberstadt Report was printed as U.S. Congress. Senate. Committee on Naval Affairs. *Unification of the War and Navy Departments and Postwar Organization for National Security.* Committee Print. 79th Congress, 1st session. Washington: Government Printing Office, 1945. (For organization chart, see p. 6.)

4. Hearings before the Senate Committee on Military Affairs—17 October–17 December 1945.

Hearings on S. 84 and S. 1482, proposing the establishment of a single military department, opened before the Senate Committee on Military Affairs on 17 October and continued through 17 December 1945.

War Department officials testified in favor of a single department with three autonomous Services—Army, Navy, and Air—and urged early action on this matter. An organization chart, prepared by a board of senior Army officers, was presented to the committee by Lt. Gen. J. Lawton Collins, Deputy Commanding General and Chief of Staff, Army Ground Forces. (See Chart 4.)

Representatives of the Department of the Navy opposed the single department, introduced as their alternative the organization for national security proposed by Ferdinand Eberstadt, and suggested further study of the problem.

CHART 3.

ORGANIZATION FOR NATIONAL SECURITY PROPOSED BY EBERSTADT COMMITTEE

25 SEPTEMBER 1945

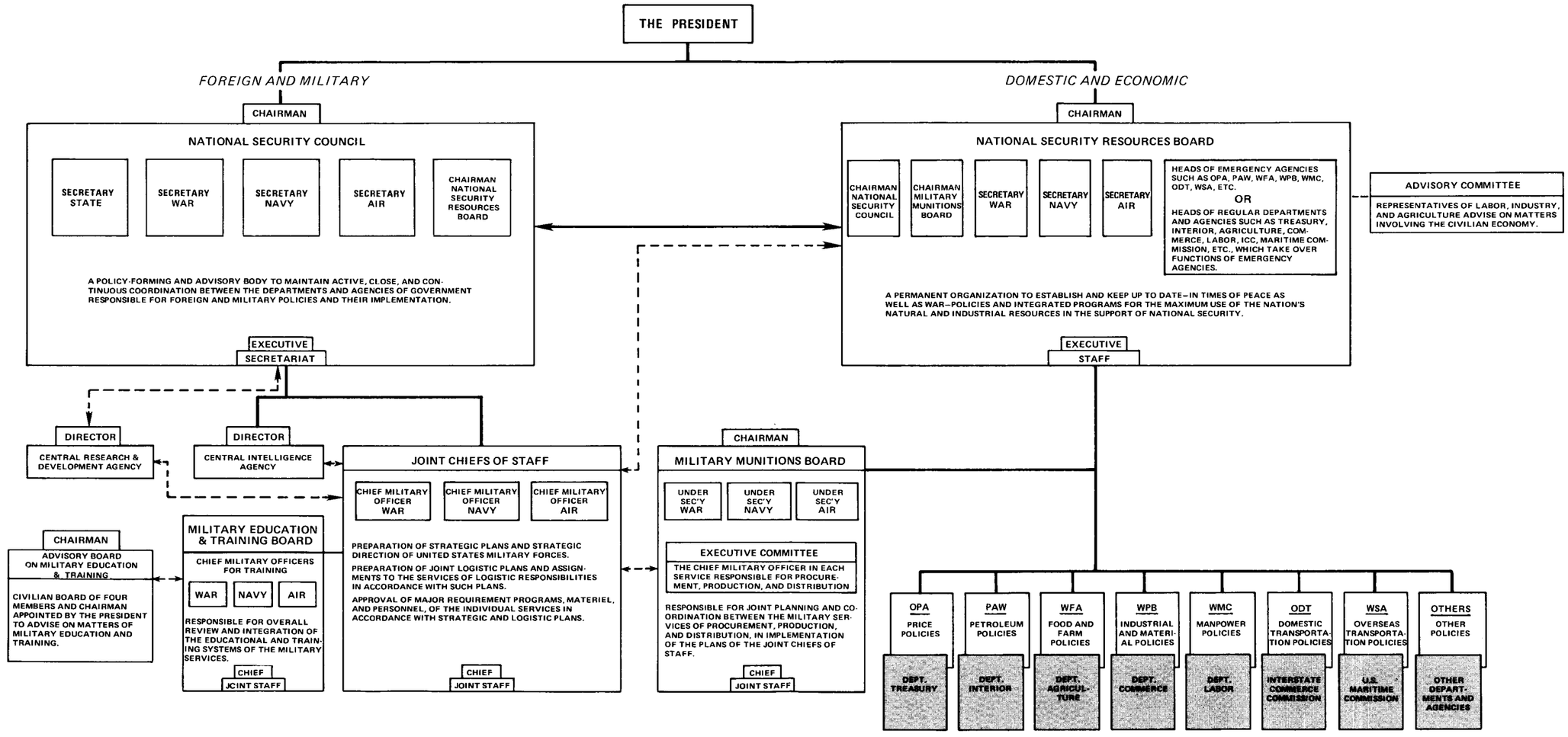
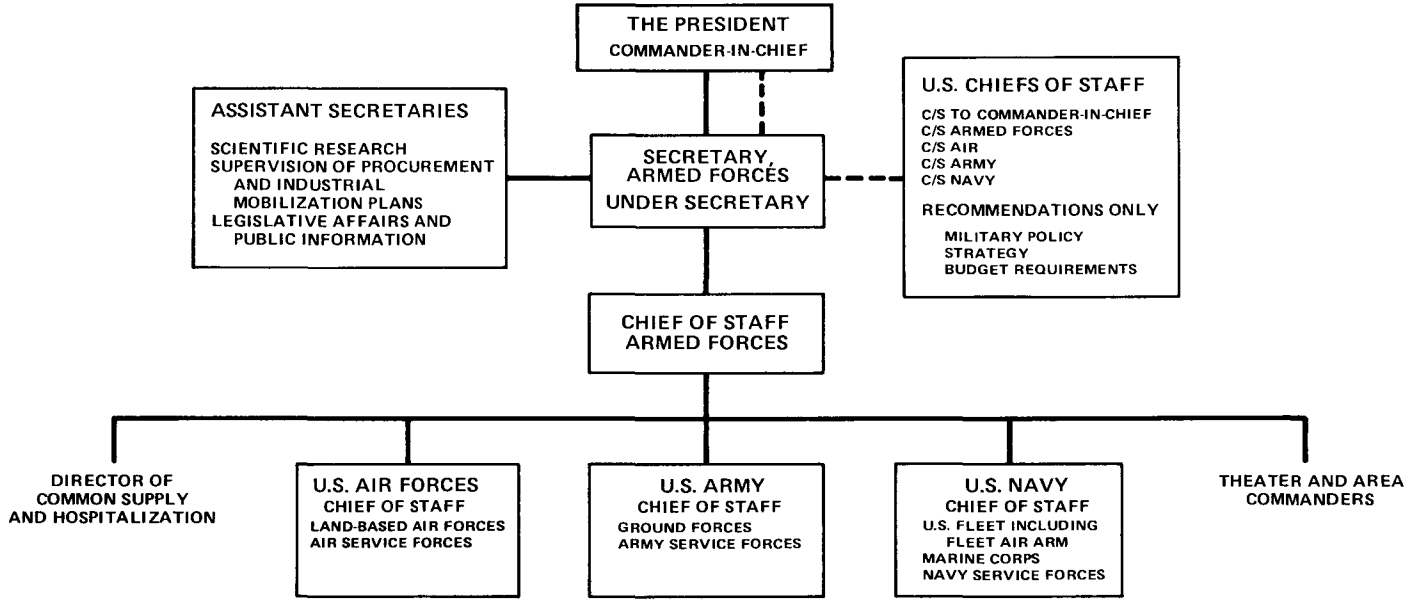


CHART 4

ORGANIZATION OF ARMED FORCES PROPOSED BY WAR DEPARTMENT (COLLINS PLAN)

19 OCTOBER 1945



After the hearings, the Senate Committee on Military Affairs established a special subcommittee to prepare a new bill that would take into consideration the testimony presented.

Source: U.S. Congress. Senate. Committee on Military Affairs. *Hearings on S. 84 and S. 1482: Department of Armed Forces; Department of Military Security.* 79th Congress, 1st session. Washington: Government Printing Office, 1945. (For Collins chart, see p. 156.)

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5. President Truman's Message to the Congress— 19 December 1945.

When the hearings before the Senate Committee on Military Affairs failed to promise an early solution to the problem of the postwar military organization, President Harry S. Truman sent a Message to the Congress on 19 December 1945, stating that "there is enough evidence now at hand to demonstrate beyond question the need for a unified department."

To the Congress of the United States:

In my message of September 6, 1945, I stated that I would communicate with the Congress from time to time during the current session with respect to a comprehensive and continuous program of national security. I pointed out the necessity of making timely preparation for the Nation's long-range security now—while we are still mindful of what it has cost us in this war to have been unprepared.

On October 23, 1945, as part of that program, there was presented for your consideration a proposal for universal military training. It was based upon the necessities of maintaining a well-trained citizenry which could be quickly mobilized in time of need in support of a small professional military establishment. Long and extensive hearings have now been held by the Congress on this recommendation. I think that the proposal, in principle, has met with the overwhelming approval of the people of the United States.

We are discharging our armed forces now at the rate of 1,500,000 a month. We can with fairness no longer look to the veterans of this war for any future military service. It is essential therefore that universal training be instituted at the earliest possible moment to provide a reserve upon which we can draw if, unhappily, it should become necessary. A grave responsibility will rest upon the Congress if it continues to delay this most important and urgent measure.

Today, again in the interest of national security and world peace, I make this further recommendation to you. I recommend that the Congress adopt legislation combining the War and Navy Departments into one single Department of National Defense. Such unification is another essential step—along with universal training—in the development of a comprehensive and continuous program for our future safety and for the peace and security of the world.

One of the lessons which have most clearly come from the costly and dangerous experience of this war is that there must be unified direction of land, sea and air forces at home as well as in all other parts of the world where our Armed Forces are serving.

We did not have that kind of direction when we were attacked four years ago—and we certainly paid a high price for not having it.

In 1941, we had two completely independent organizations with no well-established habits of collaboration and cooperation between them. If disputes arose, if there was failure to agree on a question of planning or a question of action, only the President of the United States could make a decision effective on both. Besides, in 1941, the air power of the United States was not organized on a par with the ground and sea forces.

Our expedient for meeting these defects was the creation of the Joint Chiefs of Staff. On this Committee sat the President's Chief of Staff and the chiefs of the land forces, the naval forces, and the air forces. Under the Joint Chiefs were organized a number of committees bringing together personnel of the three services for joint strategic planning and for coordination of operations. This kind of coordination was better than no coordination at all, but it was in no sense a unified command.

In the theaters of operation, meanwhile, we went further in the direction of unity by establishing unified commands. We came to the conclusion—soon confirmed by experience—that any extended military effort required over-all coordinated control in order to get the most out of the three armed forces. Had we not early in the war adopted this principle of a unified command for operations, our efforts, no matter how heroic, might have failed.

But we never had comparable unified direction or command in Washington. And even in the field, our unity of operations was greatly impaired by the differences in training, in doctrine, in communication systems, and in supply and distribution systems, that stemmed from the division of leadership in Washington.

It is true, we were able to win in spite of these handicaps. But it is now time to take stock, to discard obsolete organizational forms and to provide for the future the soundest, the most effective and the most economical kind of structure for our armed forces of which this most powerful Nation is capable.

I urge this as the best means of keeping the peace.

No nation now doubts the good will of the United States for the maintenance of a lasting peace in the world. Our purpose is shown by our efforts to establish an effective United Nations Organization. But all nations—and particularly those unfortunate nations which have felt the heel of the Nazis, the Fascists or the Japs—know that desire for peace is futile unless there is also enough strength ready and willing to enforce that desire in any emergency. Among the things that have encouraged aggression and the spread of war in the past have been the unwillingness of the United States realistically to face this fact, and her refusal to fortify her aims of peace before the forces of aggression could gather in strength.

Now that our enemies have surrendered it has again become all too apparent that a portion of the American people are anxious to forget all about the war, and particularly to forget all the unpleasant factors which are required to prevent future wars.

Whether we like it or not, we must all recognize that the victory which we have won has placed upon the American people the continuing burden of responsibility for world leadership. The future peace of the world will depend in large part upon whether or not the United States shows that it

is really determined to continue in its role as a leader among nations. It will depend upon whether or not the United States is willing to maintain the physical strength necessary to act as a safeguard against any future aggressor. Together with the other United Nations, we must be willing to make the sacrifices necessary to protect the world from future aggressive warfare. In short, we must be prepared to maintain in constant and immediate readiness sufficient military strength to convince any future potential aggressor that this nation, in its determination for a lasting peace, means business.

We would be taking a grave risk with the national security if we did not move now to overcome permanently the present imperfections in our defense organization. However great was the need for coordination and unified command in World War II, it is sure to be greater if there is any future aggression against world peace. Technological developments have made the Armed Services much more dependent upon each other than ever before. The boundaries that once separated the Army's battlefield from the Navy's battlefield have been virtually erased. If there is ever going to be another global conflict, it is sure to take place simultaneously on land and sea and in the air, with weapons of ever greater speed and range. Our combat forces must work together in one team as they have never been required to work together in the past.

We must assume, further, that another war would strike much more suddenly than the last, and that it would strike directly at the United States. We cannot expect to be given the opportunity again to experiment in organization and in ways of teamwork while the fighting proceeds. True preparedness now means preparedness not alone in armaments and numbers of men, but preparedness in organization also. It means establishing in peacetime the kind of military organization which will be able to meet the test of sudden attack quickly and without having to improvise radical readjustment in structure and habits.

The basic question is what organization will provide the most effective employment of our military resources in time of war and the most effective means for maintaining peace. The manner in which we make this transition in the size, composition, and organization of the armed forces will determine the efficiency and cost of our national defense for many years to come.

Improvements have been made since 1941 by the President in the organization of the War and Navy Departments, under the War Powers Act. Unless the Congress acts before these powers lapse, these Departments will revert to their prewar organizational status. This would be a grievous mistake.

The Joint Chiefs of Staff are not a unified command. It is a committee which must depend for its success upon the voluntary cooperation of its member agencies. During the war period of extreme national danger, there was, of course, a high degree of cooperation. In peacetime the situation will be different. It must not be taken for granted that the Joint Chiefs of Staff as now constituted will be as effective in the apportionment of peacetime resources as they have been in the determination of war plans and in their execution. As national defense appropriations grow tighter, and as conflicting interests make themselves felt in major issues of policy and strategy, unanimous agreements will become more difficult to reach.

It was obviously impossible in the midst of conflict to reorganize the

armed forces of the United States along the lines here suggested. Now that our enemies have surrendered, I urge the Congress to proceed to bring about a reorganization of the management of the Armed Forces.

Further studies of the general problem would serve no useful purpose. There is enough evidence now at hand to demonstrate beyond question the need for a unified department. A great many of the reasons for establishing a single department have been brought out already in public discussion and in Congressional committee hearings. To me the most important reasons for combining the two existing Departments are these:

1. *We should have integrated strategic plans and a unified military program and budget.*

With the coming of peace, it is clear that we must not only continue, but strengthen, our present facilities for integrated planning. We cannot have the sea, land, and air members of our defense team working at what may turn out to be cross purposes, planning their programs on different assumptions as to the nature of the military establishment we need, and engaging in an open competition for funds.

Strategy, program, and budget are all aspects of the same basic decisions. Using the advice of our scientists and our intelligence officers, we must make the wisest estimate as to the probable nature of any future attack upon us, determine accordingly how to organize and deploy our military forces, and allocate the available manpower, materiel, and financial resources in a manner consistent with the over-all plan.

Up to the present time, the makeup and balance of our Armed Forces have not been planned as a whole. Progress and budget requests from the Army and Navy have been formulated separately, on the basis of independent concepts of mission and function. These separate programs and budgets have not been considered together until after they have passed out of military hands and even out of the hands of the Secretaries of War and the Navy. The whole job of reconciling the divergent claims of the Departments has been thrust upon the President and the Congress.

This war has demonstrated completely that the resources of this nation in manpower and in raw materials are not unlimited. To realize this is to comprehend the urgent need for finding a way to allocate these resources intelligently among the competing services. This means designing a balanced military structure reflecting a considered apportionment of responsibility among the services for the performance of a joint mission.

From experience as a member of the Congress, I know the great difficulty of appraising properly the over-all security needs of the nation from piecemeal presentations by separate departments appearing before separate Congressional committees at different times. It is only by combining the armed forces into a single department that the Congress can have the advantage of considering a single coordinated and comprehensive security program.

2. *We should realize the economies that can be achieved through unified control of supply and service functions.*

Instances of duplication among Army and Navy activities and facilities have been brought to the attention of the Congress on many occasions. The degree of unity that was accomplished during the war in strategic planning and in theater command is in striking contrast with the separatism that prevailed in the whole range of supply and service functions.

It will never be possible to achieve absolute coordination of the supply

and service functions of all services. Neither the War Department nor the Navy Department has been able to eliminate all duplication even within its own organization. But there is no question that the extent of waste through lack of coordination between the two Departments is very much greater than the waste resulting from faulty coordination within each. If we can attain as much coordination among all the services as now exists within each department, we shall realize extensive savings.

Consolidation of the Departments will, for example, reduce the volume of supplies that need to be procured. Supply requirements, for example, begin with a calculation of so many items per man to be supplied. But to this basic figure must be added margins of safety, to account for items in storage, transportation lags, breakdowns in delivery, emergency demands, and so forth. In these margins, savings can be made through unified systems of supply. As the volume handled in any supply system grows, the percentage factor which has to be added for reserves is reduced.

In the same way, both the Army and the Navy add a margin of safety to their requirements for production plants, depots, hospitals, air training fields, and other types of construction common to both services. When the requirements are pooled, the total amount of margin may be reduced. The same is true of personnel. Each service must add a margin of safety in estimating its requirements for doctors, nurses, skilled mechanics, and other types of specialists. The total margin is greater if the computations are made separately. Another source of economy will be the pooling of facilities and personnel in localities where at present both services have to operate, but where from the nature of the circumstances, facilities and personnel are not fully used.

Other examples of duplication could be cited. Business men have to deal with separate buyers, who may use separate specifications for items which could as well have the same specifications. Separate inspectors are stationed in their plants. During this war, instances occurred where the purchase of all available quantities of certain items by one service resulted in acute shortages in the other service. Parallel transportation and storage systems required extra overhead.

As the war progressed, it is true that increased cooperation reduced the extent of waste and conflict. But voluntary cooperation in such matters can never be expected to be fully effective. A single authority at the top would inevitably achieve a greater degree of economy than would be obtained under divided direction.

3. *We should adopt the organizational structure best suited to fostering coordination between the military and the remainder of the Government.*

Our military policy and program are only a part of a total national program aimed at achieving our national objectives of security and peace. This total program has many aspects, and many agencies of the Government must participate in its execution.

Our military policy, for example, should be completely consistent with our foreign policy. It should be designed to support and reflect our commitments to the United Nations Organization. It should be adjusted according to the success or lack of success of our diplomacy. It should reflect our fullest knowledge of the capabilities and intentions of other powers. Likewise, our foreign policy should take into account our military capabilities and the strategic power of our Armed Forces.

A total security program has still other major aspects. A military pro-

gram, standing alone, is useless. It must be supported in peacetime by planning for industrial mobilization and for development of industrial and raw material resources where these are insufficient. Programs of scientific research must be developed for military purposes, and their results woven into the defense program. The findings of our intelligence service must be applied to all of these.

Formulation and execution of a comprehensive and consistent national program embracing all these activities are extremely difficult tasks. They are made more difficult the greater the number of departments and agencies whose policies and programs have to be coordinated at the top level of the Executive Branch. They are simplified as the number of these agencies can be reduced.

The consolidation of the War and Navy Departments would greatly facilitate the ease and speed with which the Armed Forces and the other departments could exchange views and come to agreement on matters of common concern. It would minimize the extent to which inter-service differences have to be discussed and settled by the civilian leaders whose main concern should be the more fundamental job of building over-all national policy.

4. *We should provide the strongest means for civilian control of the military.*

Civilian control of the military establishment—one of the most fundamental of our democratic concepts—would be strengthened if the President and the Congress had but one Cabinet member with clear and primary responsibility for the exercise of that control. When the military establishment is divided between two civilian Secretaries, each is limited necessarily to a restricted view of the military establishment. Consequently, on many fundamental issues where the civilian point of view should be controlling, the Secretaries of the two Departments are cast in the role of partisans of their respective Services, and real civilian control can be exercised by no one except the President or the Congress.

During and since the war, the need for joint action by the Services and for objective recommendations on military matters has led inevitably to increasing the authority of the only joint organization and the most nearly objective organization that exists—the Joint Chiefs of Staff. But the Joint Chiefs of Staff are a strictly military body. Responsibility for civilian control should be clearly fixed in a single full-time civilian below the President. This requires a Secretary for the entire military establishment, aided by a strong staff of civilian assistants.

There is no basis for the fear that such an organization would lodge too much power in a single individual—that the concentration of so much military power would lead to militarism. There is no basis for such fear as long as the traditional policy of the United States is followed that a civilian, subject to the President, the Congress and the will of the people, be placed at the head of this Department. The safety of the democracy of the United States lies in the solid good sense and unshakable conviction of the American people. They need have no fear that their democratic liberties will be imperiled so long as they continue fulfilling their duties of citizenship.

5. *We should organize to provide parity for air power.*

Air power has been developed to a point where its responsibilities are equal to those of land and sea power, and its contribution to our stra-

tegic planning is as great. In operation, air power receives its separate assignment in the execution of an over-all plan. These facts were finally recognized in this war in the organizational parity which was granted to air power within our principal unified commands.

Parity for air power can be achieved in one department or in three, but not in two. As between one department and three, the former is infinitely to be preferred. The advantages of a single department are indeed much clearer when the alternative is seen to be three departments rather than the present two. The existence of three departments would complicate tremendously every problem of coordination that now exists between the War and Navy Departments, and between the Services and the rest of the government.

The Cabinet is not merely a collection of executives administering different governmental functions. It is a body whose combined judgment the President uses to formulate the fundamental policies of the administration. In such a group, which is designed to develop teamwork wisdom on all subjects that affect the political life of the country, it would be inappropriate and unbalanced to have three members representing three different instruments of national defense.

The President, as Commander-in-Chief, should not personally have to coordinate the Army and Navy and Air Force. With all the other problems before him, the President cannot be expected to balance either the organization, the training or the practice of the several branches of national defense. He should be able to rely for that coordination upon civilian hands at the Cabinet level.

6. *We should establish the most advantageous framework for a unified system of training for combined operations of land, sea and air.*

Whatever the form which any future war may take, we know that the men of our separate Services will have to work together in many kinds of combinations for many purposes. The Pacific campaign of the recent war is an outstanding example of common and joint effort among land, sea, and air forces. Despite its successes, that campaign proved that there is not adequate understanding among the officers and men of any Service of the capabilities, the uses, the procedures, and the limitations of the other Services.

This understanding is not something that can be created overnight whenever a combined operation is planned and a task force organized. The way men act in combat is determined by the sum total of all their previous training, indoctrination, and experience.

What we seek is a structure which can best produce an integrated training program, carry on merged training activities where that is appropriate, and permit officers to be assigned in such a way that an individual officer will learn first-hand of other Services besides the one in which the has specialized. The organizational framework most conducive to this kind of unified training and doctrine is a unified department.

7. *We should allocate systematically our limited resources for scientific research.*

No aspect of military preparedness is more important than scientific research. Given the limited amount of scientific talent that will be available for military purposes, we must systematically apply that talent to research in the most promising lines and on the weapons with the greatest potentiality, regardless of the Service in which these weapons will be used.

We cannot afford to waste any of our scientific resources in duplication of effort.

This does not mean that all Army and Navy laboratories would be immediately or even ultimately consolidated. The objective should be to preserve initiative and enterprise while eliminating duplication and misdirected effort. This can be accomplished only if we have an organizational structure which will permit fixing responsibility at the top for coordination among the Services.

8. *We should have unity of command in outlying bases.*

All military authority at each of our outlying bases should be placed under a single commander who will have clear responsibility for security, who can be held clearly accountable, and whose orders come from a single authority in Washington. Reconnaissance planes, radar sets, and intelligence and counter-intelligence measures at a United States outpost are not intended to serve separate Services for different purposes. Unification of the Services offers a far greater guarantee of continued unity in the field than does our present organization.

9. *We should have consistent and equitable personnel policies.*

There have been differences in personnel policies between the Army and the Navy during the war. They began with competitive recruitment for certain types of persons, and continued in almost every phase of personnel administration. In rates of promotion, in ways of selecting officers, in the utilization of reserve officers, in awards and decorations, in allowances and in point systems for discharge, the two Services have followed different policies.

This inconsistency is highly undesirable. It will be reduced to a minimum under a unified organization.

Any bill which is enacted to carry out these recommendations cannot provide immediately the ultimate organization plan to accomplish unification. It can only prescribe the general organization of the authorities at the top levels of the unified Department.

I recommend that the reorganization of the armed services be along the following broad lines.

(1) There should be a single Department of National Defense. This Department should be charged with the full responsibility for armed national security. It should consist of the armed and civilian forces that are now included within the War and Navy Departments.

(2) The head of this Department should be a civilian, a member of the President's cabinet, to be designated as the Secretary of National Defense. Under him there should be a civilian Under Secretary and several civilian Assistant Secretaries.

(3) There should be three coordinated branches of the Department of National Defense: one for the land forces, one for the naval forces, and one for the air forces, each under an Assistant Secretary. The Navy should, of course, retain its own carrier-, ship-, and water-based aviation, which has proved so necessary for efficient fleet operation. And, of course, the Marine Corps should be continued as an integral part of the Navy.

(4) The Under Secretary and the remaining Assistant Secretaries should be available for assignment to whatever duties the President and the Secretary may determine from time to time.

(5) The President and the Secretary should be provided with ample

authority to establish central coordinating and service organizations, both military and civilian, where these are found to be necessary. Some of these might be placed under Assistant Secretaries, some might be organized as central service organizations, and some might be organized in a top military staff to integrate the military leadership of the department. I do not believe that we can specify at this time the exact nature of these organizations. They must be developed over a period of time by the President and the Secretary as a normal part of their executive responsibilities. Sufficient strength in these department-wide elements of the department, as opposed to the separate Service elements, will insure that real unification is ultimately obtained. The President and the Secretary should not be limited in their authority to establish department-wide coordinating and service organizations.

(6) There should be a Chief of Staff of the Department of National Defense. There should also be a commander for each of the three component branches—Army, Navy, and Air.

(7) The Chief of Staff and the commanders of the three coordinate branches of the Department should together constitute an advisory body to the Secretary of National Defense and to the President. There should be nothing to prevent the President, the Secretary, and other civilian authorities from communicating with the commanders of any of the components of the Department on such vital matters as basic military strategy and policy and the division of the budget. Furthermore, the key staff positions in the Department should be filled with officers drawn from all the services, so that the thinking of the Department would not be dominated by any one or two of the services.

As an additional precaution, it would be wise if the post of Chief of Staff were rotated among the several services, whenever practicable and advisable, at least during the period of evolution of the new unified Department. The tenure of the individual officer designated to serve as Chief of Staff should be relatively short—two or three years—and should not, except in time of a war emergency declared by the Congress, be extended beyond that period.

Unification of the services must be looked upon as a long-term job. We all recognize that there will be many complications and difficulties. Legislation of the character outlined will provide us with the objective, and with the initial means whereby forward-looking leadership in the Department, both military and civilian, can bring real unification into being. Unification is much more than a matter of organization. It will require new viewpoints, new doctrine, and new habits of thinking throughout the departmental structure. But in the comparative leisure of peacetime, and utilizing the skill and experience of our staff and field commanders who brought us victory, we should start at once to achieve the most efficient instrument of national safety.

Once a unified department has been established, other steps necessary to the formulation of a comprehensive national security program can be taken with greater ease. Much more than a beginning has already been made in achieving consistent political and military policy through the establishment of the State-War-Navy Coordinating Committee. With respect to military research, I have in a previous message to the Congress proposed the establishment of a federal research agency, among whose responsibilities should be the promotion and coordination of fundamental research pertain-

ing to the defense and security of the Nation. The development of a coordinated, government-wide intelligence system is in process. As the advisability of additional action to insure a broad and coordinated program of national security becomes clear, I shall make appropriate recommendations or take the necessary action to that end.

The American people have all been enlightened and gratified by the free discussion which has taken place within the Services and before the committees of the Senate and the House of Representatives. The Congress, the people, and the President have benefited from a clarification of the issues that could have been provided in no other way. But however strong the opposition that has been expressed by some of our outstanding senior officers and civilians, I can assure the Congress that once unification has been determined upon as the policy of this nation, there is no officer or civilian in any Service who will not contribute his utmost to make the unification a success.

I make these recommendations in the full realization that we are undertaking a task of greatest difficulty. But I am certain that when the task is accomplished, we shall have a military establishment far better adapted to carrying out its share of our national program for achieving peace and security.

HARRY S. TRUMAN

THE WHITE HOUSE
December 19, 1945

Source: U.S. National Archives and Records Service. *Public Papers of the Presidents: Harry S. Truman: 1945,* pp. 546–60. Washington: Government Printing Office, 1961.

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6. S. 2044 and Hearings before the Senate Committee on Naval Affairs—9 April–11 July 1946.

On 9 April 1946, Senators Elbert D. Thomas, Lister Hill, and Warren R. Austin, members of a special subcommittee of the Senate Military Affairs Committee, introduced S. 2044, which followed fairly closely the President's recommendations and included many of the Eberstadt proposals for the coordination of civilian-military policies. The subcommittee's report was adopted by the full committee on 13 May by a vote of 13 to 2.

The major proposals of the bill were summarized by the subcommittee as follows:

> A single department is created. The Air Force is given autonomy. Integrated strategic plans and a unified military program and budget are provided for. Civilian control is clearly fixed in a single civilian, subject to the direction of the President. An organizational structure is set up which will foster coordination between the military and the remainder of the Government. A unified system of training for combined operation for land, sea, and air is provided for, under the direction of an Assistant Secretary. And lastly, within the broad framework established by the bill, there is ample opportunity for such further organizational changes and improvements as experience indicates to be necessary or advisable.

The Senate Committee on Naval Affairs opened hearings on S. 2044 on 30 April 1946, calling as witnesses representatives and supporters of the

Department of the Navy point of view. These witnesses strongly opposed S. 2044 during 8 days of testimony.

After the hearings were adjourned on 9 May 1946, the Chairmen of the Senate and House Naval Affairs Committees addressed a letter to the Secretary of the Navy outlining their own objections to S. 2044 and listing the points which, in their opinion, the Congress was unlikely to approve.

United States Senate,
Committee on Naval Affairs,
Washington, D.C.
May 15, 1946

My Dear Mr. Secretary:

In a sincere desire to be helpful to you and the Secretary of War, we are submitting some views we entertain in regard to bill S. 2044, to promote the common defense by unifying the departments and agencies of the Govment relating to the common defense. This bill has been reported favorably to the Senate by its Committee on Military Affairs and will undoubtedly be referred to the Committee on Naval Affairs of the Senate for consideration. Indeed, that committee has already undertaken a study of its provisions.

Furthermore, we understand that the President has suggested that officials of the Army and Navy attempt to work out a compromise satisfactory to the armed services and to the President.

Since the responsibility and authority for maintaining an adequate military establishment in the postwar period rests with the legislative branch of the Government, the views of legislators who are familiar with naval concepts must be given consideration before ultimate approval can be given to any plan.

The Committee on Naval Affairs of the Senate has only recently started hearings on the proposal to merge the War and Navy Departments into a Department of Common Defense, and no committee of the House has, during this Congress, held hearings on a specific proposal to effect such a merger.

A preliminary analysis of the testimony which has been given on the bill S. 2044 indicates that it contains the following major defects:

(A) It fails to differentiate between democratic and authoritative methods and procedures

By creating one Secretary of Common Defense and one Chief of Staff of Common Defense the bill would concentrate too much power in the hands of too few men. It would establish authoritative controls similar to those associated with dictatorships and other totalitarian forms of government. One-man control over the strategic planning of a nation's armed forces has, in the past, always resulted in military defeat. The essence of American strength lies in our democratic procedures. The greatest war in history has just been won by employing democratic processes on the home front and unified command in the field of operations.

(B) It fails to differentiate between the functions of planning and the execution of a plan

Military plans, more than any others, must be the product of the best military judgment a nation can produce. Each member of the Joint Chiefs of Staff must bring to the conference table his best judgment and experience. Only by laborious deliberations can a final plan of action be decided upon. Once a plan has been agreed upon each member of the Joint Chiefs of Staff

must be able to carry out the plan within his own department. The plans of the Joint Chiefs of Staff, after receiving the approval of the Commander in Chief, should be carried out in combat areas by a single supreme commander.

The bill, if enacted, would relegate the Joint Chiefs of Staff to the position of an advisory body only. It would substitute for the joint decisions of this body the decisions of one man who would have the authority not only to dictate a plan but also the authority to direct how the plan should be carried out.

(C) It reduces civilian control and congressional control over the military establishments

If the bill S. 2044 should be enacted, the Congress would receive reports, testimony, and advice from one Secretary only, namely, the Secretary of Common Defense. At the present time the Congress receives reports on important bills which relate to both the Army and Navy from the Secretary of War and the Secretary of the Navy. The military budgets are now prepared by the several civilian Secretaries and are integrated into the National Budget by the Bureau of the Budget and then submitted to the Congress by the President. Under the bill S. 2044 the military budget would be made up by the Joint Chiefs of Staff, and the Secretary of National Defense would be able to comment on the budget but would have no power to change it.

(D) It permits the executive branch of the Government, without prior reference to or approval by the Congress, either to abolish the Marine Corps outright or to divest it of most of its vital functions

In divesting the marines of amphibious functions we would be making the same basic error which was made by the British when they reduced the Royal Marines to impotency so that the marines were unable to make landings in Norway and other places in support of fleet action.

(E) It permits, without prior reference to Congress, the executive branch of the Government to transfer vital naval aviation functions to the Army Air Corps

In transferring these vital naval aviation functions to the Army Air Corps, we would be guilty of the same mistake made by the British when all air functions were consolidated in the Royal Air Force. This made possible the sinking of H.M.S. *Prince of Wales* and H.M.S. *Repulse,* and rendered the British Naval Air Arm so ineffective that the British were forced to call on the United States Navy for planes, equipment, and forces, to combat the German submarine menace in the Atlantic.

(F) It permits the National Defense organization to become unbalanced

Centralized preparation and control of the military budget would make it possible to deny the equitable distribution of funds among the different branches of the armed services.

(G) It violates sound administrative procedures in many respects

It deprives the Army and Navy of representation in the Cabinet. It reduces the Secretary of War and the Secretary of Navy to minor positions in which they would be concerned, apparently, only with propaganda for their respective arms; and places over them seven other civilian officials. It contains a large number of parallel and conflicting lines of authority and adjudication.

(H) There are some defective and dangerous legal aspects in the bill

It contains unwise delegations of legislative power and congressional functions to the President. The President's power under section 108 of the bill, permitting him to transfer any agency of the Government to the Army,

Navy, or Air Force, is an unconstitutional delegation of the legislative power because it does not set up adequate standards to govern such transfers.

In our judgment, the Congress is not likely to approve a bill containing the major defects listed above after the Members of the Congress become fully aware of these defects. We believe the bill S. 2044 accentuates the difference between the services. Its enactment would not heal the breach which now exists. Instead it would widen the breach since naval officers are firmly convinced, as a result of their recent war experiences, that naval aviation and amphibious operations played a great part in winning the war. They are also convinced that in the forseeable future naval aviation and amphibious forces will play a major role in preventing any potential enemy from bringing war to our shores.

It is admitted that some weaknesses in our defense organization were revealed during the war, and we believe these defects can be corrected without completely disorganizing the defense structure which was so successful in bringing the war to a favorable conclusion.

An analysis of the testimony indicates that practically everyone is now in agreement with respect to the desirability of legislation to provide:

1. Organized means for the integration of foreign and military policy.
2. Organizations in being for directing industrial mobilization and for reconciling such mobilization with natural resources.
3. An organization to insure both sound strategic planning and unified command in operations.
4. A more efficient organization for the translation of strategic requirements into requirements for material and personnel.
5. Adequate means for the elimination of waste and duplication in and between the military departments in the procurement and distribution of material and personnel.
6. An efficient coordinated intelligence organization serving all Government departments and agencies.
7. An organizational means for fostering scientific research and development within the military departments and among civilian organizations.
8. A possible closer integration of military education and training.
9. Full opportunity of each branch of the military services to develop its specialty and at the same time facilitate interservice training and operational unity when employed jointly.

It would appear to be the part of wisdom to place in effect, by statute, the items listed above upon which there is substantial agreement.

The major questions upon which the services cannot agree may be stated briefly as follows:

1. Shall there be one or more than one Secretary in the Cabinet to represent the military departments?
2. Shall military command over all the armed forces be vested in a single Chief of Staff of Common Defense or in the Joint Chiefs of Staff?
3. Shall the budgets of the military departments be prepared separately under their civilian Secretaries with the advice of the military heads and then integrated under civilian control, or will they be prepared by military heads and integrated by the Joint Chiefs of Staff with only nominal supervision by a single Secretary?
4. Shall there be a separate Department of Air, and if so shall it have control over all military aircraft or only a part of military aircraft?

With respect to the points in disagreement we are of the opinion that

the Congress of the United States after mature study and deliberation will not approve:

(a) A single Department of Common Defense with a single Secretary at its head.

(b) The placing of a single military officer in supreme command of all the armed forces.

(c) Divesting the Marine Corps of its important function of maintaining a Fleet Marine Force to support fleet operations.

(d) Transferring the vital functions of naval aviation to the Army Air Corps or to a separate Air Corps.

(e) Removing from the Secretary of War and the Secretary of the Navy the responsibility for initiating the budget of their respective Departments and supporting these budgets before the Congress.

We realize that the Army Air Force has achieved a high degree of autonomy within the War Department. We realize further that for numerous reasons, practical, psychological, and historical, the Army Air Force will probably never become integrated in to the Army to the extent that naval aviation has become integrated into the Navy. We consider, therefore, that in effecting a compromise on this point representatives of the Navy Department can well be guided by the views of the War Department with respect to the separation of the Army's strategic air arm from the Army.

Any compromise which results from a conference by the War and Navy Departments which does not embody most of the views of those Members of Congress who have made a study of the importance of sea-air power in our national defense structure, and which in general does not conform with the views expressed in this letter would not, in our opinion, be in the best interests of the United States.

Sincerely yours,

DAVID I. WALSH,
Committee on Naval Affairs,
United States Senate.

CARL VINSON,
Chairman, Committee on Naval Affairs,
House of Representatives.

HON. JAMES V. FORRESTAL,
The Secretary of the Navy,
Navy Department, Washington 25, D.C.

The Senate Committee on Naval Affairs resumed its hearings on 2 July 1946 to consider the President's new proposals. Department of the Navy testimony differed only slightly from that given 2 months earlier. The committee closed its hearings on 11 July 1946 and did not submit a report or propose a new bill.

The Senate took no action on S. 2044 prior to adjournment on 2 August 1946.

Sources: U.S. Congress. Senate. Committee on Naval Affairs. *Hearings on S. 2044: Unification of the Armed Forces.* 79th Congress, 2nd session. Washington: Government Printing Office, 1946.

U.S. Congress. Senate. Committee on Military Affairs. *Department of Common Defense.* S. Rpt. 1328 and S. Rpt. 1328, Part 2. 79th Congress, 2nd session. Washington: Government Printing Office, 1946.

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7. War-Navy Review of Differences—13–31 May 1946.

On 13 May 1946, President Truman requested the Secretaries of War and Navy to reach agreement on a mutually acceptable plan for the post-war organization of the armed forces.

After an intensive review of the differences that had developed between the Departments, the Secretaries reported to the President on 31 May 1946 that they found themselves in agreement on 8 of 12 major points under consideration and that the remaining 4 were still in dispute.

May 31, 1946

Dear Mr. President:

Pursuant to your instructions, we have reviewed the major elements involved in establishing a greater measure of unification among our national security organizations, with a view to defining those matters upon which we agree and those upon which we differ. While we regret our inability to bridge completely the gap between us, we are pleased to be able to report a considerable area of agreement. Sincere efforts to expand it were made by both of us.

For your convenience, we outline below those matters upon which agreement exists and those upon which we are unable to agree. The order of presentation is not intended to indicate the relative importance of the various items.

I. Agreement exists on the following matters:

1. Council of Common Defense

To integrate our foreign and military policies and to enable the military services and other agencies of government to cooperate more effectively in matters involving our national security. The membership of this Council should consist of the Secretary of State, the civilian head of the Military Establishment (if there be a single military department), the civilian heads of the military services, and the Chairman of the National Security Resources Board, referred to below.

2. National Security Resources Board

To establish, and keep up to date, policies and programs for the maximum use of the Nation's resources in support of our national security. It should operate under the Council and be composed of representatives of the military services and of other appropriate agencies.

3. The Joint Chiefs of Staff

To formulate strategic plans, to assign logistic responsibilities to the services in support thereof, to integrate the military programs to make recommendations for integration of the military budget, and to provide for the strategic direction of the United States military forces.

4. No Single Military Chief of Staff

In the opinion of the War Department, the Military Establishment should contain a single military Chief of Staff, who would serve as principal military adviser, available to offer advice when differences of opinion arise among the military heads of the several services. The Navy feels that the Joint Chiefs of Staff should be the highest source of military advice. The War Department is willing to omit the feature of a single Chief of Staff.

5. CENTRAL INTELLIGENCE AGENCY

To compile, analyze, and evaluate information gathered by various Government agencies, including the military, and to furnish such information to the National Security Council and to other Government agencies entitled thereto. It should operate under the Council. An organization along these lines, established by Executive order, already exists.

6. PROCUREMENT AND SUPPLY

There should be an agency to prevent wasteful competition in the field of military supply and procurement through joint planning and coordination of procurement, production, and distribution. If there should be a single military department, this agency should be within the department.

7. RESEARCH AGENCIES

There should be an agency to coordinate the scientific research and development of the military services. If there should be a single military department, this agency should be within the department. The existence of such an agency would not remove the need for an over-all central research agency.

8. MILITARY EDUCATION AND TRAINING

There should be an agency to review periodically the several systems of education and training of personnel of the military services and to adjust them into an integrated program. If there should be a single military department, this agency should be within the department.

As to the agencies mentioned in 6, 7, and 8 above, the War Department believes that these agencies will not be fully effective except as agencies within a single department. The Navy, on the other hand, believes that they will be more fully effective under a coordinated organization than under a single military department.

II. We are unable to agree on the following matters:

1. SINGLE MILITARY DEPARTMENT

War Department View

The Military Establishment should be set up as a single entity, headed by a civilian of Cabinet rank with authority and responsibility for the several services. The administration and supervision of the services should, however, so far as possible be delegated to their respective heads, in order that each service may have as much freedom of development as possible and in order that the traditions and prestige of each be not impaired.

(Only if there is this unity of structure, headed by an individual with power of decision, can we achieve action where there is now inaction, concerted policy where there is now disjointed policy, and

Navy Department View

The Navy favors unification but in a less drastic and extreme form. It believes that serious disadvantages will result from combining the military services into one department. It would involve sacrifices of sound administrative autonomy and essential service morale.

The Navy recognizes the need for a greater measure of integration than now exists, not only between the military departments but among all agencies of government responsible for our national security. A single military department falls short of meeting these objectives.

While the Navy feels that the measures upon which agreement exists, as set forth above, would

economy of manpower, resources, and money where there is now waste of them all. Any organization which does not facilitate prompt decision and prompt action thereon, totally ignores scientific development and the nature of modern war. The military security of the United States is a single objective. Accomplishment of this single objective with the greatest economy and efficiency demands unity of direction.)

fully meet the needs of present conditions, it sees certain advantages in placing a Presidential deputy with clearly defined powers of decision over specified matters at the head of the Council of Common Defense. From this as a starting point, it should be possible to move forward such further measures of unification as become advisable, based on further experience.

The Secretary of the Navy recommends to the President, in view of the wide area of agreement which presently exists, that legislation be enacted at once giving statutory effect to these matters on which there is agreement. These steps will of themselves constitute a very substantial advance over our prewar, and even our present, organization for national security. If they are put into effect it will be possible, in the opinion of the Secretary of the Navy, to meet the nine specific objectives set forth in the President's message to the Congress on December 19, 1945. Further consideration and study can then be given to the remaining questions on which there is wide and general divergence of view between, and outside of, the military departments.

2. Three Coordinate Branches

War Department View

The Military Establishment should contain three coordinate branches—naval, ground, and air. Each should have a civilian head and a military commander. These officials should have access to the President, but not Cabinet rank since this would be in derogation of the position of the civilian head of the Military Establishment. As was stated above, the three branches should be given as much autonomy as possible.

(Our experience in the last war clearly indicates that parity for the Air Force and the operation of all

Navy Department View

The Navy feels that our national security requires maintenance of the integrity of the Navy Department, headed by a civilian Secretary of Cabinet rank. Naval aviation, together with surface and subsurface components, have been soundly integrated within the Navy. The Navy feels that similar integration by the Army of its Air and Ground Forces would be in the best interest of our national security.

However, if the alternatives were three military departments or one, the Navy would prefer three departments.

three services as a team are essential to our national security. Everything that we know of the future points to an increase rather than a decrease in the decisive role of air power.)

3. Aviation

War Department View

Responsibility for the development, procurement, maintenance, and operation of the military air resources of the United States should be a function of the Air Forces with the following exceptions, in which cases these responsibilities should be vested in the United States Navy: (a) Ship, carrier, and water-based aircraft essential to naval operations, including those of the United States Marine Corps. (b) Land-type aircraft necessary for essential internal administration and for air transport over routes of sole interest to naval forces and where the requirements cannot be met by normal air transport facilities. (c) Land-type aircraft necessary for the training of personnel for (a) and (b) above.

(The Nation cannot afford the luxury of several completely self-sufficient services. The war demonstrated that they must be complementary—mutually supporting. With respect to land planes, there are no purely naval functions which justify uneconomical duplication of equipment and installations. For example, the Air Force already performs long-range reconnaissance for the Ground Forces and itself. The Navy's recognized requirement for the products of long-range reconnaissance can be effectively filled by the Air Forces. As regards antisubmarine warfare, it is the view of the War Department that the experience of the Army Air Forces in the last war adequately justifies the belief that land-based planes, operated by the Air Forces can meet this requirement.)

Navy Department View

The Navy has no desire either to compete with, or to dictate to, the Army Air Forces. On the other hand, the Navy feels that its experience qualifies it to judge its own aviation needs.

One reason for the Navy's strong conviction against a single department is the continued efforts of the Army Air Forces to restrict and limit naval aviation. The Navy knows that these efforts, if successful, would seriously impair our sea power and jeopardize our national security.

To accomplish its fundamental purpose, the Navy needs a certain number of land planes for naval reconnaissance, antisubmarine warfare, and protection of shipping. Experience indicates that such land planes, to be effective, must be manned by naval personnel trained in naval warfare. Lack of such aircraft under complete naval control as to design, procurement, operations, personnel, training, and administration might be disastrous to our national security. Similarly, the Navy must have air transport essential to its needs.

4. UNITED STATES MARINE CORPS

The Navy and the Army differ on the functions of the United States Marine Corps as follows:

War Department View	Navy Department View
There shall be maintained as a constituent part of the naval service a balanced Fleet Marine Force including its supporting air component for—	There shall be maintained as a constituent part of the naval service a balanced Fleet Marine Force including its supporting air component for—
(1) Service with the fleet in the seizure of enemy positions not involving sustained land fighting and	(1) Service with the fleet in the seizure or defense of advance naval bases or for the conduct of such limited land operations as are essential to the prosecution of a naval campaign and
(2) To continue the development of tactics, techniques, and equipment relating to those phases of amphibious warfare which pertain to waterborne aspects of landing operations.	(2) To continue the development of those aspects of amphibious operations which pertain to the tactics, techniques, and equipment employed by landing forces.

There is agreement upon the other primary duties of the Marine Corps, viz:

(1) To provide detachments and organization for service on armed vessels of the Navy; and

(2) To provide security detachments for protection of Naval property at Naval stations and bases.

These matters have been explored by us with a sincere desire to comply with your wishes that the military services reach complete mutual agreement. Our failure to achieve complete unanimity is due to no reason other than that our respective views on the points of difference are as sincere as they are divergent.

Faithfully yours,

JAMES FORRESTAL,
Secretary of the Navy.

ROBERT P. PATTERSON,
Secretary of War.

THE PRESIDENT,
The White House.

Source: U.S. Congress. *Congressional Record,* Volume 92, Part 6, pp. 7424–26. Washington: Government Printing Office, 1946.

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8. *President Truman's Letter—15 June 1946.*

In his reply of 15 June 1946 President Truman set forth his views on the four points still in dispute.

June 15, 1946

Gentlemen:

I have read with care your joint report of May 31, 1946. It was also helpful to me to have the full oral presentation of the points involved,

which you and the members of your Departments made to me on June 4th.

I am pleased and gratified at the progress you have made. I feel that we have come a long way in narrowing the zone of disagreement which had previously existed between the services. The full understanding reached on eight vital aspects of unification is a significant accomplishment. These eight elements are Council of Common Defense, National Security Resources Board, Joint Chiefs of Staff, omission of single Military Chief of Staff, Central Intelligence Agency, Procurement and Supply, Research Agencies and Military Education and Training.

In addition to these eight points of agreement, I am advised also by representatives of both services that they are in accord in their attitude toward the provision in the Thomas Bill, S. 2044, which provides for four assistant secretaries in charge of Research, Intelligence, Procurement, and Training, respectively. They believe that such assistant secretaries are unnecessary. I agree with their position that the presence of these four assistant secretaries is undesirable because they would greatly complicate the internal administration of the services and that such a plan would deprive the secretaries of the respective services of functions which are properly theirs.

Your report of May 31st listed four items upon which you were unable to agree. An analysis of your comments contained in your report, and in the lengthy discussion which we had, discloses that the services are not nearly so far apart in their attitude toward these points as had been reported. It is my firm conviction that the determination of these questions in the manner which I present herein will result in a plan which incorporates the best features offered by the respective services.

With reference to the points upon which full agreement was not reached my position is as follows:

1. Single Military Department.

There should be one Department of National Defense. It would be under the control of a civilian who would be a member of the cabinet. Each of the services would be headed by a civilian with the title of "Secretary." These secretaries would be charged with the internal administration within their own services. They would not be members of the cabinet. Each service would retain its autonomy, subject of course to the authority and overall control by the Secretary of National Defense. It is recognized that the services have different functions and different organizations and for these reasons the integrity of each service should be retained. The civilian secretaries of the services would be members of the Council of Common Defense and in this capacity they would have the further opportunity to represent their respective services to the fullest extent.

2. Three Coordinate Services.

There should be three coordinate services—the Army, Navy and Air Force. The three services should be on a parity and should operate in a common purpose toward overall efficiency of the National Defense under the control and supervision of the Secretary of National Defense. The Secretaries of the three services should be known as Secretary for the Army, Secretary for the Navy, and Secretary for the Air Force.

3. Aviation.

The Air Force shall have the responsibility for the development, procurement, maintenance and operation of the military air resources of the

United States with the following exceptions, in which responsibility must be vested in the Navy:

(1) Ship, carrier and water-based aircraft essential to Naval operations, and aircraft of the United States Marine Corps.

(2) Land-type aircraft necessary for essential internal administration and for air transport over routes of sole interest to Naval forces and where the requirements cannot be met by normal air transport facilities.

(3) Land-type aircraft necessary for the training of personnel for the aforementioned purposes.

Land-based planes for Naval reconnaissance, antisubmarine warfare and protection of shipping can and should be manned by Air Force personnel. If the three services are to work as a team there must be close cooperation, with interchange of personnel and special training for specific duties.

Within its proper sphere of operation, Naval Aviation must not be restricted but must be given every opportunity to develop its maximum usefulness.

4. UNITED STATES MARINE CORPS.

There shall be maintained as a constituent part of the Naval service a balanced Fleet Marine Force including its supporting air component to perform the following functions:

(1) Service with the Fleet in the seizure or defense of Advanced Naval Bases or for the conduct of such limited land operations as are essential to the prosecution of a Naval campaign.

(2) To continue the development of those aspects of amphibious operations which pertain to the tactics, technique, and equipment employed by the landing forces.

(3) To provide detachments and organizations for service on armed vessels of the Navy.

(4) To provide security detachments for protection of Naval property at Naval stations and bases.

It is important that the basic elements of the plan of unification be stated clearly. The eight fundamental points agreed upon and the four points which are herewith decided, constitute a total of twelve basic principles that should form the framework of the program for integration.

There is no desire or intention to affect adversely the integrity of any of the services. They should perform their separate functions under the unifying direction, authority and control of the Secretary of National Defense. The internal administration of the three services should be preserved in order that the high morale and esprit de corps of each service can be retained.

It was gratifying to have both of you and General Eisenhower and Admiral Nimitz assure me that you would all give your wholehearted support to a plan of unification no matter what the decision would be on those points upon which you did not fully agree. I know that I can count upon all of you for full assistance in obtaining passage in the Congress of a Bill containing the twelve basic elements set forth above.

Very sincerely yours,

HARRY S. TRUMAN

THE HONORABLE
ROBERT P. PATTERSON
The Secretary of War

THE HONORABLE
JAMES FORRESTAL
The Secretary of the Navy

On the same day, the President forwarded the entire correspondence to the Chairmen of the Senate and House Committees on Military and Naval Affairs.

June 15, 1946

My dear ————:

One of the most important problems confronting our country today is the establishment of a definite military policy.

In the solution of this problem, I consider it vital that we have a unified armed force for our national defense.

At my request the Secretary of War and the Secretary of the Navy have made a sincere effort to settle the differences existing between the services on this question. They have made splendid progress.

They have reached an agreement on eight important elements of unification, and with reference to the four upon which there was not full agreement, their differences are not irreconcilable.

On May 31, 1946 the Secretary of War and the Secretary of the Navy delivered a report to me of the results of their efforts. I have replied to them stating my position of those points submitted to me for decision.

I enclose herewith a copy of the report of the Secretary of War and the Secretary of the Navy, together with a copy of my reply to them.

You will note that there are now presented twelve basic principles upon which the unification of the services can be based. They are as follows:

1. SINGLE MILITARY DEPARTMENT.

There should be one Department of National Defense. It would be under the control of a civilian who would be a member of the cabinet. Each of the services would be headed by a civilian with the title of "Secretary." These secretaries would be charged with the internal administration within their own services. They would not be members of the cabinet. Each service would retain its autonomy, subject of course to the authority and overall control by the Secretary of National Defense. It is recognized that the services have different functions and different organizations and for these reasons the integrity of each service should be retained. The civilian secretaries of the services would be members of the Council of Common Defense and in this capacity they would have the further opportunity to represent their respective services to the fullest extent.

2. THREE COORDINATE SERVICES.

There should be three coordinate services—the Army, Navy and Air Force. The three services should be on a parity and should operate in a common purpose toward overall efficiency of the National Defense under the control and supervision of the Secretary of National Defense. The Secretaries of the three services should be known as Secretary for the Army, Secretary for the Navy, and Secretary for the Air Force.

3. AVIATION.

The Air Force shall have the responsibility for the development, procurement, maintenance and operation of the military air resources of the United States with the following exceptions, in which responsibility must be vested in the Navy:

(1) Ship, carrier and water-based aircraft essential to Naval operations, and aircraft of the United States Marine Corps.

(2) Land-type aircraft necessary for essential internal administration and for air transport over routes of sole interest to Naval forces and where the requirements cannot be met by normal air transport facilities.

(3) Land-type aircraft necessary for the training of personnel for the afore-mentioned purposes.

Land-based planes for Naval reconnaissance, antisubmarine Warfare and protection of shipping can and should be manned by Air Force personnel. If the three services are to work as a team there must be close cooperation, with interchange of personnel and special training for specific duties.

Within its proper sphere of operation, Naval Aviation must not be restricted but must be given every opportunity to develop its maximum usefulness.

4. UNITED STATES MARINE CORPS.

There shall be maintained as a constituent part of the Naval service a balanced Fleet Marine Force including its supporting air component to perform the following functions:

(1) Service with the Fleet in the seizure or defense of Advanced Naval Bases or for the conduct of such limited land operations as are essential to the prosecution of a Naval campaign.

(2) To continue the development of those aspects of amphibious operations which pertain to the tactics, technique, and equipment employed by the landing forces.

(3) To provide detachments and organizations for service on armed vessels of the Navy.

(4) To provide security detachments for protection of Naval property at Naval stations and bases.

5. COUNCIL OF NATIONAL DEFENSE.

To integrate our foreign and military policies and to enable the military services and other agencies of government to cooperate more effectively in matters involving our national security. The membership of this council should consist of the Secretary of State, the civilian head of the military establishment, the civilian heads of the military services, and the Chairman of the National Security Resources Board, referred to below.

6. NATIONAL SECURITY RESOURCES BOARD.

To establish, and keep up to date, policies and programs for the maximum use of the Nation's resources in support of our national security. It should operate under the Council and be composed of representatives of the military services and of other appropriate agencies.

7. THE JOINT CHIEFS OF STAFF.

To formulate strategic plans, to assign logistic responsibilities to the services in support thereof, to integrate the military programs, to make recommendations for integration of the military budget, and to provide for the strategic direction of the United States military forces.

8. NO SINGLE MILITARY CHIEF OF STAFF.

In the opinion of the War Department, the military establishment should contain a single military Chief of Staff, who would serve as principal

military adviser, available to offer advice when differences of opinion arise among the military heads of the several services. The Navy feels that the Joint Chiefs of Staff should be the highest source of military advice. The War Department is willing to omit the feature of a single Chief of Staff.

9. CENTRAL INTELLIGENCE AGENCY.

To compile, analyze, and evaluate information gathered by various government agencies, including the military, and to furnish such information to the National Defense Council and to other government agencies entitled thereto. It should operate under the Council. An organization along these lines, established by Executive Order, already exists.

10. PROCUREMENT AND SUPPLY.

There should be an agency to prevent wasteful competition in the field of military supply and procurement through joint planning and coordination of procurement, production and distribution.

11. RESEARCH AGENCIES.

There should be an agency to coordinate the scientific research and development of the military services.

12. MILITARY EDUCATION AND TRAINING.

There should be an agency to review periodically the several systems of education and training of personnel of the military services and to adjust them into an integrated program.

A plan of unification containing these twelve elements has my unqualified endorsement. The Secretary of War, the Secretary of the Navy, the Chief of Staff of the Army and the Chief of Naval Operations have assured me that they will support such a plan.

It is my hope that the Congress will pass legislation as soon as possible effecting a unification based upon these twelve principles.

Very sincerely yours,

HARRY S. TRUMAN

Source: U.S. National Archives and Records Service. *Public Papers of the Presidents: Harry S. Truman: 1946,* pp. 303–308. Washington: Government Printing Office, 1962.

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9. War-Navy Agreement—September 1946–16 January 1947.

During the fall and winter of 1946–47, Army and Navy officials renewed their efforts to develop a mutually acceptable pattern of organization for the armed forces. On 16 January 1947, the Secretaries of War and Navy reported to the President that they had reached agreement on a plan for unification that both Departments would support.

[January 16, 1947]

Dear Mr. President:

On May 31, 1946, we jointly submitted to you a letter which gave our respective views on the major elements involved in establishing a greater measure of unification of our armed forces.

In your letter of June 15, 1946 you expressed gratification at the progress made in narrowing the zone of disagreement which had previously existed

between the services and stated your position with reference to the essential points on which disagreement still existed.

In our opinion the necessity for agreement between the military services is now even greater than at the time of our earlier letter. We and our representatives have been meeting in an effort to secure further resolution, within the scope and the spirit of the statement of your position, of the views of the two departments. We are pleased to report success in this undertaking.

We agree to support legislation in which the following points are incorporated:

a. There shall be a Council of National Defense, a National Security Resources Board and a Central Intelligence Agency (which already exists) as agreed by the Secretary of War and the Secretary of the Navy in their letter to the President of May 31, 1946.

b. The armed forces shall be organized under a Secretary of National Defense so as to place the Army, the Navy (to include the Marine Corps and Naval Aviation), and the Air Force, each with a military chief, under the Departments of the Army, the Navy, and the Air Force respectively. Each shall be under a Secretary and, under the over-all direction of the Secretary of National Defense, shall be administered as an individual unit. The Secretary of any of the three departments may, at any time, present to the President, after first informing the Secretary of National Defense, any report or recommendation relating to his department which he may deem necessary or desirable.

c. A War Council shall be created consisting of the Secretary of National Defense as Chairman and with power of decision, the Secretary of the Army, the Secretary of the Navy and the Secretary of the Air Force, and the military heads of the three services. The War Council will concern itself with matters of broad policy relating to the armed forces.

d. There shall be a Joint Chiefs of Staff consisting of the military heads of the three services, and also the Chief of Staff to the President if that office exists. Subject to the authority and direction of the Secretary of National Defense, the Joint Chiefs of Staff will provide for the strategic direction of the military forces of the United States, will formulate strategic plans, assign logistic responsibilities to the services in support thereof, integrate the military requirements and, as directed, advise in the integration of the military budget.

e. There shall be a full-time Joint Staff to consist initially of not over 100 officers to be provided in approximately equal numbers by the three services. The Joint Staff, operating under a Director thereof, shall carry out policies and directives of the Joint Chiefs of Staff.

f. The Secretary of National Defense shall head the armed forces establishment, shall be vested with authority, under the President, to establish common policies and common programs for the integrated operation of the three departments and shall exercise control over and direct their common efforts to discharge their responsibility for national security.

We are agreed that the proper method of setting forth the functions (so-called roles and missions) of the armed forces is by the issuance of an Executive Order concurrently with your approval of the appropriate legis-

lation. We attach for your consideration a mutually agreed draft of such an order. [Not printed.]

Respectfully yours,

ROBERT P. PATTERSON,
Secretary of War.

JAMES FORRESTAL,
Secretary of the Navy.

Source: U.S. Congress. *Congressional Record.* Volume 93, Part 10, p. A204. Washington: Government Printing Office, 1947.

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10. Congressional Approval of Unification—26 February–25 July 1947.

On 26 February 1947, President Truman submitted to the Congress a draft bill for unification that had the approval of the Secretary of War, the Secretary of the Navy, and the Joint Chiefs of Staff. This proposal was introduced in the Senate as S. 758 and in the House of Representatives as H.R. 2319. For the organization proposed under S. 758, see Chart 5.

Senate Hearings on S. 758 were held from 18 March to 9 May 1947, before the newly created Committee on Armed Services, which had replaced the separate Committees of Military and Naval Affairs of the preceding Congress. On 5 June the committee reported the bill out with only minor changes, and the Senate approved it on 9 July 1947.

H.R. 2319 was assigned to the House Committee on Expenditures in the Executive Departments which held hearings from 2 April to 1 July 1947. The committee made numerous changes in the original measure and reported out on 16 July a new bill, H.R. 4214, which was approved by the House of Representatives on 19 July with only minor amendments.

A Conference Committee ironed out the differences between the House and Senate with little delay, and the conference report was agreed to by the Senate on 24 July and by the House on 25 July 1947. The President approved the bill on the following day as Public Law 253, 80th Congress (61 Stat. 495).

Sources: U.S. Congress. House of Representatives. Communication from the President. *National Security Act of 1947.* H. Doc. 149. 80th Congress, 1st session. Washington: Government Printing Office, 1947.

U.S. Congress. Senate. Committee on Armed Services. *Hearings on S. 758: National Defense Establishment (Unification of the Armed Services).* 80th Congress, 1st session. Washington: Government Printing Office, 1947. (For chart proposed under S. 758, see p. 153.)

U.S. Congress. Senate. Committee on Armed Services. *National Security Act of 1947.* S. Rpt. 239. 80th Congress, 1st session. Washington: Government Printing Office, 1947.

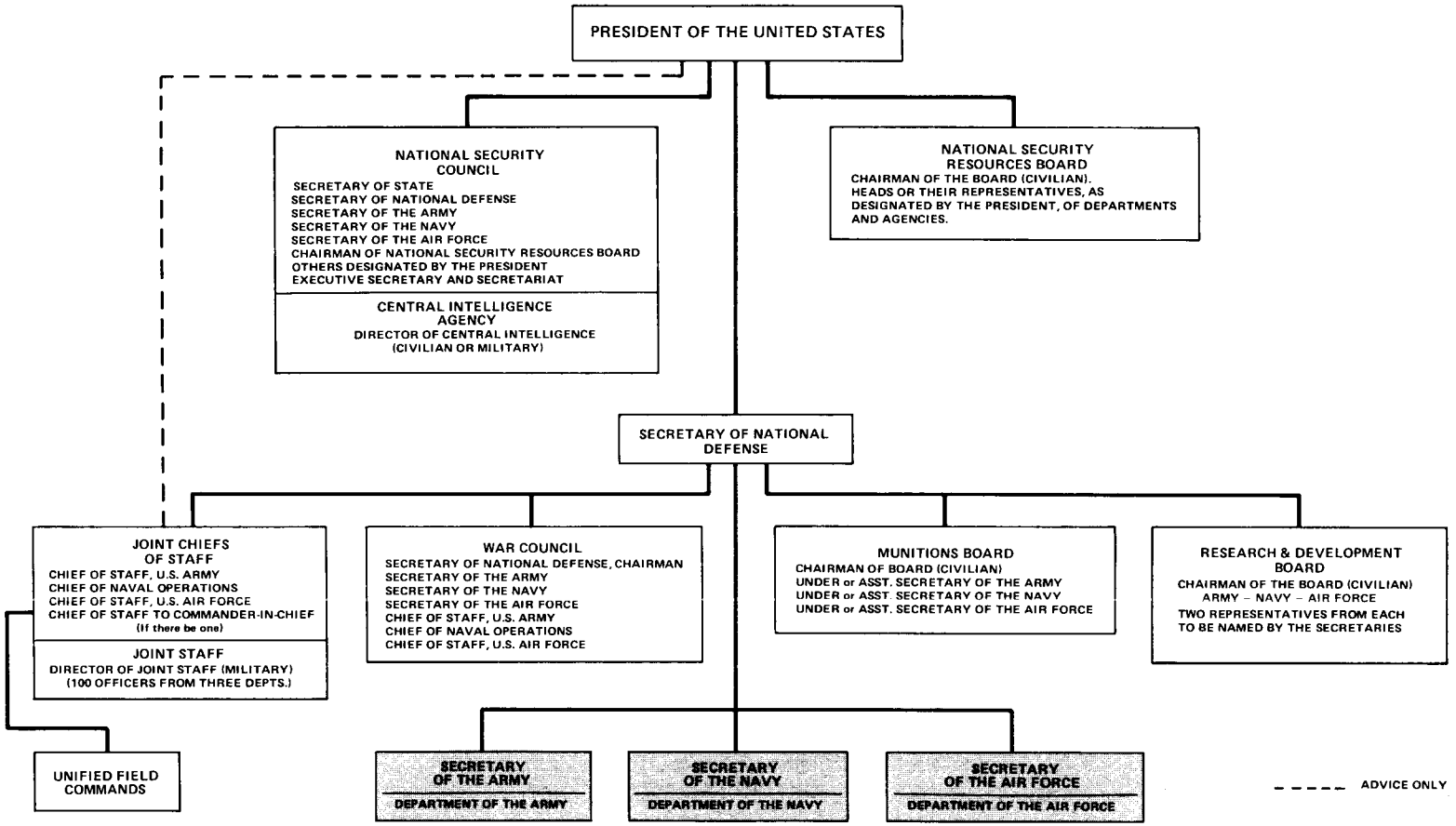
For Senate debate, see:

U.S. Congress. *Congressional Record.* Volume 93, Part 7, pp. 8291–8300, 8301–20, and 8326–27 (7 July 1947), 8489–94, 8495–8506, and 8517 (9 July 1947). Washington: Government Printing Office, 1947.

CHART 5

NATIONAL SECURITY ORGANIZATION PROPOSED BY WAR AND NAVY DEPARTMENTS

1 APRIL 1947



U.S. Congress. House of Representatives. Committee on Expenditures in the Executive Departments. *Hearings on H.R. 2319: National Security Act of 1947.* 80th Congress, 1st session. Washington: Government Printing Office, 1947.

U.S. Congress. House of Representatives. Committee on Expenditures in the Executive Departments. *National Security Act of 1947.* H. Rpt. 961. 80th Congress, 1st session. Washington: Government Printing Office, 1947.

For House debate, see:

U.S. Congress. *Congressional Record.* Volume 93, Part 7, pp. 9396–9457 (19 July 1947). Washington: Government Printing Office, 1947.

U.S. Congress. House of Representatives. Conference Committee. *National Security Act of 1947.* H. Rpt. 1051. 80th Congress, 1st session. Washington: Government Printing Office, 1947.

For debate on Conference Report, see:

U.S. Congress. *Congressional Record.* Volume 93, Part 8, pp. 9912–23 (24 July 1947), 10191–98 (25 July 1947). Washington: Government Printing Office, 1947.

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11. The National Security Act of 1947—26 July 1947.

(Public Law 253—80th Congress)
(Chapter 343—1st Session)
(S. 758)

AN ACT

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.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED,

Short Title

That this Act may be cited as the "National Security Act of 1947".

Table of Contents

Title III—Miscellaneous

Declaration of Policy

Sec. 2. In enacting this legislation, it is the intent of Congress to provide a comprehensive program for the future security of the United States, to provide for the establishment of integrated policies and procedures for the departments, agencies, and functions of the Government relating to the national security; to provide three military departments for the operation and administration of the Army, the Navy (including naval aviation and the United States Marine Corps), and the Air Force, with their assigned combat and service components; to provide for their authoritative coordination and unified direction under civilian control but not to merge them; to provide for the effective strategic direction of the armed forces and for their operation under unified control and for their integration into an efficient team of land, naval, and air forces.

TITLE I—COORDINATION FOR NATIONAL SECURITY

National Security Council

Sec. 101. (a) There is hereby established a council to be known as the National Security Council (hereinafter in this section referred to as the "Council").

The President of the United States shall preside over meetings of the Council: PROVIDED, That in his absence he may designate a member of the Council to preside in his place.

The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

The Council shall be composed of the President; the Secretary of State, the Secretary of Defense, appointed under section 202; the Secretary of the Army, referred to in section 205; the Secretary of the Navy; the Secretary

of the Air Force, appointed under section 207; the Chairman of the National Security Resources Board, appointed under section 103; and such of the following named officers as the President may designate from time to time: The Secretaries of the executive departments, the Chairman of the Munitions Board appointed under section 213, and the Chairman of the Research and Development Board appointed under section 214; but no such additional member shall be designated until the advice and consent of the Senate has been given to his appointment to the office the holding of which authorizes his designation as a member of the Council.

(b) In addition to performing such other functions as the President may direct, for the purpose of more effectively coordinating the policies and functions of the departments and agencies of the Government relating to the national security, it shall, subject to the direction of the President, be the duty of the Council—

(1) to assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security, for the purpose of making recommendations to the President in connection therewith; and

(2) to consider policies on matters of common interest to the departments and agencies of the Government concerned with the national security, and to make recommendations to the President in connection therewith.

(c) The Council shall have a staff to be headed by a civilian executive secretary who shall be appointed by the President, and who shall receive compensation at the rate of $10,000 a year. The executive secretary, subject to the direction of the Council, is hereby authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such personnel as may be necessary to perform such duties as may be prescribed by the Council in connection with the performance of its functions.

(d) The Council shall, from time to time, make such recommendations, and such other reports to the President as it deems appropriate or as the President may require.

Central Intelligence Agency

Sec. 102. (a) There is hereby established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence, who shall be the head thereof. The Director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services or from among individuals in civilian life. The Director shall receive compensation at the rate of $14,000 a year.

(b) (1) If a commissioned officer of the armed services is appointed as Director then—

(A) in the performance of his duties as Director, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed

to exercise, as Director) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(2) Except as provided in paragraph (1), the appointment to the office of Director of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, receive the military pay and allowances (active or retired, as the case may be) payable to a commissioned officer of his grade and length of service and shall be paid, from any funds available to defray the expenses of the Agency, annual compensation at a rate equal to the amount by which $14,000 exceeds the amount of his annual military pay and allowances.

(c) Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council—

(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: PROVIDED, That the Agency shall have no police, subpena, law-enforcement powers, or internal-security functions: PROVIDED FURTHER, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: AND PROVIDED FURTHER, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;

(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

(5) to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

(e) To the extent recommended by the National Security Council and approved by the President, such intelligence of the departments and agencies of the Government, except as hereinafter provided, relating to the national security shall be open to the inspection of the Director of Central Intelligence, and such intelligence as relates to the national security and is possessed by such departments and other agencies of the Government, except as hereinafter provided, shall be made available to the Director of Central Intelligence for correlation, evaluation, and dissemination: PROVIDED, HOWEVER, That upon the written request of the Director of Central Intelligence, the Director of the Federal Bureau of Investigation shall make available to the Director of Central Intelligence such information for correlation, evaluation, and dissemination as may be essential to the national security.

(f) Effective when the Director first appointed under subsection (a) has taken office—

(1) the National Intelligence Authority (11 Fed. Reg. 1337, 1339, February 5, 1946) shall cease to exist; and

(2) the personnel, property, and records of the Central Intelligence Group are transferred to the Central Intelligence Agency, and such Group shall cease to exist. Any unexpended balances of appropriations, allocations, or other funds available or authorized to be made available for such Group shall be available and shall be authorized to be made available in like manner for expenditure by the Agency.

National Security Resources Board

Sec. 103. (a) There is hereby established a National Security Resources Board (hereinafter in this section referred to as the "Board") to be composed of the Chairman of the Board and such heads or representatives of the various executive departments and independent agencies as may from time to time be designated by the President to be members of the Board. The Chairman of the Board shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $14,000 a year.

(b) The Chairman of the Board, subject to the direction of the President, is authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such personnel as may be necessary to assist the Board in carrying out its functions.

(c) It shall be the function of the Board to advise the President concerning the coordination of military, industrial, and civilian mobilization, including—

(1) policies concerning industrial and civilian mobilization in order to assure the most effective mobilization and maximum utilization of the Nation's manpower in the event of war;

(2) programs for the effective use in time of war of the Nation's natural and industrial resources for military and civilian needs, for the maintenance and stabilization of the civilian economy in time of war, and for the adjustment of such economy to war needs and conditions;

(3) policies for unifying, in time of war, the activities of Federal agencies and departments engaged in or concerned with production, procurement, distribution, or transportation of military or civilian supplies, materials, and products;

(4) the relationship between potential supplies of, and potential re-

quirements for, manpower, resources, and productive facilities in time of war;

(5) policies for establishing adequate reserves of strategic and critical material, and for the conservation of these reserves;

(6) the strategic relocation of industries, services, government, and economic activities, the continuous operation of which is essential to the Nation's security.

(d) In performing its functions, the Board shall utilize to the maximum extent the facilities and resources of the departments and agencies of the Government.

TITLE II—THE NATIONAL MILITARY ESTABLISHMENT

Establishment of the National Military Establishment

Sec. 201. (a) There is hereby established the National Military Establishment, and the Secretary of Defense shall be the head thereof.

(b) The National Military Establishment shall consist of the Department of the Army, the Department of the Navy, and the Department of the Air Force, together with all other agencies created under title II of this Act.

Secretary of Defense

Sec. 202 (a) There shall be a Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: PROVIDED, That a person who has within ten years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Secretary of Defense. The Secretary of Defense shall be the principal assistant to the President in all matters relating to the national security. Under the direction of the President and subject to the provisions of this Act he shall perform the following duties:

(1) Establish general policies and programs for the National Military Establishment and for all of the departments and agencies therein;

(2) Exercise general direction, authority, and control over such departments and agencies;

(3) Take appropriate steps to eliminate unnecessary duplication or overlapping in the fields of procurement, supply, transportation, storage, health, and research;

(4) Supervise and coordinate the preparation of the budget estimates of the departments and agencies comprising the National Military Establishment; formulate and determine the budget estimates for submittal to the Bureau of the Budget; and supervise the budget programs of such departments and agencies under the applicable appropriation Act:

PROVIDED, That nothing herein contained shall prevent the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force from presenting to the President or to the Director of the Budget, after first so informing the Secretary of Defense, any report or recommendation relating to his department which he may deem necessary: AND PROVIDED FURTHER, That the Department of the Army, the Department of the Navy, and the Department of the Air Force 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 by each of their respective Secretaries.

(b) The Secretary of Defense shall submit annual written reports to the President and the Congress covering expenditures, work, and accomplishments of the National Military Establishment, together with such recommendations as he shall deem appropriate.

(c) The Secretary of Defense shall cause a seal of office to be made for the National Military Establishment, of such design as the President shall approve, and judicial notice shall be taken thereof.

Military Assistants to the Secretary

Sec. 203. Officers of the armed services may be detailed to duty as assistants and personal aides to the Secretary of Defense, but he shall not establish a military staff.

Civilian Personnel

Sec. 204. (a) The Secretary of Defense is authorized to appoint from civilian life not to exceed three special assistants to advise and assist him in the performance of his duties. Each such special assistant shall receive compensation at the rate of $10,000 a year.

(b) The Secretary of Defense is authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such other civilian personnel as may be necessary for the performance of the functions of the National Military Establishment other than those of the Departments of the Army, Navy, and Air Force.

Department of the Army

Sec. 205. (a) The Department of War shall hereafter be designated the Department of the Army, and the title of the Secretary of War shall be changed to Secretary of the Army. Changes shall be made in the titles of other officers and activities of the Department of the Army as the Secretary of the Army may determine.

(b) All laws, orders, regulations, and other actions relating to the Department of War or to any officer or activity whose title is changed under this section shall, insofar as they are not inconsistent with the provisions of this Act, be deemed to relate to the Department of the Army within the National Military Establishment or to such officer or activity designated by his or its new title.

(c) The term "Department of the Army" as used in this Act shall be construed to mean the Department of the Army at the seat of government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Army.

(d) The Secretary of the Army shall cause a seal of office to be made for the Department of the Army, of such design as the President may approve, and judicial notice shall be taken thereof.

(e) In general the United States Army, within the Department of the Army, shall include land combat and service forces and such aviation and water transport as may be organic therein. It shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations on land. It shall be responsible for the preparation of land forces necessary for the effective prosecution of war except as otherwise assigned

and, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Army to meet the needs of war.

Department of the Navy

Sec. 206. (a) The term "Department of the Navy" as used in this Act shall be construed to mean the Department of the Navy at the seat of government; the headquarters, United States Marine Corps; the entire operating forces of the United States Navy, including naval aviation, and of the United States Marine Corps, including the reserve components of such forces; all field activities, headquarters, forces, bases, installations, activities, and functions under the control or supervision of the Department of the Navy; and the United States Coast Guard when operating as a part of the Navy pursuant to law.

(b) In general the United States Navy, within the Department of the Navy, shall include naval combat and services forces and such aviation as may be organic therein. It shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations at sea. It shall be responsible for the preparation of naval forces necessary for the effective prosecution of war except as otherwise assigned, and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Navy to meet the needs of war.

All naval aviation shall be integrated with the naval service as part thereof within the Department of the Navy. Naval aviation shall consist of combat and service and training forces, and shall include land-based naval aviation, air transport essential for naval operations, all air weapons and air techniques involved in the operations and activities of the United States Navy, and the entire remainder of the aeronautical organization of the United States Navy, together with the personnel necessary therefor.

The Navy shall be generally responsible for naval reconnaissance, antisubmarine warfare, and protection of shipping.

The Navy shall develop aircraft, weapons, tactics, technique, organization and equipment of naval combat and service elements; matters of joint concern as to these functions shall be coordinated between the Army, the Air Force, and the Navy.

(c) The United States Marine Corps, within the Department of the Navy, shall include land combat and service forces and such aviation as may be organic therein. The Marine Corps shall be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign. It shall be the duty of the Marine Corps to develop, in coordination with the Army and the Air Force, those phases of amphibious operations which pertain to the tactics, technique, and equipment employed by landing forces. In addition, the Marine Corps shall provide detachments and organizations for service on armed vessels of the Navy, shall provide security detachments for the protection of naval property at naval stations and bases, and shall perform such other duties as the President may direct: PROVIDED, That such additional duties shall not detract from or interfere with the operations for which the Marine Corps is primarily organized. The Marine Corps shall be responsible, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Marine Corps to meet the needs of war.

Department of the Air Force

Sec. 207. (a) Within the National Military Establishment there is hereby established an executive department to be known as the Department of the Air Force, and a Secretary of the Air Force, who shall be the head thereof. The Secretary of the Air Force shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.

(b) Section 158 of the Revised Statutes is amended to include the Department of the Air Force and the provisions of so much of title IV of the Revised Statutes as now or hereafter amended as is not inconsistent with this Act shall be applicable to the Department of the Air Force.

(c) The term "Department of the Air Force" as used in this Act shall be construed to mean the Department of the Air Force at the seat of government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Air Force.

(d) There shall be in the Department of the Air Force an Under Secretary of the Air Force and two Assistant Secretaries of the Air Force, who shall be appointed from civilian life by the President by and with the advice and consent of the Senate.

(e) The several officers of the Department of the Air Force shall perform such functions as the Secretary of the Air Force may prescribe.

(f) So much of the functions of the Secretary of the Army and of the Department of the Army, including those of any officer of such Department, as are assigned to or under the control of the Commanding General, Army Air Forces, or as are deemed by the Secretary of Defense to be necessary or desirable for the operations of the Department of the Air Force or the United States Air Force, shall be transferred to and vested in the Secretary of the Air Force and the Department of the Air Force: PROVIDED, That the National Guard Bureau shall, in addition to the functions and duties performed by it for the Department of the Army, be charged with similar functions and duties for the Department of the Air Force, and shall be the channel of communication between the Department of the Air Force and the several States on all matters pertaining to the Air National Guard: AND PROVIDED FURTHER, That, in order to permit an orderly transfer, the Secretary of Defense may, during the transfer period hereinafter prescribed, direct that the Department of the Army shall continue for appropriate periods to exercise any of such functions, insofar as they relate to the Department of the Air Force, or the United States Air Force or their property and personnel. Such of the property, personnel, and records of the Department of the Army used in the exercise of functions transferred under this subsection as the Secretary of Defense shall determine shall be transferred or assigned to the Department of the Air Force.

(g) The Secretary of the Air Force shall cause a seal of office to be made for the Department of the Air Force, of such device as the President shall approve, and judicial notice shall be taken thereof.

United States Air Force

Sec. 208. (a) The United States Air Force is hereby established under the Department of the Air Force. The Army Air Forces, the Air Corps, United States Army, and the General Headquarters Air Force (Air Force Combat Command), shall be transferred to the United States Air Force.

(b) There shall be a Chief of Staff, United States Air Force, who shall

be appointed by the President, by and with the advice and consent of the Senate, for a term of four years from among the officers of general rank who are assigned to or commissioned in the United States Air Force. Under the direction of the Secretary of the Air Force, the Chief of Staff, United States Air Force, shall exercise command over the United States Air Force and shall be charged with the duty of carrying into execution all lawful orders and directions which may be transmitted to him. The functions of the Commanding General, General Headquarters Air Force (Air Force Combat Command), and of the Chief of the Air Corps and of the Commanding General, Army Air Forces, shall be transferred to the Chief of Staff, United States Air Force. When such transfer becomes effective, the offices of the Chief of the Air Corps, United States Army, and Assistants to the Chief of the Air Corps, United States Army, provided for by the Act of June 4, 1920, as amended (41 Stat. 768), and Commanding General, General Headquarters Air Force, provided for by section 5 of the Act of June 16, 1936 (49 Stat. 1525), shall cease to exist. While holding office as Chief of Staff, United States Air Force, the incumbent shall hold a grade and receive allowances equivalent to those prescribed by law for the Chief of Staff, United States Army. The Chief of Staff, United States Army, the Chief of Naval Operations, and the Chief of Staff, United States Air Force, shall take rank among themselves according to their relative dates of appointment as such, and shall each take rank above all other officers on the active list of the Army, Navy, and Air Force: PROVIDED, That nothing in this Act shall have the effect of changing the relative rank of the present Chief of Staff, United States Army, and the present Chief of Naval Operations.

(c) All commissioned officers, warrant officers, and enlisted men, commissioned, holding warrants, or enlisted, in the Air Corps, United States Army, or the Army Air Forces, shall be transferred in branch to the United States Air Force. All other commissioned officers, warrant officers, and enlisted men, who are commissioned, hold warrants, or are enlisted, in any component of the Army of the United States and who are under the authority or command of the Commanding General, Army Air Forces, shall be continued under the authority or command of the Chief of Staff, United States Air Force, and under the jurisdiction of the Department of the Air Force. Personnel whose status is affected by this subsection shall retain their existing commissions, warrants, or enlisted status in existing components of the armed forces unless otherwise altered or terminated in accordance with existing law; and they shall not be deemed to have been appointed to a new or different office or grade, or to have vacated their permanent or temporary appointments in an existing component of the armed forces, solely by virtue of any change in status under this subsection. No such change in status shall alter or prejudice the status of any individual so assigned, so as to deprive him of any right, benefit, or privilege to which he may be entitled under existing law.

(d) Except as otherwise directed by the Secretary of the Air Force, all property, records, installations, agencies, activities, projects, and civilian personnel under the jurisdiction, control, authority, or command of the Commanding General, Army Air Forces, shall be continued to the same extent under the jurisdiction, control, authority, or command, respectively, of the Chief of Staff, United States Air Force, in the Department of the Air Force.

(e) For a period of two years from the date of enactment of this Act,

personnel (both military and civilian), property, records, installations, agencies, activities, and projects may be transferred between the Department of the Army and the Department of the Air Force by direction of the Secretary of Defense.

(f) In general the United States Air Force shall include aviation forces both combat and service not otherwise assigned. It shall be organized, trained, and equipped primarily for prompt and sustained offensive and defensive air operations. The Air Force shall be responsible for the preparation of the air forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Air Force to meet the needs of war.

Effective Date of Transfers

Sec. 209. Each transfer, assignment, or change in status under section 207 or section 208 shall take effect upon such date or dates as may be prescribed by the Secretary of Defense.

War Council

Sec. 210. There shall be within the National Military Establishment a War Council composed of the Secretary of Defense, as Chairman, who shall have power of decision; the Secretary of the Army; the Secretary of the Navy; the Secretary of the Air Force; the Chief of Staff, United States Army; the Chief of Naval Operations; and the Chief of Staff, United States Air Force. The War Council shall advise the Secretary of Defense on matters of broad policy relating to the armed forces, and shall consider and report on such other matters as the Secretary of Defense may direct.

Joint Chiefs of Staff

Sec. 211. (a) There is hereby established within the National Military Establishment the Joint Chiefs of Staff, which shall consist of the Chief of Staff, United States Army; the Chief of Naval Operations; the Chief of Staff, United States Air Force; and the Chief of Staff to the Commander in Chief, if there be one.

(b) Subject to the authority and direction of the President and the Secretary of Defense, it shall be the duty of the Joint Chiefs of Staff—

(1) to prepare strategic plans and to provide for the strategic direction of the military forces;

(2) to prepare joint logistic plans and to assign to the military services logistic responsibilities in accordance with such plans;

(3) to establish unified commands in strategic areas when such unified commands are in the interest of national security;

(4) to formulate policies for joint training of the military forces;

(5) to formulate policies for coordinating the education of members of the military forces;

(6) to review major material and personnel requirements of the military forces, in accordance with strategic and logistic plans; and

(7) to provide United States representation on the Military Staff Committee of the United Nations in accordance with the provisions of the Charter of the United Nations.

(c) The Joint Chiefs of Staff shall act as the principal military advisers to the President and the Secretary of Defense and shall perform such other

duties as the President and the Secretary of Defense may direct or as may be prescribed by law.

Joint Staff

Sec. 212. There shall be, under the Joint Chiefs of Staff, a Joint Staff to consist of not to exceed one hundred officers and to be composed of approximately equal numbers of officers from each of the three armed services. The Joint Staff, operating under a Director thereof appointed by the Joint Chiefs of Staff, shall perform such duties as may be directed by the Joint Chiefs of Staff. The Director shall be an officer junior in grade to all members of the Joint Chiefs of Staff.

Munitions Board

Sec. 213. (a) There is hereby established in the National Military Establishment a Munitions Board (hereinafter in this section referred to as the "Board").

(b) The Board shall be composed of a Chairman, who shall be the head thereof, and an Under Secretary or Assistant Secretary from each of the three military departments, to be designated in each case by the Secretaries of their respective departments. The Chairman shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $14,000 a year.

(c) It shall be the duty of the Board under the direction of the Secretary of Defense and in support of strategic and logistic plans prepared by the Joint Chiefs of Staff—

(1) to coordinate the appropriate activities within the National Military Establishment with regard to industrial matters, including the procurement, production, and distribution plans of the departments and agencies comprising the Establishment;

(2) to plan for the military aspects of industrial mobilization;

(3) to recommend assignment of procurement responsibilities among the several military services and to plan for standardization of specifications and for the greatest practicable allocation of purchase authority of technical equipment and common use items on the basis of single procurement;

(4) to prepare estimates of potential production, procurement, and personnel for use in evaluation of the logistic feasibility of strategic operations;

(5) to determine relative priorities of the various segments of the military procurement programs;

(6) to supervise such subordinate agencies as are or may be created to consider the subjects falling within the scope of the Board's responsibilities;

(7) to make recommendations to regroup, combine, or dissolve existing interservice agencies operating in the fields of procurement, production, and distribution in such manner as to promote efficiency and economy;

(8) to maintain liaison with other departments and agencies for the proper correlation of military requirements with the civilian economy, particularly in regard to the procurement or disposition of strategic and critical material and the maintenance of adequate reserves of such material, and to make recommendations as to policies in connection therewith;

(9) to assemble and review material and personnel requirements presented by the Joint Chiefs of Staff and those presented by the production,

procurement, and distribution agencies assigned to meet military needs, and to make recommendations thereon to the Secretary of Defense; and

(10) to perform such other duties as the Secretary of Defense may direct.

(d) When the Chairman of the Board first appointed has taken office, the Joint Army and Navy Munitions Board shall cease to exist and all its records and personnel shall be transferred to the Munitions Board.

(e) The Secretary of Defense shall provide the Board with such personnel and facilities as the Secretary may determine to be required by the Board for the performance of its functions.

Research and Development Board

Sec. 214. (a) There is hereby established in the National Military Establishment a Research and Development Board (hereinafter in this section referred to as the "Board"). The Board shall be composed of a Chairman, who shall be the head thereof, and two representatives from each of the Departments of the Army, Navy, and Air Force, to be designated by the Secretaries of their respective Departments. The Chairman shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $14,000 a year. The purpose of the Board shall be to advise the Secretary of Defense as to the status of scientific research relative to the national security, and to assist him in assuring adequate provision for research and development on scientific problems relating to the national security.

(b) It shall be the duty of the Board, under the direction of the Secretary of Defense—

(1) to prepare a complete and integrated program of research and development for military purposes;

(2) to advise with regard to trends in scientific research relating to national security and the measures necessary to assure continued and increasing progress;

(3) to recommend measures of coordination of research and development among the military departments, and allocation among them of responsibilities for specific programs of joint interest;

(4) to formulate policy for the National Military Establishment in connection with research and development matters involving agencies outside the National Military Establishment;

(5) to consider the interaction of research and development and strategy, and to advise the Joint Chiefs of Staff in connection therewith; and

(6) to perform such other duties as the Secretary of Defense may direct.

(c) When the Chairman of the Board first appointed has taken office the Joint Research and Development Board shall cease to exist and all its records and personnel shall be transferred to the Research and Development Board.

(d) The Secretary of Defense shall provide the Board with such personnel and facilities as the Secretary may determine to be required by the Board for the performance of its functions.

TITLE III—MISCELLANEOUS

Compensation of Secretaries

Sec. 301. (a) The Secretary of Defense shall receive the compensation prescribed by law for heads of executive departments.

(b) The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each receive the compensation prescribed by law for heads of executive departments.

Under Secretaries and Assistant Secretaries

Sec. 302. The Under Secretaries and Assistant Secretaries of the Army, the Navy, and the Air Force shall each receive compensation at the rate of $10,000 a year and shall perform such duties as the Secretaries of their respective departments may prescribe.

Advisory Committees and Personnel

Sec. 303. (a) The Secretary of Defense, the Chairman of the National Security Resources Board, and the Director of Central Intelligence are authorized to appoint such advisory committees and to employ, consistent with other provisions of this Act, such part-time advisory personnel as they may deem necessary in carrying out their respective functions and the functions of agencies under their control. Persons holding other offices or positions under the United States for which they receive compensation while serving as members of such committees shall receive no additional compensation for such service. Other members of such committees and other part-time advisory personnel so employed may serve without compensation or may receive compensation at a rate not to exceed $35 for each day of service, as determined by the appointing authority.

(b) Service of an individual as a member of any such advisory committee, or in any other part-time capacity for a department or agency hereunder, shall not be considered as service bringing such individual within the provisions of section 109 or 113 of the Criminal Code (U.S.C., 1940 edition, title 18, secs. 198 and 203), or section 19 (e) of the Contract Settlement Act of 1944, unless the act of such individual, which by such section is made unlawful when performed by an individual referred to in such section, is with respect to any particular matter which directly involves a department or agency which such person is advising or in which such department or agency is directly interested.

Status of Transferred Civilian Personnel

Sec. 304. All transfers of civilian personnel under this Act shall be without change in classification or compensation, but the head of any department or agency to which such a transfer is made is authorized to make such changes in the titles and designations and prescribe such changes in the duties of such personnel commensurate with their classification as he may deem necessary and appropriate.

Saving Provisions

Sec. 305. (a) All laws, orders, regulations, and other actions applicable with respect to any function, activity, personnel, property, records, or other thing transferred under this Act, or with respect to any officer, department, or agency, from which such transfer is made, shall, except to the extent rescinded, modified, superseded, terminated, or made inapplicable by or under authority of law, have the same effect as if such transfer had not been made; but, after any such transfer, any such law, order, regulation, or other action which vested functions in or otherwise related to any officer, department, or agency from which such transfer was made shall, insofar as ap-

plicable with respect to the function, activity, personnel, property, records or other thing transferred and to the extent not inconsistent with other provisions of this Act, be deemed to have vested such function in or relate to the officer, department, or agency to which the transfer was made.

(b) No suit, action, or other proceeding lawfully commenced by or against the head of any department or agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of the taking effect of any transfer or change in title under the provisions of this Act; and, in the case of any such transfer, such suit, action, or other proceeding may be maintained by or against the successor of such head or other officer under the transfer, but only if the court shall allow the same to be maintained on motion or supplemental petition filed within twelve months after such transfer takes effect, showing a necessity for the survival of such suit, action, or other proceeding to obtain settlement of the questions involved.

(c) Notwithstanding the provisions of the second paragraph of section 5 of title I of the First War Powers Act, 1941, the existing organization of the War Department under the provisions of Executive Order Numbered 9082 of February 28, 1942, as modified by Executive Order Numbered 9722 of May 13, 1946, and the existing organization of the Department of the Navy under the provisions of Executive Order Numbered 9635 of September 29, 1945, including the assignment of functions to organizational units within the War and Navy Departments, may, to the extent determined by the Secretary of Defense, continue in force for two years following the date of enactment of this Act except to the extent modified by the provisions of this Act or under the authority of law.

Transfer of Funds

Sec. 306. All unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by or on behalf of the Army Air Forces or officers thereof, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Such other unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by the Department of War or the Department of the Army in exercise of functions transferred to the Department of the Air Force under this Act, as the Secretary of Defense shall determine, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Unexpended balances transferred under this section may be used for the purposes for which the appropriations, allocations, or other funds were originally made available, or for new expenditures occasioned by the enactment of this Act. The transfers herein authorized may be made with or without warrant action as may be appropriate from time to time from any appropriation covered by this section to any other such appropriation or to such new accounts established on the books of the Treasury as may be determined to be necessary to carry into effect provisions of this Act.

Authorization for Appropriations

Sec. 307. There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purpose of this Act.

Definitions

Sec. 308. (a) As used in this Act, the term "function" includes functions, powers, and duties.

(b) As used in this Act, the term "budget program" refers to recommendations as to the apportionment, to the allocation and to the review of allotments of appropriated funds.

Separability

Sec. 309. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Effective Date

Sec. 310. (a) The first sentence of section 202 (a) and sections 1, 2, 307, 308, 309, and 310 shall take effect immediately upon the enactment of this Act.

(b) Except as provided in subsection (a), the provisions of this Act shall take effect on whichever of the following days is the earlier: The day after the day upon which the Secretary of Defense first appointed takes office, or the sixtieth day after the date of the enactment of this Act.

Succession to the Presidency

Sec. 311. Paragraph (1) of subsection (d) of section 1 of the Act entitled "An Act to provide for the performance of the duties of the office of President in case of the removal, resignation, death, or inability both of the President and Vice President", approved July 18, 1947, is amended by striking out "Secretary of War" and inserting in lieu thereof "Secretary of Defense", and by striking out "Secretary of the Navy,".

Approved July 26, 1947.

12. Major Proposals for Unification—1944–47.

Between 1944 and the passage of the National Security Act of 26 July 1947, there were a number of major proposals considered by the executive and legislative branches, including the act itself. Eleven major problem areas common to and treated in most of these proposals have been identified and displayed in concise form in the following tabulation.

MAJOR PROPOSALS FOR UNIFICATION—1944–47

Problem Areas	I World War II Organization	II Eberstadt Report 25 September 1945	III Collins Plan 30 October 1945
1. Coordination of Foreign-Military Policies	State-War-Navy Coordinating Committee (SWNCC) established on 1 December 1944, and composed of Assistant Secretaries of State, War, and Navy.	National Security Council, presided over by President, composed of the Secretaries of State, War, Navy, and Air and the Chairman of the National Security Resources Board, to formulate and coordinate for the President overall policies in the political and military fields.	No mention.
2. Coordination of Domestic-Military Policies	Office of War Mobilization established on 27 May 1943, and succeeded by the Office of War Mobilization and Reconversion on 3 October 1944, to bring about the more effective coordination of the numerous emergency agencies created during World War II.	National Security Resources Board composed of a Chairman (with power of decision), the Secretaries of War, Navy, and Air, the heads of emergency agencies, and the Chairman of the Military Munitions Board to develop industrial and civilian mobilization plans.	No mention.
3. Coordination of Intelligence Activities	Joint Intelligence Committee of the Joint Chiefs of Staff, composed of representatives of the military intelligence organizations, the Office of Strategic Services, the Department of State, and the Foreign Economic Administration, established to coordinate strategic intelligence information.	Central Intelligence Agency responsible to the National Security Council, with a civilian or a military Director.	Assistant Secretary for Intelligence in new Department of Armed Forces.

IV S. 2044 9 April 1946	V S. 758 26 February 1947	VI H.R. 4214 15 July 1947	VII P.L. 253 26 July 1947
Council of Common Defense, with functions as under II, presided over by the President and composed of the Secretaries of State and Common Defense and the Chairman of the National Security Resources Board.	As under II, plus Secretary of Defense and such additional members as the President may designate.	As under V.	As under V.
National Security Resources Board, with functions—assigned to the Chairman—as under II, composed of a Chairman and such heads of departments and agencies as the President may appoint.	As under IV, with functions assigned to the Board.	As under V.	As under V.
Central Intelligence Agency as under II and an Assistant Secretary for intelligence in the new Department of Common Defense.	As under II.	As under II, with a proviso that, a military Director, if appointed, to have no connection with his military Service.	As under VI.

MAJOR PROPOSALS FOR UNIFICATION—1944–47 (continued)

Problem Areas	I World War II Organization	II Eberstadt Report 25 September 1945	III Collins Plan 30 October 1945
4. Creation of a Unified Defense Department	Separate War and Navy Departments only slightly coordinated by Joint Committees for certain fields and by civilian emergency agencies.	Opposed to single department.	Unified department headed by a Secretary of the Armed Forces of Cabinet rank.
5. Civilian Staff Assistance for the Secretary of Defense			Under Secretary of the Armed Forces and 3 or more Assistant Secretaries.
6. Chief of Staff of the Armed Forces	None.	No mention.	Chief of Staff of the Armed Forces, in command of military aspects of unified department and principal military adviser to the Secretary.

IV S. 2044 9 April 1946	V S. 758 26 February 1947	VI H.R. 4214 15 July 1947	VII P.L. 253 26 July 1947
Unified Department of Common Defense, headed by a Secretary, absorbing the powers, functions, civilian personnel, funds, and property of the former War and Navy Departments.	Unified National Defense Establishment, including 3 departments, headed by a Secretary responsible for establishing policies and programs, exercising direction, authority, and control, and coordinating and finally determining the budget estimates of the National Defense Establishment to be submitted to the Bureau of the Budget.	As under V, but adding that the Secretary of Defense establish "general" policies and programs and exercise "general" direction, authority, and control and that he be the principal assistant to the President in all matters relating to the national security. Regular commissioned officers not to be eligible for the position of Secretary of Defense.	As under VI, except that military officers eligible for the position of Secretary of Defense if out of active service for 10 years or more.
Under Secretary and 4 Assistant Secretaries for research and development, intelligence, procurement and logistics, and training.	Four special civilian assistants, military assistants (but no military staff), and civilian personnel as needed by the National Defense Establishment.	As under V except that the number of special assistants reduced from 4 to 3.	As under VI.
Chief of Staff of Common Defense, ranking above all other military officers, to act as military adviser to the President and the Secretary and to perform such duties as assigned to him.	None.	None.	None.

MAJOR PROPOSALS FOR UNIFICATION—1944–47 (continued)

Problem Areas	I World War II Organization	II Eberstadt Report 25 September 1945	III Collins Plan 30 October 1945
7. Joint Chiefs of Staff	Joint Chiefs of Staff, operating without a formal charter, to advise the President directly (not through their Departments) on the strategic conduct of the war and coordinate the Army-Navy military effort for the President. Members after July 1942—Chief of Staff to the President, Chief of Staff of the Army, Chief of Naval Operations, and Commanding General, Army Air Forces.	Statutory Joint Chiefs of Staff, composed as under I, responsible for strategic plans, strategic direction of military forces, joint logistic plans, and approval of major requirement programs of the military Services. The JCS to be part of and meet with the National Security Council.	Statutory Joint Chiefs of Staff composed as under I plus Chief of Staff of the Armed Forces, making recommendations on military policy, strategy, and budgetary requirements to the President through the Secretary, who can comment on, but not change, the JCS recommendations.
8. Coordination of Supply Activities	Joint Army and Navy Munitions Board, organized in 1922, to coordinate Army and Navy procurement of munitions and supplies. During World War II its work supplemented or superseded by the activities of the emergency agencies and various joint committees established by the Joint Chiefs of Staff.	Military Munitions Board responsible for military procurement and logistics programs, and composed of a civilian chairman, with power of decision, and the Under Secretaries of the War, Navy, and Air Departments.	Assistant Secretary for procurement and a military Director of Common Supply and Hospitalization operating under Chief of Staff, Armed Forces.
9. Coordination of Research Activities	Office of Scientific Research and Development, established on 28 June 1941, coordinated the scientific effort and national defense in close liaison with the War and Navy Departments.	Independent central research and development agency and Assistant Secretaries for Scientific Research and Development in the military departments.	Assistant Secretary for research in new Department of Armed Forces.

IV S. 2044 9 April 1946	V S. 758 26 February 1947	VI H.R. 4214 15 July 1947	VII P.L. 253 26 July 1947
Statutory Joint Staff of the Armed Forces in the Department of Common Defense, including the Chief of Staff of the Department and the highest military officers in the 3 military departments, with functions as under III, except that the Secretary will submit the annual budget together with the budgetary requirements prepared by the Joint Staff.	Statutory Joint Chiefs of Staff, as under I, except for change of title for the chief Air Force officer, to be principal military advisers to the President and the Secretary, to be responsible for certain military functions specified by law, and to be assisted by a Joint Staff of not more than 100 officers.	As under V.	As under V.
Assistant Secretary of Common Defense for procurement, logistics, industrial mobilization, and medical care and hospitalization.	Munitions Board in the National Defense Establishment, composed of a Chairman and an Under Secretary or Assistant Secretary from each of the military departments, to be responsible for certain supply functions specified by law.	As under V.	As under V.
As under III.	Research and Development Board in the National Defense Establishment, composed of a Chairman and 2 representatives from each of the military departments, to be responsible for certain research and development functions specified by law.	As under V.	As under V.

MAJOR PROPOSALS FOR UNIFICATION—1944–47 (continued)

Problem Areas	I World War II Organization	II Eberstadt Report 25 September 1945	III Collins Plan 30 October 1945
10. Status of Military Departments	Executive departments with Secretaries of Cabinet rank.	Separate military departments, each headed by a civilian Secretary of Cabinet rank.	No military departments but separate military components headed by a Chief of Staff.
11. Separate Department of Air	The Army Air Forces one of the 3 major Army commands in the reorganization of the War Department in March 1942. Its commanding general in preferred position by virtue of his membership in the Joint Chiefs of Staff.	Separate Department of Air as a successor to the Army Air Forces.	An autonomous military Air Forces component, including all land based aircraft, except those needed for reconnaissance by the Army and the Navy.

IV S. 2044 9 April 1946	V S. 758 26 February 1947	VI H.R. 4214 15 July 1947	VII P.L. 253 26 July 1947
Three separate and coordinate arms, each administered by a civilian Secretary under the supervision and direction of the President and the Secretary of Common Defense.	Three departments to be administered as individual units by their Secretaries, retaining the right, after informing the Secretary of National Defense, to submit to the President any report or recommendation deemed necessary. [Roles and missions to be defined by executive order.]	As under V, except for the 3 departments being called "executive" departments and retaining all powers not specifically conferred upon the Secretary of Defense. Major roles and missions defined by law.	As under VI.
A United States Air Force with a civilian Secretary responsible for such functions as assigned by the President.	Separate Department of the Air Force as a successor to the Army Air Forces.	As under V, with special provisions added to assure retention of Naval and Marine aviation by the Department of the Navy.	As under VI.

II.
The Amendments of 1949

Sequence of Major Events

1. The National Military Establishment—September 1947. The implementation of the National Security Act began on 17 September 1947, when James Forrestal was sworn in as the first Secretary of Defense.

2. The First Fifteen Months—September 1947–December 1948. Shortcomings in the organization of the National Military Establishment became evident within a few months after its creation and were pointed out by the Secretary of Defense in his first annual report.

3. The Eberstadt Task Force—21 May–15 November 1948. Proposals for organizational changes were also made by groups outside the National Military Establishment, most important of which were the recommendations of the Eberstadt Task Force of the Hoover Commission.

4. The Hoover Commission Recommendations—15 February 1949. The Hoover Commission accepted the major proposals of its task force and strongly recommended to the Congress the enactment of appropriate changes.

5. President Truman's Message—5 March 1949. The Administration's proposals for amending the National Security Act of 1947 were incorporated in a Presidential Message transmitted to the Congress on 7 March 1949.

6. Establishment of an Under Secretary of Defense—2 April 1949. To meet the urgent need of the Secretary of Defense for additional staff assistance, the Congress approved as a first step the position of an Under Secretary of Defense.

7. Senate Consideration of the Amendments—16 March–26 May 1949. After hearings on the Administration's recommendations, the Senate placed various restrictions on the powers assigned to the Secretary of Defense by the proposed amendments.

8. Congressional Approval of the Amendments—28 June–2 August 1949. While the House showed some reluctance in amending the

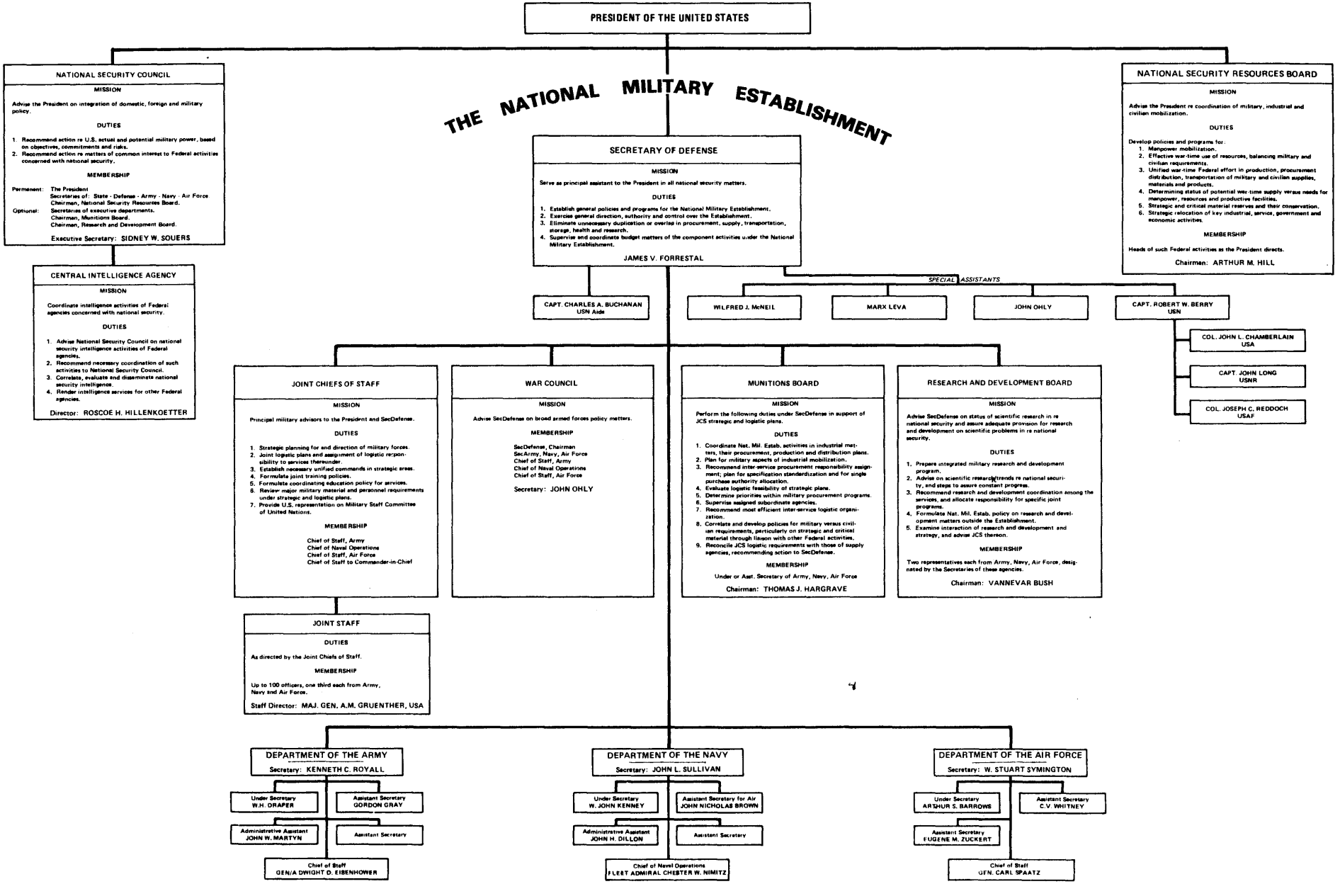
1947 Act, a compromise was finally reached with the Senate approving the major part of the Administration's proposals with additional safeguards for the separate administration of the military departments.

9. Public Law 216, 81st Congress—10 August 1949. The amended National Security Act clarified and strengthened the powers of the Secretary of Defense but left various problems in the organization of the Department of Defense unresolved.

10. Major Proposals for Amending the National Security Act of 1947. There were four major proposals in 1948–49 for amending the act to deal with 11 problem areas.

CHART 6

ORGANIZATION FOR NATIONAL SECURITY
NATIONAL SECURITY ACT OF 1947
30 SEPTEMBER 1947



II.
The Amendments of 1949

1. The National Military Establishment—September 1947.

On 26 July 1947, the day the National Security Act was approved, President Harry S. Truman nominated the Secretary of the Navy, James Forrestal, as the first Secretary of Defense. The Senate confirmed this nomination immediately without hearings or debate.

On 17 September 1947, Forrestal was sworn in as Secretary of Defense. On the next day, the National Security Act took complete effect when Kenneth C. Royall, Secretary of War, changed his title to Secretary of the Army; John L. Sullivan, Under Secretary of the Navy, became Secretary of the Navy; and W. Stuart Symington, serving as Assistant Secretary of War for Air, was installed as the Secretary of the Air Force.

The first organization chart for the National Military Establishment was issued on 30 September 1947. (See Chart 6.)

Source: For organization chart, see:

Office of Secretary of Defense Records, 1947, in National Archives, Washington, D.C.

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2. The First Fifteen Months—September 1947—December 1948.

The task which confronted the new organization was summarized by Secretary Forrestal in his report covering the first 15 months of unification.

> It would be the height of folly for us to assume that a war could be won by any single weapon. If we should ever have to fight another war, I cannot visualize a situation in which any one of the services would operate independently. We must have a strong Army, a strong Navy, and a strong Air Force, and we must have them all working together in the closest cooperation under all circumstances.
>
> This defines the real problem of unification on which I should like to enlarge on the basis of experience gained to date. The mere passage of the National Security Act did not mean the accomplishment of its objectives overnight. The most difficult part of the task of unification is to bring conflicting ideas into harmony. It is not strange that professional military men should think in the terms of the service to which they have devoted their entire adult lives; it is to be expected. But unification calls for the cultivation of a broader vision. Differences of opinion can be reconciled by free and frank discussion, conducted without rancor and with an open mind. That is the democratic process on which the Government of this country is founded. With all its limitations, it is a sound and sane process.
>
> In the task of unifying and integrating the Army, Navy, and Air Force, I have been working with men in the three services, both military and civilian, whose patriotism is beyond question and who are animated fundamentally by the same motive: the creation of a system of national defense which will provide us, at the least expense, with a strong and effective war-making machine, both actual and potential, if we should have to fight another war. We have had many arguments and disagreements, because

while all agree on the end result, there have been profound differences as to the methods of attaining that result.

These differences are being resolved. How fast we complete the process of resolution will depend on the speed with which we achieve the harmony of thought which is inherent in true unification. I am confident that we shall reach that accord. I believe that the decisions on the questions of our national security will come far better from a group reflecting varying experience than from any single arbitrary source.

The Secretary indicated in his report that the established objective of unification could be reached more effectively if certain changes were made in the National Security Act.

At the outset, I desire to point out that the act has provided what I consider to be a sound basis for substantial progress in the unification of the armed forces. The concept on which the legislation is framed, as stated in the Declaration of Policy, is "to provide three military departments for . . . operation and administration . . . to provide for their authoritative coordination and unified direction under civilian control . . . for their operation under unified control and for their integration into an efficient team of land, naval and air forces."

As already indicated, the act has been in effect only a little more than a year, and this first period of operation under a statute as far-reaching as the National Security Act cannot be regarded as typical of the years that are to follow. Nevertheless, based on the heavy workload of problems which have required attention and which will be described in greater detail later in this report, and based also on our general experience to date, it is my feeling that the statutory changes suggested herewith deserve serious consideration:

1. Provision should be made for an Under Secretary of Defense, and the Under Secretary should exercise such responsibilities as may be assigned to him by the Secretary of Defense. The status of the Under Secretary as the alter ego of the Secretary and as the person who becomes Acting Secretary of Defense in the absence of the Secretary should be recognized.

2. The statutory authority of the Secretary of Defense should be materially strengthened, not only by providing him with an Under Secretary, but also by making it clear that the Secretary of Defense has the responsibility for exercising "direction, authority, and control" over the departments and agencies of the National Military Establishment. (At present, the statute provides that it shall be the duty of the Secretary of Defense to establish "general policies and programs" and to exercise "general direction, authority, and control." The word "general" should be deleted in both of the passages just quoted, and the authority of the Secretary should be broadened in other related respects. Once these changes are made, and the authority of the Secretary of Defense is clearly set out in the act, it is my personal belief that there will be no need to change the titles of the departmental Secretaries, who would serve as heads of the respective departments under the Secretary of Defense.)

3. The provisions of the act which deal with the Joint Chiefs of Staff should be changed in the following respects;

(a) The provision of the act which names the Chief of Staff to the Commander-in-Chief as a member of the Joint Chiefs of Staff should be deleted.

(b) Provision should be made for the designation of a responsible head for the Joint Chiefs of Staff. (In my opinion, this official should either be designated from among the three remaining members of the Joint Chiefs of Staff or, in the alternative, should be designated as a fourth person. In either event, he should be the person to whom the President and the Secretary of Defense look to see to it that matters with which the Joint Chiefs should deal are handled in a way that will provide the best military staff assistance to the President and the Secretary of Defense.)

4. The limitation on the size of the Joint Staff should be either removed or raised. The present ceiling of 100 is restrictive.

5. Provision should be made for clarifying the Secretary's authority with respect to personnel, including authority for the establishment and organization of appropriate staff facilities, over a broad range of personnel matters. (We are currently taking steps to set up a Personnel Board by administrative action, but legislation to clarify the authority of the Secretary in this and similar areas is needed.)

6. The statutory membership of the National Security Council now includes the Secretaries of the Army, of the Navy, and of the Air Force, as well as the President, the Secretary of State, the Secretary of Defense, and the Chairman of the National Security Resources Board. I recommend that the act be amended to provide that the Secretary of Defense shall be the only representative of the National Military Establishment on the Council.

Many changes, in addition to those set out here, have been suggested during the course of our experience under the National Security Act. The items enumerated do not constitute a complete list, or fixed or final recommendations, but do indicate the general respects in which the act seems to me to require strengthening.

The organization of the Office of the Secretary of Defense as of September 1948 is depicted in Chart 7.

Sources: U.S. National Military Establishment. *First Report of the Secretary of Defense*, pp. 3–4, 7–8. Washington: Government Printing Office, 1948.

For organization chart, see:

Office of Secretary of Defense Records, 1948, in National Archives, Washington, D.C.

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3. The Eberstadt Task Force—21 May–15 November 1948.

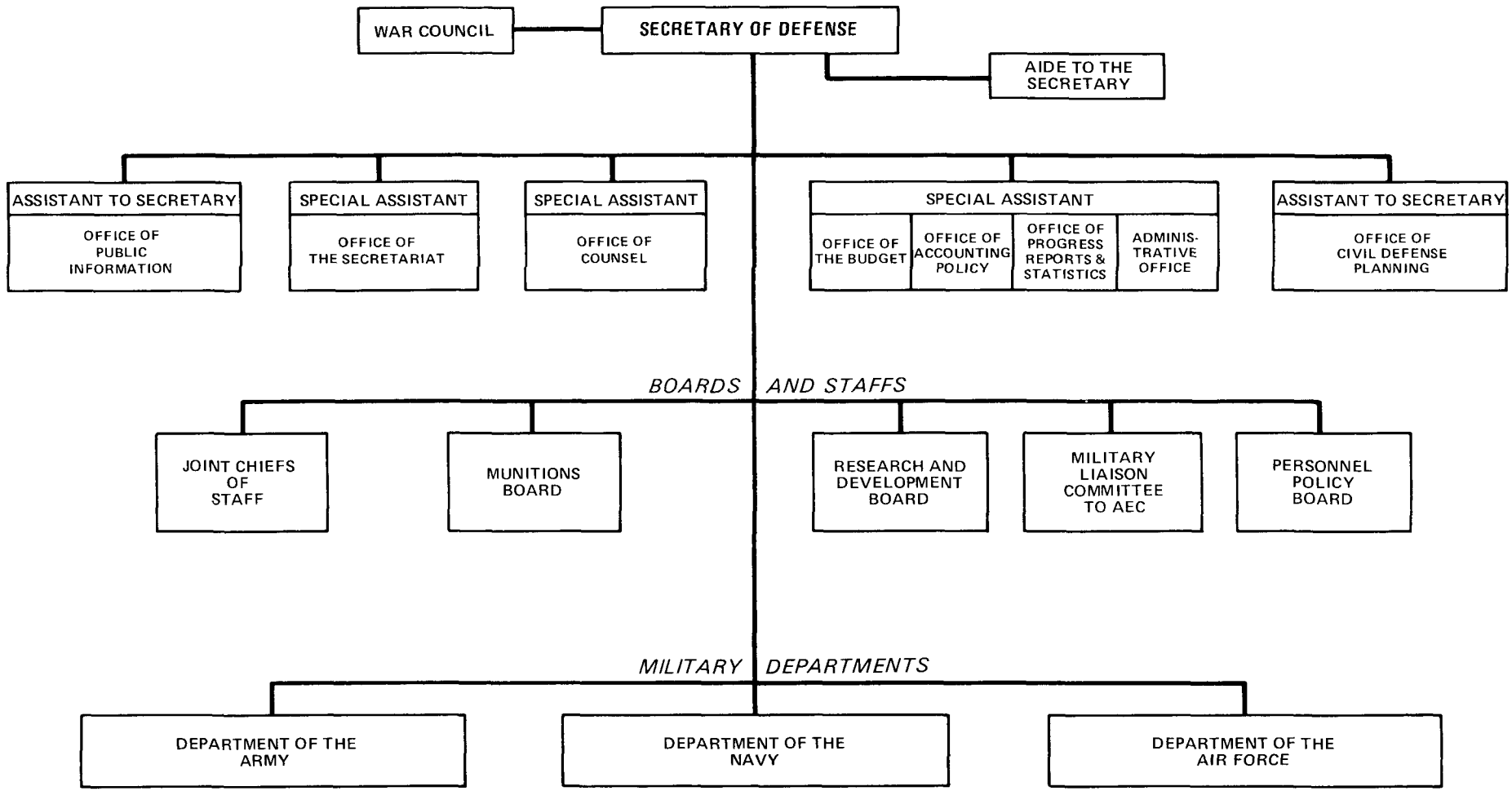
On 21 May 1948, the Commission on Organization of the Executive Branch of the Government, usually referred to as the Hoover Commission, established a Committee on the National Security Organization, known after its Chairman, Ferdinand Eberstadt, as the Eberstadt Task Force. This group of 14 members, working with a staff of 34 people, made an intensive study of the existing organization, searching for methods to improve operations and to reduce costs. It submitted its report to the Hoover Commission on 15 November 1948.

While noting considerable advances that had been made since September 1947 and expressing its belief that the National Security Organization was, on the whole, soundly constructed, the Eberstadt Task Force found that the new organization was not yet working well. To remove existing deficiencies, it made specific recommendations for changes in six

CHART 7

ORGANIZATION OF OFFICE OF SECRETARY OF DEFENSE

15 SEPTEMBER 1948



major fields. Starred items indicate recommendations requiring legislation. Dissenting opinions, footnoted in the source text, are not shown.

I. Central Authority in the National Military Establishment Should Be Strengthened

To that end, the Committee recommends:

1. That the statutory authority of the Secretary of Defense, as set forth in section 202 (a) of the National Security Act of 1947, be clarified and strengthened.

*(a) By removing the word "general," (sec. 202 (a) (1) and (2)) which presently constitutes a limitation on his right to establish "policies and programs" for the National Military Establishment and to exercise "direction, authority, and control" over its departments and agencies.

*(b) By sharpening his authority over the military budget (sec. 202 (a) (4)) through giving him the power "to exercise direction and control" over the preparation of the military budget estimates, instead of his present right simply to "supervise and coordinate" them.

*(c) By giving him authority to supervise the expenditures of the several military departments and agencies in accordance with congressional appropriations.

*(d) By giving him control and direction of requests by the military departments and agencies for congressional "authorizations" of funds so as to aid him in producing unified and integrated military programs.

*(e) By repealing the proviso in Sec. 202 (a) that gives the Secretaries of the Army, of the Navy, and of the Air Force a statutory right of appeal to the President or to the Director of the Budget.

*(f) By repealing the proviso reserving to the several military departments "all powers and duties relating to such departments not specifically conferred upon the Secretary of Defense;" and

*(g) By providing that the three military departments shall be administered by their several secretaries subject to "direction and authority of the Secretary of Defense."

* * * * * * *

Freeing Secretary from Routine

2. That the Secretary of Defense be relieved, so far as possible, of the burden of routine administration.

*(a) By creating a civilian Under Secretary of Defense, who would be in effect the deputy and general manager for the Secretary of Defense. He should be in line of command and of succession, and should perform such duties as are assigned to him by the Secretary of Defense.

The office of Under Secretary in each of the three service departments should be eliminated and the Department of the Army, the Department of the Navy, and the Department of the Air Force should, respectively, be limited to one Secretary and two Assistant Secretaries.

*(b) The Secretary of Defense should be authorized to appoint, from among the members of the Joint Chiefs of Staff, a chairman thereof. In addition to such other responsibilities as may be assigned to him by the Secretary of Defense, the chairman of the Joint Chiefs of Staff should, on behalf of the Secretary, be responsible for expediting the business of the Joint Chiefs of Staff and for keeping their docket current, in accordance with regulations and procedures approved by the Secretary. He should not be empowered to

exercise command or military authority over the other members of the Joint Chiefs of Staff; and

(c) By appointment by the Secretary of Defense, pursuant to Sec. 203 of the National Security Act, of a principal military assistant, or chief staff officer, and of such additional military assistants as the secretary may require. The principal military assistant should be a general officer of the Army, Air Force, or Marine Corps, or a flag officer of the Navy, junior in rank to the Chief of Staff, United States Army, the Chief of Naval Operations, the Chief of Staff, United States Air Force, and the Chief of Staff to the Commander in Chief (if there be one). The principal military assistant should perform such duties as the secretary may assign to him. He should sit with the Joint Chiefs of Staff, but without membership, and be responsible, in the secretary's absence, for presenting and interpreting the secretary's point of view, and for bringing "split decisions" of the Joint Chiefs of Staff to the attention of the Secretary of Defense for resolution. The principal military assistant should not be authorized to make military decisions on his own responsibility, to exercise military command, or to set up a military staff of his own. Organization to Assist Secretary

3. That adequate organizational mechanisms to implement the authority of the Secretary of Defense, in addition to those presently in existence, be provided,

*(a) By creating the office of controller in the office of the Secretary of Defense and conferring upon him, subject to the authority and direction of the secretary, authority over all organizational and administrative matters relating to the military budget.

(b) By conferring upon the chairmen of the Research and Development Board and of the Munitions Board, broad powers of decision, subject to the authority and direction of the Secretary of Defense, within their respective jurisdictions.

(c) By establishing in the office of the Secretary of Defense such organizational units as the secretary may deem proper, to unify, subject to his authority and direction, policies throughout the National Military Establishment in (1) personnel matters, (2) legislative matters, (3) public relations, and (4) medical services and hospitalization. How and through what mechanisms this control is to be exercised should be left to the discretion of the Secretary; and

*(d) By moderately increasing, to a total number specifically limited by law, the present statutory limit of 100 officers of the joint staff to the Joint Chiefs of Staff.

II. The Military Budget

With his authority over the military budget clarified and strengthened as recommended above, the Secretary of Defense will be in a position to exercise firm control and supervision over all phases of the budgetary process in the military services.

To that end, the Committee recommends:

*(a) That the office of controller in the office of the Secretary of Defense be established as recommended in I 3 (a) above.

*(b) That the Secretary of Defense establish uniform terminologies, classifications, budgetary and accounting procedures and processes applicable, so far as practicable, to all three military services.

*(c) That a comparable, and so far as practicable, uniform appropria-

tions structure be developed for the three services. This objective should be attained by the controller in the office of the Secretary of Defense, as follows:

1. Appropriations should be segregated into capital and operational categories.

2. Requests for appropriations by the three services should be integrated into sound current and long-term programs established by congressional authorization.

3. Intradepartmental transfer of funds between appropriation items within the statutory limits of a stipulated percentage (except as between capital and operational expenditures) should be permitted subject to prior approval by the Secretary of Defense and the Bureau of the Budget of all transfers of funds and corresponding notification to the Appropriations Committees of the Congress; and

4. Continuing-type appropriations should be established for long-term research, procurement, and construction items not adaptable to annual appropriations because completion time extends over periods of 3 or more years. In such instances, actual cash appropriations would represent the amount necessary to meet obligations during the current year.

*(d) That the budget organizations of each of the three military departments be organized along lines similar to the budget organization in the office of the Secretary of Defense and placed under the Secretary or an Assistant Secretary of each service. Accounting, reporting, and administrative management should also be placed under the same individual. In case the budget officer is a military man, he should have a permanent civilian deputy.

*(e) That the Congress, with the advice and assistance of the Secretary of Defense, review all measures authorizing the present or future appropriations of funds for the National Military Establishment, with a view to the cancellation of those authorization acts that are no longer germane to present or future defense plans. Such a review should facilitate the repeal of old legislation that now has outgrown its usefulness and should promote the legislative unification of the services.

(f) That no requests by any of the elements of the National Military Establishment for future authorization measures, or for appropriations to implement existent authorization acts, be forwarded to Congress without prior approval of the Secretary of Defense.

(g) That complete and accurate inventories be made and kept current by the armed forces. These inventories should identify, classify, and locate all major items on hand, including those produced during World War II and in past years. One objective of such an inventory should be to ascertain, as accurately as possible, what amount of World War II and other military equipment and supplies is available and useful, where it is, and in what condition, in order that—in so far as possible—this may be used for training regular and reserve components and for such delivery to foreign nations as Congress and the President may authorize and direct.

*(h) That existing legislation and regulations impeding the accomplishment of the above objectives be repealed; and

(i) That consideration be given by the Appropriations Committees of the Congress to the desirability of placing their reviews of the military budgets on a more continuous basis; that the Appropriations Committees also consider the feasibility of creating a joint staff similar to that now serving the Committees of Congress dealing with internal revenue and the creation of a single subcommittee of the Appropriations Committee in each

House to deal with all military appropriations, and that close cooperation be maintained between the Committees of Congress dealing with military authorizations and appropriations.

III. Teamwork and Coordination Throughout the National Security Organization Should be Improved

More adequate organizational ties should be established among the several agencies and departments in the National Security Organization, and particularly amongst those comprised in the National Military Establishment, in order to promote (a) a fuller measure of teamwork, (b) a stronger consciousness of mutual interrelation, (c) fuller consideration of all pertinent elements in the preparation of plans, (d) unity of purpose in their execution, and (e) a sense of the importance of economy.

To that end, the Committee recommends:

(a) That more adequate and effective relations be established at the working levels between the appropriate committees of the Joint Chiefs of Staff and the Joint Staff and their counter members in (1) the National Security Council, (2) the Central Intelligence Agency, (3) the Research and Development Board, (4) the Munitions Board, and (5) the National Security Resources Board, to the end that in their strategic planning, the Joint Chiefs of Staff will weigh adequately and on a systematic, reciprocal basis, considerations of foreign policy, intelligence, scientific research and development, and economic capabilities.

(b) That the jurisdiction, program, and functions of the National Security Resources Board and its relation to other governmental departments and agencies be promptly defined and clarified by Presidential directive so that this Board can proceed immediately to fulfill its statutory current and planning duties as an important Presidential staff agency in the field of civilian and industrial mobilization.

*(c) That the Secretary of Defense be the sole representative of the National Military Establishment on the National Security Council. The Committee suggests, however, in order that the Joint Chiefs of Staff may be fully and currently posted on our national policy, they be invited, as a general rule, to attend the meetings of the National Security Council, but without membership thereon. The civilian departmental Secretaries, though not members, should also be invited to attend council meetings in appropriate circumstances;

(d) That vigorous efforts be made to improve the internal structure of the Central Intelligence Agency and the quality of its product, especially in the fields of scientific and medical intelligence; that there be established within the agency at the top echelon an evaluation board or section composed of competent and experienced personnel who would have no administrative responsibilities and whose duties would be confined solely to intelligence evaluation; and that positive efforts be made to foster relations of mutual confidence between the Central Intelligence Agency and the several departments and agencies that it serves;

*(e) That the proposed Under Secretary of Defense and the Chairmen of the Research and Development Board and the Munitions Board and such others as the Secretary of Defense deems proper, be added to the War Council so that it will, in fact, as the statute appears to have contemplated, operate in the field of "broad policy relating to the armed forces." It should

be the focal point of initiation of joint studies and for matters of common interest to the military services other than those falling under the jurisdiction of the Boards and other staff agencies in the Secretary's office. It should be staffed with a strong secretariat headed by an executive secretary.

(f) That the War Council and the Boards and staff agencies in the office of the Secretary of Defense make a thorough review of all joint and interservice committees operating in their respective fields and, where it is advantageous to do so, they be combined; where no longer necessary, they be dissolved.

(g) That a military education and training board or section be established either as part of the Joint Staff of the Joint Chiefs of Staff, or in such other manner as the Joint Chiefs of Staff, in consultation with the Secretary of Defense, may determine, and that the Joint Chiefs of Staff, as the National Security Act of 1947 directs, give more continuing and vigorous attention to (1) the formulation of "policies for joint training of the military forces," and (2) the formulation of "policies for coordinating the education of members of the military forces."

The Joint Chiefs of Staff should review periodically and comprehensively, with the assistance of the aforesaid board or section, the systems of education and training of the Army, Navy, Air Force, and Marine Corps. In order that this review may be complete and to keep the education and training methods of the services abreast of the best civilian practice, a Civilian Advisory Board, composed of distinguished experts in the field of education and training should be appointed by the Secretary of Defense to advise the Secretary and/or the Joint Chiefs of Staff. The Civilian Advisory Board should be invited to comment, criticize, and advise on its own initiative, as well as at the request of the Secretary and/or the Joint Chiefs of Staff.

(h) That the systems of military education and training of military officers, including those enrolled in ROTC courses, be more definitely aimed at instilling a greater sense of mutual interdependence as well as an appreciation of the capabilities and limitations of the several military services; that joint education and training of officers in all grades be fostered; and that efforts be made throughout the entire educational process to instill a stronger sense of interservice unity.

Before final action is taken on the current proposal to establish an air academy, which proposal, if adopted, will fix for an indefinite future an important element in the pattern of military-officer education, a complete and thorough examination be made of the entire field of education of military officers. This study should consider possible means of securing a period of joint education and training at the undergraduate level for prospective officers of the Army, Navy, Air Force, and Marine Corps, as well as a survey of possible alternatives to the establishment of an air academy;

(i) That, through education and by every other available means, a consciousness be awakened amongst the members of the Military Establishment of the fact that the strength of the Nation's economy is directly related to the Nation's defensive strength, and that every waste of resources is an impairment of our national strength. This idea should be instilled in the military services at the earliest levels of education and throughout their term of service. It should be stimulated by vigorous efforts strongly supported by the Secretary of Defense to eliminate over-staffing, unnecessary duplication, and all other waste.

*(j) That transfer of officers between the several military services be facilitated. Such transfers should be authorized by the necessary legislation and regulations in such a manner as to safeguard the careers of the individuals and the morale of the several services while permitting the Secretary of Defense essential administrative flexibility.

*(k) That the opportunity for promotion of specialist officers in all services be improved and equalized with those of officers performing purely military duties.

(l) That, pursuant to the authorization of the Secretary of Defense, joint recruiting facilities for military services be established and such other mergers, reorganizations, or reallocations of existing functions and facilities, as will contribute to greater efficiency and economy, be effected as promptly as possible.

(m) That the organizational structures and administrative procedures of the three services be studied by the Secretary of Defense with a view to taking appropriate steps (1) to assure their readiness to respond immediately to the needs of emergency or of war; (2) to produce, where functionally possible, a greater measure of similarity in their organizational structures and administrative procedures, particularly in the placement of those functions where policies are determined by staff agencies in the office of the Secretary of Defense; (3) to reduce overlaps and duplications within and among the services to the minimum compatible with sound operation.

(n) That the Secretary of Defense establish in his office a Medical Advisory Board, composed of outstanding civilian physicians and headed by a qualified civilian physician with adequate delegation of authority, to advise him and the various agencies of the National Military Establishment on medical problems. The three Surgeons General should also be members of this Board.

*(o) That, with such limited exceptions as conditions justify, general hospitalization in all the military services be transferred to a Department of Health and Welfare or other Government agency formed to administer general hospitals throughout the Government. This transfer, however, should not be in derogation of the established rights of service personnel or their dependents to receive hospital care.

*(p) That responsibility for medical services in the Military Establishment be retained as a command function in the several services, and that a medical service, equivalent to the medical services maintained by the Army and the Navy, be established in the Air Force; and

(q) That expenditures for publicity purposes within the Military Establishment be substantially reduced with a view to eliminating the "special pleading" activities of the several services without, however, sacrificing the maintenance of sound public relations.

IV. Research and Development

Immediate steps should be taken to establish closer working relations between the Joint Chiefs of Staff and the Research and Development Board to assure that advances in weapons and weapons systems be adequately considered in the formulation of strategic plans and, subject to the direction and authority of the Secretary of Defense, the Research and Development Board should participate in determination of the budgetary estimates for research and development and in reviewing expenditures for these purposes by the three services so as to enable the Board to carry out its statutory

duty to "prepare a complete and integrated program of research and development for military purposes."

To that end, the Committee recommends:

(a) That the Chairman of the Research and Development Board sit with the Joint Chiefs of Staff when matters involving research and development are under consideration.

(b) That close and continuous reciprocal arrangements at the working levels be established between the Research and Development Board and the Joint Chiefs of Staff.

(c) That a joint weapons systems evaluation group be established immediately by the Joint Chiefs of Staff and the Research and Development Board. If this is not done promptly by agreement between the Joint Chiefs of Staff and the Research and Development Board, a directive settling the matter should be issued by the Secretary of Defense.

(d) That the Research and Development Board review the budgetary estimates of the three military services for research and development purposes and advise the Secretary of Defense thereon and aid him in supervising expenditures thereunder in order that the Research and Development Board may in fact exercise its functions of coordinating the several military research and development programs.

(e) That the Research and Development Board should, in fact, prepare and keep current—as the National Security Act requires—"a complete and integrated program of research and development for military purposes."

*(f) That the budgetary estimates and appropriations for programs of military research in the field of human resources be increased; and

(g) That the Research and Development Board and the Central Intelligence Agency, as a joint undertaking, establish immediately within one or the other agency, an efficient and capable unit to collect, collate, and evaluate scientific and medical intelligence, in order that our present glaring deficiencies in this field be promptly eliminated.

V. Civilian and Industrial Mobilization

Into this category fall civilian, economic, industrial, and manpower mobilization.

More vigorous attention should be given to the prompt preparation of sound and adequate mobilization plans for both Government agencies and for industry so that the delays and deficiencies connected with such mobilization in World Wars I and II may be avoided in any future emergency, when in all probability no margin of time for error will be available.

To that end, the Committee recommends:

(a) That emergency plans for civilian and industrial mobilization be completed and issued without further delay.

(b) That plans for civilian and industrial mobilization be revised continuously and published periodically. Such plans prepared by the National Security Resources Board in conjunction with the Munitions Board should not be tied to any single strategic plan, but should be directed toward establishing policies and procedures sufficiently flexible to implement any strategic plan required by the circumstances.

(c) That far more intensive efforts be devoted to the preparation of overall plans for mobilization of our human resources, male and female, military and civilian.

*(d) That all stand-by legislation necessary to put economic, civilian, industrial, and military mobilization into effect promptly, when and if needed, and to confer all necessary powers, subject to Presidential authority, upon the Chairman of the National Security Resources Board in case of critical national emergency or war be completed, cleared, submitted to, and acted upon, by Congress immediately on a stand-by basis, to take effect in such manner and at such time as the Congress may determine.

(e) That full responsibility and authority for formulation of stockpile policy and its execution be clearly and definitely focused—either in the National Security Resources Board or elsewhere.

(f) That representatives of the Atomic Energy Commission and of the Economic Cooperation Administration be invited to sit with the National Security Resources Board when matters that concern them are under discussion.

(g) That the Economic Cooperation Administration be strongly urged to increase its contributions to the stock pile by taking payment for its advances in critical materials; and

*(h) That both the National Security Resources Board and the Munitions Board have more active civilian and industrial participation in their planning and make fuller use of their civilian advisory committees. Such committees should include representatives of labor, industry, and agriculture. It should, however, be pointed out that there are presently serious handicaps to the recruiting of civilian personnel and the participation of civilian executives on committees concerned with industrial mobilization. The former relate to questions surrounding the status of so-called dollar-a-year men and the latter involve the antitrust laws. Clarification of both of these situations is urgently recommended for early action.

VI. Preparations for New and Unconventional Warfare

Foresight, imagination, and vigor are necessary (a) to secure the life and property of our citizens against subversive efforts, (b) to minimize the effects of internal damage in case of war, and (c) to guard against attacks by unconventional means and weapons.

To that end, the Committee recommends:

*(a) That the plans for civilian defense recently prepared in the office of the Secretary of Defense be cleared with the appropriate authorities and initiated, as promptly as possible, by the establishment of an Office of Civil Defense, under, and as an integral part of, the National Security Resources Board.

(b) That responsibility for internal security, now scattered among several agencies, be clarified and focused, and that one agency be made responsible for determination of policy and coordination of operations in this field.

(c) That effective means be instituted promptly to guard against attack by unconventional means.

(d) That more vigorous and active attention be given to psychological warfare and to the development of effective programs in this field. Responsibility should be definitely allocated for various activities in this field, including the establishment of a comprehensive policy-forming and coordinating mechanism to knit together in peace and in war all of the psychological warfare activities of the Government; and

(e) That the economic warfare section of the National Security Resources Board develop a comprehensive economic warfare program, aimed at supporting our national security in times of peace as well as war.

Source: U.S. The Commission on Organization of the Executive Branch of the Government. The Committee on the National Security Organization. *Task Force Report on National Security Organization* (Appendix G), pp. 11–22. Washington: Government Printing Office, 1949.

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4. The Hoover Commission Recommendations—15 February 1949.

The Commission on Organization of the Executive Branch of the Government, having had the benefit of the study of the Eberstadt Task Force, submitted its report on the National Security Organization to the Congress on 15 February 1949.

It summarized its conclusions in six recommendations.

Recommendation No. 1

a. That full power over preparation of the budget and over expenditures as authorized by the Congress be vested in the Secretary of Defense, under the authority of the President.

b. That the Secretary of Defense direct and supervise a major overhaul of the entire budget system; that the budget be of a performance type with emphasis on the objectives and purposes to be accomplished rather than upon personnel, supplies, and similar classifications; that uniform terminology, classifications, budgetary, and accounting practices be established throughout all the services along administrative lines of responsibility, so that fiscal and management responsibility go together.

* * * * *

c. That the armed services be required, at least in peacetime, to keep complete, accurate, and current inventories.

Recommendation No. 2

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 the 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 full authority for 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 management are contained in the Commission's report on the Offices of General Services.

Recommendation No. 3

a. That, in line with our recommendation below for an integrated system of military personnel administration, military education, training, recruitment, promotion, and transfers among the services be put under the central direction and control of the Secretary of Defense.

b. That the recruitment of civilian employees should be decentralized into the National Military Establishment under standards and procedures to be approved and enforced by the Civil Service Commission.

c. That full authority be vested in the Secretary of Defense, subject only to policies established by the Congress and the President, to prescribe uniform personnel policies for civilian and military personnel throughout the several services.

Recommendation No. 4

a. That more adequate and effective relations be developed at the working level among the appropriate committees of the Joint Chiefs of Staff on the one hand and the National Security Council, Central Intelligence Agency, Research and Development Board, Munitions Board, and the National Security Resources Board on the other hand.

b. That the jurisdiction and activities of the National Security Resources Board be further defined and clarified by the President.

c. That vigorous steps be taken to improve the Central Intelligence Agency and its work.

* * * * *

Recommendation No. 5

That steps be instituted to implement the recommendations which the

Commission will file later concerning the medical departments of the three services, and their coordination with other medical programs of the Federal Government, as detailed in the Commission's separate report on medical services.

* * * * *

Recommendation No. 6

a. That emergency plans for civilian and industrial mobilization be completed promptly and continuously revised.

b. That use of civilian advisory boards should be continued.

c. That full responsibility and authority for formulating stock-pile policy and for its execution be clearly determined and centralized.

d. That further steps be taken immediately under the Presdent's direction to prepare plans for civilian defense. Such an effort will require the participation of many agencies of Government. Similar action should be taken under the President's direction with respect to internal security. No clear allocation of responsibilities has been worked out among the agencies involved. The Commission believes that the problem in this area is one of determining what needs to be done and designating administrative responsibilities.

e. That defenses against unconventional methods of warfare be developed promptly and more vigorous and active attention be given to psychological warfare.

f. That the economic warfare section of the National Security Resources Board develop a comprehensive economic warfare program aimed at supporting national security both in peace and war.

Source: U.S. The Commission on Organization of the Executive Branch of the Government. *The National Security Organization. A Report to the Congress,* pp. 12–13, 16–21. Washington: Government Printing Office, 1949.

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5. President Truman's Message—5 March 1949.

The proposals for changes in the National Security Act of 1947 by the Hoover Commission, the Eberstadt Task Force, and the Secretary of Defense were reviewed during the winter of 1948–49, and President Truman incorporated the Administration's recommendations in a Message to the Congress transmitted on 7 March 1949.

To the Congress of the United States:

The maintenance of adequate armed forces has been one of the principal functions of the Federal Government since the establishment of this Nation. Today we maintain our armed forces in support of our primary desire for world peace. They are evidence of our determination to devote our utmost efforts toward achieving that all-important goal.

Throughout our history the steady advance of science and technology has resulted in constant changes in the means of warfare and the character of our armed forces. In the few years since the cessation of hostilities in World War II, tremendous developments in technology have been made. The speed of aircraft has doubled, the means of undersea warfare have been revolutionized, the range and accuracy of guided missiles have increased, the potentialities of the atom have been more fully revealed.

The development of man's ability to shrink space and time and to con-

trol natural forces makes imperative a corresponding development of the means for directing and controlling these new powers. The effective and workable organization of our Government, and especially of our armed forces, is essential in the modern world.

The recent reports of the Commission on Organization of the Executive Branch of the Government have focused attention on the importance of the sound organization of the Federal Government. The Commission has stated that the first essential to the achievement of better government is a general clarification of the lines of authority and responsibility within the Executive Branch. In its report entitled "National Security Organization," the Commission has specifically applied this principle to the organization of our armed forces. The report states that we now lack adequate civilian authority and control over the military forces, that maximum efficiency and economy is not being realized in defense expenditures, and that interservice relationships must be improved to achieve the most effective defense. The recommendations of the Commission which would strengthen the National Military Establishment and the position of the Secretary of Defense have great merit and present an objective toward which I believe we must continue to move.

I have long been aware of the necessity for keeping our national security organization abreast of our security requirements. To this end I recommended unification of the armed forces to the Congress in December 1945. My desire was to improve our defense organization while the lessons of World War II were still fresh in the minds of all. We must not forget these lessons in evaluating our security position today.

A great deal was learned from those four years of war. We learned, among other things, that the organization of our War and Navy Departments, prescribed by detailed statutes, was far too rigid and inflexible for the actual conduct of war. We learned that modern war required the combined use of air, naval, and land forces welded together under unified commands overseas, and under the strategic direction of the Joint Chiefs of Staff.

Other lessons were also learned. We learned that widely diverse supply policies of the separate services were costly, and hampered the total effectiveness of military operations. We learned that there were great differences in training and combat doctrine among the services, and that these differences often provoked sharp conflicts in our theaters of operation.

My message to the Congress of December 1945 had a double purpose. It was intended to take advantage of our wartime experience and to prevent a return to the outmoded forms of organization which existed at the outbreak of the war.

Following that message, the subject of the proper organization of our armed forces was debated throughout the Nation. After the most careful consideration, the National Security Act was enacted by the Congress in July 1947.

This Act has provided a practical and workable basis for beginning the unification of the military services and for coordinating military policy with foreign and economic policy. A few examples of the progress achieved in the period since the Act became effective are evidence of its value.

The efficiency of military purchasing has steadily increased until today more than 75 percent of the material of the armed services is procured under coordinated purchasing arrangements.

A number of joint training and education programs have been instituted so that the personnel of each service may gain a greater understanding of the weapons and doctrine of the other services.

A uniform code of military justice has been developed, designed to be applicable to the personnel of all the armed forces. This code is now before the Congress for its consideration.

The coordination of military policy with foreign and economic policies has been greatly improved, principally through the efforts of the National Security Council and the National Security Resources Board.

The past eighteen months have dispelled any doubt that unification of the armed forces can yield great advantages to the Nation. No one advocates a return to the outmoded organization of the days preceding the National Security Act. On the contrary, the issue today is not whether we should have unification, but how we can make it more effective.

We have now had sufficient experience under the Act to be able to identify and correct its weaknesses, without impairing the advantages we have obtained from its strength. We have also had the advantage of a thoroughgoing appraisal by the Commission on the Organization of the Executive Branch of the Government. On the basis of our experience to date, as further borne out by the Commission, we should now proceed to make the needed improvements in the act.

The duties and responsibilities of the Secretary of Defense as now set forth in the act are of too limited a character, and are restricted to specified items. For example, the act expressly provides that all duties not specifically conferred upon the Secretary of Defense are to remain vested in the Secretaries of the Army, the Navy, and the Air Force. While the Secretary of Defense, as the head of the National Military Establishment, ought to be ultimately accountable, under the President, for its administration, he is specifically limited by this Act in the degree to which he may hold the military departments responsible to him. The departmental Secretaries are specifically authorized to deal directly with higher authority. Furthermore, many of the key responsibilities of the Secretary of Defense have been assigned by this statute, not to the Secretary, but to Boards and agencies which derive much of their authority from the military departments themselves.

In short, the Act fails to provide for a fully responsible official with authority adequate to meet his responsibility, whom the President and the Congress can hold accountable. The Act fails to provide the basis for an organization and a staff adequate to achieve the most efficient and economical defense program and to attain effective and informed civilian control.

I, therefore, recommend that the National Security Act be amended to accomplish two basic purposes: first, to convert the National Military Establishment into an Executive Department of the Government, to be known as the Department of Defense; and, second, to provide the Secretary of Defense with appropriate responsibility and authority, and with civilian and military assistance adequate to fulfill his enlarged responsibility.

Within the new Department of Defense, I recommend that the Departments of the Army, the Navy, and the Air Force be designated as military departments. The responsibility of the Secretary of Defense for exercising direction, authority, and control over the affairs of the Department of Defense should be made clear. Furthermore, the present limitations and restrictions which are inappropriate to his status as head of an executive

department should be removed. The Secretary of Defense should be the sole representative of the Department of Defense on the National Security Council.

I am not recommending the blanket transfer of all statutory authority applicable to the Departments of the Army, the Navy, and the Air Force to the Secretary of Defense. Neither am I recommending any change in the statutory assignment of combatant functions to the Army, Navy, and Air Force. I recommend, however, that the Secretaries of the Army, the Navy, and the Air Force administer the respective military departments under the authority, direction, and control of the Secretary of Defense.

To meet these additional responsibilities, the Secretary of Defense needs strengthened civilian and military assistance. This can be provided by the creation of new posts and by the conversion of existing agencies of the National Military Establishment into staff units for the Secretary. I recommend that Congress provide an Under Secretary of Defense and three Assistant Secretaries of Defense.

The duties now placed by statute in the Munitions Board and the Research and Development Board should be recognized as responsibilities of the Secretary of Defense. The Act should be amended to make possible the flexible use of both of these agencies, and of the Joint Chiefs of Staff, as staff units for the Secretary of Defense. Finally, I recommend that the Congress provide for a Chairman of the Joint Chiefs of Staff, to be nominated by the President and confirmed by the Senate, to take precedence over all other military personnel, and to be the principal military adviser to the President and the Secretary of Defense, and to perform such other duties as they may prescribe.

In my judgment, these changes will make possible effective organization and management of the Department of Defense. They will provide a responsible official at its head, with strengthened civilian and military assistance, to undertake the immense job of aiding the President and the Congress in determining defense needs and in supervising the administration of our defense activities. These measures are essential to continued and accelerated progress toward unification. I am convinced that only through making steady progress toward this goal can we be assured of serving our major objectives, the most effective organization of our armed forces, a full return on our defense dollar, and strengthened civilian control.

I urge the Congress to give prompt consideration to these recommendations. From the standpoint of present and potential cost to the Nation, there is no more important area in which to work for improved organization and operations. Action on these recommendations will prove beneficial to the Congress, the American people, and the President by providing better means of assuring defense needs and administering the defense program. We should seize this opportunity to strengthen our defense organization which is so vital to the security of this Nation and the peace of the world.

HARRY S. TRUMAN

THE WHITE HOUSE
March 5, 1949

Source: U.S. National Archives and Records Service. *Public Papers of the Presidents: Harry S. Truman: 1949*, pp. 163-66. Washington: Government Printing Office, 1964.

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6. *Establishment of an Under Secretary of Defense—2 April 1949.*

General agreement on the need for additional staff assistance for the Secretary of Defense was reflected by the introduction on 2 February 1949 of H.R. 2216, which provided for an Under Secretary of Defense.

The House Committee on Armed Services reported this bill favorably on 17 February and the House approved it on 7 March. The Senate acted with similar speed, approving the measure on 18 March without changes. The President affixed his signature on 2 April (63 Stat. 30).

Public Law 36—81st Congress
Chapter 47—1st Session
H.R. 2216

AN ACT

To amend the National Security Act of 1947 to provide for an Under Secretary of Defense.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That section 202 of the National Security Act of 1947 approved July 26, 1947 (61 Stat. 495; 5 U.S.C., sec. 171a), is amended by adding at the end thereof the following new subsection:

"(d) There shall be an Under Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: PROVIDED, That a person who has within ten years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Under Secretary of Defense. The Under Secretary shall perform such duties, and shall exercise such powers, as the Secretary of Defense may prescribe. The Under Secretary shall act for, and exercise the powers of, the Secretary of Defense during his absence or disability."

Sec. 2. Subsection (a) of section 301 of such Act (5 U. S. C., sec. 171b), is amended by adding at the end thereof the following:

"The Under Secretary of Defense shall receive the compensation prescribed by law for Under Secretaries of executive departments."

Approved April 2, 1949.

Sources: U.S. Congress. House of Representatives. Committee on Armed Services. *Full Committee Hearing on H.R. 2216 to Amend the National Security Act of 1947 to Provide for an Under Secretary of Defense.* House Armed Services Paper No. 22. 81st Congress, 1st session. Washington: Government Printing Office, 1949.

U.S. Congress. House of Representatives. Committee on Armed Services. *Amending the National Security Act of 1947 to Provide for an Under Secretary of Defense.* H. Rpt. 143. 81st Congress, 1st session. Washington: Government Printing Office, 1949.

U.S. Congress. House of Representatives. Committee on Rules. *Consideration of H.R. 2216.* H. Rpt. 214. 81st Congress, 1st session. Washington: Government Printing Office, 1949.

U.S. Congress. Senate. Committee on Armed Services. *Amending the National Security Act of 1947 to Provide for an Under Secretary of Defense.* S. Rpt. 104. 81st Congress, 1st session. Washington: Government Printing Office, 1949.

U.S. Congress. *Congressional Record.* Volume 95, Part 1, p. 141 (9 February 1949); Part 2, pp. 1937 (7 March 1949), 1977 (8 March 1949), 2165 (10 March

1949), 2774 (18 March 1949), 2805 and 2877 (21 March 1949), 2969 (22 March 1949); Part 3, p. 3899 (5 April 1949). Washington: Government Printing Office, 1949.

7. Senate Consideration of the Amendments—16 March–26 May 1949.

President Truman's recommendations for amending the National Security Act were introduced in the Senate as S. 1269 on 16 March 1949 by the Chairman of the Senate Committee on Armed Services. For the recommended organization, see Chart 8.

Following 8 days of hearings on S. 1269 during March, April, and early May 1949, the Senate Committee on Armed Services on 12 May reported favorably an amended bill, S. 1843, that had been drafted in light of the testimony presented, especially testimony of the Joint Chiefs of Staff. This revised bill more closely circumscribed the powers of the Secretary of Defense than did S. 1269.

The Senate amended and approved S. 1843 on 26 May 1949, after 4 days of debate.

Sources: U.S. Congress. Senate. Committee on Armed Services. *Hearings on S. 1269 and S. 1843: National Security Act Amendments of 1949.* 81st Congress, 1st session. Washington: Government Printing Office, 1949. (For organization chart, see p. 260.)

U.S. Congress. Senate. Committee on Armed Services. *National Security Act Amendments of 1949.* S. Rpt. 366. 81st Congress, 1st session. Washington: Government Printing Office, 1949.

U.S. Congress. *Congressional Record.* Volume 95, Part 5, pp. 6096–97 (12 May 1949), 6537 (20 May 1949), 6621–35 (23 May 1949), 6703–19 and 6725–26 (24 May 1949), 6781–88 (25 May 1949), and 6856, 6861, 6865, 6866–68, and 6871–79 (26 May 1949). Washington: Government Printing Office, 1949.

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8. Congressional Approval of the Amendments—28 June–2 August 1949.

The House Committee on Armed Services held hearings on S. 1843 in late June and early July and on 12 July voted to postpone further consideration pending the scheduled investigation of the B–36 bomber program.

To force action on the measure, President Truman turned to the Reorganization Act of 1949 and on 18 July transmitted Reorganization Plan No. 8, embodying most of the provisions of the Senate bill, except Title IV dealing with budgetary and fiscal procedures.

In the meantime, on 14 July the House Committee on Armed Services favorably reported H.R. 5632, which dealt exclusively with budgetary and fiscal matters and ignored all the other changes that had been proposed. The House approved this measure on 18 July.

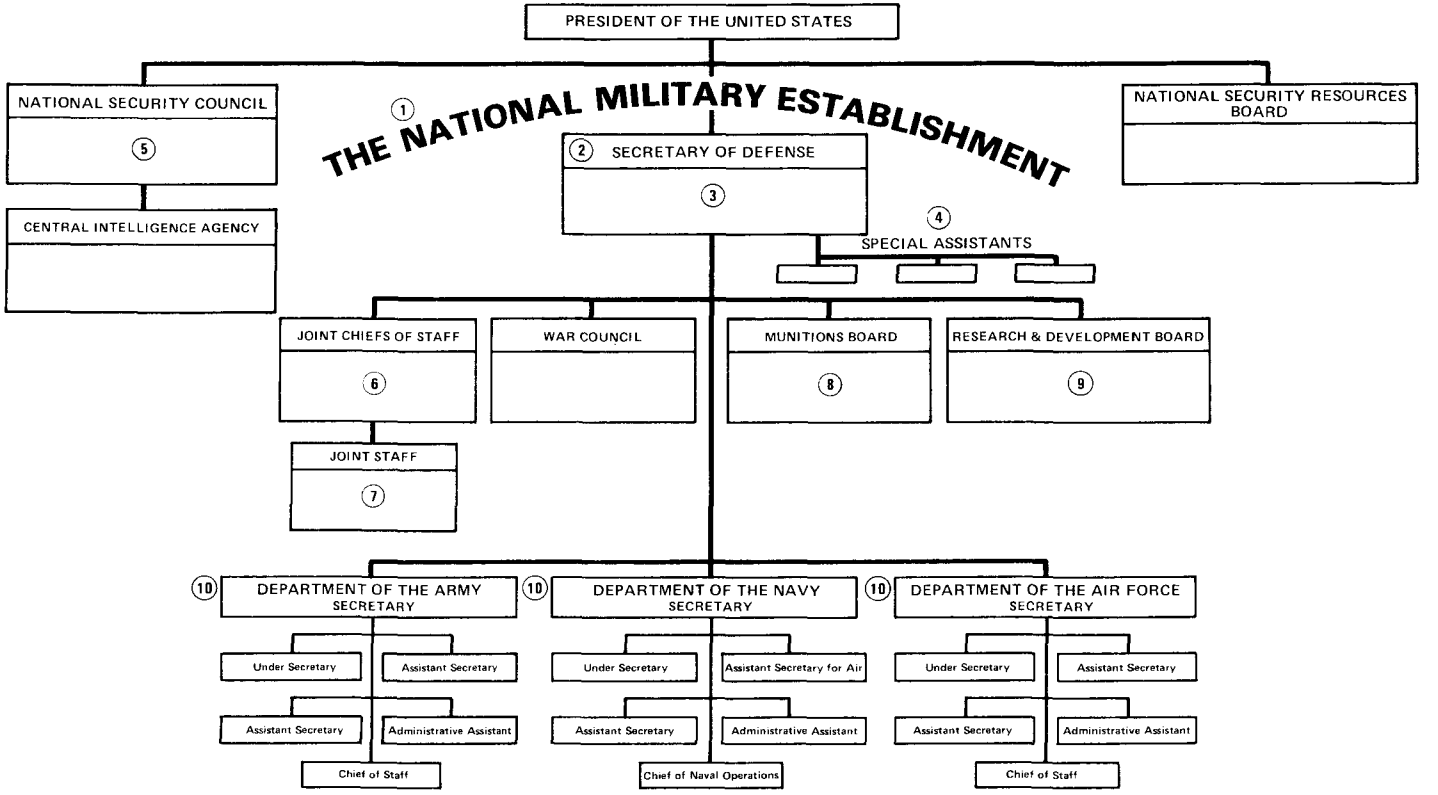
The Senate acted on H.R. 5632 two days later, but substituted its own version of the amendments to the National Security Act of 1947.

On 28 July, a Conference Committee reported out a compromise which adhered closely to S. 1843 but incorporated a number of the reservations

CHART 8

ORGANIZATIONAL CHANGES PROPOSED BY NATIONAL SECURITY ACT AMENDMENTS OF 1949

30 MARCH 1949



PROPOSED CHANGES

1. "National Military Establishment" becomes "Department of Defense".
2. Secretary of Defense gets increased authority to direct and control.
3. Under Secretary of Defense is created.
4. Assistant Secretaries of Defense are created; Special Assistants to Secretary are abolished.
5. Secretaries of Army, Navy, Air Force removed from membership on National Security Council.
6. Chairman of Joint Chiefs of Staff is created.
7. Statutory limitation of 100 members of Joint Staff is removed.
8. Chairman, Munitions Board, becomes appointee of Secretary of Defense rather than of President.
9. Chairman, Research and Development Board, becomes appointee of Secretary of Defense rather than of President.
10. Departments of Army, Navy, Air Force are defined as "military" departments within an "executive" department, the Department of Defense.

on this measure made by members of the House Committee on Armed Services.

The conference report was agreed to by the Senate on 28 July and by the House of Representatives on 2 August.

Sources: For House hearings on S. 1843, see:

U.S. Congress. House of Representatives. Committee on Armed Services. *Full Committee Hearings on S. 1843 to Convert the National Military Establishment into an Executive Department of the Government, to be Known as the Department of Defense, to Provide the Secretary of Defense with Appropriate Responsibility and Authority, and with Civilian and Military Assistants Adequate to Fulfill his Enlarged Responsibility.* House Armed Services Paper No. 95. 81st Congress, 1st session. Washington: Government Printing Office, 1949.

For Reorganization Plan No. 8, see:

U.S. Congress. House of Representatives. Message from the President. *Reorganization Plan No. 8 of 1949.* H. Doc. 262. 81st Congress, 1st session. Washington: Government Printing Office, 1949.

For House consideration of H.R. 5632, see:

U.S. Congress. House of Representatives. Committee on Armed Services. *Full Committee Hearings on H.R. 5632, to Reorganize Fiscal Management in the National Military Establishment, to Promote Economy and Efficiency, and for Other Purposes.* House Armed Services Paper No. 94. 81st Congress, 1st session. Washington: Government Printing Office, 1949.

U.S. Congress. House of Representatives. Committee on Armed Services. *Reorganizing Fiscal Management in the National Military Establishment.* H. Rpt. 1064. 81st Congress, 1st session. Washington: Government Printing Office, 1949.

U.S. Congress. *Congressional Record.* Volume 95, Part 7, pp. 9417 (13 July 1949), 9526 (14 July 1949), 9670–79 and 9684–85 (20 July 1949). Washington: Government Printing Office, 1949.

For Senate consideration of H.R. 5632 and resolution of differences, see:

U.S. Congress. *Congressional Record.* Volume 95, Part 7, pp. 9751–55 (20 July 1949); Part 8, pp. 9923 and 9963 (21 July 1949), 10057 (25 July 1949). Washington: Government Printing Office, 1949.

U.S. Congress. House of Representatives. Conference Committee. *National Security Act Amendments of 1949.* H. Rpt. 1142. 81st Congress, 1st session. Washington: Government Printing Office, 1949.

U.S. Congress. *Congressional Record.* Volume 95, Part 8, pp. 10332–36, 10345–49 (28 July 1949), 10592–10611 and 10677 (2 August 1949), 10731 (3 August 1949), 10887 (5 August 1949); Part 9, p. 12256 (25 August 1949). Washington: Government Printing Office, 1949.

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9. *Public Law 216, 81st Congress—10 August 1949.*

President Truman approved the new legislation on 10 August 1949 (63 Stat. 578). (For the organization of the Department of Defense under the amended legislation, see Chart 9.) The changes made in the National Security Act of 1947 are indicated below with the new wording in bold face type and the former wording in italics within brackets.

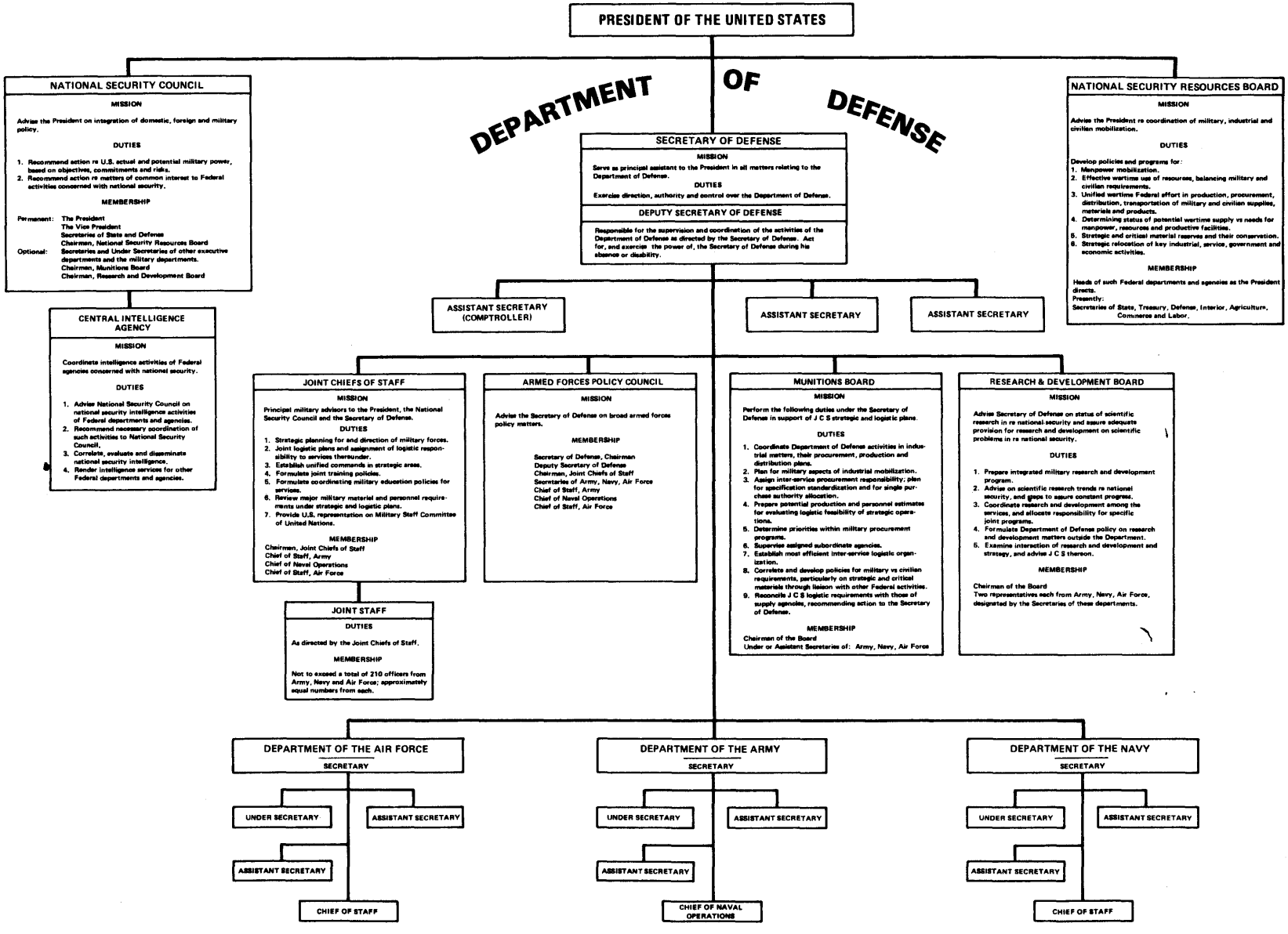
THE NATIONAL SECURITY ACT OF 1947
as amended by
PUBLIC LAW 216, 81st CONGRESS
approved
August 10, 1949

Short Title

That this Act may be cited as the "National Security Act of 1947."

CHART 9

ORGANIZATION FOR NATIONAL SECURITY
NATIONAL SECURITY ACT AS AMENDED
10 AUGUST 1949



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Declaration of Policy

Sec. 2. In enacting this legislation, it is the intent of Congress to provide a comprehensive program for the future security of the United States; to provide for the establishment of integrated policies and procedures for the departments, agencies, and functions of the Government relating to the national security; to provide three military departments, **separately administered,** for the operation and administration of the Army, the Navy (including naval aviation and the United States Marine Corps), and the Air Force, with their assigned combat and service components; to provide for their authoritative coordination and unified direction under civilian control **of the Secretary of Defense** but not to merge them; to provide for the effective strategic direction of the armed forces and for their operation under unified control and for their integration into an efficient team of land, naval, and air forces **but not to establish a single Chief of Staff over the armed forces nor an armed forces general staff (but this is not to be interpreted as applying to the Joint Chiefs of Staff or Joint Staff).**

TITLE I—COORDINATION FOR NATIONAL SECURITY

National Security Council

Sec. 101. (a) There is hereby established a council to be known as the National Security Council (hereinafter in this section referred to as the "Council").

The President of the United States shall preside over meetings of the Council: PROVIDED, That in his absence he may designate a member of the Council to preside in his place.

The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

The Council shall be composed of—

(1) the President;

(2) **the Vice President;**

(3) the Secretary of State;

(4) the Secretary of Defense [*appointed under section 202; the Secretary of the Army, referred to in section 205; the Secretary of the Navy; the Secretary of the Air Force, appointed under section 207*];

(5) the Chairman of the National Security Resources Board [*appointed under section 103*]; and

(6) [*such of the following named officers as the President may designate from time to time*] the Secretaries **and Under Secretaries** of **other** [*the*] executive departments **and of the military departments,** the Chairman of the Munitions Board [*appointed under section 213,*] and the Chairman of the Research and Development Board [*appointed under section 214*], **when appointed by the President by and with the advice and consent of the Senate, to serve at his pleasure,** [*but no such additional member shall be designated until the advice and consent of the Senate has been given to his appointment to the office the holding of which authorizes his designation as a member of the Council*].

(b) In addition to performing such other functions as the President may direct, for the purpose of more effectively coordinating the policies and functions of the departments and agencies of the Government relating to the national security, it shall, subject to the direction of the President, be the duty of the Council—

(1) to assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security, for the purpose of making recommendations to the President in connection therewith; and

(2) to consider policies on matters of common interest to the departments and agencies of the Government concerned with the national security, and to make recommendations to the President in connection therewith.

(c) The Council shall have a staff to be headed by a civilian executive secretary who shall be appointed by the President, and who shall receive compensation at the rate of $10,000 a year. The executive secretary, subject to the direction of the Council, is hereby authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such personnel as may be necessary to perform such duties as may be prescribed by the Council in connection with the performance of its functions.

(d) The Council shall, from time to time, make such recommendations, and such other reports to the President as it deems appropriate or as the President may require.

Central Intelligence Agency

[No changes were made in section 102 by Public Law 216, 81st Congress]

National Security Resources Board

[No changes were made in section 103 by Public Law 216, 81st Congress]

TITLE II—THE DEPARTMENT OF DEFENSE

[*National Military Establishment*]

Sec. 201. (a) There is hereby established, as an Executive Department of the Government, the Department of Defense [*the National Military Establishment*], 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. [*The National Military Establishment shall consist of the Department of the Army, the Department of the Navy, and the Department of the Air Force, together with all other agencies created under title II of this Act.*]

(c) Section 158 of the Revised Statutes, as amended, is amended to read as follows:

Sec. 158. The provisions of this title shall apply to the following Executive Departments:

First. The Department of State.

Second. The Department of Defense.

Third. The Department of the Treasury.
Fourth. The Department of Justice.
Fifth. The Post Office Department.
Sixth. The Department of the Interior.
Seventh. The Department of Agriculture.
Eighth. The Department of Commerce.
Ninth. The Department of Labor.

(d) Except to the extent inconsistent with the provisions of this Act, the provisions of title IV of the Revised Statutes as now or hereafter amended shall be applicable to the Department of Defense.

The Secretary of Defense

Sec. 202. (a) There shall be a Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. PROVIDED, That a person who has within ten years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Secretary of Defense.

(b) The Secretary of Defense shall be the principal assistant to the President in all matters relating to the **Department of Defense** [*national security.*] Under the direction of the President, and subject to the provisions of this Act, he shall **have direction, authority, and control over the Department of Defense.** [*perform the following duties:*]

[*(1) Establish general policies and programs for the National Military Establishment and for all of the departments and agencies therein;*]

[*(2) Exercise general direction, authority, and control over such departments and agencies;*]

[*(3) Take appropriate steps to eliminate unnecessary duplication or overlapping in the fields of procurement, supply, transportation, storage, health, and research;*]

[*(4) Supervise and coordinate the preparation of the budget estimates of the departments and agencies comprising the National Military Establishment; formulate and determine the budget estimates for submittal to the Bureau of the Budget; and supervise the budget programs of such departments and agencies under the applicable appropriation Act:*]

(c) (1) Notwithstanding any other provision of this Act, the combatant functions assigned to the military services by sections 205 (e), 206 (b), 206 (c), and 208 (f) hereof shall not be transferred, reassigned, abolished, or consolidated.

(2) Military personnel shall not be so detailed or assigned as to impair such combatant functions.

(3) The Secretary of Defense shall not direct the use and expenditure of funds of the Department of Defense in such manner as to effect the results prohibited by paragraphs (1) and (2) of this subsection.

(4) The Departments of the Army, Navy, and Air Force shall be separately administered by their respective Secretaries under the direction, authority, and control of the Secretary of Defense. [*And provided further, That the Department of the Army, the Department of the Navy, and the Department of the Air Force 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 by each of their respective Secretaries.*]

(5) Subject to the provisions of paragraph (1) of this subsection no

function which has been or is hereafter authorized by law to be performed by the Department of Defense shall be substantially transferred, reassigned, abolished or consolidated until after a report in regard to all pertinent details shall have been made by the Secretary of Defense to the Committees on Armed Services of the Congress.

(6) No provision of this Act shall be so construed as to prevent a Secretary of a military department or a member of the Joint Chiefs of Staff from presenting to the Congress, on his own initiative, after first so informing the Secretary of Defense, any recommendation relating to the Department of Defense that he may deem proper. [*Provided, That nothing herein contained shall prevent the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force from presenting to the President or to the Director of the Budget, after first so informing the Secretary of Defense, any report or recommendation relating to his department which he may deem necessary.*]

(d) The Secretary of Defense shall not less often than semiannually submit [*annual*] written reports to the President and the Congress covering expenditures, work, and accomplishments of the Department of Defense, [*National Military Establishment*] accompanied by [*together with*] *(1)* such recommendations as he shall deem appropriate; (2) separate reports from the military departments covering their expenditures, work, and accomplishments; and (3) itemized statements showing the savings of public funds and the eliminations of unnecessary duplications and overlappings that have been accomplished pursuant to the provisions of this Act.

(e) The Secretary of Defense shall cause a seal of office to be made for the Department of Defense, [*National Military Establishment*] of such design as the President shall approve, and judicial notice shall be taken thereof.

(f) The Secretary of Defense may, without being relieved of his responsibility therefor, and unless prohibited by some specific provision of this Act or other specific provision of law, perform any function vested in him through or with the aid of such officials or organizational entities of the Department of Defense as he may designate.

Deputy Secretary of Defense; Assistant Secretaries of Defense; Military Assistants [*to the Secretary*]

Sec. 203. (a) There shall be a Deputy Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: PROVIDED, That a person who has within ten years been on active duty as a commissioned office in a Regular component of the armed services shall not be eligible for appointment as Deputy Secretary of Defense. The Deputy Secretary shall perform such duties and exercise such powers as the Secretary of Defense may prescribe and shall take precedence in the Department of Defense next after the Secretary of Defense. The Deputy Secretary shall act for, and exercise the powers of, the Secretary of Defense during his absence or disability.

(b) There shall be three Assistant Secretaries of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. The Assistant Secretaries shall perform such duties and exercise such powers as the Secretary of Defense may prescribe and shall take precedence in the Department of Defense after the Secretary of Defense, the Deputy Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force.

(c) Officers of the armed services may be detailed to duty as assistants

and personal aides to the Secretary of Defense, but he shall not establish a military staff **other than that provided for by section 211 (a) of this Act.**

Civilian Personnel

Sec. 204. [*(a) The Secretary of Defense is authorized to appoint from civilian life not to exceed three special assistants to advise and assist him in the performance of his duties. Each such special assistant shall receive compensation at the rate of $10,000 a year.*] [*(b)*] The Secretary of Defense is authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such [*other*] civilian personnel as may be necessary for the performance of the functions of the **Department of Defense** [*National Military Establishment*] other than those of the Departments of the Army, Navy, and Air Force.

Department of the Army

Sec. 205. (a) The Department of War shall hereafter be designated the Department of the Army, and the title of the Secretary of War shall be changed to Secretary of the Army. Changes shall be made in the titles of other officers and activities of the Department of the Army as the Secretary of the Army may determine.

(b) All laws, orders, regulations, and other actions relating to the Department of War or to any officer or activity whose title is changed under this section shall, insofar as they are not inconsistent with the provisions of this Act, be deemed to relate to the Department of the Army within the **Department of Defense** [*National Military Establishment*] or to such officer or activity designated by his or its new title.

(c) The Term "Department of the Army" as used in this Act shall be construed to mean the Department of the Army at the seat of government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Army.

(d) The Secretary of the Army shall cause a seal of office to be made for the Department of the Army, of such design as the President may approve, and judicial notice shall be taken thereof.

(e) In general the United States Army, within the Department of the Army, shall include land combat and service forces and such aviation and water transport as may be organic therein. It shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations on land. It shall be responsible for the preparation of land forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Army to meet the needs of war.

Department of the Navy

Sec. 206. (a) The term "Department of the Navy" as used in this Act shall be construed to mean the Department of the Navy at the seat of government; the headquarters, United States Marine Corps; the entire operating forces of the United States Navy, including naval aviation, and of the United States Marine Corps, including the reserve components of such forces; all field activities, headquarters, forces, bases, installations, activities,

and functions under the control or supervision of the Department of the Navy; and the United States Coast Guard when operating as a part of the Navy pursuant to law.

(b) In general the United States Navy, within the Department of the Navy, shall include naval combat and services forces and such aviation as may be organic therein. It shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations at sea. It shall be responsible for the preparation of naval forces necessary for the effective prosecution of war except as otherwise assigned, and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Navy to meet the needs of war.

All naval aviation shall be integrated with the naval service as part thereof within the Department of the Navy. Naval aviation shall consist of combat and service and training forces, and shall include land-based naval aviation, air transport essential for naval operations, all air weapons and air techniques involved in the operations and activities of the United States Navy, and the entire remainder of the aeronautical organization of the United States Navy, together with the personnel necessary therefor.

The Navy shall be generally responsible for naval reconnaissance, antisubmarine warfare, and protection of shipping.

The Navy shall develop aircraft, weapons, tactics, technique, organization, and equipment of naval combat and service elements; matters of joint concern as to these functions shall be coordinated between the Army, the Air Force, and the Navy.

(c) The United States Marine Corps, within the Department of the Navy, shall include land combat and service forces and such aviation as may be organic therein. The Marine Corps shall be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign. It shall be the duty of the Marine Corps to develop, in coordination with the Army and the Air Force, those phases of amphibious operations which pertain to the tactics, technique, and equipment employed by landing forces. In addition, the Marine Corps shall provide detachments and organizations for service on armed vessels of the Navy, shall provide security detachments for the protection of naval property at naval stations and bases, and shall perform such other duties as the President may direct: PROVIDED, That such additional duties shall not detract from or interfere with the operations for which the Marine Corps is primarily organized. The Marine Corps shall be responsible, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Marine Corps to meet the needs of war.

Department of the Air Force

Sec. 207. (a) Within the **Department of Defense** [*National Military Establishment*] there is hereby established a **military** [*executive*] department to be known as the Department of the Air Force, and **the** [*a*] Secretary of the Air Force who shall be the head thereof. The Secretary of the Air Force shall be appointed from civilian life by the President by and with the advice and consent of the Senate.

[*(b) Section 158 of the Revised Statutes is amended to include the*

Department of the Air Force and the provisions of so much of title IV of the Revised Statutes as now or hereafter amended as is not inconsistent with this Act shall be applicable to the Department of the Air Force.]

(c) The term "Department of the Air Force" as used in this Act shall be construed to mean the Department of the Air Force at the seat of government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Air Force.

(d) There shall be in the Department of the Air Force an Under Secretary of the Air Force and two Assistant Secretaries of the Air Force, who shall be appointed from civilian life by the President by and with the advice and consent of the Senate.

(e) The several officers of the Department of the Air Force shall perform such functions as the Secretary of the Air Force may prescribe.

(f) So much of the functions of the Secretary of the Army and of the Department of the Army, including those of any officer of such Department, as are assigned to or under the control of the Commanding General, Army Air Forces, or as are deemed by the Secretary of Defense to be necessary or desirable for the operations of the Department of the Air Force or the United States Air Force, shall be transferred to and vested in the Secretary of the Air Force and the Department of the Air Force: PROVIDED, That the National Guard Bureau shall, in addition to the functions and duties performed by it for the Department of the Army, be charged with similar functions and duties for the Department of the Air Force, and shall be the channel of communication between the Department of the Air Force and the several States on all matters pertaining to the Air National Guard: AND PROVIDED FURTHER, That, in order to permit an orderly transfer, the Secretary of Defense may, during the transfer period hereinafter prescribed, direct that the Department of the Army shall continue for appropriate periods to exercise any of such functions, insofar as they relate to the Department of the Air Force, or the United States Air Force or their property and personnel. Such of the property, personnel, and records of the Department of the Army used in the exercise of functions transferred under this subsection as the Secretary of Defense shall determine shall be transferred or assigned to the Department of the Air Force.

(g) The Secretary of the Air Force shall cause a seal of office to be made for the Department of the Air Force, of such device as the President shall approve, and judicial notice shall be taken thereof.

United States Air Force

Sec. 208. (a) The United States Air Force is hereby established **within** [*under*] the Department of the Air Force. The Army Air Forces, the Air Corps, United States Army, and the General Headquarters Air Force (Air Force Combat Command), shall be transferred to the United States Air Force.

(b) There shall be a Chief of Staff, United States Air Force, who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of four years from among the officers of general rank who are assigned to or commissioned in the United States Air Force. Under the direction of the Secretary of the Air Force, the Chief of Staff, United States Air Force, shall exercise command over the United States Air Force and shall be charged with the duty of carrying into execution all lawful orders and directions which may be transmitted to him. The functions of the

Commanding General, General Headquarters Air Force (Air Force Combat Command), and of the Chief of the Air Corps and of the Commanding General, Army Air Forces, shall be transferred to the Chief of Staff, United States Air Force. When such transfer becomes effective, the offices of the Chief of the Air Corps, United States Army, and Assistants to the Chief of the Air Corps, United States Army, provided for by the Act of June 4, 1920, as amended (41 Stat. 768), and Commanding General, General Headquarters Air Force, provided for by section 5 of the Act of June 16, 1936 (49 Stat. 1525), shall cease to exist. While holding office as Chief of Staff, United States Air Force, the incumbent shall hold a grade and receive allowances equivalent to those prescribed by law for the Chief of Staff, United States Army. The Chief of Staff, United States Army, the Chief of Naval Operations, and the Chief of Staff, United States Air Force, shall take rank among themselves according to their relative dates of appointment as such, and shall each take rank above all other officers on the active list of the Army, Navy, and Air Force: PROVIDED, That nothing in this Act shall have the effect of changing the relative rank of the present Chief of Staff, United States Army, and the present Chief of Naval Operations.

(c) All commissioned officers, warrant officers, and enlisted men, commissioned, holding warrants, or enlisted, in the Air Corps, United States Army, or the Army Air Forces, shall be transferred in branch to the United States Air Force. All other commissioned officers, warrant officers, and enlisted men, who are commissioned, hold warrants, or are enlisted, in any component of the Army of the United States and who are under the authority or command of the Commanding General, Army Air Forces, shall be continued under the authority or command of the Chief of Staff, United States Air Force, and under the jurisdiction of the Department of the Air Force. Personnel whose status is affected by this subsection shall retain their existing commissions, warrants, or enlisted status in existing components of the armed forces unless otherwise altered or terminated in accordance with existing law; and they shall not be deemed to have been appointed to a new or different office or grade, or to have vacated their permanent or temporary appointments in an existing component of the armed forces, solely by virtue of any change in status under this subsection. No such change in status shall alter or prejudice the status of any individual so assigned, so as to deprive him of any right, benefit, or privilege to which he may be entitled under existing law.

(d) Except as otherwise directed by the Secretary of the Air Force, all property, records, installations, agencies, activities, projects, and civilian personnel under the jurisdiction, control, authority, or command of the Commanding General, Army Air Forces, shall be continued to the same extent under the jurisdiction, control, authority, or command, respectively, of the Chief of Staff, United States Air Force, in the Department of the Air Force.

(e) For a period of **three** [*two*] years from the date of enactment of this Act, personnel (both military and civilian), property, records, installations, agencies, activities, and projects may be transferred between the Department of the Army and the Department of the Air Force by direction of the Secretary of Defense.

(f) In general the United States Air Force shall include aviation forces both combat and service not otherwise assigned. It shall be organized, trained, and equipped primarily for prompt and sustained offensive and

defensive air operations. The Air Force shall be responsible for the preparation of the air forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Air Force to meet the needs of war.

Effective Date of Transfers

Sec. 209. Each transfer, assignment, or change in status under section 207 or section 208 shall take effect upon such date or dates as may be prescribed by the Secretary of Defense.

Armed Forces Policy Council
[*War Council*]

Sec. 210. There shall be within the **Department of Defense an Armed Forces Policy Council** [*National Military Establishment a War Council*] composed of the Secretary of Defense, as Chairman, who shall have power of decision; **the Deputy Secretary of Defense;** the Secretary of the Army; the Secretary of the Navy; the Secretary of the Air Force; **the Chairman of the Joint Chiefs of Staff;** the Chief of Staff, United States Army; the Chief of Naval Operations; and the Chief of Staff, United States Air Force. The **Armed Forces Policy Council** [*War Council*] shall advise the Secretary of Defense on matters of broad policy relating to the armed forces and shall consider and report on such other matters as the Secretary of Defense may direct.

Joint Chiefs of Staff

Sec. 211. (a) There is hereby established within the **Department of Defense** [*National Military Establishment*] the Joint Chiefs of Staff, which shall consist of **the Chairman, who shall be the presiding officer thereof but who shall have no vote;** the Chief of Staff, United States Army, the Chief of Naval Operations; **and** the Chief of Staff, United States Air Force. [*and the Chief of Staff to the Commander in Chief, if there be one.*] The Joint Chiefs of Staff shall **be** [*act as*] the principal military advisers to the President, **the National Security Council,** and the Secretary of Defense.

(b) Subject to the authority and direction of the President and the Secretary of Defense, the Joint Chiefs of Staff shall perform **the following duties, in addition to** such other duties as the President or the Secretary of Defense may direct [*or as may be prescribed by law*]:

(1) **preparation of** [*to prepare*] strategic plans and **provision** [*to provide*] for the strategic direction of the military forces;

(2) **preparation of** [*to prepare*] joint logistic plans and **assignment** [*to assign*] to the military service **of** logistic responsibilities in accordance with such plans;

(3) **establishment of** [*to establish*] unified commands in strategic areas;

(4) [*to*] review **of** major material and personnel requirements of the military forces in accordance with strategic and logistic plans;

(5) **formulation of** [*to formulate*] policies for joint training of the military forces;

(6) **formulation of** [*to formulate*] policies for coordinating the military education of members of the military forces; and

(7) **providing** [*to provide*] United States representation on the Military Staff Committee of the United Nations in accordance with the provisions of the Charter of the United Nations.

(c) The Chairman of the Joint Chiefs of Staff (hereinafter referred to as the "Chairman") shall be appointed by the President, by and with the advice and consent of the Senate, from among the Regular officers of the armed services to serve at the pleasure of the President for a term of two years and shall be eligible for one reappointment, by and with the advice and consent of the Senate, except in time of war hereafter declared by the Congress when there shall be no limitation on the number of such reappointments. The Chairman shall receive the basic pay and basic and personal money allowances prescribed by law for the Chief of Staff, United States Army, and such special pays and hazardous duty pays to which he may be entitled under other provisions of law.

(d) The Chairman, if in the grade of general, shall be additional to the number of officers in the grade of general provided in the third proviso of section 504 (b) of the Officer Personnel Act of 1947 (Public Law 381, Eightieth Congress) or, if in the rank of admiral, shall be additional to the number of officers having the rank of admiral provided in section 413 (a) of such Act. While holding such office he shall take precedence over all other officers of the armed services: PROVIDED, That the Chairman shall not exercise military command over the Joint Chiefs of Staff or over any of the military services.

(e) In addition to participating as a member of the Joint Chiefs of Staff in the performance of the duties assigned in subsection (b) of this section, the Chairman shall, subject to the authority and direction of the President and the Secretary of Defense, perform the following duties:

(1) serve as the presiding officer of the Joint Chiefs of Staff;

(2) provide agenda for meetings of the Joint Chiefs of Staff and assist the Joint Chiefs of Staff to prosecute their business as promptly as practicable; and

(3) inform the Secretary of Defense and, when appropriate as determined by the President or the Secretary of Defense, the President, of those issues upon which agreement among the Joint Chiefs of Staff has not been reached.

Joint Staff

Sec. 212. There shall be, under the Joint Chiefs of Staff, a Joint Staff to consist of not to exceed two hundred and ten [*one hundred*] officers and to be composed of approximately equal numbers of officers appointed by the Joint Chiefs of Staff from each of the three armed services. The Joint Staff, operating under a Director thereof appointed by the Joint Chiefs of Staff, shall perform such duties as may be directed by the Joint Chiefs of Staff. The Director shall be an officer junior in grade to all members of the Joint Chiefs of Staff.

Munitions Board

Sec. 213. (a) There is hereby established in the Department of Defense [*National Military Establishment*] a Munitions Board (hereinafter in this section referred to as the "Board").

(b) The Board shall be composed of a Chairman, who shall be the head thereof and who shall, subject to the authority of the Secretary of Defense and in respect to such matters authorized by him, have the power of decision upon matters falling within the jurisdiction of the Board, and an Under Secretary or Assistant Secretary from each of the three military departments,

to be designated in each case by the Secretaries of their respective departments. The Chairman shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $14,000 a year.

(c) **Subject to the authority and** [*It shall be the duty of the Board under the*] direction of the Secretary of Defense, **the Board shall perform the following duties** in support of strategic and logistic plans **and in consonance with guidance in those fields provided** [*prepared*] by the Joint Chiefs of Staff, and such other duties as the Secretary of Defense may **prescribe** [*direct*]:

(1) **coordination of** [*to coordinate*] the appropriate activities [*within the National Military Establishment*] with regard to industrial matters, including the procurement, production, and distribution plans of the **Department of Defense** [*departments and agencies comprising the Establishment*];

(2) **planning** [*to plan*] for the military aspects of industrial mobilization;

(3) [*to recommend*] assignment of procurement responsibilities among the several military **departments** [*services*] and **planning** [*to plan*] for standardization of specifications and for greatest practicable allocation of purchase authority of technical equipment and common use items on the basis of single procurement;

(4) **preparation of** [*to prepare*] estimates of potential production, procurement, and personnel for use in evaluation of the logistic feasibility of strategic operations;

(5) **determination of** [*to determine*] relative priorities of the various segments of the military procurement programs;

(6) **supervision of** [*to supervise*] such subordinate agencies as are or may be created to consider the subjects falling within the scope of the Board's responsibilities;

(7) **regrouping, combining, or dissolving of** [*to make recommendations to regroup, combine, or dissolve*] existing interservice agencies operating in the fields of procurement, production, and distribution in such manner as to promote efficiency and economy;

(8) **maintenance of** [*to maintain*] liaison with other departments and agencies for the proper correlation of military requirements with the civilian economy, particularly in regard to the procurement or disposition of strategic and critical material and the maintenance of adequate reserves of such material, and **making of** [*to make*] recommendations as to policies in connection therewith; and

(9) **assembly** [*to assemble*] and review **of** material and personnel requirements presented by the Joint Chiefs of Staff and [*those presented*] by the production, procurement, and distribution agencies assigned to meet military needs, and **making of** [*to make*] recommendations thereon to the Secretary of Defense.

(d) When the Chairman of the Board first appointed has taken office, the Joint Army and Navy Munitions Board shall cease to exist and all its records and personnel shall be transferred to the Munitions Board.

(e) The Secretary of Defense shall provide the Board with such personnel and facilities as the Secretary may determine to be required by the Board for the performance of its functions.

Research and Development Board

Sec. 214. (a) There is hereby established in the **Department of Defense**

[*National Military Establishment*] a Research and Development Board (hereinafter in this section referred to as the "Board"). The Board shall be composed of a Chairman, who shall be the head thereof **and who shall, subject to the authority of the Secretary of Defense and in respect to such matters authorized by him, have the power of decision on matters falling within the jurisdiction of the Board,** and two representatives from each of the Departments of the Army, Navy, and Air Force, to be designated by the Secretaries of their respective Departments. The Chairman shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $14,000 a year. The purpose of the Board shall be to advise the Secretary of Defense as to the status of scientific research relative to the national security, and to assist him in assuring adequate provision for research and development on scientific problems relating to the national security.

(b) **Subject to the authority and** [*It shall be the duty of the Board under the*] direction of the Secretary of Defense, **the Board shall perform the following duties** and such other duties as the Secretary of Defense may **prescribe** [*direct*]:

(1) **preparation of** [*to prepare*] a complete and integrated program of research and development for military purposes;

(2) **advising** [*to advise*] with regard to trends in scientific research relating to national security and the measures necessary to assure continued and increasing progress;

(3) [*to recommend measures of*] coordination of research and development among the military departments, and allocation among them of responsibilities for specific programs [*of joint interest*];

(4) **formulation of** [*to formulate*] policy for the **Department of Defense** [*National Military Establishment*] in connection with research and development matters involving agencies outside the **Department of Defense** [*National Military Establishment*]; and

(5) **consideration of** [*to consider*] the interaction of research and development and strategy, and **advising** [*to advise*] the Joint Chiefs of Staff in connection therewith.

(c) When the Chairman of the Board first appointed has taken office, the Joint Research and Development Board shall cease to exist and all its records and personnel shall be transferred to the Research and Development Board.

(d) The Secretary of Defense shall provide the Board with such personnel and facilities as the Secretary may determine to be required by the Board for the performance of its functions.

TITLE III—MISCELLANEOUS

Compensation of Secretaries and Deputy Secretary

Sec. 301. (a) The Secretary of Defense shall receive the compensation prescribed by law for heads of executive departments.

(b) **The Deputy Secretary of Defense shall receive compensation at the rate of $14,500 a year, or such other compensation plus $500 a year as may hereafter be provided by law for under secretaries of executive departments.** The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each receive compensation **at the rate of $14,000 a year, or such other compensation as may hereafter be provided**

by law for under secretaries of executive departments [*prescribed by law for executive departments*].

Sec. 302. **The Assistant Secretaries of Defense and** the Under Secretaries and Assistant Secretaries of the Army, the Navy, and the Air Force shall each receive compensation at the rate of **$10,330** [*$10,000*] a year **or at the rate hereafter prescribed by law for assistant secretaries of executive departments** and shall perform such duties as the **respective Secretaries** [*Secretaries of their respective departments*] may prescribe.

Sec. 303. (a) The Secretary of Defense, the Chairman of the National Security Resources Board, the Director of Central Intelligence, **and the National Security Council, acting through its Executive Secretary,** are authorized to appoint such advisory committees and to employ, consistent with other provisions of this Act, such part-time advisory personnel as they may deem necessary in carrying out their respective functions and the functions of agencies under their control. Persons holding other offices or positions under the United States for which they receive compensation, while serving as members of such committees, shall receive no additional compensation for such service. Other members of such committees and other part-time advisory personnel so employed may serve without compensation or may receive compensation at a rate not to exceed **$50** [*$35*] for each day of service, as determined by the appointing authority.

(b) Service of an individual as a member of any such advisory committee, or in any other part-time capacity for a department or agency hereunder, shall not be considered as service bringing such individual within the provisions of section 109 or 113 of the Criminal Code (U. S. C., 1940 edition, title 18, secs. 198 and 203), or section 19 (e) of the Contract Settlement Act of 1944, unless the act of such individual, which by such section is made unlawful when performed by an individual referred to in such section, is with respect to any particular matter which directly involves a department or agency which such person is advising or in which such department or agency is directly interested.

Status of Transferred Civilian Personnel

Sec. 304. All transfers of civilian personnel under this Act shall be without change in classification or compensation, but the head of any department or agency to which such a transfer is made is authorized to make such changes in the titles and designations and prescribe such changes in the duties of such personnel commensurate with their classification as he may deem necessary and appropriate.

Saving Provisions

Sec. 305. (a). All laws, orders, regulations, and other actions applicable with respect to any function, activity, personnel, property, records, or other thing transferred under this Act, or with respect to any officer, department, or agency, from which such transfer is made, shall, except to the extent rescinded, modified, superseded, terminated, or made inapplicable by or under authority of law, have the same effect as if such transfer had not been made; but, after any such transfer, any such law, order, regulation, or other action which vested functions in or otherwise related to any officer, department, or agency from which such transfer was made shall, insofar as applicable with respect to the function, activity, personnel, property, records or

other thing transferred and to the extent not inconsistent with other provisions of this Act, be deemed to have vested such function in or relate to the officer, department, or agency to which the transfer was made.

(b) No suit, action, or other proceeding lawfully commenced by or against the head of any department or agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of the taking effect of any transfer or change in title under the provisions of this Act; and, in the case of any such transfer, such suit, action, or other proceeding may be maintained by or against the successor of such head or other officer under the transfer, but only if the court shall allow the same to be maintained on motion or supplemental petition filed within twelve months after such transfer takes effect, showing a necessity for the survival of such suit, action, or other proceeding to obtain settlement of the questions involved.

(c) Notwithstanding the provisions of the second paragraph of section 5 of title I of the First War Powers Act, 1941, the existing organization of the War Department under the provisions of Executive Order Numbered 9082 of February 28, 1942, as modified by Executive Order Numbered 9722 of May 13, 1946, and the existing organization of the Department of the Navy under the provisions of Executive Order Numbered 9635 of September 29, 1945, including the assignment of functions to organizational units within the War and Navy Departments, may, to the extent determined by the Secretary of Defense, continue in force for two years following the date of enactment of this Act except to the extent modified by the provisions of this Act or under the authority of law.

Transfer of Funds

Sec. 306. All unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by or on behalf of the Army Air Forces or officers thereof, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Such other unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by the Department of War or the Department of the Army in exercise of functions transferred to the Department of the Air Force under this Act, as the Secretary of Defense shall determine, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Unexpended balances transferred under this section may be used for the purposes for which the appropriations, allocations, or other funds were originally made available, or for new expenditures occasioned by the enactment of this Act. The transfers herein authorized may be made with or without warrant action as may be appropriate from time to time from any appropriation covered by this section to any other such appropriation or to such new accounts established on the books of the Treasury as may be determined to be necessary to carry into effect provisions of this Act.

Authorization for Appropriations

Sec. 307. There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act.

Definitions

Sec. 308. (a) As used in this Act, the term "function" includes functions, powers, and duties.

(b) **As used in this Act, the term "Department of Defense" shall be deemed to include the military departments of the Army, the Navy, and the Air Force, and all agencies created under title II of this Act.**

[*As used in this Act, the term "budget program" refers to recommendations as to the apportionment, to the allocation and to the review of allotments of appropriated funds.*]

Separability

Sec. 309. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Effective Date

Sec. 310. (a) The first sentence of section 202(a) and sections 1, 2, 307, 308, 309, and 310 shall take effect immediately upon the enactment of this Act.

(b) Except as provided in subsection (a), the provisions of this Act shall take effect on whichever of the following days is the earlier: The day after the day upon which the Secretary of Defense first appointed takes office, or the sixtieth day after the date of the enactment of this Act.

Succession to the Presidency

Sec. 311. Paragraph (1) of subsection (d) of section 1 of the Act entitled "An Act to provide for the performance of the duties of the office of President in case of the removal, resignation, death, or inability both of the President and Vice President", approved July 18, 1947, is amended by striking out "Secretary of War" and inserting in lieu thereof "Secretary of Defense", and by striking out "Secretary of the Navy,".

TITLE IV [new; Title IV added to National Security Act]

Promotion of Economy and Efficiency Through Establishment of Uniform Budgetary and Fiscal Procedures and Organizations

Comptroller of Department of Defense

Sec. 401. (a) There is hereby established in the Department of Defense the Comptroller of the Department of Defense, who shall be one of the Assistant Secretaries of Defense.

(b) The Comptroller shall advise and assist the Secretary of Defense in performing such budgetary and fiscal functions as may be required to carry out the powers conferred upon the Secretary of Defense by this Act, including but not limited to those specified in this subsection. Subject to the authority, direction, and control of the Secretary of Defense, the Comptroller shall—

(1) supervise and direct the preparation of the budget estimates of the Department of Defense; and

(2) establish, and supervise the execution of—

(A) principles, policies, and procedures to be followed in connection with organizational and administrative matters relating to—

(i) the preparation and execution of the budgets,

(ii) fiscal, cost, operating, and capital property accounting,

(iii) progress and statistical reporting,

(iv) internal audit, and

(B) policies and procedures relating to the expenditure and collection of funds administered by the Department of Defense; and

(3) establish uniform terminologies, classifications, and procedures in all such matters.

Military Department Budget and Fiscal Organization-Departmental Comptrollers

Sec. 402. (a) The Secretary of each military department, subject to the authority, direction, and control of the Secretary of Defense, shall cause budgeting, accounting, progress and statistical reporting, internal audit and administrative organization structure and managerial procedures relating thereto in the department of which he is the head to be organized and conducted in a manner consistent with the operations of the Office of the Comptroller of the Department of Defense.

(b) There is hereby established in each of the three military departments a Comptroller of the Army, a Comptroller of the Navy, or a Comptroller of the Air Force, as appropriate in the department concerned. There shall, in each military department, also be a Deputy Comptroller. Subject to the authority of the respective departmental Secretaries, the comptrollers of the military departments shall be responsible for all budgeting, accounting, progress and statistical reporting, and internal audit in their respective departments and for the administrative organization structure and managerial procedures relating thereto. The Secretaries of the military departments may, in their discretion, appoint either civilian or military personnel as comptrollers of the military departments. Departmental comptrollers shall be under the direction and supervision of, and directly responsible to, either the Secretary, the Under Secretary, or an Assistant Secretary of the respective military departments: PROVIDED, That nothing herein shall preclude the comptroller from having concurrent responsibility to a Chief of Staff or a Chief of Naval Operations, a Vice Chief of Staff or a Vice Chief of Naval Operations, or a Deputy Chief of Staff or a Deputy Chief of Naval Operations, if the Secretary of the military department concerned should so prescribe. Where the departmental comptroller is not a civilian, the Secretary of the department concerned shall appoint a civilian as Deputy Comptroller.

Performance Budget

Sec. 403. (a) The budget estimates of the Department of Defense shall be prepared, presented, and justified, where practicable, and authorized programs shall be administered, in such form and manner as the Secretary of Defense, subject to the authority and direction of the President, may determine, so as to account for, and report, the cost of performance of readily identifiable functional programs and activities, with segregation of operating and capital programs. So far as practicable, the budget estimates and authorized programs of the military departments shall be set forth in readily comparable form and shall follow a uniform pattern.

(b) In order to expedite the conversion from present budget and accounting methods to the cost-of-performance method prescribed in this title, the Secretary of each military department, with the approval of the President and the Secretary of Defense, is authorized and directed, until the end of the second year following the date of enactment of this Act, to make such transfers and adjustments within the military department of which he is the head between appropriations available for obligation by such department in such manner as he deems necessary to cause the obligation and administration of funds and the reports of expenditures to reflect the cost of performance of such programs and activities. Reports of transfers and adjustments made pursuant to the authority of this subsection shall be made currently by the Secretary of Defense to the President and the Congress.

Obligation of Appropriations

Sec. 404. In order to prevent overdrafts and deficiencies in any fiscal year for which appropriations are made, on and after the beginning of the next fiscal year following the date of enactment of this Act, appropriations made to the Department of Defense or to the military departments, and reimbursements thereto, shall be available for obligation and expenditure only after the Secretary of Defense shall approve scheduled rates of obligation, or modifications thereof; PROVIDED, That nothing in this section shall affect the right of the Department of Defense to incur such deficiencies as may be now or hereafter authorized by law to be incurred.

Working-Capital Funds

Sec. 405. (a) In order more effectively to control and account for the cost of programs and work performed in the Department of Defense, the Secretary of Defense is authorized to require the establishment of working-capital funds in the Department of Defense for the purpose of—

(1) financing inventories of such stores, supplies, materials, and equipment as he may designate; and

(2) providing working capital for such industrial-type activities, and for such commercial-type activities as provide common services within or among the departments and agencies of the Department of Defense, as he may designate.

(b) The Secretary of the Treasury is authorized and directed to establish on the books of the Treasury Department at the request of the Secretary of Defense the working-capital funds established pursuant to the authority of this section.

(c) Such funds shall be—

(1) charged, when appropriate, with the cost of stores, supplies, materials, and equipment procured or otherwise acquired, manufactured, repaired, issued and consumed and of services rendered or work performed, including applicable administrative expenses; and

(2) reimbursed from available appropriations or otherwise credited for the cost of stores, supplies, materials, or equipment furnished and of services rendered or work performed, including applicable administative expenses.

Reports of the condition and operations of such funds shall be made annually to the President and to the Congress.

(d) The Secretary of Defense is authorized to provide capital for such working-capital funds by capitalizing inventories on hand and, with the approval of the President, by transfer, until December 31, 1954, from

unexpended balances of any appropriations of the military departments not carried to the surplus fund of the Treasury: PROVIDED, That no deficiency shall be incurred in any such appropriation as a result of any such transfer. To the extent that such methods do not, in the determination of the Secretary of Defense, provide adequate amounts of working capital, there is hereby authorized to be appropriated, out of any moneys in the Treasury not appropriated for other purposes, such sums as may be necessary to provide adequate working capital.

(e) Subject to the authority and direction of the Secretary of Defense, the Secretaries of the military departments shall allocate responsibility within their respective military departments for the execution of functions which each military department is authorized by law to perform in such a manner as to effect the most economical and efficient organization and operation of the activities and use of the inventories for which working-capital funds are authorized by this section.

(f) No greater cost shall be incurred by the requisitioning agency for stores, supplies, materials, or equipment drawn from inventories, and for services rendered or work performed by the industrial-type or commercial-type activities for which working-capital funds are authorized by this section, than the amount of appropriations or funds available for such purposes.

(g) The Secretary of Defense is authorized to issue regulations to govern the operation of activities and use of inventories authorized by this section, which regulations may, whenever he determines the measures set forth in this subsection to be required by the needs of the Department of Defense, and when such measures are authorized by law, permit stores, supplies, materials, and equipment to be sold to, and services to be rendered or work performed for, purchasers or users outside the Department of Defense. In such cases, the working-capital funds involved may be reimbursed by charges against appropriate appropriations or by payments received in cash.

(h) The appraised value of all stores, supplies, materials, and equipment returned to such working-capital funds from any department, activity, or agency, may be charged to the working-capital fund concerned and the proceeds thereof shall be credited to the current appropriations concerned; the amounts so credited shall be available for expenditures for the same purposes as the appropriations credited: PROVIDED, That the provisions of this subsection shall not permit credits to appropriations as the result of capitalization of inventories authorized by subsection (d) of this section.

Management Funds

Sec. 406. The Act of July 3, 1942 (56 Stat. 645, c. 484), as amended, is hereby further amended to read as follows:

"(a) For the purpose of facilitating the economical and efficient conduct of operations in the Department of Defense which are financed by two or more appropriations where the costs of the operations are not susceptible of immediate distribution as charges to such appropriations, there are hereby established the Navy Management Fund, the Army Management Fund, and the Air Force Management Fund, each within, and under the direction of the respective Secretaries of the Departments of the Navy, Army, or Air Force, as the case may be. There are authorized to be appropriated from time to time such funds as may be necessary to accomplish the purposes of the funds.

"(b) The corpus of the Navy Management Fund shall consist of the

sum of $1,000,000 heretofore transferred to the Naval Procurement Fund from the Naval Emergency Fund (17X0300), which amount, and all balances in, and obligations against, any accounts in the Naval Procurement Fund, are hereby transferred to the Navy Management Fund; the corpus of the Army Management Fund shall consist of the sum of $1,000,000, which shall be transferred thereto from any unobligated balance of any appropriation available to the Department of the Army; the corpus of the Air Force Management Fund shall consist of the sum of $1,000,000, which shall be transferred thereto from any unobligated balance of any appropriation available to the Department of the Air Force; in each case together with such additional funds as may from time to time be appropriated to any of said funds. Accounts for the individual operations to be financed under the respective management funds shall be established only upon approval by the Secretary of Defense.

"(c) Expenditures may be made from said management funds from time to time for material (other than material for stock) and for personal and contractual services under such regulations as may be prescribed by the Secretary of Defense: PROVIDED, (1) That no obligation shall be incurred against any such fund which is not properly chargeable to available funds under an appropriation of the department within which the fund is established, or, whenever necessary to effectuate purposes authorized by this Act to funds of another department or agency within the Department of Defense, and (2) that each fund shall be promptly reimbursed from the appropriate appropriations of such department for all expenditures properly chargeable thereto. Nothing herein or in any other provision of law shall be construed to prevent advances by check or warrant, or reimbursements to any of said management funds from appropriations of said departments on the basis of the estimated cost of a project, such estimated cost to be revised and necessary appropriation adjustments made when adequate data become available.

"(d) Except as otherwise provided by law, amounts advanced to the management funds under the provisions of this Act shall be available for obligation only during the fiscal year in which they are advanced: PROVIDED, That nothing contained in this Act shall alter or limit the authorized period of availability of the funds from which such advances are made. Final adjustments of advances in accordance with actual costs shall be effected with the appropriate funds for the fiscal year in which such funds are advanced.

"(e) The portion of the Naval Appropriation Act, 1945 (58 Stat. 301, 310), relating to the Naval Procurement Fund is hereby repealed."

Adjustment of Accounts

Sec. 407. (a) When under authority of law a function or an activity is transferred or assigned from one department or agency within the Department of Defense to another such department or agency, the balances of appropriations which are determined by the Secretary of Defense to be available and necessary to finance or discharge the function or activity so transferred or assigned may, with the approval of the President, be transferred to, and be available for use by, the department or agency to which said function or activity is transferred or assigned for any purpose for which said funds were originally available. Balances so transferred shall be credited to any applicable existing appropriation account or ac-

counts, or to any new appropriation account or accounts, which are hereby authorized to be established on the books of the Treasury Department, of the department or organization to which such function or activity is transferred, and shall be merged with funds in the applicable existing or newly established appropriation account or accounts and thereafter accounted for as one fund. Balances transferred to existing accounts shall be subject only to such limitations as are specifically applicable to such accounts and those transferred to new accounts shall be subject only to such limitations as are applicable to the appropriations from which they are transferred.

(b) The number of employees which in the opinion of the Secretary of Defense is required for such transferred functions or activities may, with the approval of the Director of the Bureau of the Budget, be deducted from any personnel maximum or limitation of the department or agency within the Department of Defense from which such function or activity is transferred, and added to any such personnel maximum or limitation of the department or agency to which such function or activity is transferred.

Availability of Reimbursements

Sec. 408. To carry out the purposes of this Act, reimbursements made under the authority of the Economy Act (31 U.S.C. 686), and sums paid by or on behalf of personnel of any department or organization for services rendered or supplies furnished, may be credited to authorized replacing or other accounts. Funds credited to such accounts shall remain available for obligation for the same period as the funds in the account so credited and each such account shall constitute one fund on the books of the Treasury Department.

Common Use of Disbursing Facilities

Sec. 409. To the extent authorized by the Secretary of Defense, disbursing officers of the Departments of the Army, Navy, and Air Force may, out of accounts of advances available to them, make disbursements covering obligations arising in connection with any function or activity of any other department or organization within the Department of Defense and charge upon vouchers the proper appropriation or appropriations of the other department or organization: PROVIDED, That all said expenditures shall subsequently be adjusted in settlement of disbursing officers' accounts.

Reports of Property

Sec. 410. The Secretary of Defense shall cause property records to be maintained in the three military departments, so far as practicable, on both a quantitative and monetary basis, under regulations which he shall prescribe. Such property records shall include the fixed property, installations, and major items of equipment as well as the supplies, materials, and equipment held in store by the armed services. The Secretary shall report annually thereon to the President and to the Congress.

Repealing and Saving Provisions

Sec. 411. All laws, orders, and regulations inconsistent with the provisions of this title are repealed insofar as they are inconsistent with the powers, duties, and responsibilities enacted hereby: PROVIDED, That the powers, duties, and responsibilities of the Secretary of Defense under this title shall be administered in conformance with the policy and require-

ments for administration of budgetary and fiscal matters in the Government generally, including accounting and financial reporting, and that nothing in this title shall be construed as eliminating or modifying the powers, duties, and responsibilities of any other department, agency, or officer of the Government in connection with such matters, but no such department, agency, or officer shall exercise any such powers, duties, or responsibilities in a manner that will render ineffective the provisions of this title.

* * * * *

NOTE—The following, although not amendments to any particular sections of the National Security Act of 1947, are pertinent:

Sec. 12 (f), Public Law 216, 81st Cong., August 10, 1949. The titles of the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Under Secretaries and the Assistant Secretaries of the Departments of the Army, Navy, and Air Force, the Chairman of the Munitions Board, and the Chairman of the Research and Development Board, shall not be changed by virtue of this Act, and the reappointment of the officials holding such titles on the effective date of this Act shall not be required. It is hereby declared to be the intention of Congress that section 203 (a) of the National Security Act of 1947, as amended by section 6 of this Act, shall not be deemed to have created a new office of Deputy Secretary of Defense but shall be deemed to have continued in existence, under a new title, the Office of Under Secretary of Defense which was established by the Act entitled "An Act to amend the National Security Act of 1947 to provide for an Under Secretary of Defense", approved April 2, 1949 (Public Law 36, Eighty-first Congress). The title of the official holding, the office of Under Secretary of Defense on the effective date of this Act shall be changed to Deputy Secretary of Defense and the reappointment of such official shall not be required.

Sec. 12 (g), Public Law 216, 81st Cong., August 10, 1949. All laws, orders, regulations, and other actions relating to the National Military Establishment, the Departments of the Army, the Navy, or the Air Force, or to any officer or activity of such establishment or such departments, shall, except to the extent inconsistent with the provisions of this Act, have the same effect as if this Act had not been enacted; but, after the effective date of this Act, any such law, order, regulation, or other action which vested functions in or otherwise related to any officer, department, or establishment, shall be deemed to have vested such function in or relate to the officer or department, executive or military, succeeding the officer, department, or establishment in which such function was vested. For purposes of this subsection the Department of Defense shall be deemed the department succeeding the National Military Establishment, and the military departments of Army, Navy, and Air Force shall be deemed the departments succeeding the Executive Departments of Army, Navy, and Air Force.

Sec. 12 (i), Public Law 216, 81st Cong., August 10, 1949. Reorganization Plan Numbered 8 of 1949, which was transmitted to the Congress by the President on July 18, 1949, pursuant to the provisions of the Reorganization Act of 1949, shall not take effect, notwithstanding the provisions of section 6 of such Reorganization Act of 1949.

Source: For the organization chart, see:

Office of Secretary of Defense Records, 1949, in National Archives, Washington, D.C.

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10. Major Proposals for Amending The National Security Act of 1947.

This tabulation lists in concise form, under the headings of four major proposals for amending the National Security Act of 1947, including Public Law 216, August 10, 1949 (the amendments), brief summaries of 11 important problem areas common to or dealt with in most of the proposals.

MAJOR PROPOSALS FOR AMENDING THE NATIONAL SECURITY ACT OF 1947

Problem Areas	I P.L. 253 26 July 1947	II *Hoover Commission* 15 February 1949
1. National Security Council	National Security Council composed of the President, the Secretaries of State, Defense, Army, Navy, and Air Force, the Chairman of the National Security Resources Board, and such other officers as the President *may designate.*	*Membership of the Secretaries* of Army, Navy, and Air Force abolished.
2. National Military Establishment	Secretary of Defense, as head of the National Military Establishment, lacks powers traditionally vested in the head of an "executive department."	The National Military Establishment to continue as an "establishment," but with full authority centered in the Secretary of Defense, subject only to the President and the Congress.
3. Authority of Secretary of Defense	Secretary of Defense, as principal assistant to the President in matters relating to national security, to establish general policies and programs; exercise general direction, authority, and control; eliminate unnecessary duplication and overlapping; supervise and coordinate budget estimates and supervise budget programs.	Secretary of Defense to have full authority and responsibility for direction of the administration of the military departments with all administrative authority centered in him, subject only to the authority of the President.
4. Staff Assistants for the Secretary of Defense	Three special assistants and military assistants, *but no military staff.*	Establish positions for an Under Secretary and 3 Assistant Secretaries and empower the Secretary of Defense to set up such personal assistants as he shall require.
5. Chairman of Joint Chiefs of Staff	None.	Establish a Chairman of the JCS, to be appointed by the Secretary of Defense with Presidential approval, to preside over JCS meetings and to represent, and report to, the Secretary of Defense.
6. Joint Chiefs of Staff	The JCS, subject to authority and direction of the President and the Secretary of Defense, to perform specified statutory duties and act as principal military advisers to the President and the Secretary of Defense.	No change.

III S. 1269 16 March 1949	IV S. 1843 26 May 1949	V P.L. 216 10 August 1949
As under II.	As under II, but with Vice President added as a regular member.	As under IV.
National Military Establishment to become an executive Department of Defense.	As under III.	As under III.
Secretary of Defense to exercise full, rather than "general" direction, authority, and control, but not to reassign the combatant functions assigned to the military departments.	As under III, but adding limitation of not making transfers, details, or assignments of military personnel substantially affecting or changing the assigned combatant functions.	As under III, with the Secretary of Defense to be principal assistant to the President in all matters relating to the Department of Defense, rather than to "national security." Listing of specific "unification" duties eliminated.
As under II.	Deputy Secretary of Defense with precedence over the Secretaries of the military departments and 3 special assistants.	As under IV, except 3 special assistants to be replaced by 3 Assistant Secretaries, 1 of whom to be designated Comptroller.
Establish position of Chairman, appointed by President, to be "head" of the JCS and to perform such other duties as the President and the Secretary of Defense may direct.	As under III, but specify that the Chairman shall have no "vote."	As under IV, but Chairman called "presiding officer" to provide agenda for JCS meetings, assist JCS to prosecute their business as promptly as practicable, and to inform the Secretary of Defense of issues not agreed upon.
The JCS to perform such duties as the Secretary of Defense may direct. The Chairman of the JCS to be the principal military adviser to the President and the Secretary of Defense.	Duties of JCS specified by statute, rather than determined by the Secretary of Defense.	JCS, with statutory duties, to be principal military advisers to the President, the National Security Council, and the Secretary of Defense and possessing statutory right to present to the Congress, after first informing the Secretary of Defense, any recommendation deemed proper.

MAJOR PROPOSALS FOR AMENDING THE NATIONAL SECURITY ACT OF 1947

Problem Areas	*I* P.L. 253 26 July 1947	*II* Hoover Commission 15 February 1949
7. Joint Staff	Joint Staff, under a Director appointed by the JCS, not to exceed 100 officers.	No comment, but Eberstadt Task Force recommended moderate increase in number of officers on the Joint Staff.
8. Munitions Board and Research and Development Board	Chairmen appointed by the President, and statutory duties vested in the Boards rather than the Chairmen. Munitions Board to function "in support of strategic and logistic plans prepared by the JCS."	Full authority for procurement and management of supplies to be vested in the Secretary of Defense. Eberstadt Task Force recommended giving the Chairmen of the Boards more powers of decision.
9. Departments of Army, Navy, and Air Force	Departments administered as individual executive departments within the National Military Establishment, retaining all powers and duties not specifically conferred upon the Secretary of Defense and with their Secretaries having the statutory right to present to the President or the Director of the Budget any report relating to their departments.	Secretaries of military departments to be designated as Under Secretaries for Army, Navy, and Air Force with all statutory authority vested in these departments to be granted directly to the Secretary of Defense. Secretaries to lose the privilege of appeal over the head of the Secretary of Defense.
10. Budgetary and Fiscal Procedures	The Secretary of Defense to supervise and coordinate the preparation of budget estimates, to formulate and determine the budget estimates for submittal, and to supervise the budget programs of the departments and agencies comprising the National Military Establishment.	The Secretary of Defense, with full powers over the preparation of the budget and expenditures, to establish a "performance" type budget and uniform budgetary and accounting practices throughout the military establishment. Eberstadt Task Force recommended the establishment of a Comptroller in the Office of the Secretary of Defense and in each military department.
11. Personnel	The Secretary of Defense to appoint such civilian personnel as necessary for performance of the functions of the National Military Establishment except personnel of the Departments of the Army, Navy, and Air Force.	Secretary of Defense to establish uniform personnel policies for civilian and military personnel throughout the military establishment with emphasis on an integrated system of military personnel administration, military education, training, recruitment, promotion, and transfers among the military Services.

(continued)

III S. 1269 16 March 1949	IV S. 1843 26 May 1949	V P.L. 216 10 August 1949
Remove limitation on number of officers on the Joint Staff, the Director of which is to be appointed by the Secretary of Defense.	Number of officers on Joint Staff to be increased to 210 and the Director to be appointed by the JCS with the approval of the Secretary of Defense.	As under IV, except that appointment of Director is not necessarily with the approval of the Secretary of Defense.
The Boards or, at the discretion of the Secretary of Defense, their Chairmen to perform such duties as the Secretary of Defense may direct. Chairmen to be appointed by the Secretary of Defense rather than the President.	As under III, but with Chairmen appointed by the President and Munitions Board's functions to be "in support of strategic and logistic plans and in consonance with guidance . . . provided by the JCS."	As under IV, but Chairmen to have powers of decision.
Change status from "executive" to "military" departments and eliminate provision that powers not specifically conferred upon the Secretary of Defense shall be retained by the military Secretaries as well as their statutory right to present reports directly to the President and the Bureau of the Budget.	As under III.	As under III, except that the Secretaries of the military departments are authorized to present recommendations, after first informing the Secretary of Defense, to the Congress rather than, as originally, to the President and the Bureau of the Budget.
Secretary of Defense to perform the usual functions assigned to a head of an executive department by the Budget and Accounting Act of 1921.	Establishment of uniform budgetary and fiscal procedures, administered by Comptrollers in the Office of the Secretary of Defense and the military departments, outlined in detail in a new "Title IV" added to the National Security Act.	As under IV.
Secretary of Defense to be authorized to appoint civilian personnel for the entire Department of Defense without exception of military departments.	As under III.	As under I.

III. Reorganization Plan No. 6 of 1953

Sequence of Major Events

1. The National Security Organization—1949–52. Only relatively minor changes were made in the National Security Act during this period as major attention was focused on the rebuilding of military strength to meet aggression in Korea and other parts of the world.

2. Secretary Lovett's Letter—18 November 1952. At the President's request, the outgoing Secretary of Defense analyzed the Department's organizational shortcomings.

3. The Rockefeller Committee—11 February–11 April 1953. The Committee recommended, and the Secretary of Defense approved, changes in the organization of the Department intended to enable it to operate more effectively and efficiently under the direction of the Secretary of Defense and to provide maximum security at minimum cost.

4. President Eisenhower's Message—30 April 1953. The President endorsed the suggestions made by the Rockefeller Committee and transmitted his own recommendations to the Congress with Reorganization Plan No. 6.

5. Reorganization Plan No. 6 (effective 30 June 1953). This reorganization became effective 60 days after its transmittal when neither House of the Congress took unfavorable action on the proposed changes.

III.
Reorganization Plan No. 6 of 1953

1. The National Security Organization—1949–52.

The organization of the Department of Defense, as established by the 1949 amendments, was in effect less than a year when the Korean hostilities shifted attention from organizational problems to rebuilding the military strength of the United States. (For organization of Office of Secretary of Defense in May 1950, see Chart 10.) Such changes as were made in the National Security Act during the Korean War years were in response to immediate problems or were of relatively minor importance:

a. The salaries of the statutory officers mentioned in the act were increased by Public Law 359, 81st Congress, 15 October 1949 (63 Stat. 880).

b. The inter-Service transfer of medical officers by the Secretary of Defense, subject to the consent of the officer and the military Services concerned, was authorized by Section 3 of Public Law 779, 81st Congress, 9 September 1950 (64 Stat. 828).

c. The appointment of General of the Army George C. Marshall as Secretary of Defense, contrary to the provision "that a person who has within 10 years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible," was authorized by Public Law 788, 81st Congress, 18 September 1950 (64 Stat. 853).

d. The authority of the Chief of Staff, U.S. Air Force, was defined more specifically by the Air Force Organization Act of 1951, Public Law 150, 82nd Congress (65 Stat. 333), which amended one sentence of subsection 208 (b) of the National Security Act of 1947, as amended, to read as follows, with new wording in bold face type and former wording in italics within brackets:

> Under the direction of the Secretary of the Air Force, the Chief of Staff, United States Air Force, shall exercise command over **the air defense command, the strategic air command, the tactical air command and such other major commands as may be established by the Secretary under section 308 (b) of the Air Force Organization Act of 1951, and shall have supervision over all other members and organizations of the Air Force,** [*the United States Air Force*] and shall be charged with the duty of carrying into execution all lawful orders and directions which may be transmitted to him.

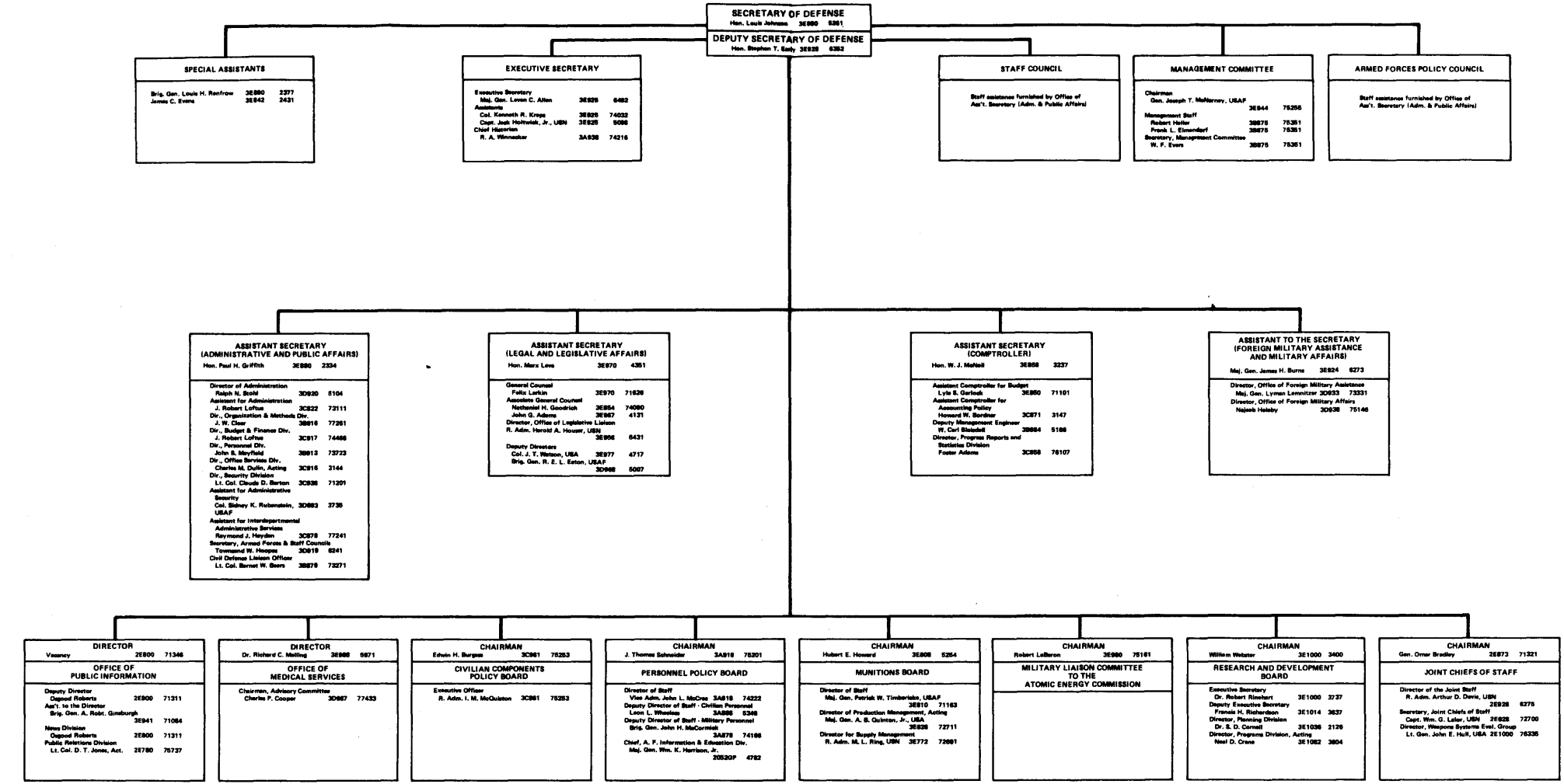
e. The Commandant of the Marine Corps was authorized by Public Law 416, 82nd Congress, 28 June 1952 (66 Stat. 282) to meet with the Joint Chiefs of Staff, having coequal status with the other members, whenever any matter of concern to the Marine Corps would be under consideration. The same act also amended Section 206 (c) of the National Security Act of 1947 by introducing specific language on the composition .and authorized strength of the Marine Corps.

f. A Defense Supply Management Agency, to develop a single catalog

CHART 10

OFFICE OF SECRETARY OF DEFENSE

23 MAY 1950



system and a related supply standardization program, was established by Public Law 436, 82nd Congress, 1 July 1952 (66 Stat. 318).

g. The position of Director of Installations, to maintain direct surveillance over the planning and construction by the military departments of all public works projects, was established by Section 408 of Public Law 534, 82nd Congress, 14 July 1952 (66 Stat. 625).

h. Legislation enacted during the years 1949–52 concerning the National Security Act, as amended, but not directly affecting the Department of Defense dealt with: (1) The National Security Council, which was formally located in the Executive Office of the President by Reorganization Plan No. 4 of 1949, effective 20 August 1949 (63 Stat. 1067); (2) the Director of Mutual Security, who became a member of the National Security Council by Public Law 165, 81st Congress, 10 October 1951 (65 Stat. 373); and (3) the National Security Resources Board, which was formally located in the Executive Office of the President by Reorganization Plan No. 4 of 1949, effective 20 August 1949 (63 Stat. 1067), and the functions of which were transferred from the Board to the Chairman by Reorganization Plan No. 25 of 1950, effective 9 July 1950 (64 Stat. 1280). Reorganization Plan No. 25 of 1950 also provided for a Vice Chairman of the Board.

Source: For the organization chart, see:
Office of Secretary of Defense Records, 1950, National Archives, Washington, D.C.

2. Secretary Lovett's Letter—18 November 1952.

An analysis of the strengths and weaknesses of the organization of the Department of Defense was made by Secretary of Defense Robert A. Lovett in a letter to President Truman dated 18 November 1952, and released on 8 January 1953. For the organization of the Office of the Secretary of Defense as of 15 October 1952, see Chart 11.

Source: For the organization chart, see:
Office of Secretary of Defense Records, 1952, National Archives, Washington, D.C.

November 18, 1952

Dear Mr. President:

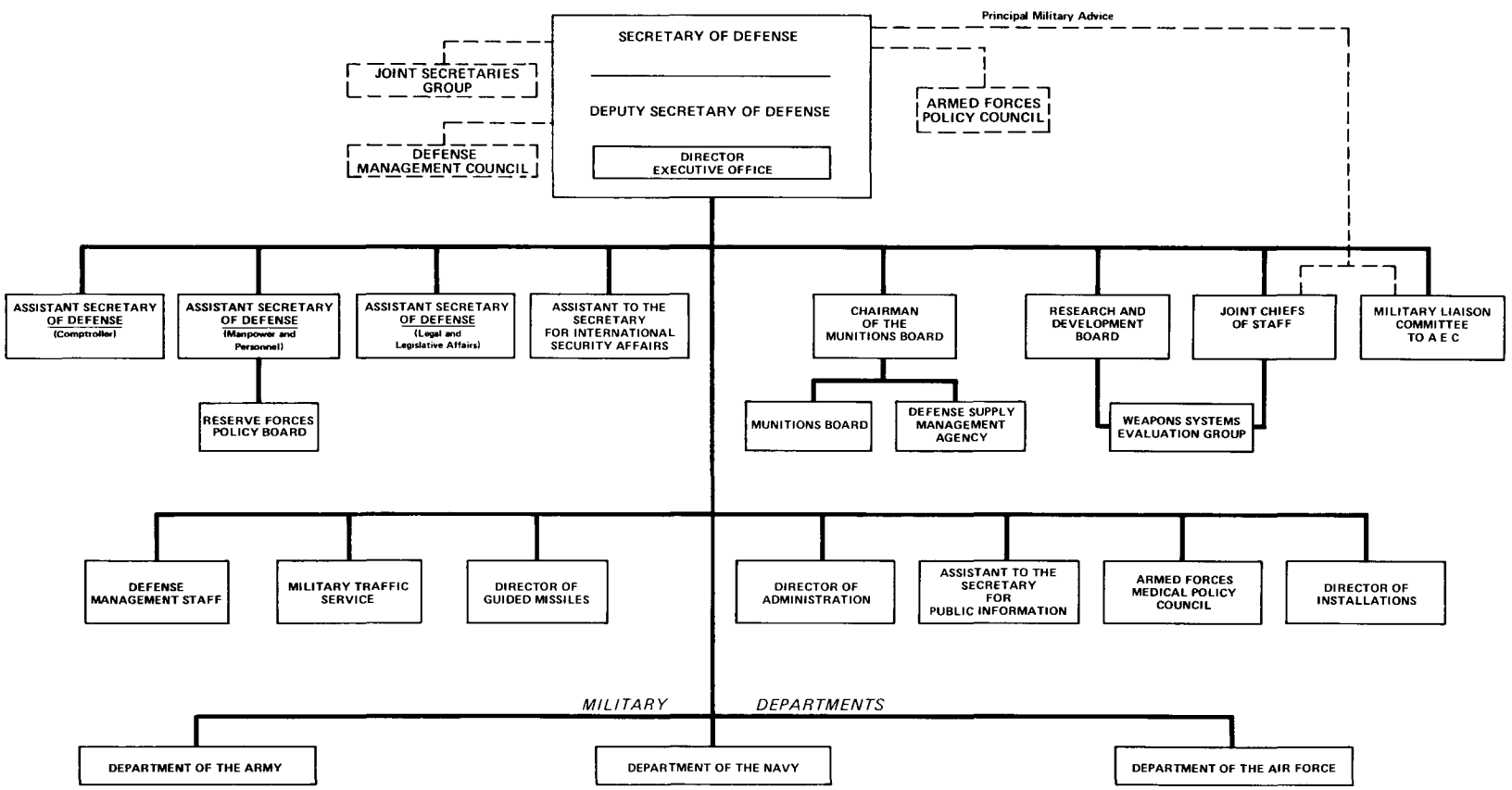
Some months ago in connection with a discussion of means by which my successor could be provided with a running-start on certain of the administrative and operational policy problems in the Department of Defense, you suggested that I write you an informal letter indicating subjects or general areas where work already begun might be profitably continued by the new administration. You mentioned that what was wanted was a paper which would express my personal observations and that its form need not be that of a properly coordinated staff study but could be more in the nature of a series of notes which might be expanded in conversation or by reference to Department of Defense files if the subject appeared interesting or helpful.

Accordingly, I am setting out below a series of notes on a variety of subjects in which the Office of the Secretary of Defense has or should have special concern. I will try to make them as brief as possible, but one or two

CHART 11

OFFICE OF SECRETARY OF DEFENSE

15 OCTOBER 1952



Approved _____
Secretary of Defense

of the points discussed are so controversial that they will need some moderate, factual expansion here.

At the outset it would perhaps be well to state in very broad terms my own general feeling about civilian-military relationships, with a word in passing on the quality of our professional military personnel and their permanent civilian counterparts. This will permit anyone who may read this letter to take into account some of my personal beliefs so that he may adjust for them.

In my opinion, the quality of our professional military officers and the permanent civilian staff is remarkably high. It compares very favorably with any large industrial organization of its approximate size, complexity and wide range of functions. I have great respect and affection for our professional military men and having had an opportunity of seeing them both at the council table and in the field, I know of no country more fortunately situated in this respect than ours.

The permanent civilian staff, consisting mainly of specialists in numerous fields and administrative personnel, has shown faithfulness, reliability and a sense of responsibility of the highest order. In technical, financial and industrial matters I have great regard for their competence and I feel that they provide about the only continuity in the over-all Military Establishment.

Since "unification" is necessarily evolutionary, improvements should be made as experience is gained. Neither the framers of the National Security Act nor any of the Secretaries of Defense can see very far into the future, and while much has been accomplished, much remains to be done in order to provide a more efficient and economical form of national security.

(1) General

(a) The primary purpose of the Department of Defense is, of course, to protect and defend this country. This duty may involve fighting a war. If this becomes necessary, the duty of the Department of Defense is to fight a successful war.

Our objective, however, is to avoid war, if possible. An adequate force, ready for immediate defense and prompt retaliation against any aggressor, serves as a deterrent to a potential enemy. The better equipped the Department of Defense is to fight, the better it serves its role of a deterrent to war.

(b) In the event of war, an essential job of the Secretary of Defense and his colleagues, both military and civilian, will involve "distributing shortages" among Army, Navy, and Air Force. Based on past experience, these shortages will involve manpower in bulk and critical occupational specialty; materiel in all its forms; land, water and air transportation; communications facilities; funds; industrial and military facilities and so forth.

(c) Under the present Act, and in the event of war, I believe that the present system of controls provided in the legislation for the exercise of authority by the Secretary of Defense, in some areas, will prove to be inadequate. This is so because one of the principal elements of control lies through the budget process, the dollar being the single common-denominator of all requirements. This is, of course, supplemented by control of manpower in bulk although military manpower ceilings for all three Services are currently set by the President and by the Congress.

In the event of war, the dollar control will become especially weak and I believe that better controls must be provided. Some of these will be touched on later in this letter.

(d) The present National Security Act, as amended, requires the Secretary of Defense to make use of inter-service Committees for much of his "staff work" and prohibits him from having a military staff. In time of war, the Secretary of Defense would, therefore, find himself unable to handle the distribution of shortages in an efficient and direct fashion.

It would in these circumstances be necessary, I believe, to undertake a reorganization which would not only seriously disrupt the effective prosecution of the war but which could not even start until the necessary authority was secured from the Congress.

(e) I conclude, therefore, that we should not deliberately maintain a Department of Defense organization which in several parts would require drastic reorganization to fight a war. As I see it, this reorganization can be made in an orderly fashion under the present workload without too much difficulty.

A few of the more important areas requiring attention are mentioned below in paragraphs #2, #3 and #4.

(2) Secretary of Defense

The National Security Act of 1947, as amended in 1949, strikes a compromise in many important areas. It has the fault of all compromises and while the amendments materially improve the Act, there are still contradictions and straddles in it.

I believe that the position of the Secretary of Defense, in relationship to the President and the Joint Chiefs of Staff, could, with benefit, be clarified. The Act states that the Secretary of Defense is to be "the principal assistant to the President in all matters relating to the Department of Defense." Under the direction of the President and subject to the provisions of the Act, he has "direction, authority and control over the Department of Defense."

The Joint Chiefs of Staff, according to the Act, are "established within the Department of Defense" and shall be "the principal military advisers to the President, the National Security Council and the Secretary of Defense" and "subject to the authority and direction of the President and the Secretary of Defense," they shall perform certain specified duties.

The question is occasionally raised by legal beavers as to whether or not, in view of vagueness in the language of the Act, the Joint Chiefs of Staff are directly under the Secretary of Defense. In my experience with the Joint Chiefs of Staff this problem has not arisen, not only because of the attitude taken by the President but also that of the Joint Chiefs themselves.

While, in my opinion, the authority granted the Secretary of Defense is superior to any made to the Joint Chiefs of Staff, since he is "the principal assistant to the President in all matters relating to the Department of Defense," whereas the Joint Chiefs of Staff constitute an element "within the Department of Defense," it may be well to remove by legislative amendment this area of possible debate. If further clarification of the Act by legislation is not considered desirable, I am of the opinion that the President can clarify the matter by a simple directive.

Another problem which will be referred to in more detail under the notes dealing with the Munitions Board, arises out of possible confusion in the Act which provides that the three Military Departments shall be "separately administered," while at the same time providing that the Secretary of Defense shall be head of the Department of Defense which shall have within it the three Military Departments over which the Secretary of

Defense shall have "direction, authority and control." No great difficulties have been encountered because of this straddle, except in the field of supply, warehousing and issue, where certain ardent separatists occasionally pop up with the suggestion that the Secretary of Defense play in his own back yard and not trespass on their separately administered preserves. I feel that the Secretary of Defense clearly has authority to step in where necessary in these fields, provided he does not transfer, reassign, abolish or consolidate any of the "combatant functions assigned to the Military Services" by the Act.

However, to avoid a waste of time in arguments, it would be well, I think, to have this clarified definitively and I believe that it could be simply done by following the procedure already favorably acted upon in the case of other executive agencies through adoption of the recommendation of the "Committee on Organization" looking toward correcting the present diffusion of authority and diffusion of responsibility in certain executive departments. Under reorganization plans previously submitted to the Congress by the President, all functions of all other offices of a department and all functions of all agencies and employees of a department are transferred to the Secretary of the Department with exceptions, if necessary. The application of this approved procedure to the three Military Departments or the Department of Defense could neatly cure such questions and I believe it should be considered.

(3) Joint Chiefs of Staff

The statutory responsibilities of the Joint Chiefs of Staff indicate, in my opinion, one of the principal weaknesses of the present legislation. These weaknesses are common to the three Statutory Agencies placed in the Department of Defense, namely, the Joint Chiefs of Staff, the Munitions Board and the Research and Development Board. In consequence, some of the general observations regarding the problems of the Joint Chiefs of Staff are equally applicable to the Munitions Board and the Research and Development Board and some comments regarding the latter two are valid with respect to the Joint Chiefs of Staff.

In brief, the weaknesses stem from (1) excessively rigid statutory prescriptions of functions, (2) rigid statutory composition which makes the agency, in effect, an Interdepartmental Committee, and (3) the requirements in the statute that each agency perform functions inappropriate, if not actually impossible, for an Interdepartmental Committee to perform efficiently and expeditiously.

One of the most important issues which was compromised in the National Security Act, as amended in 1949, is the position of the Joint Chiefs of Staff. I do not consider the present organization adequate, not only because it leaves certain responsibilities obscure but also because in its present form it does not provide the type of military guidance needed if the full benefits of unification are to be attained.

The problem of the proper set-up of the Joint Chiefs of Staff is the most difficult and delicate one in the field of our national defense structure since it involves the striking of a proper balance between civilian and military control. It is clear that overall "civilian control" is essential and that it is fundamental to our form of government. Yet civilian judgment must be based on adequate military advice given by professional military men in an atmosphere as free as possible from service rivalries and service maneuvering.

The President, the National Security Council, the Secretary of Defense and the three Service Secretaries clearly must have proper military advice. On the other hand, they should not, in my opinion, attempt to conduct military operations and they should avoid hampering the military in carrying out their specialized functions assigned to them by law. The most effective work which the civilian Secretaries can do lies, as I see it, in the establishment of policies under the guidance of the President, as Commander-in-Chief, and in the exercise of direction, authority and control of the Military Departments themselves.

(a) By their very makeup it is extremely difficult for the Joint Chiefs of Staff to maintain a broad non-service point of view. Since they wear two hats—one as Chief of an Armed Service and the other as a member of the Joint Chiefs, it is difficult for them to detach themselves from the hopes and ambitions of their own Service without having their own staff feel that they are being let down by their Chief. The maintenance of an impartial, nonpartisan position becomes increasingly difficult in times of shortage of either men, money or material. In fact, it is remarkable that the form of organization currently in being has worked so well and it is, I think, a tribute to the quality of the individuals involved.

It is extremely difficult for a group composed of the Chiefs of the three Military Departments and charged, with the exception of the Chairman, with heavy responsibilities placed upon them by law with respect to each individual Service (Army PL 518, 81st Congress; Navy PL 432, 80th Congress; Air Force PL 150, 82nd Congress) to decide matters involving the splitting of manpower, supplies, equipment, facilities, dollars, and similar matters.

(b) In over-simplified form, one of the major difficulties with the present Joint Chiefs of Staff organization is that they are grievously overworked as a result of the great volume of papers referred to them for their views. In consequence, they are too deeply immersed in day-to-day operations, frequently of an administrative character, to have adequate time to devote to their major responsibilities—the preparation of overall, joint and combined strategic plans, the development of logistic plans, the review of such plans in the light of the material and personnel situation and the effect of new weapons.

The problem mentioned in (b) above is aggravated by the fact that the Secretary of Defense has no military staff. In consequence, he must refer to the Joint Chiefs of Staff a vast amount of administrative and policy matters, unrelated to their main functions, since he has nowhere else to turn for the development of military facts or to draw on experienced military judgment.

Strangely enough, the fact that the Secretary of Defense is prohibited from having a staff is not generally realized. The prohibition, however, occurs in Section 203(a) which states specifically that officers of the Armed Services may be detailed to duty as assistants and personal aides to the Secretary of Defense, "but he shall not establish a military staff other than that provided for by Section 211(a) of this Act." The section referred to is the one which establishes the Joint Chiefs of Staff. In consequence, the Secretary of Defense has no alternative but to flood the Joint Chiefs of Staff with all sorts of papers originating in the three Military Departments, the statutory agencies and the other executive agencies of government and the Congressional Committees.

The reason for this provision is fairly clear in the legislative history

and is a derivative of the line of thinking which developed the compromises through fear of the establishment of an "Armed Forces General Staff" which was specifically prohibited by Section 2 of the Act. As a result of compromise and unnecessary apprehension, we have succeeded in making the Joint Chiefs of Staff a sort of clearing house for papers instead of having them occupy their rightful position and instead of leaving them adequate time for their great responsibilities.

On the point mentioned in (a) above, the fear of an "Armed Forces General Staff" again seems to have dominated our thinking. The broad national service point of view, as compared with the single service point of view, is not merely a problem of the individuals making up the Joint Chiefs of Staff, but is more likely in the Joint Staff which prepares the papers and submits the analyses and studies to the Joint Chiefs of Staff. This Staff, by law, consists of officers of approximately equal numbers from each of the three Armed Services. They are of relatively junior grades and their future careers and promotions lie in their separate services. It is not unnatural, therefore, that they should from time to time become the advocate of their own Service's point of view. There is, furthermore, a natural temptation to indulge in the indoor sport of "back-scratching." The Joint Chiefs of Staff have taken great precautions to prevent such occurrences, but until calculating machines replace humans in staff functions, the danger will, I believe, exist.

For the above reasons, among others, I feel that we should profit from the experiences we have had in the last two years under conditions of partial mobilization and warfare. A great deal of thought has been put on the problem and its solution. I am not sure that we have the right answer yet. On the other hand, I believe we can make an improvement in the setup and perhaps the new President and new Congress should consider some of the suggestions which could be made.

Based on experience so far, I believe that the problem might be solved by a reorganization along the lines of Alternate (I). A more radical, long-term possibility is indicated in Alternate (II) below:

(I)

(a) Re-define and clarify the functions of the Joint Chiefs of Staff so as to confine them exclusively to planning functions and the review of war plans in the light of new weapons and techniques, transferring the balance of the present military staff functions of the Joint Chiefs under (d) below.

(b) The Joint Chiefs of Staff should create a strong planning division which would constitute their principal staff.

(c) It should be clearly understood by legislative amendment if necessary that, in order to relieve them of certain of their individual operating responsibilities in their several military services, each Chief of Staff has very broad powers of delegation to his Vice Chief.

(d) The balance of the military staff functions should be transferred to the Office of the Secretary of Defense to provide him with a combined military-civilian staff. This staff would be responsible only to the Secretary of Defense, and through him to the President, and the efficiency ratings and promotions should be controlled by him. Adoption of a procedure similar to the method which the Army has long used to protect General Staff Corps officers would seem adequate. This would appear to involve an amendment to the Officer Personnel Act as presently in force. This staff

would aid the Secretary of Defense in acting upon such matters as resolving conflicts between Services and aid him in matters involving policies regarding budgets, procurement, logistics, manpower, personnel, intelligence, etc.

(e) The Joint Chiefs of Staff should not "operate" or "command", except in time of war and then "by direction." Unified commands should be established by the Secretary of Defense, with the advice of the Service Secretaries and the Joint Chiefs of Staff, and should be assigned to a Military Department as the Secretary of Defense's agent, if necessary, and not to a member of the Joint Chiefs of Staff in his other capacity as the Chief of a Service. Flexibility is required in this field in order to deal with different situations as they may exist. The Act currently makes possible the violation of the principle of civilian control by leaving it confused as to whether, in the case of unified commands, the theater commander reports to the Joint Chiefs of Staff or the Secretary of Defense. In my opinion, the Secretary of Defense, as the "principal assistant to the President in all matters relating to the Department of Defense" should, in effect, be the Deputy of the Commander-in-Chief and, therefore, any unified command should be established by him, report as directed by him, and similarly, receive orders by his direction.

Since any unified command has functions broader than a single Military Department, it would be well to review, as part of the study of the Joint Chiefs of Staff, the present directives of unified commands to disclose their strengths and weaknesses and to find ways to improve them, if necessary.

The above very condensed outline may serve to indicate certain steps which, by a mixture of legislation and administrative action, would, I think, substantially improve the present efficiency of the Military Establishment. They represent only indications of method, and the exploration of them should, in my opinion, be continued energetically in the hopes of arriving at a sound conclusion.

(f) The Chairman of the Joint Chiefs of Staff should be given a "vote." While the "voting" procedure is not normally used, the Act denies the Chairman a "vote." It is perfectly obvious that he will have, or should have, some opinion on the matters which come before the J.C.S. for discussion and it is unrealistic to assume that the Secretary of Defense will not ask his opinion or that he will not give it. The Chairman of the Joint Chiefs of Staff is the only member who is not directing a particular Service. He is the military officer to whom the President and the Secretary of Defense must look for the organization and evaluation of military judgment. He should not, however, be given the power of decision, which must remain in the President and the Secretary of Defense if civilian control is to be maintained. But the Chairman must be a participant in the discussions, looking toward unanimity of opinion on a course of action, or failing to get unanimity, he must identify the differences of opinion and submit the various points of view, together with his own, to the Secretary of Defense for decision.

(II)

An alternative approach which might provide a solution would require a series of evolutionary steps and the adoption of a system, all the implications of which I have not adequately thought out. It would involve a change in the make-up of the Joint Chiefs of Staff by having its membership consist of senior officers who have served as Chief of Staff of one of the three

Services and who immediately upon completion of such duty becomes a member of a Combined Staff. The divisions of this staff would consist of functional staffs of professional military officers in the field of strategic planning, logistic planning, military requirements and overall military policies. This group of officers would have a separate promotion system and would be accountable only to the Combined Staff, the Secretary of Defense and the President. There would be no single Chief of Staff and the Chairmanship might rotate. It must be recognized, however, that the concept of this staff appears to run contrary to the prohibition contained in the National Security Act of 1947 against an "Armed Forces General Staff." Under this form of organization, the Secretary of Defense would continue to need a staff of his own for the purposes indicated in (d) above.

The establishment of any unified staff along the above lines would require the development of a system to provide properly trained personnel. This process would take several years to develop and perfect, since it would seem to require additional specializations in certain scientific, technical and industrial fields.

It is my present opinion that this alternative approach, even if it should be found to be promising, involves too abrupt a change from the present system and that it might be disruptive. It would, in any event, require several years of preparation and careful study. I conclude, therefore, that the more moderate reorganization in Alternate (I) is preferable at this time.

(4) Munitions Board

This Statutory Board, with built-in rigidity under the existing Act, will not, in my opinion, be able to perform adequately in time of war the various functions presently assigned to it by statute. There are three principal inadequacies in its organization.

First, the membership of the Board, prescribed by law, compels three of the four members to sit as judges on their own requests and to pass on estimates of production, on schedules and on procurement and distributing systems for which they are each responsible in a separately administered Service. They are thus in the position of auditing themselves, consolidating themselves, and passing on their own plans. Even with the exercise by the Chairman of the power of decision delegated to him by the Secretary of Defense, the difficulty is not solved.

I believe that real flexibility in the makeup of the Board is needed and that the selection of the Board should be left to the Secretary of Defense in order to permit the inclusion of a number of men of broad industrial, engineering, scientific and general business background, as required.

Secondly, the military advisers of the Board and the military members of the Board's combined military and civilian staff can be subjected to pressure by their branch of the Service because of the control of fitness reports and promotions by their Services. While every effort is made to protect the officer in the exercise of his independent, professional judgment, many competent officers try to avoid this type of duty lest they be put in the position of serving merely as a watchman over the interests of their Service. This problem and its cure is about the same as in the Joint Staff.

Thirdly, the duties assigned to the Munitions Board by the Act are confused by the apparent emphasis on the planning aspects of procurement, production and distribution problems associated with industrial mobiliza-

tion, thereby permitting technical challenges of the validity of its decisions by doctrinaire proponents of "separate administration." This problem was briefly discussed in connection with the powers of the Secretary in paragraph (2) above.

The suggestion has been made that in the interest of clear lines of authority and responsibility, the Munitions Board be abolished and that its functions be transferred to the Secretary of Defense by an amendment to the existing statute which would, in addition, direct the Secretary to establish a Munitions Advisory Board. While the present powers of the Secretary of Defense are adequate, in my opinion, to appoint an Advisory Board without specific authorization, it might be well to mention this area of activities in any amended legislation. Under this approach to the problem, the Chairman of the Munitions Board should be replaced by an additional Assistant Secretary of Defense.

The cure for the problems presented by the rigidity of organization and over-specification of functions of the Munitions Board and the Research and Development Board, which suffers from similar ills, does not appear to be difficult. It does, however, require legislative action to permit the administrative reorganization.

(5) Organization of the Armed Services

The organizations of the Army, Navy and Air Force are all different. The responsibilities and authorities of the Chiefs of Staff of the three Services differ. Their present organization follows a pre-unification pattern and some parts are fixed by law while others are not.

It would be well, I think, to have a thorough-going functional and organizational study of the three Military Departments, now that they are part of the Department of Defense, to determine the good and bad points in the organization and to take common advantage of the best features of each Service.

As an indication of one area in which modernization and improvement appears to be needed, consider the "technical services" organization in the Army. There are seven technical services in the Army—Corps of Engineers, Signal Corps, Quartermaster Corps, Medical Corps, Chemical Corps, Transportation Corps, and Ordnance Corps. Of these seven technical services, all are in one degree or another in the business of design, procurement, production, supply, distribution, warehousing and issue. Their functions over-lap in a number of items, thus adding substantial complications to the difficult problem of administration and control.

It has always amazed me that the system worked at all and the fact that it works rather well is a tribute to the inborn capacity of teamwork in the average American.

One result of this type of organization is to form a "service" on the basis of a profession rather than on the basis of its function. In other words, let us say that civil engineers are in the Corps of Engineers; electrical and communication engineers in the Signal Corps; mechanical, industrial, hydraulic, ballistic engineers are in Ordnance, etc.

A reorganization of the technical services would be no more painful than backing into a buzz saw, but I believe that it is long overdue. I have a memorandum outlining one method of reorganization which looks promising. The study is recent and was completed in September 1952.

(6) Headquarters Structure

The problem of the number of Headquarters in the field as well as in the zone of the interior is steadily growing. It is aggravated by the requirements imposed by the activities of the North Atlantic Treaty Organization, but it existed prior to the formation of that body. There are, in my opinion, far too many levels of headquarters in the Military Services thus adding to the overhead and inevitably causing delay. Furthermore, each headquarters sets up a chain reaction of demands for housing, transportation, etc., thus adding to the cost. Special groups have been investigating this area for some time in connection with the utilization of manpower and I think the effort to reduce the number of headquarters must be given every assistance by the senior Defense officials.

I have a similar feeling about the number of Committees. This matter is not so much in the control of the Military Departments as Headquarters are, but the formation of Committees is a very contagious virus which has the unpleasant characteristic of rapid reproduction.

(7) Personnel

Intensive study has been given to the problem of personnel over the past two years, with particular emphasis on the reduction of non-combat personnel wherever it can be done without impairing the combat efficiency of the troops. Our basic doctrine which emphasizes fire power and the self-sufficiency of our divisions so that they may continue in efficient combat over long periods of time, obviously requires very substantial supporting troops, not only in the rotation of men but in a constant and reliable system of supply. While considerable progress has been made, there is still much room for improvement, and the Manpower and Personnel Section of the Office of the Secretary of Defense is cooperating fully with the independent Citizens Advisory Commission on Manpower Utilization in the Armed Services, appointed upon the recommendation of Congress. A distinguished group of civilians on this Commission will devote its attention to the very important area indicated by their title and improved methods and savings are reasonably to be anticipated.

However, even if theoretical perfection were obtained in the fields of personnel use mentioned above, we would still be left with the problem of reducing the annual fixed costs of the Military Establishment to be maintained over a period of years. One of the most promising areas of reduction of cost lies, in my opinion, in keeping the standing military forces to a minimum to protect against disaster while having immediately available a basically trained Reserve. The only satisfactory method of accomplishing this desired result, that I am aware of, is through a system of Universal Military Training and Service. I believe that steps should be taken promptly to make this system effective.

(8) Legislation on Official Secrets

One of the great hazards to national security lies in the apparent inadequacy of existing legislation to protect this country against traitors, spies and blabber-mouths. The problem is not one peculiar to the Department of Defense and perhaps matters of this general sort might lie more appropriately in other agencies of Government. However, this problem is not a new one, and it was, in fact, raised by Secretary Forrestal. I mention it again as

I feel that it is a subject of cardinal importance and should receive prompt action.

(9) Non-Defense Activities

There is one final, overall impression which I have and which I feel is worth mentioning. There is a natural tendency during periods of military production and mobilization activity to hang all kinds of appendages on the Department of Defense. Sometimes this is done because the Military Establishments are 24-hour-a-day operations and have trained and capable personnel; but sometimes the attachments are made to bring the functions under the umbrella of "military necessity." Whatever the reason may be, I feel that the Department of Defense is so large, its responsibilities are so great and its operations so world-wide that additional functions should be placed in this Department only as a last resort.

All of the above subjects are matters which I have discussed with you from time to time during the past year and represent, with particular deference [sic] to the Office of the Secretary of Defense, the Joint Chiefs of Staff and the Munitions Board, organizational problems which you requested me to study and report to you on by 1 December. There is ample room for a difference of opinion between reasonable men on my comments on these difficult subjects, especially since they represent views based largely on personal experience. I offer them, therefore, without any missionary zeal and only in the hopes that they may save the time of my successor. Another person, with different work habits, might find other problems or apply different emphasis to these. I believe, however, that progress will be made in some of these areas only by trial and error and that we can improve vast organizations such as the Department of Defense only by constant review.

There are, of course, countless other matters which my successor should be informed of and to which he should give early consideration. Most of them, however, involve matters of military security and should, therefore, be dealt with under the usual classified material procedures. I will do my utmost to see that my successor is fully briefed on all such matters and I will gladly hold myself at his disposal for any assistance I can give in making his takeover of responsibilities smooth and effective.

With great respect, I am

Faithfully yours,
ROBERT A. LOVETT

THE PRESIDENT
The White House

Source: U.S. Department of Defense. Office of Public Information. Press Release (mimeographed), 8 January 1953. Washington, D.C. 1953.

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3. *The Rockefeller Committee—11 February–11 April 1953.*

On 11 February 1953, Secretary of Defense Charles E. Wilson appointed a Committee on Department of Defense Organization, headed by Nelson A. Rockefeller. After extensive hearings and study, the Committee transmitted its report on 11 April to Secretary Wilson, who forwarded it with his full approval to President Dwight D. Eisenhower. Attached to the report was a legal opinion on the power and authority of the Secretary of Defense submitted by the Counsel for the Rockefeller Committee, the

General Counsel of the Department of Defense, and the Assistant General Counsel for Departmental Programs.

LETTER OF TRANSMITTAL

OFFICE OF THE SECRETARY OF DEFENSE
Washington 25, D. C.
April 11, 1953.

Hon. CHARLES E. WILSON,
Secretary of Defense, Washington, D. C.

Dear Mr. Secretary: The Committee on Department of Defense Organization has the honor to submit herewith its report, as you requested on February 19. It is pleased that its members have come to unanimous agreement on the recommendations contained herein.

The Committee wishes to acknowledge with gratitude the important contribution made to its study by its three senior military consultants, Gen. George C. Marshall, Adm. Chester W. Nimitz, and Gen. Carl Spaatz, who brought to the Committee the benefit of their wisdom and experience.

The Committee has discussed the major problems of organization and procedure in the Department of Defense with the former Secretaries of the military departments, with the military chiefs of the services, with civilians who have held high office in the Department of Defense, and with a number of eminent private citizens who have had close relations with problems of defense organization. In addition, it has had the benefit of formal statements, informal memoranda, and personal testimony from principal officers in the Office of the Secretary of Defense and the military departments.

It has studied the legislative history of the National Security Act, and has analyzed the reports and recommendations of previous surveys which bear on this problem. The recommendations embodied in the report submitted herewith are consistent with the basic principles of the reports of the Commission on Organization of the Executive Branch (the Hoover Commission) and its Task Force on National Security Organization, and the Citizens Advisory Commission on Manpower Utilization in the Armed Services (the Sarnoff Commission). The Committee believes that its recommendations would further the objectives indicated in such earlier studies.

The Committee, as you requested, has concentrated its attention on the basic organization and procedures of the Department of Defense, especially with respect to the position of the Secretary of Defense and his relationships with his principal civilian and military officials.

The Committee believes that the form of organization recommended in this report will establish a framework within which the Department of Defense can operate more effectively to attain the broad objectives toward which you and the President are working—to provide the Nation with maximum security at minimum cost, and without danger to our free institutions. We believe that it will be suitable not only for the present period of localized war, but also in time of transition to either full war or relatively secure peace. The organization of the Department of Defense must be adjusted from time to time to meet the needs of changing conditions. We believe that the organization recommended by this report is appropriate at the present time.

In submitting this report on the top structure of the Department of Defense, we are convinced that you should provide through the Secretaries of the three Departments for a thorough analysis and possible revision of the organization and procedures of the military departments.

With the submission of this report, the Committee requests that it be discharged, and it wishes you every success in the important tasks which you have undertaken.

Respectfully,

NELSON A. ROCKEFELLER,
Chairman, Committee on
Department of Defense Organization.

REPORT OF THE ROCKEFELLER COMMITTEE ON DEPARTMENT OF DEFENSE ORGANIZATION

Introduction

The United States is faced with the continuing challenge of providing adequate national defense without wrecking the national economy.

Since the National Security Act was enacted in 1947, the invasion of Korea and the repeated evidence of Communist hostility throughout the world has made it unmistakably clear that our Nation must maintain a strong military position or risk destruction by potential enemies—enemies whose progress in the modern arts of war now match the ruthlessness of their political principles.

Under these circumstances, we believe that the American people will support the President and the Secretary of Defense in establishing an organization in the Department of Defense which is capable of providing the Nation with maximum security at minimum cost and without danger to our free institutions, based on the fundamental principle of civilian control of the Military Establishment.

A major step in this direction was taken with the passage of the National Security Act, which was intended to (1) provide through the Secretary of Defense, a central organization for the exercise of direction, authority, and control over the entire Department of Defense, in order to establish policies and to assist the President in carrying out his responsibilities and functions as Commander in Chief; and (2) set up a decentralized organization for administration through the three military departments.

It was not expected in 1947 when the National Security Act was adopted, or in 1949 when it was amended, that the national security organization should be closed to further improvement. While its fundamental principles are still sound, experience indicates that it needs to be amended, and that the organization and procedures of the Department of Defense need to be improved in order to attain four compelling objectives:

(1) The lines of authority and responsibility within the Department must be made clear and unmistakable.

(2) The Secretary of Defense must be able to clarify the roles and missions of the services.

(3) Planning must be based on the most effective use of our modern scientific and industrial resources.

(4) The organization of the Department must be able to effect maximum economies without injuring military strength and its necessary productive support.

The Department of Defense cannot now attain these four objectives in full. They can be attained only if, by the necessary statutory amendments and necessary changes in organization and procedures, the Secretary of Defense is given the following tools of sound management:

(1) Clear and effective authority over the entire defense organization, and control over the principal personnel, civilian and military, in the Department of Defense;

(2) A system to provide him with complete, accurate, and understandable information on which to base decisions; and

(3) An independent audit of programs and of efficiency of performance, by physical inspections where necessary.

With the aid of such tools and with the support of the President and the Congress, the Secretary can carry out the recommendations below.

The purposes of these recommendations are, in summary, as follows:

(1) To clarify the authority of the Secretary of Defense;

(2) To clarify the command channels within the Department, especially to strengthen the status of the Secretaries of the military departments;

(3) To increase the ability of the Joint Chiefs of Staff to serve as the top military planning and advisory group by—

(*a*) Clarifying the role of their Chairman;

(*b*) Enabling their other members better to discharge their obligation to the Department as a whole;

(*c*) Improving the subordinate staff structure;

(*d*) Clarifying executive responsibility for unified commands.

(4) To abolish those statutory boards in the Office of the Secretary of Defense which have proved too unwieldy and rigid for their task, and to give the Secretary of Defense instead an adequate number of Assistant Secretaries to perform his essential staff functions;

(5) To enable the Secretary of Defense to safeguard the promotional prospects of officers who serve in his Office.

1. Authority of the Secretary of Defense

The direction, authority, and control of the Secretary over all agencies of the Department, including the three military departments, which should continue to be separately organized for effective administration, should be confirmed by decisive administrative action, and if necessary by statutory amendment.

Of all those who submitted statements or gave advice to the committee, not one disagreed with the view that the Secretary of Defense should have complete and effective authority over the entire Department of Defense. (In this report the Deputy Secretary of Defense is assumed to be the alter ego of the Secretary.) There is, nevertheless, a long record of challenges based on a legalistic argument that the phrase in the National Security Act which requires that the three military departments be "separately administered" is a limitation on the authority of the Secretary of Defense, especially with respect to functions assigned directly to the military departments by statute. These arguments have been intensified by statutes, enacted since the passage of the National Security Act, which vests powers directly in the military departments. Some officials have contended that such powers are to be administered independently of the Secretary of Defense.

This committee has received an opinion from its counsel and the General Counsel and Assistant General Counsel of the Department of Defense, which states that such challenges have no basis in either the language of the laws in question, or in their legislative history. The committee believes that this interpretation is correct. The committee further believes that the intent, purpose, and requirements of the National Security Act are fulfilled provided

that the three military departments continue to be separately organized and administered by their respective Secretaries subject to the direction, authority, and control of the Secretary of Defense.

The Secretary of Defense exercises his authority under the National Security Act subject to the overriding authority of the President as Chief Executive and Commander in Chief. The President, as Commander in Chief and as head of the executive branch, is free to deal directly with subordinates of the Secretary of Defense, including the military chiefs of the services. In time of war the President as Commander in Chief can be expected to assume much more active command over strategic operations, but this is not in any way inconsistent with the National Security Act provision "that the Secretary of Defense shall be the principal assistant to the President in all matters relating to the Department of Defense."

2. The Secretaries of the Military Departments

The Secretaries of the military departments, subject to the direction, authority, and control of the Secretary of Defense, should be the operating heads of their respective departments in all aspects, military and civilian alike.

The Secretaries of the military departments occupy positions which carry enormous responsibilities for the security of the Nation. Each military department is far larger than the War and Navy Departments combined in the days before World War II. The administrative operations with which each is charged are more extensive than those of any Cabinet department outside Defense. In addition, the Secretaries are the principal civilian advisers to the Secretary of Defense on the entire range of problems within the Department.

The Secretary of each military department carries full responsibility for the administration of his department. No witness disagreed with the principle that the military chief of each service should be completely subject to the direction of civilian authority.

The Committee believes that, to provide the proper method of enforcing responsibility, it is essential to have a single channel of command or line of administrative responsibility within the Department of Defense and each of the military departments. It does not believe that it is possible (for administrative purposes) to make a sufficiently clear distinction between military affairs, on the one hand, and on the other hand civilian affairs (such as political, economic, and industrial affairs) to serve as a practicable basis for dividing responsibility between military and civilian officers, or for establishing two parallel lines of command.

Except in emergency, the President and Secretary of Defense can be expected to give orders to military officers through the channels of their civilian secretaries. But even in emergency cases, when orders or instructions are sent directly to military officers, such a channel of communication does in no sense take the military chief of a service out from under his responsibility to the Secretary of his military department, or relieve him of the obligation to keep his service Secretary fully informed.

If the Secretaries of the military departments are to discharge fully their responsibilities, it will be necessary to apply to each military department some of the principles recommended in this report regarding the Department of Defense as a whole. The limitations of time have made it impossible for the Committee to deal with the internal problems of the three military

departments, but it is vital for the efficient operation of the Department of Defense as a whole that the organization of the military departments be thoroughly reviewed and adjusted in the light of the recommendations of the Committee.

The Joint Secretaries

The meetings of the Secretaries of the three military departments, which were instituted informally under the title "the Joint Secretaries," and were followed by the practice of having meetings of the three Secretaries with either the Secretary or Deputy Secretary of Defense presiding, should be continued. The past Secretary of Defense found such meetings useful to help decide policy matters in which all the service Secretaries were concerned.

The Joint Secretaries, under the guidance of the Secretary of Defense, should be in effect a meeting of the general managers of the Department of Defense and the military departments. In these meetings the Secretary of Defense may set policy for the Department as a whole, with particular emphasis on problems relating to improvement in the organization of the Department and simplification of its procedures. Such meetings—to which the Secretary could, of course, invite such other advisers as he might wish—should help to provide the Secretary of Defense with the support he requires in solving the administrative problems of the Department, and should enable the service Secretaries to coordinate their thinking with that of the Secretary of Defense.

3. The Joint Chiefs of Staff

The Joint Chiefs of Staff are the principal military advisers to the President, the National Security Council, and the Secretary of Defense. The country looks to the Joint Chiefs of Staff to see that the military plans of the United States are fully adequate to cope with the challenge of any enemy. While such plans must be based primarily on military factors, they should also take into account a wide range of political and economic factors and should incorporate the most advanced developments of modern science and technology.

JCS plans must provide for the defense of the Nation as a whole. The members of the Joint Chiefs of Staff, although they are also the military chiefs of their services, must rise above the particular views of their respective services and provide the Secretary of Defense with advice which is based on the broadest conception of the national interest. It should be explicitly acknowledged that the members of the Joint Chiefs of Staff, in the performance of their duties as such, must not be restricted by service positions or instructions.

It has been proposed that the difficulties inherent in the dual role of the service members of the Joint Chiefs of Staff should be removed by the creation of a single Chief of Staff, or a single General Staff, or by giving the present Chairman of the Joint Chiefs of Staff authority to vote or to settle disagreements. These proposals are advanced particularly by those who believe that the present definition of the roles and missions of the services lacks clarity and invites competition among them. The Committee has considered these proposals carefully. It recognizes the difficulties which are inherent in the present arrangement. Nevertheless, it believes that present conditions do not justify the adoption of any of these proposals. It believes that its own recommendations will provide an effective solution to the current problem.

It is essential to keep in mind that the Joint Chiefs of Staff were established as a planning and advisory group, not to exercise command. The National Security Act emphasized their planning and advisory role. The Committee considers it unfortunate that this concept of the National Security Act has always been obscured in actual practice, even before the meetings in 1948 at Key West and Newport, at which the Secretary of Defense delegated certain command functions to the Joint Chiefs of Staff.

To clarify the role of the Joint Chiefs of Staff in accord with the basic purposes of the National Security Act, this Committee recommends below that the Key West agreement be revised to remove the command function from the Joint Chiefs of Staff, in order to enable them to work more effectively as a unified planning agency.

The Committee believes that the Secretary of Defense has much to gain from receiving the various views of the military chiefs of the services, and that it is desirable for the top planning body to continue to include the responsible military chiefs, who will thus have a voice in the JCS planning as well as implementing such planning in their respective military departments.

If this system is to be made to work effectively, the Chairman of the Joint Chiefs of Staff, without detracting from the function of the Joint Chiefs of Staff as a group to serve as the principal military advisers to the Secretary of Defense, should be given the authority and responsibility for organizing the subordinate structure of the Joint Chiefs of Staff and Joint Staff in such a way as to help the Secretary of Defense discharge his total responsibilities. This will enable him to bring into Joint Chiefs of Staff planning at all levels a variety of points of view, including those based on scientific and technical background and knowledge.

The Committee emphasizes that it is of the utmost importance that military planning should be strengthened by the consideration, in the early stages of staff work, of the independent points of view of other parts of the Office of the Secretary of Defense and of those of various specialists, and that the Secretary of Defense, when making decisions, should have a thorough knowledge of the background of each issue.

By the principles recommended above, the civilian control of the Department of Defense can be made increasingly effective without detracting from the professional status of the military chiefs or from their ability to carry out the assigned roles and missions of their respective services.

(a) The importance of a close relationship between the Secretary of Defense and the Joint Chiefs of Staff cannot be overemphasized

The Secretary of Defense, in order to carry out his responsibility effectively, should be kept fully informed of the deliberations of the Joint Chiefs of Staff and of their respective opinions on major issues. This is necessary in order that he and the President may make major operational and command decisions with the fullest possible understanding of the issues involved. It is also necessary so that the Secretary and the President may, within the framework of the National Security Act, clarify and revise from time to time the assignment of roles and missions to the several services, and thus make the most effective adjustment of our defense organization to new developments in strategy and in weapons and to take maximum advantages of opportunities for economy. This direct relation between the Secretary of Defense and the Joint Chiefs of Staff does not take the individual military Chiefs out from under the authority of the Secretaries of their respective departments,

or relieve them of the obligation to keep those Secretaries fully informed, as explained in section 2 above.

While the purpose of the chiefs should be to reach an agreement on what is right and best do to in the national interest, their primary joint role is that of advisers to the Secretary of Defense and the President, and, to both, knowledge of the full reasoning behind unanimous recommendations is as essential as knowledge of the reasoning behind issues on which there may be disagreement.

The primary function of the Joint Chiefs of Staff is to give advice and to make recommendations. In their deliberations they do not vote, but attempt through a review of the facts to come to agreement regarding their recommendations. Even a unanimous agreement among them on an important matter is subject to review by the Secretary of Defense and the President.

The Committee recommends that the Secretary continue the present practice of attending meetings of the Joint Chiefs of Staff from time to time, alone or with his principal assistants. In addition, the Chairman of the Joint Chiefs of Staff has the responsibility for bringing to the attention of the Secretary the varying points of view of all members of the Joint Chiefs of Staff.

While the Secretary of Defense and the Secretary of State meet in the National Security Council, it facilitates the work of the National Security Council on major policies to have the State and Defense Departments cooperate closely on current operational problems. For this reason, the present practice of frequent meetings between the Joint Chiefs of Staff and the appropriate Assistant Secretaries of State should be continued, and from time to time it may be appropriate for the Secretaries of State and Defense themselves to take part in those meetings.

(b) In order to devote more of their time to their primary duties, the members of the Joint Chiefs of Staff should be encouraged to delegate their less important duties both (1) as chiefs of the services, to their deputies in their respective services, and (2) as the Joint Chiefs of Staff, to subordinate committees

The tremendous burdens of the military chiefs, both in their respective services and as members of the Joint Chiefs of Staff, can be carried only if they delegate freely to their subordinates. A superior officer who delegates authority to subordinates to execute the duties for which he is responsible does not lessen, by the act of delegation, his own responsibility for the proper exercise of that authority. Only by adequate delegation can such authority be effectively exercised. This commonly accepted principle should be applied within the Joint Chiefs of Staff organization as well as in the service chain of command.

The heavy administrative pressure on the chiefs within the military services seriously restricts the time and thought that they can devote as individuals to their deliberations in the Joint Chiefs of Staff. Personal visits to strategic areas and domestic installations, testimony before congressional committees, the normal administrative activities pertaining to their offices—all these are heavy demands on the time of a responsible Chief of Staff. These duties should be delegated insofar as possible.

The principal responsibility of the members of the Joint Chiefs of Staff must be to the President and the Secretary of Defense. Their planning and

advisory work as members of the Joint Chiefs of Staff constitutes their primary duty. For this purpose, the Secretary of Defense can require of each of them whatever time is necessary.

The Joint Chiefs of Staff should establish a top-level subcommittee of the Joint Chiefs of Staff, along the lines of a Deputy JCS. Insofar as possible authority to act on those matters which do not warrant review and action by the Joint Chiefs of Staff should be delegated to this subcommittee.

(*c*) *The Chairman of the Joint Chiefs of Staff, without detracting from the function of the Joint Chiefs of Staff as a group to serve as the principal military advisers to the Secretary of Defense, should be given the authority and responsibility for organizing the subordinate structure of the Joint Chiefs of Staff and the Joint Staff in such a way as to help the Secretary of Defense to discharge his total responsibilities*

The selection of the Director of the Joint Staff by the Joint Chiefs should be subject to approval by the Secretary of Defense. The members of the committees of the Joint Chiefs and the members of the Joint Staff should all serve in such positions subject to the approval of the Chairman of the Joint Chiefs. The Director of the Joint Staff, under the direction of the Chairman of the Joint Chiefs of Staff, should be fully responsible for managing all aspects of the JCS subordinate structure, including its secretary, secretariat, committees, and staff groups. The Chairman, under the authority of the Secretary of Defense, should have the authority necessary to appoint consultants to the Joint Chiefs of Staff from outside the Department of Defense, and to set up such ad hoc committees as he may consider necessary to advise the Joint Chiefs.

The National Security Act gives the Chairman of the Joint Chiefs of Staff the duty to "provide agenda for meetings of the Joint Chiefs of Staff and assist the Joint Chiefs of Staff to prosecute their business as promptly as practicable." One purpose of this provision was to enable the Chairman to help the Joint Chiefs to concentrate on their all-important responsibility for strategic planning by relieving them from dealing with many detailed matters.

The Committee therefore recommends that the Chairman of the Joint Chiefs of Staff should feel free, if a matter is referred to the Joint Chiefs of Staff which he believes could be more appropriately handled by a military department, to refer it to the Office of the Secretary of Defense with a recommendation that it be assigned to a military department for consideration or action. With respect to any matter which is to be considered by the Joint Chiefs of Staff organization, the Chairman of the Joint Chiefs of Staff (or on his behalf the Director of the Joint Staff) should determine which matters merit the attention of the Joint Chiefs, and which are not of sufficient importance to come before the Joint Chiefs and can either be delegated to the Deputy Joint Chiefs of Staff, or can be handled by the Joint Staff.

The Committee believes that the Chairman of the Joint Chiefs of Staff and the Director of the Joint Staff should be given the responsibility for arranging, and should be directed to arrange, for the cooperation of committees and staff groups of the Joint Chiefs of Staff with other parts of the Office of the Secretary of Defense in the early stages of staff work on any major problem. To carry this additional burden the Director of the Joint Staff should be given appropriate staff assistance, perhaps in the form of a Deputy Director or Assistant Director of the Joint Staff.

The development of the basis of facts on which decisions are made, and the preparation of both military advice from the Joint Chiefs of Staff and

advice from other parts of the Office of the Secretary—such as budgetary advice from the Comptroller, scientific and technical advice from research and engineering experts—would greatly benefit by the exchange of ideas in the early stages of work on each major problem. Such interchange should not only help the staff work of the Joint Chiefs of Staff but should also make it possible for the Joint Chiefs to be of greater assistance to other parts of the Office of the Secretary of Defense—for example, by enabling the Secretary to bring to bear on an important budgetary decision relating to an important weapons system the points of view of all three services, instead of only that of the single service most immediately concerned.

(*d*) *The Joint Strategic Survey Committee, as the senior advisory group to the Joint Chiefs of Staff in regard to overall strategy, should be strengthened for the all-important function of strategic planning*

Strategic planning for modern warfare requires not only military knowledge and experience, but a wide range of scientific information, a knowledge of fundamental cost factors, and similar technical information. For this and other reasons, the Joint Strategic Survey Committee, and the other committees and staff groups of the Joint Chiefs of Staff which are assigned duties in connection with strategic planning, should be strengthened.

The officers to be assigned to the Joint Strategic Survey Committee should be selected for their grasp of strategic problems, both with regard to overall stategy in its relation to international policy and with respect to the effect on strategy of the development of new weapons. They should be chosen, moreover, for their appreciation of the unified point of view of the Department of Defense and of the need for integration of the plans of the several services.

The Joint Strategic Survey Committee (*a*) should be reinforced with outstanding civilian scientists and perhaps representatives of other professions, (*b*) should be the agency to work out the integration of new weapons into established weapons systems, and (*c*) should make recommendations with respect to the use of completely new weapons systems in the plans for future war. Consideration should also be given to utilizing on this Committee from time to time the experience of some of our outstanding retired officers.

This Committee should be composed of members of such stature and prestige that they can be of the greatest possible assistance to the Joint Chiefs of Staff. When they report on a matter which they regard as of major importance, their views should be promptly transmitted by the Joint Chiefs to the Secretary of Defense, together with any comments which the Chiefs themselves might wish to add. The Secretary of Defense might also find it desirable to discuss important issues directly with this Committee as well as with the Joint Chiefs in order to get the benefit of their individual views.

This Committee, and the other committees and staff groups of the Joint Chiefs of Staff dealing with strategic planning, should work closely with the Assistant Secretaries of Defense (particularly those for Research and Development, Applications, Engineering, Supply and Logistics, International Security Affairs, and the Comptroller). These committees and groups should make maximum use of the various operations analyses and operations research agencies of the Department of Defense.

(*e*) *With respect to each unified command, the Secretary of Defense should assign the executive responsibility for such command to a military department*

The Joint Chiefs of Staff, by memorandum from the Secretary of Defense, dated April 21, 1948, commonly known as the Key West agreement, were assigned responsibility for designating one of their members as their executive agent for a unified command. This arrangement is undesirable in that it permits the assignment of important executive functions within the Department of Defense independently of the Secretary, confuses the lines of command and responsibility, and thereby weakens the traditional principle of civilian control. It also leads to the assignment to the individual military chiefs of certain administrative and other responsibilities which should be assigned by the Secretary of Defense to the individual Secretaries of the military departments. Moreover, it confuses the responsibility of the individual military chief of a service to the Secretary of his military department, when the military chief is operating as executive agent of the Joint Chiefs of Staff.

Therefore, the committee recommends that the Secretary of Defense, with the approval of the President, should revise the memorandum in question. This revision should provide that the Secretary of Defense, after a unified command is established and its mission defined, should designate a military department as the executive agency for that command. All orders transmitted to a unified command should specify that they are issued by direction of the Secretary of Defense.

The Secretary of Defense, in designating a military department as an executive agency, should do so with an important proviso, to wit: That, for the strategic direction and operational control of forces and for the conduct of combat operations, the military chief of that department should be empowered to receive and transmit orders and to act for that department in its executive agency capacity. This arrangement will make it always possible to deal promptly with emergency or wartime situations. The Committee believes that an executive agency should consult as necessary on important matters affecting the unified command with the Secretaries or the military chiefs of the other services, either individually or sitting as Joint Chiefs. This arrangement does, however, leave responsibility clearly in the executive agency.

The Secretary of Defense should select an executive agency for a unified command only after receiving the advice of the Joint Chiefs of Staff, as at present. He should also receive the advice of the Secretaries of the military departments and other appropriate civilian officers. In designating an executive agency, the Secretary is acting for the President as Commander in Chief and in accordance with the policies which the President has established with the advice of the National Security Council, and he may therefore need to consult the President or the heads of other departments in connection with the designation of an executive agency.

The Secretary of Defense, after approval by the President, should appoint the commanders in chief of unified commands. Any changes in the mission of a unified command should be effected by the same authority as its original assignment.

4. The Armed Forces Policy Council

The Secretary of Defense should use the Armed Forces Policy Council (augmented as he may desire) as his principal advisory group on major problems of policy in which he requires both civilian and military advice.

As the Secretaries of the military departments are the principal civilian

advisers to the Secretary of Defense, and the Joint Chiefs of Staff are his principal military advisers, the Armed Forces Policy Council is the group in which the Secretary may obtain combined civilian and military advice on major problems.

This Council is the principal consultative body created by the National Security Act to advise the Secretary of Defense on matters of broad policy relating to the Armed Forces. Its statutory membership includes the Secretary and Deputy Secretary of Defense, the Secretaries of the military departments, the Chairman of the Joint Chiefs of Staff, and the three military chiefs. It is the group to which the Secretary of Defense may normally turn on issues—for example, those which may arise in the National Security Council—on which he is not willing to rely exclusively on the advice of either the Joint Secretaries or the Joint Chiefs of Staff.

The Committee emphasizes, however, that the Secretary of Defense should always be free to consult with any group which can be most useful to him. The Committee does not believe that the statutory language regarding the membership of the Armed Forces Policy Council should be interpreted so as to restrict the freedom of consultation of the Secretary of Defense, or that any traditions or customs should be permitted to develop which would hamper the Secretary in his flexible and informal relations with his subordinates.

5. Other Agencies in the Office of the Secretary of Defense

In order to attain the most efficient organization possible, to clarify the assignment of responsibilities, and to avoid duplication of effort, certain statutory agencies within the Department of Defense should be abolished and their functions transferred to the Secretary.

Such action, which should result in a considerable saving of personnel, will necessitate the creation of additional Assistant Secretary positions, to which the Secretary may assign the functions of the abolished agencies and other staff functions which may be required.

As a general principle, the Committee believes that boards and agencies should not be set up by statute in the Office of the Secretary of Defense, and that the Secretary of Defense should be left free to adjust from time to time the assignment of staff functions within his own office in a flexible and expeditious manner. It finds in particular that the board form of organization of the Munitions Board and the Research and Development Board is rigid and unwieldy. It recommends that these two Boards should be abolished and their functions transferred to the Secretary of Defense. It recommends, moreover, that the Congress should be requested to authorize the establishment of additional Assistant Secretary positions within his Office—3 to take the place of the 2 Boards (based on a redistribution of staff functions), 2 to replace individual officials who presently hold other titles, and 1 to be assigned to a position formerly filled by an Assistant Secretary. The Committee believes that with the recruitment of individual executives of appropriate stature to the Assistant Secretary positions, it will be possible to obtain better results with a substantial reduction in the total number of employees.

The three present Assistant Secretaries of Defense deal with the following fields:

(1) Assistant Secretary (Comptroller).
(2) Assistant Secretary (International Security Affairs).
(3) Assistant Secretary (Manpower and Personnel).

The Committee believes that these three Assistant Secretary positions should be retained. It believes that it is desirable for the Secretary to have the flexibility now given him by law (except in the case of the Comptroller) to assign to these officials such functions and duties as he may choose, and that the same principle should be followed in setting up additional Assistant Secretary positions.

The Committee recommends that the Secretary should consider assigning to other Assistant Secretaries functions as noted below. The Committee also suggests below that certain other staff functions may be discharged by officers with other titles, but it has not endeavored to make detailed recommendations to the Secretary of Defense regarding the complete organization of his office.

The various Assistant Secretaries should function as staff heads within their respective fields, in addition to carrying out such special duties and responsibilities as may be assigned to them from time to time by the Secretary. They should not be in the direct line of administrative authority between him and the three military departments, but instead should assist in developing policies, prescribing standards, and bringing to the Secretary of Defense information on which he may base his decisions.

One of the greatest problems in administering the Department of Defense comes from the difficulty of obtaining complete, accurate, and understandable information on which to base decisions. A conspicuous example is the lack of adequate inventory and accounting systems in the military departments. Studies initiated last year seeking a solution to this problem should be vigorously pursued. The Assistant Secretaries of Defense have important responsibilities in their respective fields to help the Secretary develop more adequate systems for bringing information to him in a form which can serve as an adequate basis of policy and operating decisions.

In addition, each of the Assistant Secretaries should be responsible for helping the Secretary of Defense to carry on a continuous examination and audit of the effectiveness and efficiency with which policies and programs are being carried out in their particular fields. Policies cannot be reviewed entirely on paper at headquarters. Only by visits to bases, camps, and other physical installations can representatives of the Office of the Secretary of Defense keep the Secretary thoroughly informed on the actual results of the program for which he is responsible.

(a) Assistant Secretary (Research and Development)

The Research and Development Board, established by the National Security Act, was given the responsibility for preparing a complete and integrated program of research and development for military purposes, and for advising the Joint Chiefs of Staff regarding the trends in scientific research relating to national security and regarding the interaction of research and development and strategy. The Board has been handicapped in carrying out its functions by the rigidity of its membership and the complicated administrative mechanism inherent in the board-type structure.

The Committee recommends the dissolution of the Board, the transfer of its functions to the Secretary of Defense, and the appointment of an Assistant Secretary (Research and Development) to whom the Secretary may assign such of the functions of the present Board as he may determine. These steps should make it possible to establish a more flexible organization and, by developing a more selective and integrated program of research in

those fields that can contribute most to the security of the Nation, should effect considerable savings and accomplish more effective results.

In making this change, the Secretary of Defense should not sacrifice such parts of the present functions of the Research and Development Board as are now operating satisfactorily.

(*b*) *Assistant Secretary (Applications Engineering)*

This official should perform such duties as the Secretary may assign to him in the broad field which lies between research and development, on the one hand, and the quantity production of weapons, on the other.

He should examine into and make recommendations concerning new developments as to their suitability for the purposes intended; their reliability, simplicity, and economy of production, especially with respect to their suitability for production by existing machine tools and other facilities; and their ability to fit into a complete weapons system. Some of these functions have been within the scope of the Research and Development Board.

He should also be assigned certain functions which have been within the scope of the Munitions Board, such as engineering policies and standardization problems.

This Assistant Secretary would not relieve the services of their responsibility for taking initiative in the development or use of new weapons. Instead, he should work closely with the responsible officers of the three services who are concerned with such problems, to point out unnecessary duplication and obsolete programs that can be eliminated, to check on the progress being made, and to assist the Secretary of Defense in evaluating such programs in the broad interest of national security. He should also consult with the Joint Strategic Survey Committee.

It is desirable for the Weapons Systems Evaluation Group to be made responsible, for administrative purposes, to the Secretary of Defense through the Assistant Secretary (Applications Engineering). Its primary duty should be to respond to calls for service and assistance from the Joint Chiefs of Staff or from the Secretary of Defense.

In addition to the military members, this Group should include a small staff of outstanding scientists and engineers to make studies of our present and future weapons systems and those of other countries, their relations to strategy and tactics, and their comparative effectiveness and cost. It would rely for a great part of its data on the studies prepared in the operations research and operations evaluation groups attached to the three military departments. At the same time the Weapons Systems Evaluation Group should be enabled to make use of the contract method to obtain operations research studies from outside the Government, as the three military departments now do. The Weapons Systems Evaluation Group should be at least as strong an organization as the operations research agencies now maintained by contract by the three military departments.

The Assistant Secretary (Applications Engineering), working with the assistance of this Group, should attempt to establish the greatest standardization of weapons consistent with the prompt introduction of advanced weapons and techniques.

(*c*) *Assistant Secretary (Supply and Logistics)*

This official should have responsibility for the formulation of overall policy and for the supervision and review of programs in the fields of

procurement, production planning, distribution, transportation, stockpiling, and warehousing.

He should take over, by delegation from the Secretary, such of the functions presently performed by the Munitions Board as the Secretary may assign, for example:

(1) Appraising the feasibility of Joint Chiefs of Staff plans in terms of the availability of materials, end items, components, and supporting services.

(2) Developing systems for production programing, production scheduling, and expediting.

(3) Developing recommendations on requirements for strategic materials that should be stockpiled to meet military needs.

(4) Developing policies and programs for the maintenance of industrial facilities required for the production of military end items and components in the event of mobilization.

The change from the board-type operation should make possible considerable savings in the numbers of personnel required to do the job and should effect even greater dollar savings through more effective inventory and stock control and improved accountability for equipment and supplies.

The Defense Supply Management Agency should be abolished and its functions transferred to the Secretary of Defense. The Secretary may wish to delegate them to the Assistant Secretary (Supply and Logistics).

As part of the general review of the organization of the military departments, recommended above, the Secretary of Defense should direct the Secretaries of the military departments to undertake the reorganization of those parts of the various services concerned with procurement, production, distribution, and supply matters. If, in order to carry through such reorganization, further statutory authority is required, the committee recommends that it be requested.

The Secretary may wish to consider placing the Military Traffic Service under the supervision of the Assistant Secretary (Supply and Logistics).

(d) Assistant Secretary (Properties and Installations)

In view of the size and importance of the facilities, installations, properties, and public-works programs of the Department of Defense, it is the committee's opinion that the statutory position of Director of Installations should be abolished, and the Secretary should assign such of its duties as he may deem appropriate to an Assistant Secretary (Properties and Installations). Such an Assistant Secretary would be responsible, for example, for reviewing the plans and construction of all public-works projects; maintaining a complete inventory of facilities and their utilization; developing policies and procedures on public-works requirements; and developing uniform design criteria and construction standards.

This Assistant Secretary should also undertake such duties as the Secretary of Defense may specify in connection with the physical maintenance of Government owned and operated facilities. He should be responsible for the review of idle properties and their use or possible disposition. He should supervise the Armed Forces Housing Agency and he should cooperate closely with the Assistant Secretary (Supply and Logistics) on policies on standby facilities when such facilities are owned by the Government.

(e) Assistant Secretary (Legislative Affairs)

Until recently, an Assistant Secretary was assigned to deal with legislative and legal affairs. In view of the increased importance of international

security affairs and in view of the fact that only three Assistant Secretary positions were available, this assistant secretary position was assigned to international security affairs. In the opinion of the Committee, the importance of defense legislation to the national security and economy fully justifies the assignment of the legislative affairs function to an Assistant Secretary of Defense.

This official should be responsible for the effective coordination of the legislative recommendations originating in the military departments before submission to Congress. These recommendations cover a wide variety of programs and, in support of the effort to achieve maximum security at minimum cost, it is essential that they be as closely coordinated as possible. In addition, the Congress and its committees require information on defense matters promptly in order to carry out their responsibilities. The Secretary may wish to assign to this official other duties in related areas.

(*f*) *Assistant Secretary (Health and Medical)*

The Armed Forces Medical Policy Council has recently been abolished and its place has been taken by a special assistant to the Secretary. In view of the recognized importance of maintaining high health standards among the personnel of the Armed Forces, and of providing and managing hospitals and other medical installations at the smallest possible cost in dollars and professional personnel, an Assistant Secretary position is justified and necessary, in the opinion of the Committee, to provide adequate staff assistance in this field to the Secretary.

This Assistant Secretary should be charged particularly with making studies and recommendations leading toward the development of a more unified system of hospitals and training programs for military medical personnel, especially in the zone of the interior. As several previous studies have pointed out, considerable economies are possible in this area.

(*g*) *General Counsel*

The legal work of the Secretary of Defense should be carried on by an office under the direction of a General Counsel of the Department of Defense, who should have a rank substantially equivalent to that of an Assistant Secretary. Authoritative legal opinions and interpretations, when approved by the Secretary of Defense, should be followed throughout the entire Department. It is particularly important that the Office of the General Counsel should set up close liaison relations with the chief legal officers in the three military departments, so that the legal work of the entire Department of Defense may be supervised and coordinated effectively. Such coordination is particularly necessary in order to eliminate and prevent confusion which has been caused within the Department of Defense and in industry by inconsistent opinions, interpretations, and approaches in various departments and agencies in the Department of Defense.

(*h*) *Military liaison committee (atomic energy)*

The significance of atomic energy to the development of military strategy and weapons systems can hardly be overstated. The determination of requirements and specifications for atomic weapons is an important key to the security of the United States and to the development of future roles and missions of the three services.

The Atomic Energy Act of 1946, as amended in 1949, established the position of the Chairman of the Military Liaison Committee within the

Department of Defense and outlined the statutory duties of the Committee. The position of Chairman has developed in practice a somewhat broader function. The Committee believes that the Secretary should continue to use this position to provide him with a principal staff assistant to help him review the general policies of the military departments with respect to atomic energy, and to keep him informed of all aspects of atomic energy development and uses. In addition, the Chairman might be given the duty of reviewing the programs of the Armed Forces special weapons project.

The Chairman of the Military Liaison Committee, besides maintaining close liaison with the Atomic Energy Commission, should work closely with the proposed Assistant Secretaries for Research and Development, Applications Engineering, and Supply and Logistics.

6. Personnel

The effective functioning of the Office of the Secretary of Defense requires that the military departments make highly qualified officers available for duty in this Office and that proper performance of such duty, as judged by the Secretary of Defense, will be beneficial to the future career of these officers in their own services.

The Office of the Secretary of Defense necessarily depends to a considerable extent for its staff on the assignment of officers from the military services. It is of the utmost importance that these officers in serving the Secretary in the broad interest of national defense do not lose standing in their respective services through a lack of appreciation of the importance of this assignment or of the accomplishments of the individual officer while on such duty. At the present time, many officers feel that assignment in the Office of the Secretary of Defense isolates them from their service and deprives them of an equal opportunity for promotion with other officers of the same age and rank.

This attitude is reenforced by various procedural handicaps that are placed on the submission of efficiency reports by civilian supervisors. It is the present policy of the Office of the Secretary of Defense that only military officers may execute an officer's formal efficiency report, and that civilian supervisors submit reports in letter form on officers who serve under them. This is not believed to be sound practice. Such letters often fail to receive equal consideration with reports submitted in the usual form by military officers.

The present system of promotion by selection boards has been proved sound. One of the duties of the Secretaries of the military departments is to see that the selection boards are established and operate on a high plane of competence. It is important to seek a solution to the problems noted above without damage to the present professional and nonpolitical system for promoting officers in the military services.

In the opinion of the Committee, the Secretary of Defense should:

(*a*) Receive the full cooperation of the military departments in assigning highly qualified officers to the various agencies working for the Secretary of Defense, and in assuring these officers that such assignment may afford an opportunity for an important advance in their careers.

(*b*) Authorize civilian officials, by whatever changes in directives may be required, to fill out formal efficiency reports for military personnel, and require that no other reports be filed on these officers for the period they have served full-time in the Office of the Secretary of Defense.

(*c*) Instruct the Secretaries of the military departments to direct their selection boards to give the same weight to service in the Office of the Secretary of Defense and the efficiency reports from that Office, as to service in the military department staff and to efficiency reports by departmental officers. In the light of the relationship of the military services to the Department of Defense as established by the National Security Act, the form of the oath taken by members of selection boards should be amended to see that it gives adequate recognition to the need for operating in the interest of the Department of Defense as a whole, as well as in that of a particular military service.

(*d*) Reexamine the Officer Personnel Act of 1947 and its practical administration in the three services, to see what further changes need to be made in the present system to assure that service in the Office of the Secretary of Defense will receive equal consideration with that in the military services.

(*e*) Review the statutes governing officer retirement to determine how to correct the defects in the law which at times force the retirement at the peak of their usefulness of officers largely because they were promoted for outstanding ability at a younger than normal age.

This Committee believes that the organization and procedures recommended in this report will neither operate to best advantage nor produce effectiveness and economy unless the Department continues to be staffed with competent men and women, military and civilian, especially selected and trained for their important duties.

We feel that the problem of attracting and holding career personnel needs restudy and prompt action. While the assignment of this Committee was limited to the organization and procedures of the Department of Defense, it was, on several occasions, brought to our attention that the inducements and rewards of the civilian and military career services may not have kept pace with the attractions of private enterprise. In the opinion of this Committee, this other phase of the administrative problem cannot be overemphasized.

NELSON A. ROCKEFELLER, *Chairman.*
OMAR N. BRADLEY, *General of the Army.*
VANNEVAR BUSH.
MILTON S. EISENHOWER.
ARTHUR S. FLEMMING.
ROBERT A. LOVETT.
DAVID SARNOFF.

April 11, 1953.

APPENDIX A

OFFICE OF THE SECRETARY OF DEFENSE,
Washington, D. C.
March 27, 1953.

Legal Opinion Re the Power and Authority of the Secretary of Defense

At your request, we have considered the scope, quality and degree of the power and authority of the Secretary of Defense with respect to all officers, organizations and agencies of the Department of Defense, including the respective Secretaries of the military departments, the Joint Chiefs of

Staff and all other officials, officers and personnel of the Department as a whole and of all constituent parts thereof.

We have examined all pertinent statutes, the legislative hearings, debates and reports leading up to the enactment of the National Security Act and to the subsequent amendments thereof, basic documents in the delineation of responsibilities within the Department, such as the Key West and Newport papers, numerous studies, opinions, reports and commentaries on the subject matter and various views on the operation of the Department by individuals familiar therewith, including the letter to the President by Secretary Lovett of November 18, 1952.

Conclusion

In our opinion, the Secretary of Defense now has by statute full and complete authority, subject only to the President and certain specific restrictions subsequently herein listed, over the Department of Defense, all its agencies, subdivisions, and personnel. To make this statement perfectly plain, there are no separately administered preserves in the Department of Defense. The Secretaries of the military departments, the Joint Chiefs of Staff, all officers and agencies and all other personnel of the Department are "under" the Secretary of Defense. Congress has delegated to the Secretary of Defense not only all the authority and power normally given the head of an executive department, but Congress has, in addition, expressly given the Secretary of Defense even greater power when it made the Secretary of Defense "the principal Assistant to the President in all matters relating to the Department of Defense."

To repeat, subject to the President and certain express prohibitions against specifically described actions on the part of the Secretary as contained in the National Security Act, as amended, the power and authority of the Secretary of Defense is complete and supreme. It blankets all agencies and all organizations within the Department; it is superior to the power of all other officers thereof; it extends to all affairs and all activities of the Department; and all other authorities and responsibilities must be exercised in consonance therewith.

Discussion

It is always possible for individuals who do not agree with the purposes and intent of a statute to engage in semantic sophistry and to try to squeeze unintended meanings out of words. Many have done so in connection with the power and authority of the Secretary of Defense. Statutory interpretation is not an esoteric pursuit reserved for word-splitters. It is not a game of words. It involves nothing more than a straightforward and direct effort to ascertain the intent of the lawmakers. With respect to the National Security Act, the congressional intent is clear and unmistakable. Nothing more is necessary.

Since this congressional intent is clear, word splitting should be stopped. It is most difficult, perhaps impossible, to write laws so as to preclude the possibility of some individual bent upon intellectual gymnastics from raising some semantic argument. The courts have repeatedly disregarded that approach and sought the statutory intent.

The National Security Act clearly establishes and determines that the power of the Secretary of Defense is of the highest order of magnitude in

the Department of Defense. The law does this in such manner and with such finality as to eliminate any reasonable doubt. The statute accomplishes this in three ways.

First, the law designates the Secretary of Defense as the "head of an executive department of the Government." This phrase "head of an executive department of the Government" was not a chance expression. It is a phrase of "legal art." Since July 28, 1789, this terminology has always been used by Congress in the statutes defining the responsibility and authority of the chief officer of each executive department. The phrase "head of an executive department of the Government" describes the highest order of authority and responsibility in an executive department. In the vernacular, this phrase means "boss." For instance, the complete authority of the Attorney General of the United States over the Department of Justice depends on this phrase alone.

The phrase "head of the department" carries with it in tradition and in law certain well-recognized connotations. By custom and by usage the "head of the executive department" is a member of the Cabinet of the President, and as such, is the officer of the department most closely associated with the source of supreme power. In law, the "head of the executive department," is the one, among all officers in the entire establishment, who may prescribe regulations for the governance of the whole department. The basic statute of 1789 provides that the "head of the department" (and this refers to all departments) has the power to: "prescribe regulations for the government of the department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use and preservation of the records, papers, and property appertaining to it."

Such regulations, when not contrary to a specific prohibition of law, of themselves have the force and effect of law. Therefore, the regulations of the head of the department legally bind under oath all officers and employees of the department of whatsoever authority, rank, or station. This right to govern the department appertains to no other officer save the one designated as the "head." In the Department of Defense only the Secretary of Defense by law is "the head thereof" and has the general right to govern the Department of Defense.

Second, the National Security Act, as amended, specifically states that the Secretary of Defense shall have "direction, authority and control over the Department of Defense." Originally, the statute contained the word "general" in front of these three words of command. In the period 1947–49, this word "general" was seized upon by some to argue that the drafters of the statute had intended to limit the authority of the Secretary of Defense. Such argument was obviously without substance, but to make their intent doubly clear, Congress in 1949 struck out the word "general." The words "direction, authority and control" are clear enough by themselves, but to make doubt impossible, Chairman Vinson, of the House Armed Services Committee, stated in the congressional debates as follows:

"This sentence giving the Secretary direction, authority and control is the heart of this legislation. * * * In order that there can be no doubt as to what direction, authority and control mean, I want to give you their meaning.

"Direction means the act of governing, management, superintends.

"Authority means legal power; a right to command; the right and power of a public officer to require obedience to his order lawfully issued in the scope of his public duties.

"Control means power or authority to manage, to direct, superintend, regulate, direct, govern, administer, or oversee.

"So under this law the Secretary of Defense is to have clearcut authority to run the Department of Defense."

After such legislative history, can anyone honestly doubt the congressional intent? If the Secretary of Defense has the power to "govern, manage and superintend"; if he has the "legal power to command and to require obedience to his lawful commands"; if he has the power to "regulate, to administer and to oversee"; and if this power is specifically by its terms extended throughout the Department of Defense, as it is, then, the Secretary of Defense has supreme authority in the Department of Defense and his power is of the highest order of magnitude therein.

Third, Congress in the National Security Act made the Secretary of Defense "the principal assistant to the President in all matters relating to the Department of Defense." These are words of potent authority, for, the President under the Constitution is the Commander in Chief. And, the Secretary of Defense is thus made the Commander in Chief's deputy in all matters relating to the Department. The legislative history of this provision also shows beyond the possibility of challenge that Congress was well aware of the distinctive constitutional command relationships between the President and certain officers in the Department of Defense. Under this power, then, the Secretary of Defense is the highest military officer of the Department.

The fact that statutes have been passed subsequent to the 1949 amendments to the National Security Act which statutes confer specific authorities on a Secretary of a particular military department or other subordinate officer of the Department does not detract from the supreme authority of the Secretary of Defense. Once supreme authority is established it need not be repeatedly mentioned. On the contrary, it would require a most specific and emphatic statement to restrict or detract from the supreme authority conferred on the Secretary of Defense in the basic statute, the National Security Act, as amended.

Limitations on the supreme power of the Secretary of Defense are few and are specifically cataloged in the National Security Act. They are—

(1) The Secretary of Defense may not exercise his power so as to transfer, reassign, abolish, or consolidate the combatant functions of the military services. The scope and definition of what is meant by "combatant function" are carefully spelled out in the law. Congress did not intend that such scope be enlarged or diminished by reading into the statute what is not specifically there.

(2) The Secretary of Defense may not indirectly accomplish what is directly forbidden in the first paragraph by either:

(*a*) detailing or assigning personnel, or
(*b*) directing the expenditure of funds.

(3) The Secretary of Defense cannot merge the three military departments or deprive the Secretaries of those departments of their legal right to administer their organizations, subject to his power and authority.

This prohibition is reinforced by the affirmative provision that "the Departments of the Army, Navy, and Air Force shall be separately administered by their respective Secretaries under the direction, authority and control of the Secretary of Defense." The argument that the words "separately admin-

istered" detract from the "direction, authority, and control" of the Secretary of Defense is without substance on its face and obviously is contrary to congressional intent. "Separately administered" simply means that the Secretary of Defense cannot exercise his supreme power so as to destroy the separate entities of the three military departments, or deny them the right to operate in the spheres assigned to them by the law, or deprive their respective Secretaries of their top administrative position over their respective departments.

(4) The Secretary of Defense cannot use his legal power to establish a single commander of all the Armed Forces; an operating military supreme command over the Armed Forces; or a supreme Armed Forces general staff. This prohibition on the exercise of the Secretary's power and authority is expressed in two places in the National Security Act. It is provided for in the preamble to the statute and in a phrase to the effect that the Secretary may not "establish a military staff."

The legislative history of the statute shows unmistakably that the prohibition "he shall not establish a military staff" was never intended by the Congress to operate as a limitation on the power of the Secretary of Defense to establish in his own office such staff units or agencies as he felt might be necessary to assist him in carrying out any responsibility to him under law. The Secretary of Defense has full power, expressly granted in the law, to set up such units and to staff them with either civilian or military personnel as he chooses. Everyone familiar with the background and legislative history of the National Security Act knows just what Congress meant by the term "military staff." The general staff type of military control, as it existed in Germany, has been explained, defined, and attacked in Congress often enough. That form of military staff is completely different from the employment by the Secretary of assistants, either as individuals or grouped into organized units, to advise and assist him. There is no limitation upon the type of problem or subject matter which the Secretary may assign to such assistants or units. Such problems, in the Secretary's discretion, may involve engineering, standardization, weapons evaluation, program review, physical audits and inspections, or whatever else the Secretary may choose.

(5) The Secretary of Defense may not transfer, reassign, abolish, or consolidate a specific function assigned by the National Security Act or some other law to another officer or organizational segment of the Department, unless he first reports his intended action to the Armed Services Committees of the Congress. It should be noted that only a report, not prior approval, is required.

This language clearly presupposes that the Secretary of Defense, as head of the Department of Defense, has the authority to transfer, reassign, abolish, or consolidate functions within the Department, as long as the Secretary does not violate one of the above specified limitations upon his general power.

(6) The following provision of the law is not really a limitation on the power of the Secretary of Defense, namely the provision that nothing in the statute shall be construed: "to prevent a Secretary of a military department or a member of the Joint Chiefs of Staff from presenting to the Congress, on his own initiative, after first so informing the Secretary of Defense, any recommendation relating to the Department of Defense that he may deem proper."

This provision needs no further elaboration.

The six foregoing limitations are all the specific restrictions placed upon the supreme power of the Secretary of Defense to exercise full and complete control over the Department of Defense.

There remains for discussion only one further question, Does the fact that various laws, some passed after the enactment of the National Security Act, vest specific statutory authorities in subordinate officers of the Department in any way impair the supreme authority of the Secretary of Defense.

These laws vesting specific statutory authorities in subordinate officers of the Department in no way impair the supreme authority of the Secretary over the Department. This is true irrespective of the time of passage of such laws.

General provisions of supreme authority do not have to be repeated. As each executive department of the Federal Government has its own statutory head, its own internal administrative command structure, its separate statutory authorities, duties, and responsibilities and its individual traditions, customs, and usages, so also has the Department of Defense been cut from the same cloth. Presidential executive power flows over the separate independent departments and establishments of the Federal Government, is superior to, yet permeates the whole. So also the executive authority, direction, and control of the Secretary of Defense flows over the agencies and organizations of the Department of Defense. No one at this date in our constitutional history would seriously advance the argument that because specific laws vest particular duties and responsibilities in the heads of executive departments, therefore the President does not have and cannot exercise supreme executive power over the entire fabric. The power of the Secretary of Defense is in the same relative position.

In the study of the theory of executive power in the Government, it is quite normal and customary to find that powers of different magnitude are frequently exercised in the same area at the same time. This is true even though the power of one order of magnitude is derived from a specific law, whereas the power of the higher order of magnitude relies upon the words of general import or even upon the structure of the organization itself. There is nothing inherently strange, alien, or difficult in the concept of orders of magnitude in executive power in the Federal Government. Such orders do not mutually exclude each other nor do they operate in specific corners or tiny segments. They operate together. The higher order, however, when it is exercised in a given area, is supreme and overrides the lower order. Insofar as the power of the Secretary of Defense is concerned, there is no legal significance in the fact that various laws have been enacted from time to time vesting specific authorities in subordinate officers of the Department. The time of passage of these laws is of no importance.

Summary

To summarize, we are of the opinion that the National Security Act, as amended, grants to the Secretary of Defense supreme power and authority to run the affairs of the Department of Defense and all its organizations and agencies. We believe that the power of the Secretary of Defense extends to all matters arising in the Department of whatsoever kind or nature; that the statute provides that the power and authority of the Secretary are superior to the authorities possessed by any other official, officer, or member of the Department; that the Secretary's power in the Department is the superior

power irrespective of when or how any other individual's power was derived. The limitations on the exercise of the Secretary's power are only six and they are specifically defined. These limitations have been discussed in detail herein. We do not believe they were intended by the Congress to go beyond what we have outlined.

H. STRUVE HENSEL,
Counsel for the Committee on Department of Defense Organization.
ROGER KENT,
General Counsel.
FRANK X. BROWN,
Assistant General Counsel (Department Programs).

Source: U.S. Congress. Senate. Committee on Armed Services. *Report of the Rockefeller Committee on Department of Defense Organization.* Committee Print. 83rd Congress, 1st session. Washington: Government Printing Office, 1953.

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4. President Eisenhower's Message—30 April 1953.

President Dwight D. Eisenhower, after reviewing the report of the Committee on Department of Defense Organization, submitted his recommendations for changes in the Department of Defense organization on 30 April 1953 in a message transmitting Reorganization Plan No. 6 of 1953.

To the Congress of the United States:

I address the Congress on a subject which has been of primary interest to me throughout all the years of my adult life—the defense of our country.

As a former soldier who has experienced modern war at first hand, and now as President and Commander in Chief of the Armed Forces of the United States, I believe that our Defense Establishment is in need of immediate improvement. In this message I indicate actions which we are taking and must yet take, to assure the greater safety of America.

Through the years our Nation has warded off all enemies. We have defended ourselves successfully against those who have waged war against us. We enjoy, as a people, a proud tradition of triumph in battle.

We are not, however, a warlike people. Our historic goal is peace. It shall ever be peace—peace to enjoy the freedom we cherish and the fruits of our labors. We maintain strong military forces in support of this supreme purpose, for we believe that in today's world only properly organized strength may altogether avert war.

Because we are not a military-minded people, we have sometimes failed to give proper thought to the problems of the organization and adequacy of our Armed Forces. Past periods of international stress and the actual outbreaks of wars have found us poorly prepared. On such occasions we have had to commit to battle insufficient and improperly organized military forces to hold the foe until our citizenry could be more fully mobilized and our resources marshaled. We know that we cannot permit a repetition of those conditions.

Today we live in a perilous period of international affairs. Soviet Russia and her allies have it within their power to join with us in the establishment of a true peace or to plunge the world into global war. To date they have

chosen to conduct themselves in such a way that these are years neither of total war nor total peace.

We in the United States have, therefore, recently embarked upon the definition of a new, positive foreign policy. One of our basic aims is to gain again for the free world the initiative in shaping the international conditions under which freedom can thrive. Essential to this endeavor is the assurance of an alert, efficient, ever-prepared Defense Establishment.

Today our international undertakings are shared by the free peoples of other nations. We find ourselves in an unparalleled role of leadership of free men everywhere. With this leadership have come new responsibilities. With the basic purpose of assuring our own security and economic viability, we are helping our friends to protect their lives and liberties. And one major help that we may give them is reliance upon our own Military Establishment.

Today also witnesses one of history's times of swiftest advance in scientific achievements. These developments can accomplish wonders in providing a healthier and happier life for us all. But—converted to military uses—they threaten new, more devastating terrors in war. These simple, inescapable facts make imperative the maintenance of a defense organization commanding the most modern technological instruments in our arsenal of weapons.

In providing the kind of military security that our country needs, we must keep our people free and our economy solvent. We must not endanger the very things we seek to defend. We must not create a nation mighty in arms that is lacking in liberty and bankrupt in resources. Our armed strength must continue to rise from the vigor of a free people and a prosperous economy.

Recognizing all these national and international demands upon our Military Establishment, we must remain ever mindful of three great objectives in organizing our defense.

First: Our Military Establishment must be founded upon our basic constitutional principles and traditions. There must be a clear and unchallenged civilian responsibility in the Defense Establishment. This is essential not only to maintain democratic institutions, but also to protect the integrity of the military profession. Basic decisions relating to the military forces must be made by politically accountable civilian officials. Conversely, professional military leaders must not be thrust into the political arena to become the prey of partisan politics. To guard these principles, we must recognize and respect the clear lines of responsibility and authority which run from the President, through the Secretary of Defense and the Secretaries of the military departments, over the operations of all branches of the Department of Defense.

Second: Effectiveness with economy must be made the watchwords of our defense effort. To maintain an adequate national defense for the indefinite future, we have found it necessary to devote a larger share of our national resources than any of us have heretofore anticipated. To protect our economy, maximum effectiveness at minimum cost is essential.

Third: We must develop the best possible military plans. These plans must be sound guides to action in case of war. They must incorporate the most competent and considered thinking from every point of view—military, scientific, industrial, and economic.

To strengthen civilian control by establishing clear lines of accountability, to further effectiveness with economy, and to provide adequate planning for military purposes—these were primary objectives of the Congress in enacting the National Security Act of 1947 and strengthening it in 1949.

Now much has happened which makes it appropriate to review the workings of those basic statutes. Valuable lessons have been learned through 6 years of trial by experience. Our top military structure has been observed under changing conditions. The military action in Korea, the buildup of our forces everywhere, the provision of military aid to other friendly nations, and the participation of United States Armed Forces in regional collective security arrangements, such as those under the North Atlantic Treaty Organization—all these have supplied sharp tests of our military organization. Today, in making my specific recommendations, I have also had the benefit of the report prepared by the Committee on Department of Defense Organization established by the Secretary of Defense 3 months ago.

The time is here, then, to work to perfect our Military Establishment without delay.

I

The first objective, toward which immediate actions already are being directed, is clarification of lines of authority within the Department of Defense so as to strengthen civilian responsibility.

I am convinced that the fundamental structure of our Department of Defense and its various component agencies as provided by the National Security Act, as amended, is sound. None of the changes I am proposing affects that basic structure, and this first objective can and will be attained without any legislative change.

With my full support, the Secretary of Defense must exercise over the Department of Defense the direction, authority, and control which are vested in him by the National Security Act. He should do so through the basic channels of responsibility and authority prescribed in that act—through the three civilian Secretaries of the Army, the Navy, and the Air Force, who are responsible to him for all aspects of the respective military departments (except for the legal responsibility of the Joint Chiefs of Staff to advise the President in military matters). No function in any part of the Department of Defense, or in any of its component agencies, should be performed independent of the direction, authority, and control of the Secretary of Defense. The Secretary is the accountable civilian head of the Department of Defense, and, under the law, my principal assistant in all matters relating to the Department. I want all to know that he has my full backing in that role.

To clarify a point which has led to considerable confusion in the past, the Secretary of Defense, with my approval, will shortly issue a revision of that portion of the 1948 memorandum commonly known as the Key West agreement, which provides for a system of designating executive agents for unified commands. Basic decisions with respect to the establishment and direction of unified commands are made by the President and the Secretary of Defense, upon the recommendation of the Joint Chiefs of Staff in their military planning and advisory role. But the provision of the Key West agreement, under which the Joint Chiefs of Staff designate one of their members as an executive agent for each unified command, has led to considerable confusion and misunderstanding with respect to the relationship

of the Joint Chiefs of Staff to the Secretary of Defense, and the relationship of the military chief of each service to the civilian Secretary of his military department.

Hence, the Secretary of Defense, with my approval, is revising the Key West agreement to provide that the Secretary of Defense shall designate in each case a military department to serve as the executive agent for a unified command. Under this new arrangement the channel of responsibility and authority to a commander of a unified command will unmistakably be from the President to the Secretary of Defense to the designated civilian Secretary of a military department. This arrangement will fix responsibility along a definite channel of accountable civilian officials as intended by the National Security Act.

It will be understood, however, that, for the strategic direction and operational control of forces and for the conduct of combat operations, the military chief of the designated military department will be authorized by the Secretary of Defense to receive and transmit reports and orders and to act for that department in its executive agency capacity. This arrangement will make it always possible to deal promptly with emergency or wartime situations. The military chief will clearly be acting in the name and by the direction of the Secretary of Defense. Promulgated orders will directly state that fact.

By taking this action to provide clearer lines of responsibility and authority for the exercise of civilian control, I believe we will make significant progress toward increasing proper accountability in the top levels of the Department of Defense.

II

Our second major objective is effectiveness with economy. Although the American people, throughout their history, have hoped to avoid supporting large military forces, today we must obviously maintain a strong military force to ward off attack, at a moment's notice, by enemies equipped with the most devastating weapons known to modern science. This need for immediate preparedness makes it all the more imperative to see that the Nation maintains effective military forces in the manner imposing the minimum burden on the national economy.

In an organization the size of the Department of Defense, true effectiveness with economy can be attained only by decentralization of operations, under flexible and effective direction and control from the center. I am impressed with the determination of the Secretary of Defense to administer the Department on this basis and to look to the Secretaries of the three military departments as his principal agents for the management and direction of the entire defense enterprise.

Such a system of decentralized operations, however, requires, for sound management, flexible machinery at the top. Unfortunately, this is not wholly possible in the Department of Defense as now established by law. Two principal fields of activity are rigidly assigned by law to unwieldy boards which—no matter how much authority may be centralized in their respective chairmen—provide organizational arrangements too slow and too clumsy to serve as effective management tools for the Secretary. In addition, other staff agencies have been set up in the Office of the Secretary of Defense and their functions prescribed by law, thus making it difficult for the Secretary

to adjust his staff arrangements to deal with new problems as they arise, or to provide for flexible cooperation among the several staff agencies.

Accordingly, I am transmitting today to the Congress a reorganization plan which is designed to provide the Secretary of Defense with a more efficient staff organization. The plan calls for the abolition of the Munitions Board, the Research and Development Board, the Defense Supply Management Agency, and the office of Director of Installations and vests their functions in the Secretary of Defense. At the same time the plan authorizes the appointment of new Assistant Secretaries of Defense to whom the Secretary of Defense intends to assign the functions now vested in the agencies to be abolished and certain other functions now assigned to other officials. Specifically, the reorganization plan provides for 6 additional Assistant Secretaries, 3 to whom the Secretary will assign the duties now performed by the 2 Boards (based on a redistribution of staff functions), 2 who will be utilized to replace individual officials who presently hold other titles, and 1 to be assigned to a position formerly but no longer filled by an Assistant Secretary. The new Assistant Secretary positions are required in order to make it possible to bring executives of the highest type to the Government service and to permit them to operate effectively and with less personnel than at present. In addition, the plan also provides that, in view of the importance of authoritative legal opinions and interpretations, the office of General Counsel be raised to a statutory position with rank substantially equivalent to that of an Assistant Secretary.

The abolition of the present statutory staff agencies and the provision of the new Assistant Secretaries to aid the Secretary of Defense will be the key to the attainment of increased effectiveness at low cost in the Department of Defense. These steps will permit the Secretary to make a thorough reorganization of the nonmilitary staff agencies in his office. He will be able to establish truly effective and vigorous staff units under the leadership of the Assistant Secretaries. Each Assistant Secretary will function as a staff head within an assigned field of responsibility.

Without imposing themselves in the direct lines of responsibility and authority between the Secretary of Defense and the Secretaries of the three military departments, the Assistant Secretaries of Defense will provide the Secretary with a continuing review of the programs of the Defense Establishment and help him institute major improvements in their execution. They will be charged with establishing systems, within their assigned fields, for obtaining complete and accurate information to support recommendations to the Secretary. The Assistant Secretaries will make frequent inspection visits to our farflung installations and check for the Secretary the effectiveness and efficiency of operations in their assigned fields.

Other improvements are badly needed in the Departments of the Army, the Navy, and the Air Force. Accordingly, the Secretary of Defense is initiating studies by the three Secretaries of the military departments of the internal organization of their departments with a view toward making those Secretaries truly responsible administrators, thereby obtaining greater effectiveness and attaining economies wherever possible. These studies will apply to the organization of the military departments some of the same principles of clearer lines of accountability which we are applying to the Department of Defense as a whole.

Immediate attention will also be given to studying improvements of

those parts of the military departments directly concerned with the procurement and distribution of munitions and supplies and the inventory and accounting systems within each military department. We must take every step toward seeing that our Armed Forces are adequately supplied at all times with the materials essential for them to carry on their operations in the field. Necessary to this effort is a reorganization of supply machinery in the military departments. These studies of the organization of the military departments have my full support.

One other area for improved effectiveness is civilian and military personnel management. In this area certain specialized studies and actions are desirable. Accordingly, I have directed the Secretary of Defense to organize a study of the problems of attracting and holding competent career personnel—civilian and military—in the Department of Defense. As a part of this study, an examination of the Office Personnel Act of 1947 and its practical administration will be undertaken to see if any changes are needed. I am directing that this study also include a review of statutes governing the retirement of military officers aimed at eliminating those undesirable provisions which force the early retirement of unusually capable officers who are willing to continue on active service.

The Secretary of Defense, with my approval, is issuing revised orders relating to the preparing and signing of efficiency reports for military personnel who serve full time in the Office of the Secretary, and new instructions to the military departments to guide selection boards in their operations. These actions are aimed at giving full credit to military officers serving in the Office of the Secretary of Defense for their work for the Department of Defense as a whole. Henceforth, civilian officials who have military officers detailed to their offices on a full-time basis will be responsible for filling out and signing the formal efficiency reports for such officers for the period of such service. In the case of officers serving in the Office of the Secretary of Defense, no other efficiency reports for such service will be maintained. The Secretary of each military department is being instructed to direct the boards convened in his department for the selection of military officers for promotion, to give the same weight to service in the Office of the Secretary of Defense and the efficiency reports from that Office as to service in the military department staff and to efficiency reports of departmental officers. These actions are desirable in order to reward military officers equally for service on behalf of the Department of Defense and service on the staff of a military department.

These actions and others which will be undertaken are aimed at a more effective and efficient Department of Defense; indeed, actions toward this objective will be continuous.

The impact of all these measures will be felt through the whole structure of the Department of Defense, its utilization of millions of personnel and billions of dollars. A simple token testimony to this is this fact: in the Office of the Secretary of Defense alone a staff reduction of approximately 500 persons will be effected.

III

Our third broad objective is to improve our machinery for strategic planning for national security. Certain actions toward this end may be taken administratively to improve the organization and procedures within the

Department of Defense. Other changes are incorporated in the reorganization plan transmitted to the Congress today.

The Joint Chiefs of Staff, as provided in the National Security Act of 1947, are not a command body but are the principal military advisers to the President, the National Security Council, and the Secretary of Defense. They are responsible for formulating the strategic plans by which the United States will cope with the challenge of any enemy. The three members of the Joint Chiefs of Staff who are the military chiefs of their respective services are responsible to their Secretaries for the efficiency of their services and their readiness for war.

These officers are clearly overworked, and steps must be devised to relieve them of time-consuming details of minor importance. They must be encouraged to delegate lesser duties to reliable subordinate individuals and agencies in both the Joint Chiefs of Staff structure and in their military-department staffs. One of our aims in making more effective our strategic planning machinery, therefore, is to improve the organization and procedures of the supporting staff of the Joint Chiefs of Staff so that the Chiefs, acting as a body, will be better able to perform their roles as strategic planners and military advisers.

Our military plans are based primarily on military factors, but they must also take into account a wider range of policy and economic factors as well as the latest developments of modern science. Therefore, our second aim in assuring the very best strategic planning is to broaden the degree of active participation of other persons and units at the staff level in the consideration of matters before the Joint Chiefs of Staff and to bring to bear more diversified and expert skills.

The reorganization plan transmitted to the Congress today is designed—without detracting from the military advisory functions of the Joint Chiefs of Staff as a group—to place upon the Chairman of the Joint Chiefs of Staff greater responsibility for organizing and directing the subordinate structure of the Joint Chiefs of Staff in such a way as to help the Secretary of Defense and the Joint Chiefs of Staff discharge their total responsibilities.

Specifically, the reorganization plan makes the Chairman of the Joint Chiefs of Staff responsible for managing the work of the Joint Staff and its Director. The Joint Staff is, of course, a study-and-reporting body serving the Joint Chiefs of Staff. The plan makes the service of the Director of the Joint Staff subject to the approval of the Secretary of Defense. It also makes the service of officers on the Joint Staff subject to the approval of the Chairman of the Joint Chiefs of Staff. These new responsibilities of the Chairman are in consonance with his present functions of serving as the presiding officer of the Joint Chiefs of Staff, providing agenda for meetings, assisting the Joint Chiefs of Staff to perform their duties as promptly as practicable, and keeping the Secretary of Defense and the President informed of issues before the Joint Chiefs of Staff. In addition, the proposed changes will relieve the Joint Chiefs of Staff, as a body, of a large amount of administrative detail involved in the management of its subordinate committee and staff structure.

In support of our second aim, broadened participation in strategic planning, the Secretary of Defense will direct the Chairman of the Joint Chiefs of Staff to arrange for the fullest cooperation of the Joint Staff and the subcommittees of the Joint Chiefs of Staff with other parts of the Office

of the Secretary of Defense in the early stages of staff work on any major problem. If necessary, to aid in this additional burden, an Assistant or Deputy Director of the Joint Staff will be designated to give particular attention to this staff collaboration. Thus, at the developmental stages of important staff studies by the subordinate elements of the Joint Chiefs of Staff, there will be a proper integration of the views and special skills of the other staff agencies of the Department, such as those responsible for budget, manpower, supply, research, and engineering. This action will assure the presentation of improved staff products to the Joint Chiefs of Staff for their consideration.

Also, special attention will be given to providing for the participation of competent civilian scientists and engineers within the substructure of the Joint Chiefs of Staff. Such participants will be able to contribute a wide range of scientific information and knowledge to our strategic planning.

Only by including outstanding civilian experts in the process of strategic planning can our military services bring new weapons rapidly into their established weapons systems, make recommendations with respect to the use of new systems of weapons in the future war plans, and see that the whole range of scientific information and knowledge of fundamental cost factors are taken into account in strategic planning.

Taken together, the changes included in the reorganization plan and the several administrative actions should go a long way toward improving the strategic planning machinery of the Joint Chiefs of Staff, and lead to the development of plans based on the broadest conception of the overall national interest rather than the particular desires of the individual services.

I transmit herewith Reorganization Plan No. 6 of 1953, prepared in accordance with the Reorganization Act of 1949, as amended, and providing for reorganizations in the Department of Defense.

After investigation I have found and hereby declare that each reorganization included in Reorganization Plan No. 6 of 1953 is necessary to accomplish one or more of the purposes set forth in section 2 (a) of the Reorganization Act of 1949, as amended.

I have found and hereby declare that it is necessary to include in the accompanying reorganization plan, by reason of reorganizations made thereby, provisions for the appointment and compensation of six additional Assistant Secretaries of Defense and a General Counsel of the Department of Defense. The rates of compensation fixed for these officers are those which I have found to prevail in respect of comparable officers in the executive branch of the Government.

The statutory authority for the exercise of the function of guidance to the Munitions Board in connection with strategic and logistic plans, abolished by section 2 (d) of the reorganization plan, is section 213 (c) of the National Security Act of 1947, as amended.

The taking effect of the reorganizations included in Reorganization Plan No. 6 of 1953 is expected to result in a more effective, efficient, and economical performance of functions in the Department of Defense. It is impracticable to specify or itemize at this time the reduction of expenditures which it is probable will be brought about by such taking effect.

The Congress is a full partner in actions to strengthen our Military Establishment. Jointly we must carry forward a sound program to keep America strong. The Congress and the President, acting in their proper spheres, must perform their duties to the American people in support

of our highest traditions. Should, for any reason, the national military policy become a subject of partisan politics, the only loser would be the American people.

We owe it to all the people to maintain the best Military Establishment that we know how to devise. There are none, however, to whom we owe it more than the soldiers, the sailors, the marines, and the airmen in uniform whose lives are pledged to the defense of our freedom.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE,
April 30, 1953.

REORGANIZATION PLAN NO. 6 OF 1953

(Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 30, 1953, pursuant to the provisions of the Reorganization Act of 1949, approved June 20, 1949, as amended)

Department of Defense

SECTION 1. TRANSFERS OF FUNCTIONS.—(a) All functions of the Munitions Board, the Research and Development Board, the Defense Supply Management Agency, and the Director of Installations are hereby transferred to the Secretary of Defense.

(b) The selection of the Director of the Joint Staff by the Joint Chiefs of Staff, and his tenure, shall be subject to the approval of the Secretary of Defense.

(c) The selection of the members of the Joint Staff by the Joint Chiefs of Staff, and their tenure, shall be subject to the approval of the Chairman of the Joint Chiefs of Staff.

(d) The functions of the Joint Chiefs of Staff with respect to managing the Joint Staff and the Director thereof are hereby transferred to the Chairman of the Joint Chiefs of Staff.

SEC. 2. ABOLITION OF AGENCIES AND FUNCTIONS.—(a) There are hereby abolished the Munitions Board, the Research and Development Board, and the Defense Supply Management Agency.

(b) The offices of Chairman of the Munitions Board, Chairman of the Research and Development Board, Director of the Defense Supply Management Agency, Deputy Director of the Defense Supply Management Agency, and Director of Installations are hereby abolished.

(c) The Secretary of Defense shall provide for winding up any outstanding affairs of the said abolished agency, boards, and offices, not otherwise provided for in this reorganization plan.

(d) The function of guidance to the Munitions Board in connection with strategic and logistic plans as required by section 213 (c) of the National Security Act of 1947, as amended, is hereby abolished.

SEC. 3. ASSISTANT SECRETARIES OF DEFENSE.—Six additional Assistant Secretaries of Defense may be appointed from civilian life by the President, by and with the advice and consent of the Senate. Each such Assistant Secretary shall perform such functions as the Secretary of Defense may from time to time prescribe and each shall receive compensation at the rate prescribed by law for assistant secretaries of executive departments.

SEC. 4. GENERAL COUNSEL.—The President may appoint from civilian life, by and with the advice and consent of the Senate, a General Counsel of the Department of Defense, who shall be the chief legal officer of the Department, and who shall perform such functions as the Secretary of Defense may from time to time prescribe. He shall receive compensation at the rate prescribed by law for assistant secretaries of executive departments.

SEC. 5. PERFORMANCE OF FUNCTIONS.—The Secretary of Defense may from time to time make such provisions as he shall deem appropriate authorizing the performance by any other officer, or by any agency or employee, of the Department of Defense of any function of the Secretary, including any function transferred to the Secretary by the provisions of this reorganization plan.

SEC. 6. MISCELLANEOUS PROVISIONS.—(a) The Secretary of Defense may from time to time effect such transfers within the Department of Defense of any of the records, property, and personnel affected by this reorganization plan, and such transfers of unexpended balances (available or to be made available for use in connection with any affected function or agency) of appropriations, allocations, and other funds of such Department, as he deems necessary to carry out the provisions of this reorganization plan.

(b) Nothing herein shall affect the compensation of the Chairman of the Military Liaison Committee (63 Stat. 762).

Source: U.S. Congress. House of Representatives. Message from the President. *Reorganization Plan No. 6 of 1953.* H. Doc. 136. 83rd Congress, 1st session. Washington: Government Printing Office, 1953.

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5. Reorganization Plan No. 6 (effective 30 June 1953).

Hearings on Reorganization Plan No. 6 were held by the House Committee on Government Operations from 17 to 20 June 1953. On 22 June the Committee, by a vote of 14 to 12, favorably reported H.R. 5845 and H.J. Res. 264, each of which would have enacted the proposed reorganization plan except for two provisions increasing the power of the Chairman of the Joint Chiefs of Staff to select and manage the Joint Staff—subsections (c) and (d) of Section 1 of the President's plan. Two days later, after the Committee on Rules had denied a rule for the consideration of H.J. Res. 264, the Committee on Government Operations, by a vote of 16 to 14, approved H. Res. 295 rejecting the entire reorganization plan. The House of Representatives debated H. Res. 295 on 26 and 27 June and defeated it by a vote of 235 to 108.

As neither the Senate nor the House took unfavorable action within 60 days after the President transmitted Reorganization Plan No. 6, the plan became effective on 30 June 1953 (67 Stat. 638). (See above item.)

A comparison of the organization charts of the Department of Defense before and after Reorganization Plan No. 6 (see pp. 116 and 160) clarifies the major organizational changes that occurred.

Sources: U.S. Congress. House of Representatives. Committee on Government Operations. *Hearings on H.J. Res. 264: Reorganization Plan No. 6 of 1953 (Department of Defense).* 83rd Congress, 1st session. Washington: Government Printing Office, 1953.

U.S. Congress. House of Representatives. Committee on Government Operations. *Providing for the Taking Effect of Provisions of Reorganization Plan No. 6 of 1953.* H. Rpt. 633. 83rd Congress, 1st session. Washington: Government Printing Office, 1953.

U.S. Congress. House of Representatives. Committee on Government Operations. *Putting into Effect Certain Provisions of Reorganization Plan No. 6 of 1953.* H. Rpt. 634. 83rd Congress, 1st session. Washington: Government Printing Office, 1953.

U.S. Congress. House of Representatives. Committee on Government Operations. *Disapproving Reorganization Plan No. 6 of 1953.* H. Rpt. 652. 83rd Congress, 1st session. Washington: Government Printing Office, 1953.

U.S. Congress. *Congressional Record.* Volume 99, Part 5, pp. 6996 and 7033 (22 June 1953), 7173–75, 7177, and 7217 (24 June 1953); Part 6, pp. 736–98 (26 June 1953), and 7480–97 (27 June 1953). Washington: Government Printing Office, 1953.

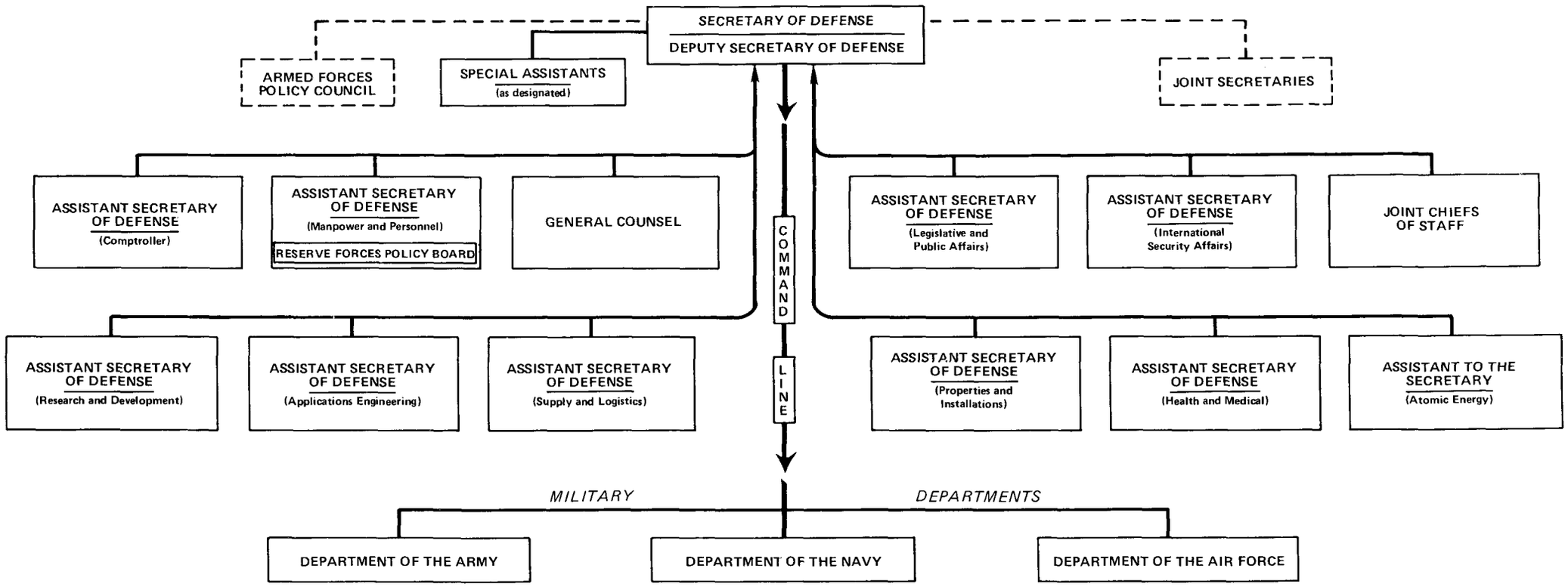
For organization charts, see:

Office of Secretary of Defense Records, 1952–53, National Archives, Washington, D.C.

CHART 12

OFFICE OF SECRETARY OF DEFENSE

23 SEPTEMBER 1953



Approved: Secretary of Defense
22 September 1953

IV.
Defense Reorganization Act of 1958

Sequence of Major Events

1. Organizational Developments—1953–58. Enactment of public laws and approval of reorganization plans during this period slightly modified the National Security Act of 1947, as amended.

2. The Second Hoover Commission—1953–58. The second Commission on Organization of the Executive Branch of the Government recommended numerous changes in the business organization of the Department of Defense that led to further careful reviews and adjustments in internal organization and in administrative procedures.

3. Establishment of the Advanced Research Projects Agency—1958. The Congress authorized the Secretary of Defense to engage in advanced research and development projects for new weapons. The Advanced Research Projects Agency was established for this purpose in February 1958.

4. President Eisenhower's Message—3 April 1958. Upon completion of a study of the Department of Defense by a special assistant to the Secretary of Defense, the President transmitted recommendations for further legislation to the Congress.

5. Congressional Action on the Defense Reorganization Legislation—16 April–24 July 1958. Although some members of the Congress opposed increased authority for the Secretary of Defense, the proponents of change achieved most of the President's recommendations, providing the Secretary of Defense with additional authority beyond that requested by the President over the assignment of new weapon systems and over common supply and logistical service activities.

6. The Defense Reorganization Act of 1958—6 August 1958. Amending the National Security Act of 1947, as amended, this act further subordinated the military departments to the central authority of the Secretary of Defense, established the chain of command from the President through the Secretary of Defense and the Joint Chiefs of Staff to the unified

and specified commands, and provided for the central direction and control of research and development.

7. Major Modifications of the National Security Act of 1947–1949–58. The major proposals during this period for amending the act are presented in tabular form for ready comparison.

IV.
Defense Reorganization Act of 1958

1. Organizational Developments—1953–58.

Between April 1953 and August 1958, the National Security Act of 1947 was slightly modified by the enactment of reorganization plans and public laws affecting agencies covered by the act.

a. The National Security Resources Board was abolished by Reorganization Plan No. 3, effective 12 June 1953 (65 Stat. 634), and most of its functions were transferred to the Director of Defense Mobilization. The National Security Act was amended to conform with this reorganization by Public Law 779, 83rd Congress, 3 September 1954 (68 Stat. 1226).

b. Membership in the National Security Council was affected by: (1) Reorganization Plan No. 3, effective 12 June 1953 (67 Stat. 634), which substituted the Director of the Office of Defense Mobilization for the Chairman of the National Security Resources Board; (2) Reorganization Plan No. 6, effective 30 June 1953 (67 Stat. 638), which abolished the positions of Chairman of the Munitions Board and Chairman of the Research and Development Board, formerly designated as persons who might serve on the Council at the pleasure of the President; (3) Reorganization Plan No. 7, effective 6 August 1953 (67 Stat. 640), which substituted the Director of the Foreign Operations Administration for the Director of Mutual Security; (4) Public Law 665, 83rd Congress, 26 August 1954 (68 Stat. 855, 856) and Executive Order 10610, 9 May 1955, which transferred the functions of the Foreign Operations Administration to the International Cooperation Administration and abolished membership on the Council of the Director of the new agency; and (5) Reorganization Plan No. 1, effective 1 July 1958 (72 Stat. 1799) as amended by Public Law 85–763, 26 August 1958 (72 Stat. 861), which transferred the functions of the Director of the Office of Defense Mobilization to the Director of the Office of Civil and Defense Mobilization.

c. The sections dealing with the Central Intelligence Agency—Sections 102 (a) and (b)—were affected by Public Law 15, 83rd Congress, 4 April 1953 (67 Stat. 19, 20), which established a Deputy Director and clarified the conditions under which a commissioned officer, active or retired, could serve as Director or Deputy Director.

d. The number of Assistant Secretaries in the military departments was raised from two to four by Public Law 562, 83rd Congress, 3 August 1954 (68 Stat. 649). One of the additional positions in each department was to be designated Assistant Secretary for Financial Management.

e. Salaries of officials cited in the National Security Act were raised by Public Law 854, 84th Congress, 31 July 1956 (70 Stat. 736).

f. The revision of Title 10 and Title 32 of the U.S. Code began in 1948 and was completed with the enactment of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 1), which repealed certain sections

of the National Security Act of 1947 as amended, and restated those provisions without substantive change in Title 10.

2. *The Second Hoover Commission—1953–58.*

A new Commission on Organization of the Executive Branch of the Government was established on 10 July 1953. Like its predecessor of 1947–49, it was headed by former President Herbert C. Hoover. Of the 19 reports of the Commission and the 21 additional studies of its task forces and subcommittees, the one of major importance to the Department of Defense was the Report on Business Organization of the Department of Defense, transmitted to the Congress on 20 June 1955. Its recommendations were the following:

1. The Secretary of Defense should create in his Office a civilian position invested with sufficient stature and authority to insure the establishment and maintenance of effective planning and review of military requirements. The official occupying this position would, on behalf of the Secretary:

(a) Maintain active liaison with National Security Council, Joint Chiefs of Staff and their staffs;

(b) Coordinate all guidance provided at the Office of the Secretary of Defense level to the military departments covering the preparation of requirements programs; and

(c) Provide for a system of effective review and analysis of defense plans and requirements computations.

2. The Secretary of Defense should emphasize the management areas of logistics, research and development, personnel and finance, and should regroup certain functions under Assistant Secretaries to strengthen coordination of these four principal management areas.

3. The Secretary of Defense should appoint a principal career assistant to each Assistant Secretary of Defense of such stature and competence that continuity of administration will be improved.

4. The Secretary of Defense should revise the assignments of departmental Assistant Secretaries to secure a uniform grouping of management responsibilities similar to that proposed for the four management Assistant Secretaries of Defense.

5. The Secretary of Defense should define the relationship of the military Chief of Staff to the support activities as that of: (1) planning and requesting the materiel, services, facilities and specialized personnel required to support the operating forces subject to the review and approval of the Secretariat; and (2) exercising direct authority over tactical and combat-related support activities performed by the logistics organization.

6. The Secretary of Defense should assign to the Assistant Secretary for Logistics in each department direct management control over supply and service activities.

7. The Secretary of Defense should assign clear responsibility for the coordination of research and development programs to an Assistant Secretary for Research and Development in each department.

8. Congress should enact legislation establishing a separate civilian-managed agency, reporting to the Secretary of Defense, to administer common supply and service activities.

9. The legislation establishing the separate supply and service agency

should specify criteria which will assure a strict supporting role for the agency.

10. The separate agency should be named the "Defense Supply and Service Administration," and its Administrator should be a Presidential appointee. Initially, the agency should manage selected items of common supply, and operate general and specialized hospitals.

11. Congress should instruct the Secretary of Defense to report semi-annually on progress being made in improving all phases of the supply and logistics system.

12. Congress should enact legislation to minimize present obstacles to Government service by outstanding citizens, and should provide positive incentives which will attract and hold able administrators. Examples of improvements which should be made are:

(a) Increase the level of compensation for Assistant Secretaries, as already recommended by the task force on personnel and civil service, to an amount approximating $25,000. It is further suggested that the pay for other members of the Secretariats be placed at appropriate rates above $25,000.

(b) Modify the "conflict of interest" laws so that Presidential appointees are not forced to liquidate lifetime business equities in order to accept Federal appointment. Instead, each new appointee should take an oath (as part of his regular oath of office) that he will disqualify himself from participation in any decision which involves his company or financial interests.

13. Congress should enact a title V to the National Security Act to provide the legislative basis for specializing management and technical personnel in the support activities. This legislation should establish these basic principles:

(a) Military personnel will be limited primarily to posts in tactical organizations, and civilian personnel will be utilized increasingly in management and technical positions in support activities.

(b) Criteria will be established for use in determining those management and technical positions in support organizations which will be filled by civilian personnel and those which must be filled by military officers.

(c) Legal and administrative obstacles which prevent the most productive utilization of both civilian and military personnel in support activities should be promptly removed. The Secretary of Defense should submit to Congress recommendations covering any changes which are needed in existing law.

14. Congress should incorporate criteria in title V to the National Security Act which will clearly distinguish the proper roles for civilian and military support managers and technical personnel and should direct immediate application of these criteria by the Secretary of Defense.

15. The Secretary of Defense should establish a personnel system for support activities which provides comparable standards for selection, training, promotion and compensation of both civilian and military managers and technical personnel. Congress should enact necessary legislative changes in order to carry out this objective.

16. The Secretary of Defense should require members of the Secretariats to participate in developing and applying the career management program in activities under their jurisdiction.

17. To improve the financial tools of management: (1) Congress should

enact legislation to enable the Department of Defense to prepare and administer budgets on an accrued expenditure basis; (2) the Department of Defense should continue and extend the use of systems of accrual and cost accounting and, wherever it will add to efficient management, the use of working capital funds; (3) the Department of Defense should intensify its efforts to establish complete inventory records, and to develop continuing and effective inventory controls.

18. To fix responsibility for managing defense dollars: (1) each Assistant Secretary of Defense should be responsible for screening the requirements programs of each department for his area of functional jurisdiction and for advising the Assistant Secretary of Defense for Financial Management as to the financial needs for such activities; (2) each departmental Assistant Secretary should be held responsible for screening requirements and for participating in the formulation and continuing review of the budget for those activities and programs under his jurisdiction.

19. Congress should amend existing legislation to assign each Assistant Secretary for Financial Management exclusive supervision of the departmental comptroller organization; pending such legislative action, the Secretary of Defense should accomplish this objective by directive.

For a graphic presentation of these organizational recommendations, see Chart 13.

The comments of the Department of Defense on this Report were summarized by the Secretary of Defense in March 1956.

GENERAL COMMENTS

The Hoover Commission Report on Business Organization of the Department of Defense contains basic and far-reaching proposals relating to the management problems facing the Secretary of Defense and the Secretaries of the three military departments. Because we fully recognize and appreciate the great public service performed by the Commission under the leadership of its illustrious Chairman, the Honorable Herbert Hoover, its proposals relating to the Department of Defense have not only been most carefully and conscientiously reviewed by the military departments and by the Secretariat of my office, but they have also received my own close personal attention. Its basic objectives are our objectives, and many of its specific recommendations we have adopted and are implementing.

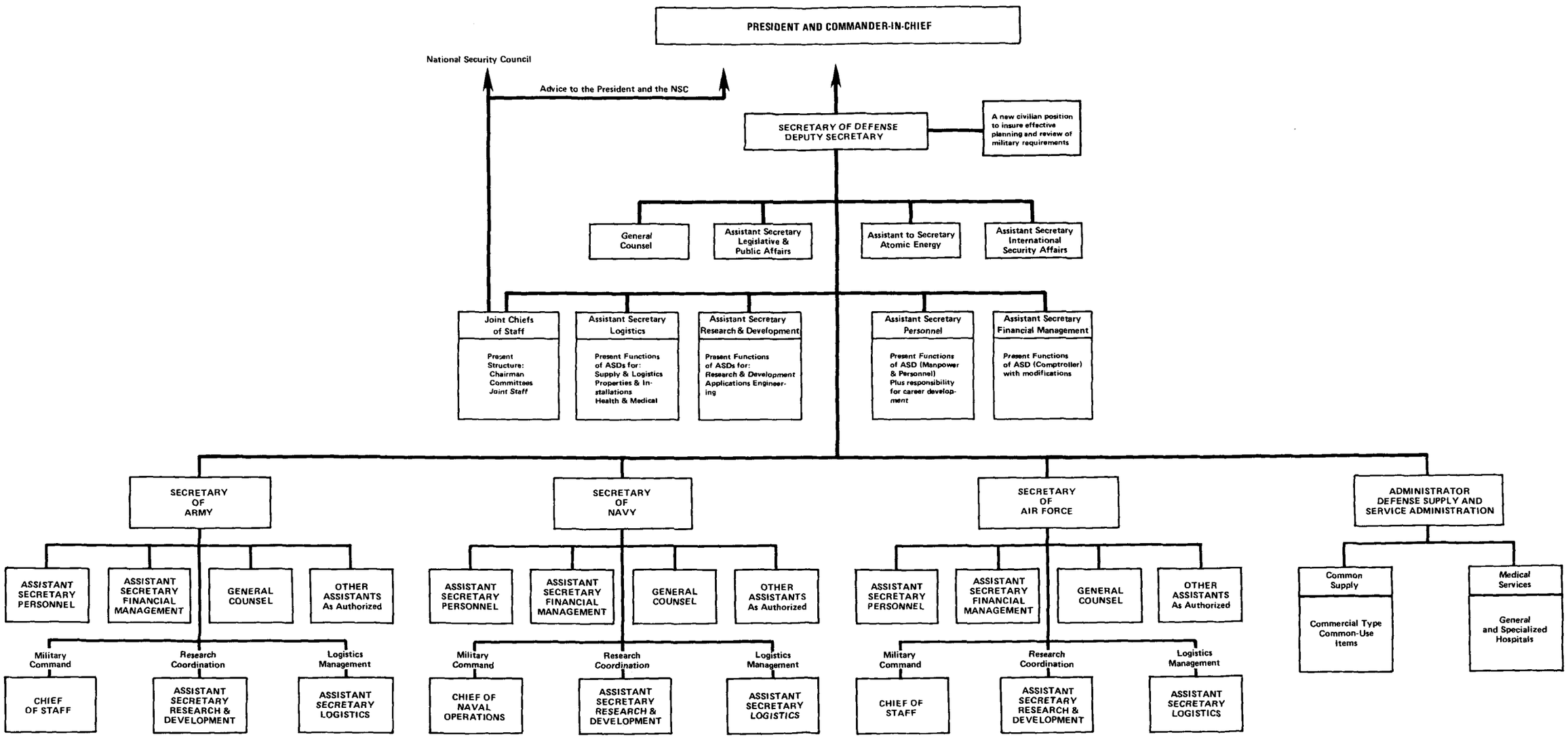
Already, important progress in organization effectiveness has been made through various steps such as the implementation of the Rockefeller Committee Report designed to accomplish similar results, Reorganization Plan No. 6, and the further legislation providing for the appointment of two additional Assistant Secretaries in each of the military departments. Further substantial improvements in organization and procedures were effected during the time the Hoover Commission studies were being made to the end that many of its final recommendations were already in the process of being implemented. Some of the departmental actions taken related to recommendations of the Advisory Committee on Fiscal Organization and Procedures which had been appointed on August 18, 1953, and made its report on October 1, 1954.

Since it takes time to work out important organization changes, particularly in the military departments, improvements in effective coordination are still to be made. The management goals recommended in the Commis-

CHART 13

ORGANIZATION OF DEPARTMENT OF DEFENSE RECOMMENDED BY COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH (SECOND HOOVER COMMISSION)

20 JUNE 1955



c. Assignment of important operating responsibilities to the Assistant Secretary of Defense (International Security Affairs). This has materially relieved demands formerly placed directly on the Deputy Secretary.

2. With respect to requirements planning and review, we have made substantial progress toward the Commission's objective of devoting more vigorous attention to these matters.

a. Proceeding on the basic theory that the strongest approach to civilian review of requirements must originate at the source, to wit the military departments, we have established the principle that each department has the primary responsibility for analysis and review at the secretarial level. We are maintaining a close follow-up on the results, and I intend to assure that a thorough and searching civilian review of requirements continues within each department.

b. The Assistant Secretary of Defense (Supply and Logistics) has established a Director of Requirements Review and Analysis to evaluate the materiel requirements submitted by the military departments.

c. Cooperation between the Assistant Secretary of Defense (Supply and Logistics) and the Joint Chiefs of Staff and the Joint Staff has been established on a sound basis.

d. Final coordination between the Assistant Secretary of Defense (Supply and Logistics) and the Assistant Secretary of Defense (Comptroller) with ultimate review by the Secretary and the Deputy Secretary of Defense has been established.

3. Another area stressed by the Commission is the need for more authoritative attention to research and development by the Secretariat of each department. The Air Force has an Assistant Secretary who is specifically responsible for research and development. In the Navy, this responsibility is assigned to the Assistant Secretary for Air. Just recently the Army appointed a Director of Research and Development reporting to the Secretary since no position of Assistant Secretarial rank is now available for this post. We fully agree with this Commission recommendation on this subject, and to achieve it an additional Assistant Secretary for Research and Development in both the Army and Navy is being requested.

Furthermore, we believe the Air Force should also have an additional Assistant Secretary to whom responsibility could be given for construction and development of bases. This would mean that each of the departments would have five Assistant Secretaries—one each on Financial Management, Personnel, Research, Supply and Logistics, and a fifth Assistant Secretary who, in the case of the Army, would supervise civilian-military functions such as the Panama Canal, the activities of the Army Engineers, etc. In the Navy this man would be the Assistant Secretary for Air and would have the special responsibility of coordinating the air activities of the Navy with the Air Force and within the Navy itself. The fifth Assistant Secretary in the Air Force at the present time would be assigned to the construction problems and base problems of the Air Force.

4. We are continuing to take other steps to strengthen the role of civilian secretaries in assuring effective management of support activities, both in the Office of the Secretary of Defense and in the military departments. We have recently made a study of the charters of the Assistant Secretaries of Defense and have concluded that ample authority now exists for them to carry out their responsibilities effectively.

sion's Report on Business Organization have long been recognized in the Department of Defense, and we agree fully with the emphasis placed on the desirability of achieving them as promptly as possible.

The Business Organization Report emphasized four principal management goals:

—More effective management coordination within the Office of the Secretary of Defense, and between this Office and the military departments

—Improving management of supply and service activities common to the military departments

—Improving management personnel

—Improving financial management.

In general, we endorse the objectives of the Hoover Commission's recommendations. However, in some cases we believe there are more effective means of achieving those objectives.

I should like to analyze the four main goals posed for the Department of Defense by the Hoover Commission and the means of achieving them.

First Goal—More Effective Management Coordination

Here the Commission found the need for better communication and teamwork within the Office of the Secretary of Defense and between this Office and the military departments. To accomplish this the Commission recommended that I appoint another high-level civilian assistant to hold tighter rein over requirements planning and review—and that management functions be regrouped among fewer Assistant Secretaries in order to give stronger emphasis to logistics, research and development, personnel, and finance.

I have given these and related recommendations very serious study, because in some degree they are at variance with the recommendations of the Rockefeller Committee, which have been only recently implemented by Reorganization Plan No. 6 dealing with this same subject. Our review of this particular subject, therefore, leads us to believe that our present program is essentially sound and does effectively take care of the Commission's basic objectives. We, therefore, do not think we should make the particular changes recommended by the Commission as outlined in the preceding paragraph.

While the Hoover Commission was making its studies, we were taking steps to improve the coordination within the Office of the Secretary of Defense among the newly-appointed Assistant Secretaries of Defense and in their relationships with the military departments. These actions, we feel, have corrected many of the conditions cited by the Commission.

1. The Deputy Secretary is concentrating his attention on internal management and the activities of the Assistant Secretaries. This is meeting the need for closer coordination among all parts of the Office of the Secretary of Defense and is placing greater emphasis upon the major management functions. Some of the steps already taken from which benefits are resulting are:

a. Frequent meetings of the Assistant Secretaries of Defense in a reactivated Staff Council, on which the Office of the Chairman of the Joint Chiefs of Staff is also represented.

b. Clarification of charters to eliminate overlaps among the Assistant Secretaries of Defense.

Second Goal—Improving Management of Common Supply and Service Activities

The Hoover Commission felt that the way to achieve improved management in the common supply and service fields was through the establishment of a new agency. I agree that our progress since World War II has been far too slow, even though the problem was further complicated by the Korean war. In this area it is clear that we can no longer depend on voluntary coordination alone to eliminate duplicating facilities and supply systems. We believe, however, that we can obtain most, if not all, of the benefits envisaged by the Hoover Commission in their recommendation to establish "a separate agency to administer common supply and service activities" without adopting this recommendation in toto. We believe we can accomplish our objective within the framework of the present Department of Defense organization without creating another layer of unnecessary paper work or confusing and diluting the responsibilities of the military departments. In short, we believe we can do this through our Single Manager Plan, which will provide positive control by the Single Manager in the area assigned to him for the entire supply cycle from procurement through distribution, including interservice supply support.

This type of program is now well under way in subsistence where the Department of the Army is now functioning as the Single Manager (following the plan proposed by the Hoover Commission report on Food and Clothing). We plan to extend this technique of unified supply command as soon as possible to clothing and textiles, petroleum, medical supplies, photographic supplies, and traffic management. In addition, the Military Air Transport Service and the Military Sea Transportation Service will be made to conform to the basic Single Manager concept.

The feasibility of further extension of this management technique will be determined later after careful study of possible savings and the advantages and disadvantages of this type of operation, recognizing that the primary mission is to support effectively and economically the military effort of the country.

As a further illustration of the common service principle, we have also taken steps to secure joint utilization of hospitals by the military departments, in line with proposals by the Hoover Commission report on Medical Services.

Third Goal—Improving Management Personnel

We are in general agreement with most of the recommendations of the Hoover Commission for improving management personnel and in complete agreement with the objectives. We fully agree that more definitive criteria must be established for military and civilian personnel in the management of support activities. Furthermore, we must assure greater opportunity for qualified career civilians. Greater incentives for the performance of an effective management job by both military and civilian managers must be provided.

Recognizing the importance of the Business Organization Report, the Special Personnel Problems Report, and the other Hoover Commission recommendations on management personnel, the Assistant Secretary of Defense (Manpower, Personnel and Reserve) appointed a special interservice committee to study the problems involved. In addition, he and his staff

have devoted much time and effort to the development of a program to solve the problems pointed up by the Commission. A vigorous and positive program is being established as a result of this effort.

We recognize that the solution is not an easy one because of such factors as (1) the need for training military personnel for combat related support assignments, (2) availability of qualified civilians, and (3) limitation on numbers and grades for top civilian personnel. Progress, nevertheless, is being made toward the solution of these problems. A thorough study and review of management jobs in the support activities is being made to determine whether they should normally be filled by civilian or military personnel. Legislation has been proposed that would increase the number of top career managers, scientists, and technicians.

Fourth Goal—Improving Financial Management

The most far-reaching proposal of the Commission for improving management's financial tools in the Department of Defense is that Congress enact legislation to place budgets on an accrued expenditure basis. The Commission report on Budget and Accounting contained a similar proposal for application to all executive departments and agencies. The Department stands ready to cooperate fully with those agencies responsible for implementing action, in the development of legislation, or in participating in government-wide studies to develop needed information.

Other Commission proposals for improving financial tools would continue and extend the use of accrual and cost accounting systems, the use of working capital funds, and improved inventory controls. These proposals have our entire support. The Department has already made substantial headway in these areas under Title IV of the National Security Act and will continue aggressive efforts to complete its program. The results of these efforts will be reflected in the quarterly reports which are submitted to the Senate Committee on Armed Services, showing the Department's progress in the implementation of this Title.

In addition, we are presently taking steps further to strengthen, within the military departments, the role and responsibility of the Comptroller in his relation to the Assistant Secretary for Financial Management. This, coupled with analysis and review and overall audit control in the Secretariat, should insure strong fiscal, accounting and reporting controls without any additional legislation.

Conclusion

In conclusion, we should like to repeat that we fully recognize the great public service performed by the Commission. While we have not fully agreed with the Commission's recommendations in all cases, our studies and analysis of these proposals have made it clear that we can adopt a high percentage of them. Where we have differed in approach, for practical or other compelling reasons, we believe that our alternative procedural and organizational changes will be at least as effective as the Commission's recommendations in promoting better management and in achieving our common objectives. Fully as important as its specific proposals, in our opinion, is that the Commission has stimulated within the Department of Defense a self-analysis which will lead to even further and more rapid progress toward the mutually desired goals.

C. E. WILSON

In April 1958, Secretary of Defense Neil H. McElroy provided the Congress with a tabulation of the progress made in carrying out the 359 Hoover Commission recommendations applicable to the Department. This tabulation was accompanied by a narrative report that summarized the actions taken and the reasons for not concurring with 17 recommendations. (See tabulation on p. 172.)

Sources: U.S. Commission on Organization of the Executive Branch of the Government. *Business Organization of the Department of Defense, A Report to the Congress.* Washington: Government Printing Office, 1955, pp. 87–92. (For organization chart, see p. 92.)

U.S. Department of Defense. *Comments on the Hoover Commission Report on Business Organization of the Department of Defense.* (Mimeographed.) Washington: Department of Defense, 1956.

U.S. Congress. House of Representatives. Subcommittee on Department of Defense Appropriations of the Committee on Appropriations. *Hearings on Department of Defense Appropriations for 1959, Advanced Research Projects Agency, Airlift, etc.,* pp. 412–23. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

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3. *Establishment of the Advanced Research Projects Agency—1958.*

Four days after the Soviet Union successfully placed into orbit its second earth satellite Sputnik II on 3 November 1957, President Dwight D. Eisenhower warned the American people of the significance of this scientific achievement and the influence of science on defense. To meet the Soviet challenge and to assure continued national security, he proposed greater emphasis on U.S. scientific development. President Eisenhower stated that he and the Secretary of Defense had agreed "that any new missile or related program hereafter originated will, whenever practicable, be put under a single manager and administered without regard to the separate services." The official responsible for missile development in the Department of Defense would work closely with the newly created office of the Special Assistant to the President for Science and Technology. Later in November, after Congress had adjourned, Secretary of Defense Neil H. McElroy discussed in testimony before two congressional committees the plan for establishing a separate agency to manage new weapon programs during the early stages of research and exploratory development.

On 7 January 1958, the President transmitted a request for additional expenditure authority for the Department of Defense, including $10 million for a proposed Advanced Research Projects Agency. That portion of the President's supplementary request involving construction of Air Force installations was incorporated in H.R. 9739, introduced on 7 January by Carl Vinson, Chairman of the House Committee on Armed Services. After hearings on the bill on 11 and 13 January the committee reported it favorably on 14 January. The committee on 13 January also began an investigation of Defense missile programs with Secretary McElroy discussing his plan for the new research agency. The Secretary's authority to establish such an organization without additional legislation was questioned by some

SUMMARY OF DEPARTMENT OF DEFENSE ACTIONS ON RECOMMENDATIONS OF THE COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Report	Recommendations						
	Applicable to the Department of Defense	Fully in effect [1]	Partially in effect [1]	Not requiring Department of Defense action	Fully concurred in [2]	Concurred in (qualified) [3]	For Department of Defense action not concurred in
Budget and Accounting	15	3	12				
Business Enterprises	12	3	5	2			2
Business Organization of Department of Defense	19	3	11				5
Depot Utilization	16	11	4	1			
Food and Clothing	26	18	6	1			1
Intelligence Activities:							
Unclassified	6	3	1	1			1
Classified	56				29	23	4
Legal Services	18	3	6	9			
Lending Agencies	5			5			
Federal Medical Services	15	6	3	5			1
Overseas Economic Operations	11	1		10			
Paperwork Management	21	5	3	13			
Personnel and Civil Service	17	5	10	2			
Procurement	15	5	9				1
Real Property Management	12	1	5	6			
Research and Development	15	14	1				
Surplus Property	17	6	11				
Transportation	20	5	11	2			2
Water Resources	6		6				
Special Personnel Problems of Department of Defense	37	4	33				
Total	359	96	137	57	29	23	17

[1] Where some recommendations were substantially accomplished in terms of objectives but by another method than recommended and no further action was contemplated they were included in last year's report as fully in effect. In this tabulation a more conservative interpretation is applied and such recommendations are considered to be partially in effect.

[2] Fully concurred in. Implementation classified.

[3] Qualified concurrence. Implementation classified.

committee members, who were not completely satisfied by a statement on the legal aspects by the General Counsel of the Department of Defense.

Later on 13 January the House of Representatives considered H.R. 9739. During floor debate Chairman Vinson proposed an amendment authorizing the Secretary of Defense to establish the agency and to enter into production contracts. The amendment was approved by voice vote and the bill, as amended, was adopted 374 to 0.

The Senate Committee on Armed Services conducted hearings on H.R. 9739, as passed by the House, on 21 and 24 January 1958. The authority of the Secretary to establish a research agency was explored with the General Counsel. On 28 January the Senate Committee reported a substitute version of the bill, omitting the House amendment on the grounds that a matter of organization was not germane. The Senate passed the bill on 30 January and it went to the Conference Committee.

The Conference Committee reported the bill on 5 February with a statement regarding the resolution of differences between the House and Senate versions

> through the insertion of language which would grant the authorities needed by the Secretary of Defense to perform the important research and development functions relating to anti-missile missile, satellite, and outer-space projects without, however, and the committee wishes to render this entirely clear, establishing an agency within the Department of Defense or in the office of the Secretary of Defense.

Both the Senate and the House approved the conference report on 6 February, and the President signed the agreed-upon version on 12 February 1958, as Public Law 85–325 (72 Stat. 11).

The final section of the act read as follows:

> Sec. 7. The Secretary of Defense or his designee is authorized to engage in such advanced projects essential to the Defense Department's responsibilities in the field of basic and applied research and development which pertain to weapons systems and military requirements as the Secretary of Defense may determine after consultation with the Joint Chiefs of Staff; and for a period of one year from the effective date of this Act, the Secretary of Defense or his designee is further authorized to engage in such advanced space projects as may be designated by the President.
>
> Nothing in this provision of law shall preclude the Secretary of Defense from assigning to the military departments the duty of engaging in research and development of weapons systems necessary to fulfill the combatant functions assigned by law to such military departments.
>
> The Secretary or his designee is authorized to perform assigned research and development projects: by contract with private business entities, educational or research institutions, or other agencies of the Government, through one or more of the military departments, or by utilizing employees and consultants of the Department of Defense.
>
> The Secretary of Defense shall assign any weapons systems developed to such military department or departments for production and operational control as he may determine.

Citing as authority the National Security Act of 1947 as amended and Reorganization Plan No. 6 of 1953, the Secretary of Defense issued a charter for the Advanced Research Projects Agency within the Office of the Secre-

tary of Defense on 7 February 1958 (Department of Defense Directive Number 5105.15).

Sources: For President Eisenhower's address on Science in National Security, see:

U.S. National Archives and Records Service. *Public Papers of the Presidents: Dwight D. Eisenhower: 1957,* pp. 789–99. Washington: Government Printing Office, 1958.

For Secretary McElroy's testimony on a proposed research agency, see:

U.S. Congress. House of Representatives. Committee on Appropriations. Subcommittee on Department of Defense Appropriations. *Hearings on the Ballistic Missile Program,* pp. 7, 21–26. 85th Congress, 1st session. Washington: Government Printing Office, 1958.

U.S. Congress. Senate. Committee on Armed Services. Preparedness Investigating Subcommittee. *Hearings: Inquiry into Satellite and Missile Programs,* Part I, pp. 217–19, 226, 231–35. 85th Congress, 1st and 2nd sessions. Washington: Government Printing Office, 1958.

For President Eisenhower's supplementary request, see:

U.S. Congress. House of Representatives. Communication from the President. *Proposed Additional Authority for Fiscal Year 1958.* H. Doc. 298. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

For House consideration, see:

U.S. Congress. House of Representatives. Committee on Armed Services. *Full Committee Hearings on H.R. 9739 to Authorize Secretary of the Air Force to Establish and Develop Certain Installations for the National Security and for Other Purposes.* House Armed Services Committee Paper No. 67. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

U.S. Congress. House of Representatives. Committee on Armed Services. *Authorizing Certain Construction for the Department of the Air Force.* H. Rpt. 1279. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

U.S. Congress. House of Representatives. Committee on Armed Services. *Investigation of National Defense Missiles.* House Armed Services Committee Paper No. 71, pp. 3981, 3990–91, 3998, 4002–03, 4021–22, 4035–37, 4046–47, 4051–53, 4056–62, 4068–69, and 4073–85. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

U.S. Congress. *Congressional Record.* Volume 104, Part 1, pp. 38 (7 January 1958), 440 (14 January 1958), and 479–91 (15 January 1958). Washington: Government Printing Office, 1958.

For Senate consideration, see:

U.S. Congress. Senate. Committee on Armed Services. Subcommittee on Military Construction. *Hearings on Fiscal Year 1958 Supplemental Military Construction Authorization (Air Force).* 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

U.S. Congress. Senate. Committee on Armed Services. *Authorizing the Secretary of the Air Force to Establish and Develop Certain Installations for the National Security.* S. Rpt. 1231. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

U.S. Congress, *Congressional Record.* Volume 104, Part 1, pp. 516 (16 January 1958), 1149 (28 January 1958), 1283 (29 January 1958), and 1339–48 (30 January 1958). Washington: Government Printing Office, 1958.

For Conference Committee and action on conference report, see:

U.S. Congress. House of Representatives. Conference Committee. *Supplemental Military Construction Authorization Act.* H. Rpt. 1329. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

U.S. Congress. *Congressional Record.* Volume 104, Part 2, pp. 1549 (3 February 1958), 1728 (5 February 1958), 1839–40 and 1853–56 (6 February 1958), 1892,

1959, and 1992 (10 February 1958), and 2080 (13 February 1958). Washington: Government Printing Office, 1958.

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4. President Eisenhower's Message—3 April 1958.

Radical changes in warfare brought about by scientific and technological advances and the rising costs of military weapons during the mid-1950's generated new tensions within the U.S. military establishment. These stresses, intensified by the spectacular performance of the Soviet Sputniks, gave rise to renewed public debate about the organizational structure of the Department of Defense. Beginning in November 1957, congressional investigations of U.S. missile programs provided a forum for critics of policies, procedures, and administrative arrangements. On 6 January 1958, the Rockefeller Brothers Fund published a study, *International Security: The Military Aspect*, that recommended basic organizational changes "to correct the inefficiency and duplication of effort growing out of interservice rivalry."

In his address to the Congress on the State of the Union in January, President Eisenhower listed Defense reorganization as the first of eight priority tasks. During the next 3 months suggestions for specific changes were recommended to the President by Secretary of Defense Neil H. McElroy after consultation with his special assistant, Charles A. Coolidge, and a small group of former and current senior military and civilian advisors.

On 3 April 1958, the President transmitted to the Congress his recommendations for changes in the organization and functioning of the Department of Defense.

To the Congress of the United States:

Last January I advised the Congress of two overriding tasks in present world conditions—the ensuring of our safety through strength, and the building of a genuine peace. To these ends I outlined eight major items requiring urgent action.

One was defense reorganization.

In this message I discuss the administrative and legislative changes that I consider essential to the effective direction of our entire defense establishment. They are not numerous. They are, however, very important. They flow from these principles:

First, separate ground, sea, and air warfare is gone forever. If ever again we should be involved in war, we will fight it in all elements, with all services, as one single concentrated effort. Peacetime preparatory and organizational activity must conform to this fact. Strategic and tactical planning must be completely unified, combat forces organized into unified commands, each equipped with the most efficient weapons systems that science can develop, singly led and prepared to fight as one, regardless of service. The accomplishment of this result is the basic function of the Secretary of Defense, advised and assisted by the Joint Chiefs of Staff and operating under the supervision of the Commander in Chief.

Additionally, Secretary of Defense authority, especially in respect to the development of new weapons, must be clear and direct, and flexible in the

management of funds. Prompt decisions and elimination of wasteful activity must be primary goals.

These principles I commend to the Congress. In conformity to them I have formulated and urgently recommend certain changes in our defense establishment. Clearly we should preserve the traditional form and pattern of the services but should regroup and redefine certain service responsibilities. From this will flow the following significant results:

Strategic planning will be unified.

Our fighting forces will be formed into unified commands effectively organized for the attainment of national objectives.

Military command channels will be streamlined.

The Joint Chiefs of Staff will be provided professional military assistance required for efficient strategic planning and operational control.

The control and supervision of the Secretary of Defense over military research and development will be strengthened.

The Secretary of Defense will be granted needed flexibility in the management of defense funds.

The Secretary of Defense and Joint Chiefs of Staff will be given a direct voice in the appointment, assignment, and removal of officers in the top two military ranks.

The authority of the Secretary of Defense will be clarified to enable him to function as a fully effective agent of the President as Commander in Chief.

The overall efficiency of the Defense Department will be increased.

The tendency toward service rivalry and controversy, which has so deeply troubled the American people, will be sharply reduced.

In the following remarks I set forth the background and details of these legislative and administrative proposals.

In recent years a revolution has been taking place in the techniques of war. Entirely new weapons have emerged. They transcend all we have before known in destructive power, in range, in swiftness of delivery. Thermo-nuclear weapons, missiles, new aircraft of great speed and range, atomic ground weapons, nuclear submarines have changed the whole scale and tempo of military destructiveness. Warning times are vanishing. There can be little confidence that we would surely know of an attack before it is launched. Speeds of flight are already such as to make timely reaction difficult and interception uncertain.

The need to maintain an effective deterrent to war becomes ever more critical. In this situation, we must find more efficient and economical means of developing new devices and fitting them into our defense establishment. We must so revise this establishment as not only to improve our own use of such devices; additionally, we must be able to counter their use against us.

The products of modern technology are not in many cases readily adaptable to traditional service patterns or existing provisions of law. Thus there has tended to be confusion and controversy over the introduction of new weapons into our armed forces and over the current applicability of long-established service roles and missions.

Moreover, the new weapons and other defense undertakings are so costly as to heavily burden our entire economy. We must achieve the utmost military efficiency in order to generate maximum power from the resources we have available.

Confronted by such urgent needs, we cannot allow differing service viewpoints to determine the character of our defenses—either as to operational planning and control, or as to the development, production, and use of newer weapons. To sanction administrative confusion and interservice debate is, in these times, to court disaster. I cannot overemphasize my conviction that our country's security requirements must not be subordinated to outmoded or single-service concepts of war.

I

An understanding of the course over which we have come to the present will help determine the path we should follow now and in the future.

When our Republic was founded, we had a simple solution to the problem of military organization—at first, only a War Department, then soon thereafter, a Department of the Navy. The Navy's mission was war at sea. The War Department's mission was war on land.

For a century and a half this two-department organization was well suited to our needs. Recently, however, the airplane has added a third dimension to the arts of war. At first the airplane was integrated into the traditional two-department organization, and there it remained until World War II.

Right after Pearl Harbor we adjusted our organization to accord a fuller role to rapidly growing airpower. Within the War Department, the Army Air Forces were placed on equal footing with Ground and Service Forces. In the Navy, task forces built around naval aviation became the heart of the fleet. The Commanding General of the Army Air Forces became a member of the Joint Chiefs of Staff with the Army Chief of Staff and the Chief of Naval Operations.

Immediately after the war, efforts began to build a defense organization based upon the lessons of World War II. A basic theme was to provide an adequate organizational framework for air power armed with the awesome destructive force of atomic weapons. There emerged three co-equal executive departments—Army, Navy, and Air Force. But World War II experience had proved that no longer could warfare be effectively waged under the separate Army, Navy, and Air Force doctrines. So, over all our forces the Congress established a Secretary of Defense.

This reorganization in 1947 was marked by lengthy debate and eventual compromise. In that battle the lessons were lost, tradition won. The three service departments were but loosely joined. The entire structure, called the National Military Establishment, was little more than a weak confederation of sovereign military units. Few powers were vested in the new Secretary of Defense. All others were reserved to three separated executive departments.

Events soon showed that this loose aggregation was unmanageable. In 1949, the National Military Establishment was replaced by an executive Department of Defense. The authority of the Secretary of Defense over his Department was made specific. He was vested with the power of decision in the operation of several interservice boards in his Office. A Chairman was provided to preside over the Joint Chiefs of Staff. The Departments of Army, Navy, and Air Force were converted from independent executive departments to subordinate military departments. They became represented in the President's Cabinet and the National Security Council by the Secretary of Defense alone. Other changes with similar effect were made.

The unifying process moved forward again in 1953. The Secretary of Defense was given staff facilities better adapted to his heavy responsibilities. Certain boards and agencies were abolished and their duties transferred to him. Additional Assistant Secretaries of Defense were provided. The Chairman of the Joint Chiefs of Staff was authorized to manage the Joint Staff for the Joint Chiefs.

These various steps toward more effective coordination of our Armed Forces under one civilian head have been necessary, sound, and in the direction pointed by the lessons of modern warfare. Each such step, however, has prompted opponents to predict dire results. There have been allegations that our free institutions would be threatened by the influence of a military leader serving as the principal military adviser to the Defense Secretary and the Commander in Chief. There have been forecasts that one or more of the services would be abolished. As a result, the Secretary of Defense has never been freed of excessive statutory restraints. As a result of well-meaning attempts to protect traditional concepts and prerogatives, we have impaired civilian authority and denied ourselves a fully effective defense. We must cling no longer to statutory barriers that weaken executive action and civilian authority. We must free ourselves of emotional attachments to service systems of an era that is no more.

I therefore propose, for America's safety, that we now modernize our defense establishment and make it efficient enough and flexible enough to enable it to meet the fateful challenge of continuing revolutionary change.

II

I know well, from years of military life, the constant concern of service leaders for the adequacy of their respective programs, each of which is intended to strengthen the Nation's defense. I understand quite as well the necessity for these leaders to present honestly and forcefully to their superiors their views regarding the place of their programs in the overall national effort. But service responsibilities and activities must always be only the branches, not the central trunk of the national security tree. The present organization fails to apply this truth.

While at times human failure and misdirected zeal have been responsible for duplications, inefficiencies, and publicized disputes, the truth is that most of the service rivalries that have troubled us in recent years have been made inevitable by the laws that govern our defense organization.

Parenthetically, I may observe that these rivalries, so common in the National Capital, are almost unknown in the field. Here in Washington they usually find expression in the services' Congressional and press activities which become particularly conspicuous in struggles over new weapons, funds, and publicity. It is just such rivalries, I am convinced, that America wants stopped.

Coming now to specific organizational changes, I want first to emphasize the vital necessity of complete unity in our strategic planning and basic operational direction. It is therefore mandatory that the initiative for this planning and direction rest not with the separate services but directly with the Secretary of Defense and his operational advisers, the Joint Chiefs of Staff, assisted by such staff organization as they deem necessary.

No military task is of greater importance than the development of

strategic plans which relate our revolutionary new weapons and force deployments to national security objectives. Genuine unity is indispensable at this starting point. No amount of subsequent coordination can eliminate duplication or doctrinal conflicts which are intruded into the first shaping of military programs.

This unified effort is essential not only for long-range planning and decision which fix the pattern of our future forces and form the foundation of our major military programs, but also for effective command over military operations. The need for greater unity today is most acute at two points—in the Office of the Secretary of Defense, and in the major operational commands responsible for actual combat in the event of war.

Now as to the specifics of the revisions that I deem essential:

1. *We must organize our fighting forces into operational commands that are truly unified, each assigned a mission in full accord with our over-all military objectives.*

This lesson, taught by World War II, I learned from firsthand experience. With rare exceptions, as I stated before, there can no longer be separate ground, sea, or air battles.

Our unified commands (by which term I also include the joint and specified commands which exist today) are the cutting edge of our military machine—the units which would do the fighting. Our entire defense organization exists to make them effective.

I intend that, subject only to exceptions personally approved by the Commander in Chief, all of our operational forces be organized into truly unified commands. Such commands will be established at my direction. They will be in the Department of Defense but separate from the military departments. Their missions and force levels will conform to national objectives.

I expect these truly unified commands to go far toward realigning our operational plans, weapons systems, and force levels in such fashion as to provide maximum security at minimum cost.

Because I have often seen the evils of diluted command, I emphasize that each unified commander must have unquestioned authority over all units of his command. Forces must be assigned to the command and be removed only by central direction—by the Secretary of Defense or the Commander in Chief—and not by orders of individual military departments.

Commands of this kind we do not have today. To the extent that we are unable so to organize them under present law, to that extent we cannot fully marshal our armed strength.

We must recognize that by law our military organization still reflects the traditional concepts of separate forces for land, sea, and air operations, despite a Congressional assertion in the same law favoring "their integration into an efficient team of land, naval, and air forces . . ." This separation is clearly incompatible with unified commands whose missions and weapons systems go far beyond concepts and traditions of individual services.

Today a unified command is made up of component commands from each military department, each under a commander of that department. The commander's authority over these component commands is short of the full command required for maximum efficiency. In fact, it is prescribed that some of his command powers shall take effect only in time of emergency.

I recommend, therefore, that present law, including certain restrictions relating to combatant functions, be so amended as to remove any possible

obstacles to the full unity of our commands and the full command over them by unified commanders.

This recommendation most emphatically does not contemplate repeal of laws prescribing the composition of the Army, Navy, Marine Corps, or Air Force. I have neither the intent nor the desire to merge or abolish the traditional services. This recommendation would have no such effect. But I cannot too strongly urge that our operational commands be made truly unified, efficient military instruments. Congressional cooperation is necessary to achieve that goal.

2. *We must clear command channels so that orders will proceed directly to unified commands from the Commander in Chief and Secretary of Defense.*

The number of headquarters between the Commander in Chief and the commander of each unified command must be kept at the very minimum. Every additional level courts delay, confusion of authority, and diffusion of responsibility. When military responsibility is unclear, civilian control is uncertain.

Under existing practice the chain of command is diverted through the Secretaries and service chiefs of the military departments. The department with major responsibility for a unified command is designated by the Secretary of Defense as "executive agent" for that command. The department's Secretary functions through his chief of military service.

So today the channel of military command and direction runs from the Commander in Chief to the Secretary of Defense, then to the Secretary of an executive agent department, then to a chief of service, and then, finally, to the unified commander. In time of emergency, the Secretary of the executive agent department delegates to his service chief his authority over the strategic direction and conduct of combat operations. Thus, ultimately the chief of an individual service issues, in the name of the Secretary of Defense, orders to a unified commander.

The role of the Joint Chiefs of Staff in this process is to furnish professional advice and staff assistance to the Secretary of Defense.

I consider this chain of command cumbersome and unreliable in time of peace and not usable in time of war. Clearly, Secretaries of military departments and chiefs of individual services should not direct unified operations and therefore should be removed from the command channel. Accordingly, I have directed the Secretary of Defense to discontinue the use of military departments as executive agents for unified commands.

To facilitate this effort I ask Congressional cooperation. I request repeal of any statutory authority which vests responsibilities for military operations in any official other than the Secretary of Defense. Examples are statutory provisions which prescribe that the Air Force Chief of Staff shall command major units of the Air Force and that the Chief of Naval Operations shall command naval operating forces.

3. *We must strengthen the military staff in the Office of the Secretary of Defense in order to provide the Commander in Chief and the Secretary of Defense with the professional assistance they need for strategic planning and for operational direction of the unified commands.*

For these purposes, several improvements are needed in the duties and organization of the Joint Chiefs of Staff.

I consider the Joint Chiefs of Staff concept essentially sound, and I therefore believe that the Joint Chiefs of Staff should continue to be con-

stituted as currently provided in law. However, in keeping with the shift I have directed in operational channels, the Joint Chiefs of Staff will in the future serve as staff assisting the Secretary of Defense in his exercise of direction over unified commands. Orders issued to the commands by the Joint Chiefs of Staff will be under the authority and in the name of the Secretary of Defense.

I think it important to have it clearly understood that the Joint Chiefs of Staff act only under the authority and in the name of the Secretary of Defense. I am, therefore, issuing instructions that their function is to advise and assist the Secretary of Defense in respect to their duties and not to perform any of their duties independently of the Secretary's direction.

Under present law, the Joint Chiefs of Staff are provided a Joint Staff of not to exceed 210 officers. It functions under a Director selected by the Joint Chiefs of Staff with the approval of the Secretary of Defense. The Joint Chiefs of Staff assign duties to the Joint Staff which is managed for them by their Chairman. This Staff is subdivided into a number of groups, each with equal representation of officers from the three military departments. In addition, there is a committee system whereby officers, representing each of the military departments, act on documents prepared by the staff groups before they are forwarded to the Joint Chiefs of Staff.

These laborious processes exist because each military department feels obliged to judge independently each work product of the Joint Staff. Had I allowed my interservice and interallied staff to be similarly organized in the theaters I commanded during World War II, the delays and resulting indecisiveness would have been unacceptable to my superiors.

With the operational channel now running from the Commander in Chief and Secretary of Defense directly to unified commanders rather than through the military departments, the Joint Staff must be further unified and strengthened in order to provide the operational and planning assistance heretofore largely furnished by staffs of the military departments.

Accordingly, I have directed the Secretary of Defense to discontinue the Joint Staff committee system and to strengthen the Joint Staff by adding an integrated operations division.

I ask the Congress to assist in this effort by raising or removing the statutory limit on the size of the Joint Staff. By authorizing the Chairman of the Joint Chiefs of Staff to assign duties to the Joint Staff and, with the approval of the Secretary of Defense, to appoint its Director, the Congress will also be helpful in increasing the efficiency of this important staff group.

I have long been aware that the Joint Chiefs' burdens are so heavy that they find it very difficult to spend adequate time on their duties as members of the Joint Chiefs of Staff. This situation is produced by their having the dual responsibilities of chiefs of the military services and members of the Joint Chiefs of Staff. The problem is not new but has not yielded to past efforts to solve it. We need to solve it now, especially in view of the new strategic planning and operational burdens I have previously mentioned.

I therefore propose that present law be changed to make it clear that each chief of a military service may delegate major portions of his service responsibilities to his vice chief. Once this change is made, the Secretary of Defense will require the chiefs to use their power of delegation to enable them to make their Joint Chiefs of Staff duties their principal duties.

I have one additional proposal respecting the Joint Chiefs of Staff. It is

needed to correct misunderstanding of their procedures. Present law provides that the Chairman of the Joint Chiefs of Staff shall have no vote. The fact is, neither do the other members, because they do not act by voting. I think it is wrong so to single out the Chairman. This provision should be repealed.

4. *We must continue the three military departments as agencies within the Department of Defense to administer a wide range of functions.*

Under the new command procedures I have described, the Secretaries of the military departments will be relieved of direct responsibility for military operations. Thus, under the supervision of the Secretary of Defense, they will be better able to perform their primary functions of managing the vast administrative, training, and logistics functions of the Defense Department. The military departments will remain permanent agencies within the Department of Defense, and their Secretaries will continue to report to and be directly responsible to the Secretary of Defense. These Secretaries should concern themselves with such vital tasks as bringing greater economy and efficiency to activities which support operational commands rather than with military operations themselves.

The responsibilities of these Secretaries—each heading a department much larger than any executive department except the Department of Defense itself—are heavy indeed. In my judgment each of these Secretaries will continue to need the assistance of an Under Secretary and not less than two Assistant Secretaries. It should be possible, however, to eliminate at least one and perhaps two of the four Assistant Secretaries now authorized for each military department. The duties of these Assistant Secretaries should be left to the determination of each service Secretary rather than fixed by law.

5. *We must reorganize the research and development functions of the Department in order to make the best use of our scientific and technological resources.*

Our weapons systems 5 to 10 years hence will be the outgrowth of research and development which we conduct today. Until world tensions can be reduced by trustworthy agreements, we are unavoidably engaged in a race with potential enemies for new, more powerful military devices being developed by science and technology. In so critical a contest we must carefully balance our scientific resources between military and civilian needs. I consider it particularly important, therefore, that we improve the Defense Department's organization for military research.

Later in this message I will recommend measures to strengthen the authority of the Secretary of Defense to administer other functions of his Department. Referring at this point only to research and development, I consider it essential that the Secretary's control over organization and funds be made complete and unchallengeable. Only if this is done can he assure the most effective and economical use of the research and development resources of his department. These processes are costly in money and skilled personnel; duplications are therefore doubly damaging.

The Secretary must have full authority to prevent unwise service competition in this critical area. He needs authority to centralize, to the extent he deems necessary, selected research and development projects under his direct control in organizations that may be outside the military departments and to continue other activities within the military departments. I anticipate that most research activities already under way would continue within the

military departments. Such new undertakings as require central direction can be centralized with far less difficulty than projects already assigned to military departments.

To give the Secretary of Defense the caliber of assistance he requires in the research area, I recommend that the new position of Director of Defense Research and Engineering be established in place of the Assistant Secretary of Defense for Research and Engineering. I believe his salary should be equal to that of the Secretaries of the military departments. He should rank immediately after the service Secretaries and above the Defense Assistant Secretaries. As the principal assistant to the Secretary of Defense for research and development, he should be known nationally as a leader in science and technology. I expect his staff, civilian and military, also to be highly qualified in science and technology.

This official will have three principal functions: First, to be the principal adviser to the Secretary of Defense on scientific and technical matters; second, to supervise all research and engineering activities in the Department of Defense, including those of the Advanced Research Projects Agency and of the Office of the Director of Guided Missiles; and, third, to direct research and engineering activities that require centralized management.

Further, it will be his responsibility to plan research and development to meet the requirements of our national military objectives instead of the more limited requirements of each of the military services. It is of transcendent importance that each of our principal military objectives has strong and clearly focused scientific and technical support.

With the approval of the Secretary of Defense, this official will eliminate unpromising or unnecessarily duplicative programs, and release promising ones for development or production. An especially important duty will be to analyze the technical programs of the military departments to make sure that an integrated research and development program exists to cover the needs of each of the operational commands. It will be his responsibility to initiate projects to see that such gaps as may exist are filled. In addition, the Director will review assignments by the military departments to technical branches, bureaus, and laboratories to assure that the research and engineering activities of the Defense Department are efficiently managed and properly coordinated.

I would charge the Director, under the direction of the Secretary of Defense, with seeing that unnecessary delays in the decision-making process are eliminated, that lead times are shortened, and that a steady flow of funds to approved programs is assured. Only under this kind of expert, single direction can the entire research and engineering effort be substantially improved. In these various ways, he should help stop the service rivalries and self-serving publicity in this area.

6. *We must remove all doubts as to the full authority of the Secretary of Defense.*

The Secretary of Defense is accountable to the President and the Congress for efficient direction of the largest single activity in our nation. We look to him for sound management of programs amounting to well over $40 billion a year—programs that gravely concern the survival of our country. Yet, his authority has been circumscribed and hedged about in a number of ways which not only make the burdens of his office far heavier than they

need to be, but also work against the efficient and effective direction of national security activities which all Americans—and especially the Congress —rightly expect.

The following areas in the Defense Establishment are especially in need of attention:

(1) Appropriated funds;
(2) The organization and distribution of functions;
(3) Legislative liaison and public affairs activities; and
(4) Military personnel.

I regard it as fundamental that the Secretary, as civilian head of the Department, should have greater flexibility in money matters, both among and within the military departments. I have already commented on the desirability of this authority in respect to research and development. It is desirable in other areas as well. Firmly exercised, it will go far toward stopping the services from vying with each other for Congressional and public favor.

Today most of our defense funds are appropriated not to the Secretary of Defense but rather to the military departments. The Secretary of Defense and the Comptroller of the Department of Defense may place certain limitations on the use of funds by the military departments. Yet they do not have sufficient directive authority over such expenditures.

This method of providing defense funds has worked against the unity of the Department of Defense as an executive department of the Government. I strongly urge that in the future the Congress make appropriations for this Department in such fashion as to provide the Secretary of Defense adequate authority and flexibility to discharge his heavy responsibilities. This need is particularly acute in respect to his powers of strategic planning and operational direction.

I have accordingly directed, in consonance with existing statutory provisions, that the Department's budget estimates for the 1960 fiscal year and thereafter be prepared and presented in a form to accomplish these ends.

In addition to greater authority and flexibility in the administration of defense funds, the Secretary of Defense needs greater control over the distribution of functions in his Department. His authority must be freed of legal restrictions derived from pre-missile, pre-nuclear concepts of warfare. Various provisions of this kind becloud his authority. Let us no longer give legal support to efforts to weaken the authority of the Secretary.

On this point the law itself invites controversy. On the one hand, the National Security Act gives the Secretary of Defense "direction, authority, and control" over his entire Department. Yet the same law provides that the military departments are to be "separately administered" by their respective Secretaries. This is not merely inconsistent and confusing. It is a hindrance to efficient administration. I do not question the necessity for continuing the military departments. There is clear necessity for the Secretary of Defense to decentralize the administration of the huge defense organization by relying on the military departments to carry on a host of essential functions.

The contradictory concept, however, that three military departments can be at once administered separately, yet directed by one administrator who is supposed to establish "integrated policies and procedures," has encouraged endless, fruitless argument. Such provisions unavoidably abrade the unity of the Defense Department.

An example in just one area—procurement and supply—is evidence of the kind of damage caused. In this area the "separately administered" concept, as well as the needless confusion over roles and missions, impede such techniques for increased efficiency and economy as the Single Manager Plan, which would provide many of the benefits of a separate service of supply without its possible disrupting effects.

I suggest that we be done with prescribing controversy by law. I recommend eliminating from the National Security Act such provisions as those prescribing separate administration of the military departments and the other needless and injurious restraints on the authority of the Secretary of Defense. I specifically call attention to the need for removing doubts concerning the Secretary's authority to transfer, reassign, abolish, or consolidate functions of the Department.

I anticipate that the Secretary of Defense and his Deputy will require, in addition to a Director of Defense Research and Engineering and various special assistants, seven Assistant Secretaries of Defense plus a General Counsel of equivalent rank. I conceive of these Assistant Secretaries as having full staff functions; that is, they are empowered to give instructions appropriate to carrying out policies approved by the Secretary of Defense, subject at all times to the right of service Secretaries to raise contested issues with the Secretary of Defense. This is the usual concept of the powers of principal staff assistants. It is essential to the work of the Assistant Secretaries of Defense.

I should add here that, with a view to reducing personnel and avoiding unnecessary interference with service activities, the Secretary of Defense will critically review the operating methods of the various staffs in the Office of the Secretary of Defense. He will also review the interdepartmental committee structure within the Department in an effort to accelerate the entire decision-making process.

Earlier I mentioned that a principal outlet for service rivalries is the public affairs and legislative liaison activity within each of the military departments. For many years I have attached the greatest importance to providing prompt and accurate information to Members of the Congress. I have the same viewpoint in respect to furnishing information to the press and the public. But surely everyone will agree that personnel charged with such duties should not seek to advance the interest of a particular service at the expense of another, nor should they advance a service cause at the expense of over-all national and defense requirements. Of this I am sure: We do not want defense dollars spent in publicity and influence campaigns in which each service claims superiority over the others and strives for increased appropriations or other Congressional favors.

I have directed the Secretary of Defense to review the numbers as well as the activities of personnel of the various military departments who engage in legislative liaison and public affairs activities in the Washington area. I have requested that he act, without impeding the flow of information to the Congress and the public, to strengthen Defense Department supervision over these activities and to move such of these personnel and activities as necessary into the Office of the Secretary of Defense.

I have, in this connection, advised the Secretary of my desire that his principal assistant for legislative liaison be a civilian official. On the recommendation of the Secretary, I shall nominate a person as Assistant Secretary

of Defense to perform those duties. An Assistant Secretary of Defense already holds the responsibility for public affairs activities.

Finally, I believe we can strengthen unification by two actions involving military personnel.

First, I am instituting a new personnel procedure for top-ranking officers. It is my belief that before officers are advanced beyond the two-star level, they must have demonstrated, among other qualities, the capacity for dealing objectively—without extreme service partisanship—with matters of the broadest significance to our national security. I am, therefore, instituting this new procedure: I will consider officers for nomination to these top ranks only on recommendations of the Secretary of Defense submitted to me after he has received suggestions of the Secretaries of the military departments and the advice of the Joint Chiefs of Staff. I also will base my assignments of these officers to high command, staff, and departmental positions on recommendations of the Secretary of Defense. I will, in reassigning or removing them, follow the same procedure.

I further believe that the Secretary of Defense should be authorized to establish procedures for the transfer of officers between services, with the consent of the individual in each case. This authority is needed primarily in technical fields so that an officer especially qualified to contribute to the success of an activity of a sister service may be afforded an opportunity to do so without interrupting his service career. I would not limit this authority, however, to technical fields.

At my direction the Secretary of Defense will shortly transmit to Congress draft legislation to carry out those items I have discussed which require legislative action. I urge the Congress to consider them promptly and to cooperate fully in making these essential improvements in our Defense Establishment.

Now in conclusion let us clearly understand that through these various actions we will have moved forward in many important ways.

We will have better prepared our country to meet an emergency which could come with little warning.

We will have improved our military planning.

We will have accelerated decision-making processes.

We will have effectively organized our defense programs in the crucial fields of science and technology.

We will have remedied organizational defects which have encouraged harmful service rivalries.

We will have improved the over-all efficiency and unity of our great defense establishment.

In our country, under the Constitution, effective military defense requires a partnership of the Congress and the Executive. Thus, acting in accord with our respective duties and our highest tradition, we shall achieve an efficient defense organization capable of safeguarding our freedom and serving us in our quest for an enduring peace.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE,
April 3, 1958.

Source: U.S. National Archives and Records Service. *Public Papers of the Presidents: Dwight D. Eisenhower: 1958,* pp. 274–90. Washington: Government Printing Office, 1959.

5. Congressional Action on Defense Reorganization Legislation—16 April–24 July 1958.

On 16 April 1958, President Eisenhower transmitted to the Congress the draft of legislation to carry out his recommendations of 3 April. These proposals were introduced in the House as H.R. 11958 and in the Senate as S. 3649.

The House Committee on Armed Services conducted hearings on H.R. 11958 and other reorganization proposals between 22 April and 16 May. The product of these deliberations was an amended bill, introduced as H.R. 12541 by Chairman Carl Vinson on 19 May and favorably reported to the House by the full committee on 22 May. While commending most of the bill, the President on 28 May issued a statement objecting to three specific features: (1) A provision that control of the separate military departments by the Secretary of Defense be exercised through the respective Secretaries of those departments; (2) a procedure for transfers of major combatant functions that would allow a single member of the Joint Chiefs of Staff to block such changes; and (3) authority for the Secretaries of the military departments and the individual Joint Chiefs of Staff to present recommendations directly to the Congress. Attempts on the floor of the House to amend H.R. 12541 to meet the President's objections failed by a vote of 192 to 211, although the House did approve an amendment authorizing the Secretary of Defense to establish agencies to carry out common supply and service activities. Thus modified, H.R. 12541 was approved by a vote of 402 to 1 on 12 June 1958.

The Senate Committee on Armed Services conducted hearings on the bill from 17 June to 9 July and on 17 July reported substitute legislation that generally followed the House-approved measure but omitted the first two of the three provisions to which the President objected. Authority for a member of the Joint Chiefs of Staff, but not a Secretary of a military department, to make recommendations to the Congress was retained in the substitute proposal. The Senate unanimously approved this bill on 18 July.

A Conference Committee resolved the differences between the House and the Senate versions of H.R. 12541. The conferees accepted the language of the Senate bill to meet the first two points of the President's objections to the House bill, but retained the House wording on the right of appeal to the Congress. Both the House and the Senate accepted the conference report on 24 July.

Sources: U.S. Congress. House of Representatives. Communication from the President. *Department of Defense Reorganization Bill of 1958.* H. Doc. 371. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

For House consideration of H.R. 11958 and H.R. 12541, see:

U.S. Congress. House of Representatives. Committee on Armed Services. *Hearings on Reorganization of the Department of Defense.* House Armed Services Committee Paper No. 83. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

U.S. Congress. House of Representatives. Committee on Armed Services. *Depart-*

ment of Defense Reorganization Act of 1958. H. Rpt. 1765. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

U.S. Congress. *Congressional Record.* Volume 104, Part 5, p. 6599 (16 April 1958); Part 7, pp. 9048 (19 May 1958), 9378 (22 May 1958); Part 8, pp. 10883–10921 (11 June 1958), 11017–51 (12 June 1958). Washington: Government Printing Office, 1958.

For President's comments on H.R. 12541, see:

Letter to Carl Vinson, 16 May 1958. U.S. National Archives and Records Service. *Public Papers of the Presidents: Dwight D. Eisenhower: 1958,* p. 412. Washington: Government Printing Office, 1959.

Statement on the Defense Reorganization Bill, 28 May 1958. In *Public Papers, 1958,* pp. 439–43.

For Senate consideration of S. 3649 and H.R. 12541, see:

U.S. Congress. Senate. Committee on Armed Services. *Hearings on Department of Defense Reorganization Act of 1958.* 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

U.S. Congress. Senate. Committee on Armed Services. *Department of Defense Reorganization Act of 1958.* S. Rpt. 1845. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

U.S. Congress. *Congressional Record.* Volume 104, Part 5, pp. 6739 and 6751 (21 April 1958), 6866 (22 April 1958); Part 6, p. 7001 (23 April 1958); Part 8, p. 11064 (13 June 1958); Part 11, pp. 14036 (17 July 1958) and 14237–68 (18 July 1958). Washington: Government Printing Office, 1958.

For action on conference report, see:

U.S. Congress. House of Representatives. Committee of Conference. *Defense Reorganization Act.* H. Rpt. 2261. 85th Congress, 2nd session. Washington: Government Printing Office, 1958.

U.S. Congress. *Congressional Record.* Volume 104, Part 11, pp. 14428 (21 July 1958), 14846 (23 July 1958), 14900–14901 and 14963–70 (24 July 1958); Part 12, pp. 15060 and 15191 (25 July 1958), 15342 (28 July 1958); Part 13, p. 16747 (8 August 1958). Washington: Government Printing Office, 1958.

6. Department of Defense Reorganization Act of 1958—6 August 1958 (72 Stat. 514).

President Dwight D. Eisenhower approved the new legislation on 6 August 1958 and it became Public Law 85–599 (72 Stat. 514). The National Security Act of 1947, as amended in 1949, was changed by the Reorganization Act of 1958, as well as by various reorganization plans and by the codification of Title 10, U.S. Code, to read as below, with the new wording in effect on 31 December 1958 in bold face type and those provisions of the 1949 version no longer in effect in italics within brackets. By 31 December 1958, the National Security Act of 1947, as amended, had also been supplemented during the intervening 11 years by reorganization plans and other statutes—some codified in Title 10, U.S. Code—that related to provisions of the act; this supplementary legislation has been printed in smaller type, in indented paragraphs, in the text that follows. Chart 14 (p. 238) presents the organization of the Department of Defense as of April 1959.

Source: For organization chart, see Office of Secretary of Defense Records, 1959.

NATIONAL SECURITY ACT OF 1947
(Public Law 253, Eightieth Congress, July 26, 1947) (61 Stat. 495)
(With amendments through December 31, 1958)

Short Title

That this Act may be cited as the "National Security Act of 1947."

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Declaration of Policy

Sec. 2. In enacting this legislation, it is the intent of Congress to provide a comprehensive program for the future security of the United States; to provide for the establishment of integrated policies and procedures for the departments, agencies, and functions of the Government relating to the national security; to provide a **Department of Defense, including the** three military **D**[*d*]epartments[,] [*separately administered, for the operation and administration*] of the Army, the Navy (including naval aviation and the United States Marine Corps), and the Air Force[, *with their assigned combat and service components,*] **under the direction, authority and control of the Secretary of Defense; to provide that each military department shall be separately organized under its own Secretary and shall function under the direction, authority, and control of the Secretary of Defense;** to provide for their [*authoritative coordination and*] unified direction under civilian control of the Secretary of Defense but not to merge **these departments or services** [*them*]; **to provide for the establishment of unified or specified combatant commands, and a clear and direct line of command to such commands; to eliminate unnecessary duplication in the Department of Defense, and particularly in the field of research and engineering by vesting its overall direction and control in the Secretary of Defense; to provide more effective, efficient, and economical administration in the Department of Defense;** to provide for the **unified** [*effective*] strategic direction of the **combatant** [*armed*] forces, [*and*] for their operation under unified **command** [*control*], and for their integration into an efficient team of land, naval, and air forces but not to establish a single Chief of Staff over the armed forces nor an **overall** armed forces general staff [*(but this is not to be interpreted as applying to the Joint Chiefs of Staff or Joint Staff)*].[1]

TITLE I—COORDINATION FOR NATIONAL SECURITY

National Security Council

SEC. 101. (a) There is hereby established a council to be known as the National Security Council (hereinafter in this section referred to as the "Council").

The President of the United States shall preside over meetings of the Council: PROVIDED, That in his absence he may designate a member of the Council to preside in his place.

The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

[1] Amended to read as indicated by Section 2, Department of Defense Reorganization Act of 1958, 6 August 1958 (72 Stat. 514).

The Council shall be composed of—

(1) the President;

(2) the Vice President;

(3) the Secretary of State;

(4) the Secretary of Defense;

(5) [*the Director for Mutual Security; the Director of the Foreign Operations Administration;*] [2]

(6) [*(5)*] **the Director of the Office of Civil and Defense Mobilization;** [*the Chairman of the National Security Resources Board;*] [3]

(7) [*6*] the Secretaries and Under Secretaries of other executive departments and of the military departments, [*the Chairman of the Munitions Board, and the Chairman of the Research and Development Board*] when appointed by the President by and with the advice and consent of the Senate, to serve at his pleasure.[4]

(b) In addition to performing such other functions as the President may direct, for the purpose of more effectively coordinating the policies and functions of the departments and agencies of the Government relating to the national security, it shall, subject to the direction of the President, be the duty of the Council—

(1) to assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security, for the purpose of making recommendations to the President in connection therewith; and

(2) to consider policies on matters of common interest to the departments and agencies of the Government concerned with the national security, and to make recommendations to the President in connection therewith.

(c) The Council shall have a staff to be headed by a civilian executive secretary who shall be appointed by the President, and who shall receive

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[2] Section 501 (e) of Public Law 165, 82d Congress, 10 October 1951 (65 Stat. 373), amended section 101 (a) of the National Security Act of 1947 as amended, by adding the Director of Mutual Security to the membership of the National Security Council. Reorganization Plan No. 7 of 1953, effective 6 August 1953 (67 Stat. 670), abolished the Mutual Security Administration and established the Foreign Operations Administration. Section 2 of that plan transferred to the Director of Foreign Operations Administration all functions of the Director for Mutual Security, including the functions of the Director for Mutual Security as a member of the National Security Council. Pursuant to the provisions of Sections 521 and 525 of the Mutual Security Act of 1954, Public Law 665, 83d Congress (68 Stat. 855, 856), and Executive Order 10610 of 30 June 1955, all functions (with certain exceptions) of the Director of the Foreign Operations Administration, and the Foreign Operations Administration were transferred to the International Cooperation Administration in the Department of State, to be headed by a Director. Pursuant to Section 303 (a) and (b) of the Executive order, the office of the Director of the Foreign Operations Administration and the membership of the Director of the Foreign Operations Administration, together with the functions of the Director in his capacity as a member of the National Security Council, were abolished.

[3] Section 6 of Reorganization Plan No. 3 of 1953, effective 12 June 1953 (67 Stat. 634), abolished the National Security Resources Board; Section 2 of that plan transferred to the Director of the Office of Defense Mobilization all functions of the Chairman of the National Security Resources Board (excluding those abolished by Section 5), including his functions as a member of the National Security Council. Section 4 of Reorganization Plan No. 1 of 1958, effective 1 July 1958 (72 Stat. 1799), as amended by Public Law 85-763, 26 August 1958 (72 Stat. 861) transferred the functions with respect to being a member of the National Security Council to the Director of the Office of Civil and Defense Mobilization.

[4] References to Chairman of the Munitions Board and Chairman of the Research and Development Board were deleted by Section 2 (b) of Reorganization Plan No. 6 of 1953, effective 30 June 1953 (67 Stat. 638), which abolished these positions and transferred their functions to the Secretary of Defense.

compensation at the rate of **$20,000** [*$15,000 $10,000*] a year.[5] The executive secretary, subject to the direction of the Council, is hereby authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such personnel as may be necessary to perform such duties as may be prescribed by the Council in connection with the performance of its functions.

(d) The Council shall, from time to time, make such recommendations, and such other reports to the President as it deems appropriate or as the President may require.

Central Intelligence Agency

Sec. 102. (a) There is hereby established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence who shall be the head thereof, **and with a Deputy Director of Central Intelligence who shall act for, and exercise the powers of, the Director during his absence or disability.** The Director **and the Deputy Director** shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services, **whether in an active or retired status,** or from among individuals in civilian life; PROVIDED, HOWEVER, **That at no time shall the two positions of the Director and Deputy Director be occupied simultaneously by commissioned officers of the armed services, whether in an active or retired status.** [*The Director shall receive compensation at the rate of $14,000 a year.*] [6]

(b) (1) If a commissioned officer of the armed services is appointed as Director, **or as Deputy Director,** then—

(A) In the performance of his duties as Director, **or Deputy Director,** he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed to exercise, as Director, **or Deputy Director**) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit, or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(2) Except as provided in paragraph (1), the appointment to the office of Director, **or Deputy Director,** of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, **or Deputy Director,**

[5] Supplemented by Section 2 (a), Public Law 359, 81st Congress, 15 October 1949 (63 Stat. 880), under which authority the President fixed the salary of the Executive Secretary at $15,000 per annum. Pursuant to Section 109, Public Law 854, 84th Congress, 31 July 1956 (70 Stat. 740), the President fixed the salary of the Executive Secretary at $20,000 per annum effective 1 July 1956.

[6] Section 102 (a) as amended by Public Law 15, 83d Congress, 4 April 1953 (67 Stat. 19, 20).

continue to hold rank and grade not lower than that in which serving at the time of his appointment and to receive the military pay and allowances (active or retired, as the case may be, **including personal money allowance**) payable to a commissioned officer of his grade and length of service **for which the appropriate department shall be reimbursed from any funds available to defray the expenses of the Central Intelligence Agency.** [*and*] **He also** shall be paid **by**[, *from any funds available to defray the expenses of*] the **Central Intelligence** Agency[,] **from such funds an** annual compensation at a rate equal to the amount by which **the compensation established for such position** [*$14,000*] exceeds the amount of his annual military pay and allowances.[7]

(3) The rank or grade of any such commissioned officer shall, during the period in which such commissioned officer occupies the office of Director of Central Intelligence, or Deputy Director of Central Intelligence, be in addition to the numbers and percentages otherwise authorized and appropriated for the armed service of which he is a member.[8]

(c) Notwithstanding the provisions of Section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council—

(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate, existing agencies and facilities: PROVIDED, That the Agency shall have no police, subpena, law-enforcement powers, or internal-security functions: PROVIDED FURTHER, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: AND PROVIDED FURTHER, That the Director of Central Intelligence shall be re-

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[7] Subsections (a) and (b) were supplemented by Sections 4 and 6, Public Law 359, 81st Congress, 15 October 1949 (63 Stat. 880, 881) that increased annual compensation to $16,000 and $14,000 for the Director and Deputy Director, respectively. Sections 104 (a) (2) and 105 (26), Public Law 854, 84th Congress, 31 July 1956 (70 Stat. 736, 737), increased the annual compensation to $21,000 and $20,500 for the Director and Deputy Director, respectively.

[8] Section 102 (b) as amended by Public Law 15, 83d Congress, 4 April 1953 (67 Stat. 20).

sponsible for protecting intelligence sources and methods from unauthorized disclosure;

(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

(5) to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

(e) To the extent recommended by the National Security Council and approved by the President, such intelligence of the departments and agencies of the Government, except as hereinafter provided, relating to the national security shall be open to the inspection of the Director of Central Intelligence, and such intelligence as relates to the national security and is possessed by such departments and other agencies of the Government, except as hereinafter provided, shall be made available to the Director of Central Intelligence for correlation, evaluation, and dissemination: PROVIDED, HOWEVER, That upon the written request of the Director of Central Intelligence, the Director of the Federal Bureau of Investigation shall make available to the Director of Central Intelligence such information for correlation, evaluation, and dissemination as may be essential to the national security.

(f) Effective when the Director first appointed under subsection (a) has taken office—

(1) the National Intelligence Authority (11 Fed. Reg. 1337, 1339, February 5, 1946) shall cease to exist; and

(2) The personnel, property, and records of the Central Intelligence Group are transferred to the Central Intelligence Agency, and such group shall cease to exist. Any unexpended balances of appropriations, allocations, or other funds available or authorized to be made available for such Group shall be available and shall be authorized to be made available in like manner for expenditure by the Agency.

Office of Civil and Defense Mobilization
[*National Security Resources Board*] [9]

[SECTION 1. TRANSFER OF FUNCTIONS TO THE PRESIDENT.—(a) There are hereby transferred to the President of the United States all functions vested by law (including reorganization plan) in the following: The Office of Defense Mobilization, the Director of the Office of Defense Mobilization, the Federal Civil Defense Administration, and the Federal Civil Defense Administrator.

[9] Reorganization Plan No. 3, effective 12 June 1953 (67 Stat. 634), abolished the National Security Resources Board, created the Office of Defense Mobilization and transferred all functions of the Chairman of the National Security Resources Board to the Director of Defense Mobilization (excluding certain functions abolished by Section 5), as well as certain additional functions including those vested by any statute in the Director of Defense Mobilization or in the Office of Defense Mobilization provided for in Executive Order 10193 of 16 December 1950, as superseded by Executive Order 10480 of 14 August 1953 as amended. Section 50 of Public Law 779, 83d Congress, 3 September 1954 (68 Stat. 1244), was enacted to conform this section with Reorganization Plan No. 3. It amends former Section 103 by striking out subsection (a) and by redesignating subsections (b), (c), and (d) as (a), (b), and (c), respectively, and by striking out in subsection (a) as so redesignated "Chairman of the Board" and in lieu thereof inserting "Director of the Office of Defense Mobilization," and

(b) The President may from time to time delegate any of the functions transferred to him by subsection (a) of this section to any officer, agency, or employee of the executive branch of the Government, and may authorize such officer, agency, or employee to redelegate any of such functions delegated to him.

SEC. 2. OFFICE OF CIVIL AND DEFENSE MOBILIZATION.—(a) Subject to the provisions of this reorganization plan, the Office of Defense Mobilization and the Federal Civil Defense Administration are hereby consolidated to form a new agency in the Executive Office of the President which shall be known as the Office of Civil and Defense Mobilization, hereinafter referred to as the "Office".

(b) There shall be at the head of the Office a Director of the Office of Civil and Defense Mobilization, who shall be appointed by the President by and with the advice and consent of the Senate and shall receive compensation at the rate now or hereafter prescribed by law for the heads of executive departments.

(c) There shall be in the Office a Deputy Director of the Office of Civil and Defense Mobilization, who shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the rate now or hereafter prescribed by law for the under secretaries referred to in Section 104 of the Federal Executive Pay Act of 1956 (5 U.S.C. 2203),[10] shall perform such functions as shall be delegated or assigned to him pursuant to the provisions of this reorganization plan, and shall act as Director during the absence or disability of the Director or in the event of a vacancy in the office of Director.

(d) There shall be in the Office three Assistant Directors of the Office of Civil and Defense Mobilization, each of whom shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the rate now or hereafter prescribed by law for assistant secretaries of executive departments, and shall perform such functions as shall be delegated or assigned to him pursuant to the provisions of this reorganization plan.

(e) The Office and the Director thereof shall perform such functions as the President may from time to time delegate or assign thereto. The said Director may from time to time make such provisions as he shall deem appropriate authorizing the performance by any officer, or by any agency or employee, of the Office of any function delegated or assigned to the Office or to the Director.] [11]

Sec. 103. [(a) There is hereby established a National Security Resources Board (hereinafter in this section referred to as the "Board") to be composed of the Chairman of the Board and such heads or representatives of the

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making certain other technical changes so as to amend the entire section to read as indicated. Pursuant to Reorganization Plan No. 1, 1958, effective 1 July 1958 (72 Stat. 1799), as amended by Public Law 85–763, 26 August 1958 (72 Stat. 861), and Executive Order 10773, 3 July 1958, 23 F. R. 5061, as amended by Executive Order 10782, 10 September 1958, 23 F. R. 6971, the Director of the Office of Defense Mobilization was abolished and all functions vested in him by law or reorganization plan were transferred to the President (see Section 1 of the Plan). Section 2 (a) of the Plan consolidated the Office of Defense Mobilization and the Federal Civil Defense Administration to form a new agency in the Executive Office of the President to be known as the "Office of Defense and Civilian Mobilization." Public Law 85–763 amended the title to "Office of Civil and Defense Mobilization." Section 2 (b) of the Plan established a "Director of the Office of Civil and Defense Mobilization." Section 2 of Executive Order 10773 delegated to the Director all functions transferred to the President by the provisions of Reorganization Plan No. 1.

[10] Section 104, Public Law 854, 84th Congress, 31 July 1956 (70 Stat. 736), increased the annual compensation of the Deputy Director to $20,500.

[11] Reorganization Plan No. 1, 1958, effective 1 July 1958 (72 Stat. 1799), as amended by Public Law 85–763, 26 August 1958 (72 Stat. 861).

various executive departments and independent agencies as may from time to time be designated by the President to be members of the Board. The Chairman of the Board shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $14,000 a year.]

(a) [*(b)*] The **Director** [*Chairman*] of the **Office of Defense Mobilization** [*Board*], subject to the direction of the President, is authorized, subject to the civil-service laws and the Classification Act of **1949** [*1923, as amended*], to appoint and fix the compensation of such personnel as may be necessary to assist the **Director** [*Board*] in carrying out **his** [*its*] functions.

(b) [*(c)*] It shall be the function of the **Director of the Office of Defense Mobilization** [*Board*] to advise the President concerning the coordination of military, industrial, and civilian mobilization, including—

(1) policies concerning industrial and civilian mobilization in order to assure the most effective mobilization and maximum utilization of the Nation's manpower in the event of war;

(2) programs for the effective use in time of war of the Nation's natural and industrial resources for military and civilian needs, for the maintenance and stabilization of the civilian economy in time of war, and for the adjustment of such economy to war needs and conditions;

(3) policies for unifying, in time of war, the activities of Federal agencies and departments engaged in or concerned with production, procurement, distribution, or transportation of military or civilian supplies, materials, and products;

(4) the relationship between potential supplies of, and potential requirements for, manpower, resources, and productive facilities in time of war;

(5) policies for establishing adequate reserves of strategic and critical material, and for the conservation of these reserves;

(6) the strategic relocation of industries, services, government, and economic activities, the continuous operation of which is essential to the Nation's security;

(c) [*(d)*] In performing **his** [*its*] functions, the **Director of the Office of Defense Mobilization** [*Board*] shall utilize to the maximum extent the facilities and resources of the departments and agencies of the Government.[12]

TITLE II—THE DEPARTMENT OF DEFENSE

Sec. 201. (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.

(c) Section 158 of the Revised Statutes, as amended, is amended to read as follows:

[12] As amended by Reorganization Plan No. 3, effective 12 June 1953 (67 Stat. 634) and by Section 50, Public Law 779, 83d Congress, 5 September 1954 (68 Stat. 1244).

Sec. 158. The provisions of this title shall apply to the following Executive Departments:

First. The Department of State.

Second. The Department of Defense.

Third. The Department of the Treasury.

Fourth. The Department of Justice.

Fifth. The Post Office Department.

Sixth. The Department of the Interior.

Seventh. The Department of Agriculture.

Eighth. The Department of Commerce.

Ninth. The Department of Labor.

(d) Except to the extent inconsistent with the provisions of this Act, the provisions of Title IV of the Revised Statutes as now or hereafter amended shall be applicable to the Department of Defense.

The Secretary of Defense

Sec. 202. (a) There shall be a Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: PROVIDED, That a person who has within ten years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Secretary of Defense.

(b) The Secretary of Defense shall be the principal assistant to the President in all matters relating to the Department of Defense. Under the dirction of the President, and subject to the provisions of this Act, he shall have direction, authority, and control over the Department of Defense.[13]

(c) (1) **Within the policy enunciated in Section 2, the Secretary of Defense shall take appropriate steps (including the transfer, reassignment, abolition, and consolidation of functions) to provide in the Department of Defense for more effective, efficient, and economical administration and operation and to eliminate duplication. However, except as otherwise provided in this subsection, no function which has been established by law to be performed by the Department of Defense, or any officer or agency thereof, shall be substantially transferred, reassigned, abolished, or consolidated until the expiration of the first period of thirty calendar days of continuous session of the Congress following the date on which the Secretary of Defense reports the pertinent details of the action to be taken to the Armed Services Committees of the Senate and of the House of Representatives. If during such period a resolution is reported by either of the said committees stating that the proposed action with respect to the transfer, reassignment, abolition, or consolidation of any function should be rejected by the resolving House because (1) it contemplates the transfer, reassignment, abolition, or consolidation of a major combatant function now or hereafter assigned to the military services by section 3062 (b), 5012, 5013, or 8062 (c) of Title 10 of the United States Code, and (2) if carried out it would in the judgment of the said resolving House tend to impair the defense**

[13] Reorganization Plan 3 of 1953, effective 12 June 1953, abolished the National Security Resources Board and also:

SEC. 5. "(b) So much of the functions of the Secretary of Defense under Section 202 (b) of the National Security Act of 1947, as amended, as consists of direction, authority, and control over functions transferred by this reorganization plan is hereby abolished."

of the United States, such transfer, reassignment, abolition, or consolidation shall take effect after the expiration of the first period of forty calendar days of continuous session of the Congress following the date on which such resolution is reported; but only if, between the date of such reporting in either House and the expiration of such forty-day period such resolution has not been passed by such House.

(2) For the purposes of paragraph (1)—

(A) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

(B) in the computation of the thirty-day period or the forty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain.

(3) (A) The provisions of this paragraph are enacted by the Congress—

(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(ii) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(B) For the purpose of this paragraph, any resolution reported to either House pursuant to the provisions of paragraph (1) hereof, shall for the purpose of the consideration of such resolution by either House be treated in the same manner as a resolution with respect to a reorganization plan reported by a committee within the meaning of the Reorganization Act of 1949 as in effect on July 1, 1958 (5 U. S. C. 133z et seq.) and shall be governed by the provisions applicable to the consideration of any such resolution by either House of the Congress as provided by Sections 205 and 206 of such Act.

(4) Notwithstanding the provisions of paragraph (1) hereof, the Secretary of Defense has the authority to assign, or reassign, to one or more departments or services, the development and operational use of new weapons or weapons systems.

(5) [(*c*)(1)] Notwithstanding [*any*] other provisions of this subsection [*Act*], if the President determines that it is necessary because of hostilities or imminent threat of hostilities, any [*the combatant*] function[*s*], including those assigned to the military services by Sections 3062(b) [*205(e)*], 5012 [*206(b)*], 5013 [*206(c)*] and 8062 (c) [*208 (f)*] of Title 10 of the United States Code [*hereof*] may [*shall not*] be transferred, reassigned, [*abolished,*] or consolidated and subject to the determination of the President shall remain so transferred, reassigned, or consolidated until the termination of such hostilities or threat of hostilities.

[*(2) Military personnel shall not be so detailed or assigned as to impair such combatant functions.*]

[*(3) The Secretary of Defense shall not direct the use and expenditure of funds of the Department of Defense in such manner as to effect the results prohibited by paragraphs (1) and (2) of this subsection.*]

(6) Whenever the Secretary of Defense determines it will be advantageous to the Government in terms of effectiveness, economy, or efficiency, he shall provide for the carrying out of any supply or service activity common

to more than one military department by a single agency or such other organizational entities as he deems appropriate. For the purposes of this paragraph, any supply or service activity common to more than one military department shall not be considered a 'major combatant function' within the meaning of paragraph (1) hereof.

(7) [*(4)*] Each military department (the Department of the Navy to include naval aviation and the United States Marine Corps) [*The Departments of the Army, Navy, and Air Force*] shall be separately organized [*administered*] under [*by*] its own [*their respective*] Secretary[*ies*] and shall function under the direction, authority, and control of the Secretary of Defense. The Secretary of a military department shall be responsible to the Secretary of Defense for the operation of such department as well as its efficiency. Except as otherwise specifically provided by law, no Assistant Secretary of Defense shall have authority to issue orders to a military department unless (1) the Secretary of Defense has specifically delegated in writing to such an Assistant Secretary the authority to issue such orders with respect to a specific subject area, and (2) such orders are issued through the Secretary of such military department or his designee. In the implementation of this paragraph it shall be the duty of each such Secretary, his civilian assistants, and the military personnel in such department to cooperate fully with personnel of the Office of the Secretary of Defense in a continuous effort to achieve efficient administration of the Department of Defense and effectively to carry out the direction, authority, and control of the Secretary of Defense.

[*(5) Subject to the provisions of paragraph (1) of this subsection no function which has been or is hereafter authorized by law to be performed by the Department of Defense shall be substantially transferred, reassigned, abolished or consolidated until after a report in regard to all pertinent details shall have been made by the Secretary of Defense to the Committees on Armed Services of the Congress.*]

(8) [*(6)*] No provision of this Act shall be so construed as to prevent a Secretary of a military department or a member of the Joint Chiefs of Staff from presenting to the Congress, on his own initiative, after first so informing the Secretary of Defense, any recommendations relating to the Department of Defense that he may deem proper.[14]

(d) The Secretary of Defense shall annually [*not less often than semiannually*] submit a written report[*s*] to the President and the Congress covering expenditures, work, and accomplishments of the Department of Defense, accompanied by (1) such recommendations as he shall deem appropriate, (2) separate reports from the military departments covering their expenditures, work, and accomplishments, and (3) itemized statements showing the savings of public funds and the eliminations of unnecessary duplications and overlappings that have been accomplished pursuant to the provisions of this Act.[14]

(e) The Secretary of Defense shall cause a seal of office to be made for the Department of Defense, of such design as the President shall approve, and judicial notice shall be taken thereof.

(f) The Secretary of Defense may, without being relieved of his responsibility therefor, and unless prohibited by some specific provision of

[14] Subsections (c) and (d) as amended by Sections 3 (a) and 3 (b) of the Department of Defense Reorganization Act of 1958 (72 Stat. 516) (5 U.S.C. 171a (c) and (d)).

this Act or other specific provision of law, perform any function vested in him through or with the aid of such officials or organizational entities of the Department of Defense as he may designate.

(g) Under such regulations as he shall prescribe, the Secretary of Defense with the approval of the President is authorized to transfer between the armed services, within the authorized commissioned strength of the respective services, officers holding commissions in the medical services or corps including the reserve components thereof. No officer shall be so transferred without (1) his consent, (2) the consent of the service from which the transfer is to be made, and (3) the consent of the service to which the transfer is to be made.[15]

(h) Officers transferred hereunder shall be appointed by the President alone to such commissioned grade, permanent and temporary, in the armed service to which transferred and be given such place on the applicable promotion list of such service as he shall determine. Federal service previously rendered by any such officer shall be credited for promotion, seniority, and retirement purposes as if served in the armed service to which transferred according to the provisions of law governing promotion, seniority, and retirement therein. No officer upon a transfer to any service from which previously transferred shall be given a higher grade, or place on the applicable promotion list, than that which he could have attained had he remained continuously in the service to which retransferred.[15]

(i) Any officer transferred hereunder shall be credited with the unused leave to which he was entitled at the time of transfer.[15]

(j) With the advice and assistance of the Joint Chiefs of Staff the President, through the Secretary of Defense, shall establish unified or specified combatant commands for the performance of military missions, and shall determine the force structure of such combatant commands to be composed of forces of the Department of the Army, the Department of the Navy, the Department of the Air Force, which shall then be assigned to such combatant commands by the departments concerned for the performance of such military missions. Such combatant commands are responsible to the President and the Secretary of Defense for such military missions as may be assigned to them by the Secretary of Defense, with the approval of the President. Forces assigned to such unified combatant commands or specified combatant commands shall be under the full operational command of the commander of the unified combatant command or the commander of the specified combatant command. All forces not so assigned remain for all purposes in their respective departments. Under the direction, authority, and control of the Secretary of Defense each military department shall be responsible for the administration of the forces assigned from its department to such combatant commands. The responsibility for the support of forces assigned to combatant commands shall be vested in one or more of the military departments as may be directed by the Secretary of Defense. Forces assigned to such unified or specified combatant commands shall be transferred therefrom only by authority of and under procedures established by the Secretary of Defense, with the approval of the President.[16]

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[15] Subsections (g), (h), and (i) were added by Section 3, Public Law 779, 81st Congress, 9 September 1950 (64 Stat. 828). Although originally enacted as temporary law, with an expiration date of 9 July 1951, these subsections were extended by subsequent public laws in the 1950's and 1960's.

[16] Subsection (j) was added by Section 5 (b) of the Department of Defense Reorganization Act of 1958 (72 Stat. 518) (5 U.S.C. 171a).

[PERFORMANCE OF FUNCTIONS.—The Secretary of Defense may from time to time make such provisions as he shall deem appropriate authorizing the performance by any other officer, or by any agency or employee, of the Department of Defense of any function of the Secretary, including any function transferred to the Secretary by the provisions of this reorganization plan. (This language is from Sec. 5 of Reorganization Plan No. 6, effective June 30, 1953 (67 Stat. 639).]

CERTAIN ADDITIONAL FUNCTIONS OF THE SECRETARY OF DEFENSE [from other sources of authority]

Pursuant to Section 1 of Reorganization Plan No. 6, effective June 30, 1953, all functions of the Munitions Board, the Research and Development Board, the Defense Supply Management Agency, and the Director of Installations were transferred to the Secretary of Defense. As transferred and codified in Sections 2201 and 2351 of Title 10, United States Code,[17] the functions relating to the Munitions Board and Research and Development Board were repealed by Section 3c and d of the "Department of Defense Reorganization Act 1958", approved August 6, 1958. Section 2 (a) of Reorganization Plan No. 6, abolished the Munitions Board, the Research and Development Board, and the offices of Chairman of the Munitions Board,

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[17] Sections 2201 and 2351 of Title 10, (70A Stat. 119, 133) repealed by the Defense Reorganization Act of 1958, read as follows:

"Sec. 2201. General functions of Secretary of Defense

The Secretary of Defense shall, in support of strategic and logistic plans—

(1) coordinate appropriate activities relating to industrial matters, including plans of the Department of Defense for procurement, production and distribution;

(2) plan for the military aspects of industrial mobilization;

(3) assign procurement responsibilities among the military departments;

(4) plan for the standardization of items prescribed in Section 2451 (c) (1) of this title;

(5) plan for the greatest practicable allocation, on the basis of procurement by a single procurement agency, of the authority to buy technical supplies and common use items used by each of the armed forces;

(6) prepare estimates of potential production, procurement, and personnel for use in evaluating the logistic feasibility of strategic operations;

(7) determine priorities for the segments of the military procurement programs;

(8) supervise subordinate agencies created to consider matters covered by this section;

(9) regroup, combine, or dissolve inter-service agencies operating in the fields of procurement, production, and distribution, so as to promote efficiency and economy;

(10) maintain liaison with other departments and agencies for the proper correlation of military requirements with the civilian economy, particularly with regard to the procurement or disposition of strategic and critical materials and the maintenance of adequate reserves of those materials, and the making of recommendations as to policies in connection therewith; and

(11) assemble and review requirements for material and personnel presented by the Joint Chiefs of Staff and by the production, procurement, and distribution agencies assigned to meet military needs."

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"Sec. 2351. Policy, plans, and coordination

The Secretary of Defense shall keep informed on the status of scientific research relating to the national security, and shall make adequate provision for research and development on scientific problems relating to the national security. He shall—

(1) prepare a complete and integrated program of research and development for military purposes;

(2) keep informed on trends in scientific research relating to the national security and the measures necessary to assure continued and increasing progress;

(3) coordinate research and development among the military departments and allocate responsibility for specific programs among those departments;

(4) formulate policy for the Department of Defense on research and development involving agencies outside the Department of Defense; and

(5) consider the interaction of research and development and strategy and instruct the Joint Chiefs of Staff thereon."

Chairman of the Research and Development Board, Director of the Defense Supply Management Agency, Deputy Director of Defense Supply Management Agency, and Director of Installations. The language of these sections represents the functions transferred from the Defense Supply Management Agency and, the functions of the Director of Installations, to the Secretary of Defense by Reorganization Plan No. 6. The text of the language of the respective sections is that contained in Public Law 1028, 84th Congress, approved August 10, 1956, an Act to revise and codify certain laws relating to the Armed Forces. Inasmuch as Public Law 1028 is but a restatement of existing law it is considered appropriate to insert in this compilation the pertinent sections of the law codifying those functions transferred to the Secretary of Defense by Reorganization Plan No. 6.

The following sections are codified in Title 10, United States Code, Public Law, 1028, 84th Congress (70A Stat. 138, 139, 140, 147):

CATALOGING AND STANDARDIZATION

Sec. 2451. Defense supply management [18]

(a) The Secretary of Defense shall develop a single catalog system and related program of standardizing supplies for the Department of Defense.

(b) In cataloging, the Secretary shall name, describe, classify, and number each item recurrently used, bought, stocked, or distributed by the Department of Defense, so that only one distinctive combination of letters or numerals, or both, identifies the same item throughout the Department of Defense. Only one identification may be used for each item for all supply functions from purchase to final disposal in the field or other area. The catalog may consist of a number of volumes, sections, or supplements. It shall include all items of supply and, for each item, information needed for supply operations, such as descriptive and performance data, size, weight, cubage, packaging and packing data, a standard quantitative unit of measurement, and other related data that the Secretary determines to be desirable.

(c) In standardizing supplies the Secretary shall, to the highest degree practicable—

(1) standardize items used throughout the Department of Defense by developing and using single specifications, eliminating overlapping and duplicate specifications, and reducing the number of sizes and kinds of items that are generally similar;

(2) standardize the methods of packing, packaging, and preserving standardized items; and

(3) make efficient use of the services and facilities for inspecting, testing and accepting those items.

Sec. 2452. Duties of Secretary of Defense

The Secretary of Defense shall—

(1) develop and maintain the supply catalog, and the standardization program, described in Section 2451 of this title;

(2) direct and coordinate progressive use of the supply catalog in all supply functions within the Department of Defense from the determination of requirements through final disposal;

(3) direct, review, and approve—

(A) the naming, description, and pattern of description of all items;

[18] Prior to Reorganization Plan No. 6, 30 June 1953 (67 Stat. 638) these functions were contained in the Act of 1 July 1952. Public Law 136, 82d Congress (66 Stat. 318), which established the Defense Supply Management Agency within the Department of Defense for the purpose of developing a single catalog system and related supply standardization program. Section 2 (a) of Reorganization Plan No. 6 abolished the Defense Management Supply Agency and Section 1 transferred all functions to the Secretary of Defense. This section codified in Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 138).

(B) the screening, consolidation, classification, and numbering of descriptions of all items; and

(C) the publication and distribution of the supply catalog;

(4) maintain liaison with industry advisory groups to coordinate the development of the supply catalog and the standardization program with the best practices of industry and to obtain the fullest practicable cooperation and participation of industry in developing the supply catalog and the standardization program;

(5) establish, publish, review, and revise, within the Department of Defense, military specifications, standards, and lists of qualified products, and resolve differences between the military departments, bureaus, and services with respect to them;

(6) assign responsibility for parts of the cataloging and the standardization programs to the military departments, bureaus, and services within the Department of Defense, when practical and consistent with their capacity and interest in those supplies;

(7) establish time schedules for assignments made under clause (6); and

(8) make final decisions in all matters concerned with the cataloging and standardization programs.

Sec. 2453. Supply catalog distribution and use

The Secretary of Defense shall distribute the parts of the supply catalog described in Section 2451 of this title as they are completed. Existing catalogs shall be replaced according to schedules established by the Secretary. After replacement no other supply catalog may be used within the Department of Defense with respect to the kinds of items covered by that part. All property reports and records shall use the nomenclature, item numbers, and descriptive data of the supply catalog.

Sec. 2454. Supply catalog: new or obsolete items

(a) After any part of the supply catalog described in Section 2451 of this title is distributed, and with respect to the kinds of items covered by that part, only the items listed in it may be procured for recurrent use in the Department of Defense. However, a military department may acquire any new item that is necessary to carry out its mission. As soon as such an item is acquired, it shall be submitted to the Secretary for inclusion in the catalog and the standardization program.

(b) Obsolete items may be deleted from the catalog at any time.

Sec. 2455. Reports to Congress

(a) The Secretary of Defense shall send to the Committees on Armed Services of the Senate and the House of Representatives, on January 31 and July 31 of each year, a progress report on cataloging under this chapter from each military department. Each report shall cover the six-month period ending with the preceding June 30 or December 31, whichever was later. The report shall contain—

(1) the number of sections or parts of the supply catalog that have been published, and their titles;

(2) the number of item identification numbers in the catalog that have replaced, for all supply purposes, former item identifications or stock or catalog numbers;

(3) the reduction in the number of separate item identifications; and

(4) any other information that the Secretary considers will best inform Congress of the status of the cataloging program.

(b) The Secretary shall report to the Committees on Armed Services of the Senate and the House of Representatives, on January 31 and July 31 of each year, on the progress of the standardization program within the military departments. Each report shall cover the six-month period ending with the preceding June 30 or December 31, whichever was later. The report shall contain—

(1) the number of separate specifications that have been consolidated into single specifications for use throughout the Department of Defense;

(2) the reduction in the number of sizes or kinds of items that are generally similar;

(3) the duplications eliminated in services, space, and facilities; and

(4) any other information that the Secretary considers will best inform Congress of the progress of the standardization program.

(c) The Secretary may combine the reports required by subsections (a) and (b).

Sec. 2456. Coordination with General Services Administration

To avoid unnecessary duplication, the Administrator of General Services and the Secretary of Defense shall coordinate the cataloging and standardization activities of the General Services Administration and the Department of Defense.

REAL PROPERTY

Sec. 2661. Planning and construction of public works projects by military departments [19]

The Secretary of Defense shall maintain direct surveillance over the planning and construction of public works projects by the military departments. The Secretary shall keep currently and fully informed of the status, progress, and cost of, and other pertinent matters concerning, those projects.

Deputy Secretary of Defense; Assistant Secretaries of Defense; Military Assistants

Sec. 203. (a) There shall be a Deputy Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate: PROVIDED, That a person who has within ten years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Deputy Secretary of Defense. The Deputy Secretary shall perform such duties and exercise such powers as the Secretary of Defense may prescribe and shall take precedence in the Department of Defense next after the Secretary of Defense. The Deputy Secretary shall act for, and exercise the powers of, the Secretary of Defense during his absence or disability.

(b) (1) There shall be a Director of Defense Research and Engineering who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, who shall take precedence in the Department of Defense after the Secretary of Defense, the Deputy Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force. The Director performs such duties with respect to research and engineering as the Secretary of Defense may prescribe, including, but not limited to, the following: (i) to be the principal adviser to the Secretary of Defense on scientific and technical matters; (ii) to supervise all research and engineering activities in the Department of Defense; and (iii) to direct and control (including their assignment or reassignment) research and engineering activities that the Secretary of Defense deems to

[19] Prior to Reorganization Plan No. 6, 30 June 1953 (67 Stat. 638), these functions were contained in Section 408 of Public Law 534, 82d Congress, 14 July 1952 (66 Stat. 625), which provided that the Secretary of Defense maintain direct surveillance over the planning and construction by the military departments of all public works projects through a civilian official of the Department of Defense to be known as the Director of Installations. Section 2 (a) of Reorganization Plan No. 6 abolished the Office of Director of Installations, and Section 1 transferred all functions to the Secretary of Defense. This section codified in Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 147).

require centralized management. The compensation of the Director is that prescribed by law for the Secretaries of the military departments.

(2) The Secretary of Defense or his designee, subject to the approval of the President, is authorized to engage in basic and applied research projects essential to the responsibilities of the Department of Defense in the field of basic and applied research and development which pertain to weapons systems and other military requirements. The Secretary or his designee, subject to the approval of the President, is authorized to perform assigned research and development projects: by contract with private business entities, educational or research institutions, or other agencies of the Government, through one or more of the military departments, or by utilizing employees and consultants of the Department of Defense.

(3) There is authorized to be appropriated such sums as may be necessary for the purposes of paragraph (2) of this subsection.[20]

(c) [(*b*)] There shall be **seven** [*three*] Assistant Secretaries of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. The Assistant Secretaries shall perform such duties and exercise such powers as the Secretary of Defense may prescribe and shall take precedence in the Department of Defense after the Secretary of Defense, the Deputy Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, [*and*] the Secretary of the Air Force, **and the Director of Defense Research and Engineering.**[21]

(d) [(*c*)] Officers of the armed services may be detailed to duty as assistants and personal aides to the Secretary of Defense, but he shall not establish a military staff other than that provided for by Section 211 (a) of this Act.

GENERAL COUNSEL

The President may appoint from civilian life, by and with the advice and consent of the Senate, a General Counsel of the Department of Defense, who shall be the chief legal officer of the Department, and who shall perform such functions as the Secretary of Defense may from time to time prescribe. He shall receive compensation at the rate prescribed by law for assistant secretaries of the executive departments.[22]

Civilian Personnel

Sec. 204. The Secretary of Defense is authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such civilian personnel as may be necessary for the performance of the functions of the Department of Defense other than those of the Departments of the Army, Navy, and Air Force.

Department of the Army

Sec. 205. (a) [Repealed. Codified in Section 3012 (a) of Title 10, United States Code, as follows:

"Sec. 3012. (a) There is a Secretary of the Army, who is head of the Department of the Army."]

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[20] Subsection (b) was added by Section 9 (a) of the Department of Defense Reorganization Act of 1958, Public Law 85-599, 6 August 1958 (72 Stat. 520).

[21] Subsection (c) was amended by Section 10 (a) of the Department of Defense Reorganization Act of 1958, to become effective 6 months after the date of enactment of the law.

[22] This language is from Section 4 of Reorganization Plan No. 6, effective 30 June 1953 (67 Stat. 639); while not a specific amendment, it supplements this section.

[*The Department of War shall hereafter be designated the Department of the Army, and the title of the Secretary of War shall be changed to Secretary of the Army. Changes shall be made in the titles of other officers and activities of the Department of the Army as the Secretary of the Army may determine.*] [23]

ADDITIONAL PROVISIONS CONTAINED IN SECTION 3012 ARE AS FOLLOWS:

(b) The Secretary is responsible for and has the authority necessary to conduct all affairs of the Department of the Army, including—

(1) functions necessary or appropriate for the training, operations, administration, logistical support and maintenance, welfare, preparedness, and effectiveness of the Army, including research and development; and

(2) such other activities as may be prescribed by the President or the Secretary of Defense as authorized by law.

He shall perform such other duties relating to Army affairs, and conduct the business of the Department in such manner, as the President or the Secretary of Defense may prescribe.

(c) The Secretary may assign such of his duties as he considers appropriate to the Under Secretary of the Army and to the Assistant Secretaries of the Army. Officers of the Army shall, as directed by the Secretary, report on any matter to the Secretary, the Under Secretary, or an Assistant Secretary.

(d) The Secretary or, as he may prescribe, the Under Secretary or an Assistant Secretary shall supervise all matters relating to—

(1) the procurement activities of the Department of the Army; and

(2) planning for the mobilization of materials and industrial organizations essential to the wartime needs of the Army.

(e) The Secretary, as he considers appropriate, may assign, detail, and prescribe the duties of members of the Army and civilian personnel of the Department of the Army.

(f) The Secretary may change the title of any other officer, or of any activity, of the Department of the Army.

(g) The Secretary may prescribe regulations to carry out his functions, powers, and duties under this title.

(h) The compensation of the Secretary is $22,000 [24] a year.

(b) All laws, orders, regulations, and other actions relating to the Department of War or to any officer or activity whose title is changed under this section shall, insofar as they are not inconsistent with the provisions of this Act, be deemed to relate to the Department of the Army within the Department of Defense or to such officer or activity designated by his or its new title.

(c) The term "Department of the Army" as used in this Act shall be construed to mean the Department of the Army at the seat of government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Army.

(d) [Repealed. Codified in Section 3011 of Title 10, U.S. Code, as follows:

"Sec. 3011. The Secretary of the Army shall have a seal for the Department of the Army. The design of the seal must be approved by the President. Judicial notice shall be taken of the seal."

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[23] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676).

[24] This amount was changed from $18,000 to $22,000 by Section 57 of Public Law 85–861, 2 September 1958 (72 Stat. 1462).

[*The Secretary of the Army shall cause a seal of office to be made for the Department of the Army, of such design as the President may approve, and judicial notice shall be taken thereof.*]] [25]

(e) [Repealed. Codified without amendment in Section 3062 (b) of Title 10, U.S. Code, as follows:

Sec. 3062. (b) In general, the Army, within the Department of the Army, includes land combat and service forces and such aviation and water transport as may be organic therein. It shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations on land. It is responsible for the preparation of land forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Army to meet the needs of war."] [25, 26]

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[25] Subsections (d) and (e) were repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676).

[26] Sections 4 (a), 4 (g), 6 (a), 8 (a), and 12 of the Defense Reorganization Act of 1958, in addition to amending the National Security Act of 1947, as amended, also amended certain sections of Title 10, U.S. Code, derived from other statutes, that pertained to the organization of the Department of the Army. These amendments of Title 10 are as follows:

"Sec. 3013. Under Secretary of the Army; Assistant Secretaries of the Army

"(a) There are an Under Secretary of the Army and **three** [*four*] Assistant Secretaries of the Army in the Department of the Army. **They** [*The Under Secretary and the Assistant Secretaries*] shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. [*The Secretary of the Army shall designate one Assistant Secretary as Assistant Secretary of the Army for Financial Management. He may also designate that Assistant Secretary as Comptroller of the Army.*]"

This amendment was to become effective 6 months after enactment of the Defense Reorganization Act of 1958 on August 6, 1958.

"Sec. 3015. Chief of National Guard Bureau: appointment; acting chief.

"(a) **There is a National Guard Bureau, which is a Joint Bureau of the Department of the Army and the Department of the Air Force, headed by a chief who is the adviser to the Army Chief of Staff and the Air Force Chief of Staff on National Guard matters. The National Guard Bureau is the channel of communication between the departments concerned and the several States, Territories, Puerto Rico, the Canal Zone, and the District of Columbia on all matters pertaining to the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States.**"

Subsections (a), (b), and (c) of Section 3015 were redesignated subsections (b), (c), and (d).

"Sec. 3032. General duties [of the Army Staff]

* * * * *

"(b) Under the direction and control of the Secretary, the Army Staff shall—

(1) prepare [*such plans for the national security,*] for **such** employment of the Army, [*for that purpose, both separately and in conjunction with the naval and air forces,*] and for **such** recruiting, organizing, supplying, equipping, training, serving, mobilizing, and demobilizing **of** the Army, as will assist in the execution of any power, duty, or function of the Secretary of the Chief of Staff."

"Sec. 3034. Chief of Staff: appointment; duties

* * * * *

(d) (4) **exercise supervision over** [*supervise*] **such of** the members and organizations of the Army **as the Secretary of the Army determines. Such supervision shall be exercised in a manner consistent with the full operational command vested in unified or specified combatant commanders pursuant to section 202 (j) of the National Security Act of 1947, as amended.**"

"Sec. 3035. Vice Chief of Staff, Deputy Chiefs of Staff, and Assistant Chiefs of Staff: succession to duties of Chief of Staff.

* * * * *

(c) The Vice Chief of Staff has such authority and duties with respect to the Department of the Army as the Chief of Staff, with the approval of the Secretary of the Army, may delegate to or prescribe for him. Orders issued by the Vice Chief of Staff in performing such duties have the same effect as those issued by the Chief of Staff."

Department of the Navy

Sec. 206. (a) The term "Department of the Navy" as used in this Act shall be construed to mean the Department of the Navy at the seat of government; the headquarters, United States Marine Corps; the entire operating forces of the United States Navy, including naval aviation, and of the United States Marine Corps, including the reserve components of such forces; all field activities, headquarters, forces, bases, installations, activities, and functions under the control or supervision of the Department of the Navy; and the United States Coast Guard when operating as a part of the Navy pursuant to law.

SECTION 5031 OF TITLE 10, UNITED STATES CODE, PROVIDES AS FOLLOWS:

Sec. 5031. Secretary of the Navy: responsibilities; compensation.

(a) There is a Secretary of the Navy, who is the head of the Department of the Navy. He shall administer the Department of the Navy under the direction, authority, and control of the Secretary of Defense.

(b) The Secretary of the Navy shall execute such orders as he receives from the President relative to—

(1) the procurement of naval stores and material;

(2) the construction, armament, equipment, and employment of naval vessels; and

(3) all matters connected with the Department of the Navy.

(c) The Secretary of the Navy has custody and charge of all books, records and other property of the Department.

(d) The compensation of the Secretary of the Navy is $22,000 [27] a year.

(b) [Repealed. Codified, with minor editorial changes, in Section 5012 of Title 10, U.S. Code, as follows:

"Sec. 5012. (a) The Navy, within the Department of the Navy, includes, in general, naval combat and service forces and such aviation as may be organic therein. The Navy shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations at sea. It is responsible for the preparation of naval forces necessary for the effective prosecution of war except as otherwise assigned and is generally responsible for naval reconnaissance, antisubmarine warfare, and protection of shipping.

"(b) All naval aviation shall be integrated with the naval service as part thereof within the Department of the Navy. Naval aviation consists of combat and service and training forces, and includes land-based naval aviation, air transport essential for naval operations, all air weapons and air techniques involved in the operations and activities of the Navy, and the entire remainder of the aeronautical organization of the Navy, together with the personnel necessary therefor.

"(c) The Navy shall develop aircraft, weapons, tactics, technique, organization, and equipment of naval combat and service elements. Matters of joint concern as to these functions shall be coordinated between the Army, the Air Force, and the Navy.

"(d) The Navy is responsible, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Navy to meet the needs of war."] [28]

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[27] The figure "$18,000" was changed to "$22,000" by Section 107 of Public Law 85–861, 2 September 1958 (72 Stat. 1490).

[28] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676).

(c). [Repealed. Codified, with editorial changes and with language from Public Law 416, 82nd Congress, 28 June 1952 (66 Stat. 282), in Sections 5013 (a), (b), and (c), and 5402 (a) and (b) of Title 10, U.S. Code, as follows:

"Sec. 5013. (a) The [*United States*] Marine Corps, within the Department of the Navy, shall **be so organized as to** include **not less than three combat divisions and three air wings, and such other** land combat, **aviation,** and **other** services [*forces and such aviation*] as may be organic therein. The Marine Corps shall be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign. In addition, the Marine Corps shall provide detachments and organizations for service on armed vessels of the Navy, shall provide security detachments for the protection of naval property at naval stations and bases, and shall perform such other duties as the President may direct[: PROVIDED, THAT]. **However, these** [*such*] additional duties **may** [*shall*] not detract from or interfere with the operations for which the Marine Corps is primarily organized.

"(b) [*It shall be the duty of*] **T**[*t*]he Marine Corps **shall** [*to*] develop, in coordination with the Army and the Air Force, those phases of amphibious operations **that** [*which*] pertain to the tactics, techniques, and equipment **used** [*employed*] by landing forces.

"(c) The Marine Corps **is** [*shall be*] responsible, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Marine Corps to meet the needs of war."

"Sec. 5402. (a) **Except in time of war or national emergency declared by Congress after June 28, 1952, the authorized strength of the Regular Marine Corps, excluding retired members, is 400,000. However, this strength may be temporarily exceeded at any time in a fiscal year if the daily average number in that year does not exceed it.**

"(b) **Except in time of war or national emergency declared by Congress after June 28, 1952, the authorized strength of the Regular Marine Corps in enlisted members, excluding retired enlisted members, is 400,000 less the actual strength of the Marine Corps in permanent regular officers other than retired regular officers. However, this strength may be temporarily exceeded at any time in a fiscal year if the daily average number in that year does not exceed it."**] [29, 30]

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[29] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676).

[30] Sections 4 (b) and 4 (c), 6 (b) and 6 (c), and 8 (b) of the Department of the Defense Reorganization Act of 1958, in addition to amending the National Security Act of 1947 as amended, also amended certain sections of Title 10, U.S. Code, derived from other statutes, that pertained to the organization of the Department of the Navy. These amendments of Title 10 are as follows:

"Sec. 5034. Assistant Secretaries of the Navy: appointment; duties

"(a) There **are** [*is*] **three** [*an*] Assistant Secretar[y]**ies** of the Navy **in the Department of the Navy. They shall be** appointed from civil**ian** life by the President, by and with the advice and consent of the Senate.

[*(b) In addition to the Assistant Secretaries appointed under subsection (a) of this section and under Section 5035 of this title, there may be two other Assistant Secretaries of the Navy appointed from civil life by the President, by and with the advice and consent of the Senate. The Secretary of the Navy shall designate one Assistant Secretary appointed under this subsection as Assistant Secretary for Financial Management, and may also designate him as Comptroller of the Navy.*]

Department of the Air Force

Sec. 207. (a) [Repealed. Codified in Section 8012 (a) of Title 10, U.S. Code, as follows:

"Sec. 8012. (a) There is a Secretary of the Air Force appointed from civilian life by the President, by and with the advice and consent of the Senate. The Secretary is the head of the Department of the Air Force."]

[*(a) Within the Department of Defense there is hereby established a military department to be known as the Department of the Air Force, and the Secretary of the Air Force who shall be the head thereof. The Secretary of the Air Force shall be appointed from civilian life by the President by and with the advice and consent of the Senate.*] [31]

ADDITIONAL PROVISIONS CONTAINED IN SECTION 8012 ARE AS FOLLOWS:

(b) The Secretary is responsible for and has the authority necessary to conduct all affairs of the Department of the Air Force, including—

(1) functions necessary or appropriate for the training, operations, ad-

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"(b) [*(c)*] The Assistant Secretaries shall perform such duties as the Secretary of the Navy prescribes."

Section 5035, Title 10, United States Code, which provided for the appointment, duties, and compensation of the Assistant Secretary of the Navy for Air was repealed. The repeal of Section 5035 and the amendments to Section 5034 were to become effective six months after enactment of the Defense Reorganization Act of 1958 on 6 August 1958.

"Sec. 5081. Chief of Naval Operations: appointment; term of office; powers; duties

* * * * *

"(c) Under the direction of the Secretary of the Navy, t[*T*]he Chief of Naval Operations shall exercise supervision over [*commands*] such of the members and organizations of the Navy and the Marine Corps as the Secretary of the Navy determines. [*the operating forces and is responsible to the Secretary of the Navy for their use, including their training, readiness, and preparation for war, and plans therefor.*] Such supervision shall be exercised in a manner consistent with the full operational command vested in unified or specified combatant commanders pursuant to Section 202 (j) of the National Security Act of 1947, as amended [*Orders issued by the Chief of Naval Operations in performing the duties assigned him shall be performed under the authority of the Secretary and are considered as coming from the Secretary.*]"

"Sec. 5085. Vice Chief of Naval Operations: appointment; powers; duties

* * * * *

(b) The Vice Chief of Naval Operations has [*shall exercise*] such [*executive*] authority and duties with respect to the Department of the Navy as the Chief of Naval Operations, with the approval of the Secretary of the Navy, may delegate[*s*] to or prescribe for him. Orders issued by the Vice Chief of Naval Operations in performing such [*the*] duties [*assigned him*] have the same effect as those issued by [*are considered as coming from*] the Chief of Naval Operations."

"Sec. 5201. Commandant [*of the Marine Corps*]: appointment; term, emoluments

* * * * *

(d) Under the direction of the Secretary of the Navy, the Commandant of the Marine Corps shall exercise supervision over such of the members and organizations of the Marine Corps and Navy as the Secretary of the Navy determines. Such supervision shall be exercised in a manner consistent with the full operational command vested in unified or specified combatant commanders pursuant to Section 202 (j) of the National Security Act of 1947, as amended."

"Sec. 5202. Assistant Commandant: detail; pay; succession to duties

* * * * *

(c) The Assistant Commandant has such authority and duties with respect to the Marine Corps as the Commandant, with the approval of the Secretary of the Navy, may delegate to or prescribe for him. Orders issued by the Assistant Commandant in performing such duties have the same effect as those issued by the Commandant."

[31] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676).

ministration, logistical support and maintenance, welfare, preparedness, and effectiveness of the Air Force, including research and development; and

(2) such other activities as may be prescribed by the President or the Secretary of Defense as authorized by law.

He shall perform such other duties relating to Air Force affairs, and conduct the business of the Department in such manner, as the President or the Secretary of Defense may prescribe.

(c) The Secretary may assign such of his functions, powers, and duties as he considers appropriate to the Under Secretary of the Air Force and to the Assistant Secretaries of the Air Force. Officers of the Air Force shall, as directed by the Secretary, report on any matter to the Secretary, the Under Secretary, or any Assistant Secretary.

(d) The Secretary or, as he may prescribe, the Under Secretary or an Assistant Secretary shall supervise all matters relating to—

(1) the procurement activities of the Department of the Air Force;

(2) planning for the mobilization of materials and industrial organizations essential to the wartime needs of the Air Force; and

(3) activities of the reserve components of the Air Force.

(e) The Secretary, as he considers appropriate, may assign, detail, and prescribe the duties of the members of the Air Force and civilian personnel of the Department of the Air Force.

(f) The Secretary may prescribe regulations to carry out his functions, powers, and duties under this title.

(g) The compensation of the Secretary is $22,000 [32] a year.

(b) Repealed.[33]

(c) The term "Department of the Air Force" as used in this Act shall be construed to mean the Department of the Air Force at the seat of government and all field headquarters, forces, reserve components, installations, activities, and functions under the control or supervision of the Department of the Air Force.

(d) [Repealed. Codified in Section 8013 (a) of Title 10, U.S. Code, as amended by Section 8 (c) of the Department of Defense Reorganization Act of 1958, as follows:

"Sec. 8013. (a) There are an Under Secretary of the Air Force and **three** [*four*] Assistant Secretaries of the Air Force in the Department of the Air Force. **They** [*The Under Secretary and the Assistant Secretaries*] shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. [*The Secretary of the Air Force shall designate one Assistant Secretary as Assistant Secretary of the Air Force for Financial Management. He may also designate that Assistant Secretary as Comptroller of the Air Force.*]"]

[*(d) There shall be in the Department of the Air Force an Under Secretary of the Air Force and two Assistant Secretaries of the Air Force, who shall be appointed from civilian life by the President by and with the advice and consent of the Senate.*] [34]

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[32] The amount was changed from $18,000 to $22,000 by Section 152 of Public Law 85–861, 2 September 1958 (72 Stat. 1513).

[33] Repealed by Section 12 (c) of the National Security Act amendments of 1949, Public Law 216, 81st Congress, 10 August 1949 (63 Stat. 578).

[34] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676). Amended by Section 8 (c) of the Department of Defense Reorganization Act of 1958, Public Law 85–599, 6 August 1958, which was to become effective 6 months after enactment. Public Law 562, 83d Congress, 3 August 1954 (68 Stat. 649) had increased the number of Assistant Secretaries from two to four and provided that one was to be designated Assistant Secretary of the Air Force for Financial Management.

(e) [Repealed. Codified in Section 8012 (e) of Title 10, U.S. Code, as follows:

"Sec. 8012. (e) The Secretary, as he considers appropriate, may assign, detail, and prescribe the duties of the members of the Air Force and civilian personnel of the Department of the Air Force."]

[*(e) The several officers of the Department of the Air Force shall perform such functions as the Secretary of the Air Force may prescribe.*] [35]

(f) [Repealed. Codified in Section 8033 (g) of Title 10, U.S. Code, as follows:

"Sec. 8033. (g) In addition to the functions and duties performed by it for the Department of the Army, the National Guard Bureau shall perform similar functions and duties for the Department of the Air Force, and shall be the channel of communication between the Department of the Air Force and the States and Territories, Puerto Rico, the Canal Zone, and the District of Columbia on all matters affecting the Air National Guard."]

[*(f) So much of the functions of the Secretary of the Army and of the Department of the Army, including those of any officer of such Department, as are assigned to or under the control of the Commanding General, Army Air Forces, or as are deemed by the Secretary of Defense to be necessary or desirable for the operations of the Department of the Air Force or the United States Air Force, shall be transferred to and vested in the Secretary of the Air Force and the Department of the Air Force:* PROVIDED, *That the National Guard Bureau shall, in addition to the functions and duties performed by it for the Department of the Army, be charged with similar functions and duties for the Department of the Air Force, and shall be the channel of communication between the Department of the Air Force and the several States on all matters pertaining to the Air National Guard:* AND PROVIDED FURTHER, *That, in order to permit an orderly transfer, the Secretary of Defense may, during the transfer period hereinafter prescribed, direct that the Department of the Army shall continue for appropriate periods to exercise any of such functions, insofar as they relate to the Department of the Air Force, or the United States Air Force or their property and personnel. Such of the property, personnel, and records of the Department of the Army used in the exercise of functions transferred under this subsection as the Secretary of Defense shall determine shall be transferred or assigned to the Department of the Air Force.*] [35]

(g) [Repealed. Codified in Section 8011 of Title 10, U.S. Code, as follows:

"Sec. 8011. The Secretary of the Air Force shall have a seal for the Department of the Air Force. The design of the seal must be approved by the President. Judicial notice shall be taken of the seal."]

[*(g) The Secretary of the Air Force shall cause a seal of office to be made for the Department of the Air Force, of such device as the President shall approve, and judicial notice shall be taken thereof.*] [35] [36]

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[35] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676).

[36] Sections 4 (d), (e), (f), and (h) and Section 6 (d) of the Defense Reorganization Act of 1958, in addition to amending the National Security Act of 1947 as amended, also amended certain sections of Title 10, U.S. Code, derived from other statutes, that pertained to the organization of the Department of the Air Force. These amendments of Title 10 are as follows:

United States Air Force

Sec. 208 (a) [Repealed. Codified in Section 8062 (b) of Title 10, U.S. Code, as follows:

"Sec. 8062. (b) There is a United States Air Force within the Department of the Air Force."]

[*(a) The United States Air Force is hereby established within the Department of the Air Force. The Army Air Forces, the Air Corps, United States Army, and the General Headquarters Air Force (Air Force Combat Command), shall be transferred to the United States Air Force.*] [37]

(b) [Repealed. Codified, in part, in Section 743 of Title 10, U.S. Code, as follows:

"Sec. 743. The Chief of Staff of the Army, the Chief of Naval Operations, and the Chief of Staff of the Air Force rank among themselves accord-

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"Sec. 8032. General duties [of the Air Staff]

* * * * *

"(b) The Air Staff shall—

"(1) prepare [*such plans for the national security,*] for such employment of the Air Force, [*for that purpose, both separately and in conjunction with the land and naval forces,*] and for such recruiting, organizing, supplying, equipping, training, serving, mobilizing, and demobilizing of the Air Force as will assist in the execution of any power, duty, or function of the Secretary or the Chief of Staff."

"Sec. 8034. Chief of Staff: appointment; duties

* * * * *

"(d) The Chief of Staff shall—

* * * * *

"[*(4) exercise command over the air defense command, the strategic air command, the tactical air command, and such other major commands as may be established under Section 8074 (e) of this title;*]

"[*(5)*] (4) **exercise supervision over** [*supervise*] **such of the** [*all other*] members and organizations of the Air Force **as the Secretary of the Air Force determines. Such supervision shall be exercised in a manner consistent with the full operational command vested in unified or specified combatant commanders pursuant to Section 202 (j) of the National Security Act of 1947, as amended."**

Clauses (6) and (7) of subsection (d) of Section 8034 were renumbered clauses (5) and (6).

"Sec. 8035. Vice Chief of Staff; Deputy Chiefs of Staff; succession to duties of Chief of Staff and Vice Chief of Staff

* * * * *

"(d) The Vice Chief of Staff has such authority and duties with respect to the Department of the Air Force as the Chief of Staff, with the approval of the Secretary of the Air Force, may delegate to or prescribe for him. Orders issued by the Vice Chief of Staff in performing such duties have the same effect as those issued by the Chief of Staff."

"Sec. 8074. Commands: territorial organization

"(a) **The Air Force shall be divided into such organizations as the Secretary of the Air Force may prescribe.** [*There are in the Air Force the following major commands: (1) An air defense command. (2) A strategic air command. (3) A tactical air command.*]"

The Department of Defense Reorganization Act of 1958, Section 4 (f) (2), also repealed subsections 8074 (b) and 8074 (c) of Title 10, U.S. Code, and redesignated subsection 8074 (d) as 8074 (b). The repealed subsections read as follows:

[*(b) The Secretary of the Air Force may establish additional commands and organizations in the interest of efficiency and economy of operation.*]

[*(c) For the duration of any war or any national emergency declared by Congress or the President, the Secretary may establish new major commands in place of the major commands named in subsection (a) or he may consolidate or discontinue these major commands.*]

[37] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676).

ing to dates of appointment to those offices, and rank above all other officers on the active list of the Army, Navy, Air Force, and Marine Corps, except the Chairman of the Joint Chiefs of Staff."]

[*(b) There shall be a Chief of Staff, United States Air Force, who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of four years from among the officers of general rank who are assigned to or commissioned in the United States Air Force. Under the direction of the Secretary of the Air Force, the Chief of Staff, United States Air Force, shall exercise command over the United States Air Force and shall be charged with the duty of carrying into execution all lawful orders and directions which may be transmitted to him. The functions of the Commanding General, General Headquarters Air Force (Air Force Combat Command), and of the Chief of the Air Corps and of the Commanding General, Army Air Forces, shall be transferred to the Chief of Staff, United States Air Force. When such transfer becomes effective, the offices of the Chief of the Air Corps, United States Army, and Assistants to the Chief of the Air Corps, United States Army, provided for by the Act of June 4, 1920, as amended (41 Stat. 768), and Commanding General, General Headquarters Air Force, provided for by section 5 of the Act of June 16, 1936 (49 Stat. 1525), shall cease to exist. While holding office as Chief of Staff, United States Air Force, the incumbent shall hold a grade and receive allowances equivalent to those prescribed by law for the Chief of Staff, United States Army. The Chief of Staff, United States Army, the Chief of Naval Operations, and the Chief of Staff, United States Air Force, shall take rank among themselves according to their relative dates of appointment as such, and shall each take rank above all other officers on the active list of the Army, Navy, and Air Force:* PROVIDED, *That nothing in this Act shall have the effect of changing the relative rank of the present Chief of Staff, United States Army, and the present Chief of Naval Operations.*] [38]

(c) All commissioned officers, warrant officers, and enlisted men, commissioned, holding warrants, or enlisted, in the Air Corps, United States Army, or the Army Air Forces, shall be transferred in branch to the United States Air Force. All other commissioned officers, warrant officers, and enlisted men, who are commissioned, hold warrants, or are enlisted, in any component of the Army of the United States and who are under the authority or command of the Commanding General, Army Air Forces, shall be continued under the authority or command of the Chief of Staff, United States Air Force, and under the jurisdiction of the Department of the Air Force. Personnel whose status is affected by this subsection shall retain their existing commissions, warrants, or enlisted status in existing components of the armed forces unless otherwise altered or terminated in accordance with existing law; and they shall not be deemed to have been appointed to a new or different office or grade, or to have vacated their permanent or temporary appointments in an existing component of the armed forces, solely by virtue

[38] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676). Section 8034 of Public Law 1028, 84th Congress, provided for the appointment of and prescribed the duties for the Chief of Staff of the Air Force, but this section derived not from Section 208 (b) of the National Security Act of 1947 as amended, but from Sections 202 and 204 of the Air Force Organization Act of 1951, Public Law 150, 82nd Congress, 19 September 1951 (65 Stat. 328), which superseded but did not specifically repeal subsection 208 (b) of the National Security Act of 1947 as amended.

of any change in status under this subsection. No such change in status shall alter or prejudice the status of any individual so assigned, so as to deprive him of any right, benefit, or privilege to which he may be entitled under existing law.

(d) [Repealed.]

[*(d) Except as otherwise directed by the Secretary of the Air Force, all property, records, installations, agencies, activities, projects, and civilian personnel under the jurisdiction, control, authority, or command of the Commanding General, Army Air Forces, shall be continued to the same extent under the jurisdiction, control, authority, or command, respectively, of the Chief of Staff, United States Air Force, in the Department of the Air Force.*] [39]

(e) [Repealed.]

[*(e) For a period of three years from the date of enactment of this Act, personnel (both military and civilian), property, records, installations, agencies, activities, and projects may be transferred between the Department of the Army and the Department of the Air Force by direction of the Secretary of Defense.*] [39]

(f) [Repealed. Codified in Section 8062 (c) of Title 10, U.S. Code, as follows:

"Sec. 8062. (c) In general, the [*United States*] Air Force [*shall*] includes aviation forces both combat and service not otherwise assigned. It shall be organized, trained, and equipped primarily for prompt and sustained offensive and defensive air operations. **It** [*The Air Force*] **is** [*shall be*] responsible for the preparation of the air forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Air Force to meet the needs of war."] [39]

Effective Date of Transfers

Sec. 209. [Repealed.]

[*Sec. 209. Each transfer, assignment, or change in status under Section 207 or Section 208 shall take effect upon such date or dates as may be prescribed by the Secretary of Defense.*] [39]

Armed Forces Policy Council

Sec. 210. [Repealed. Codified with minor editorial changes in Section 171 (a) and (b) of Title 10, U.S. Code, as follows:

"Sec. 171. (a) There is in the Department of Defense an Armed Forces Policy Council consisting of—

(1) the Secretary of Defense, as Chairman, with the power of decision;

(2) the Deputy Secretary of Defense;

(3) the Secretary of the Army;

(4) the Secretary of the Navy;

(5) the Secretary of the Air Force;

(6) **the Director of Defense Research and Engineering;**

(7) [*(6)*] the Chairman of the Joint Chiefs of Staff;

(8) [*(7)*] the Chief of Staff of the Army;

(9) [*(8)*] the Chief of Naval Operations; and

(**10**) [*(9)*] the Chief of Staff of the Air Force.

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[39] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676).

"(b) The Armed Forces Policy Council shall advise the Secretary of Defense on matters of broad policy relating to the armed forces and shall consider and report on such other matters as the Secretary of Defense may direct."] [40]

Joint Chiefs of Staff

Sec. 211. (a) [Repealed. Codified in Sections 141 (a), (b), and (c), of Title 10, U.S. Code, as follows:

"Sec. 141. (a) There **are** [*is hereby established with*]in the Department of Defense the Joint Chiefs of Staff[, *which shall*] consisting of —

(1) **a** [*the*] Chairman[, *who shall be the presiding officer thereof but who shall have no vote*];

(2) the Chief of Staff, **of the** [*United States*] Army;

(3) the Chief of Naval Operations; and

(4) the Chief of Staff, **of the** [*United States*] Air Force.

"(b) The Joint Chiefs of Staff **are** [*shall be*] the principal military advisers to the President, the National Security Council, and the Secretary of Defense.

"**(c) The Commandant of the Marine Corps shall indicate to the Chairman any matter scheduled for consideration by the Joint Chiefs that directly concerns the Marine Corps. Unless, upon request of the Chairman for a determination, the Secretary of Defense determines that such a matter does not concern the Marine Corps, the Commandant shall meet with the Joint Chiefs of Staff when that matter is under consideration. While the matter is under consideration and with respect to it, the Commandant has co-equal status with the members of the Joint Chiefs of Staff.**"] [41]

(b) [Repealed. Codified in Section 141 (d) of Title 10, U.S. Code, as follows:

"Sec. 141. (d) Subject to the authority and direction of the President and the Secretary of Defense, the Joint Chiefs of Staff shall [*perform the following duties*]—

(1) **prepare** [*preparation of*] strategic plans and **provide** [*provision*] for the strategic direction of the **armed** [*military*] forces;

(2) **prepare** [*preparation of*] joint logistic plans and **assign** [*assignment of*] logistic responsibilities to the **armed forces** [*military services*] in accordance with those plans;

(3) **establish** [*establishment of*] unified commands in strategic areas;

(4) review **the** [*of*] major material and personnel requirements of the **armed** [*military*] forces in accordance with strategic and logistic plans;

(5) **formulate** [*formulation of*] policies for **the** joint training of the **armed** [*military*] forces;

(6) **formulate** [*formulation of*] policies for coordinating the military education of members of the **armed** [*military*] forces; and

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[40] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676); amended by subsection 9 (c) of the Defense Reorganization Act of 1958.

[41] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676). Section 7 of the Defense Reorganization Act of 1958 amended subsection 141 (a) (1) of Title 10, U.S. Code, by deleting the phrase "who shall have no vote." Subsection 141 (c) derived from Public Law 416, 82nd Congress, 28 June 1952 (66 Stat. 282). It might be noted that under Reorganization Plan No. 6, 30 June 1953, Section 1 (d), the functions of the Joint Chiefs of Staff with respect to managing the Joint Staff, and the Director thereof, were transferred to the Chairman of the Joint Chiefs of Staff.

(7) **provide for** [*providing United States*] representation **of the United States** on the Military Staff Committee of the United Nations in accordance with the Charter of the United Nations; **and**

(8) perform such other duties as the President or the Secretary of Defense may **prescribe** [*direct*]."] [42]

(c) [Repealed. Codified in Sections 142(a) and 142(d) of Title 10, U.S. Code, as follows:

"Sec. 142. (a) The Chairman of the Joint Chiefs of Staff [*(hereinafter referred to as the 'Chairman')*] shall be appointed by the President, by and with the advice and consent of the Senate, from among the [*Regular*] officers **of the regular** components of the armed **forces** [*services*]. [*to*] **He** serves at the pleasure of the President for a term of two years and **may be reappointed** [*shall be eligible for one reappointment*] **in the same manner**[, *by and with the advice and consent of the Senate*] **for one additional term. However,** [*except*] in time of war [*hereafter*] declared by [*the*] Congress [*when*] there **is** [*shall be*] no limit[*ation*] of the number of [*such*] reappointments.

"(d) The Chairman **is entitled to** [*shall receive*] the [*basic*] pay and [*basic and personal money*] allowances **provided** [*prescribed*] by law for the Chief of Staff[,] **of the**[*United States*] Army [, *and such special pays and hazardous duty pays to which he may be entitled under other provisions of law*]."] [43]

(d) [Repealed. Codified in Section 142 (c) of Title 10, U.S. Code, as follows:

"Sec. 142. (c) [*The Chairman, if in the grade of general, shall be additional to the number of officers in the grade of general provided in the third proviso of Section 504 (b) of the Officers Personnel Act of 1947 (Public Law 381, Eightieth Congress) or, if in the rank of admiral, shall be additional to the number of officers having the rank of admiral provided in Section 413 (a) of such Act.*] While holding [*such*] office, **the Chairman** [*he*] **outranks** [*shall take precedence over*] all other officers of the armed **forces** [*services*].[:] **However,** [PROVIDED THAT] **he** [*the Chairman*] **may** [*shall*] not exercise military command over the Joint Chiefs of Staff or [*over*] any of the **armed forces** [*military services*]."] [43]

(e) [Repealed. Codified in Section 142 (b) of Title 10, U.S. Code, as follows:

"Sec. 142. (b) In addition to **his other duties** [*participating*] as a member of the Joint Chiefs of Staff [*in the performance of the duties assigned in subsection (b) of this section*], the Chairman shall, subject to the authority and direction of the President and the Secretary of Defense[, *perform the following duties:*]—

(1) **preside over** [*serve as the presiding officer of*] the Joint Chiefs of Staff;

(2) provide agenda for the meetings of the Joint Chiefs of Staff and assist **them** [*the Joint Chiefs of Staff*] **in carrying on** [*to prosecute*] their business as promptly as practicable; and

(3) inform the Secretary of Defense, and, when **the President or the Secretary of Defense considers it** appropriate [*as determined by the President or the Secretary of Defense*], the President, of those issues upon which

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[42] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676).

[43] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676).

[*agreement among*] the Joint Chiefs of Staff **have** [*has*] not [*been*] **agreed** [*reached*]."] [43]

Joint Staff

Sec. 212. [Repealed. Codified in Section 143 of Title 10, U.S. Code, as amended by Section 5 (a) of the Department of Defense Reorganization Act of 1958, as follows:

"Sec. 143. (a) There is under the Joint Chiefs of Staff a Joint Staff consisting of not more than **400** [*210*] officers selected by the Joint Chiefs of Staff with the approval of the Chairman. The Joint Staff shall be selected in approximately equal numbers from—

(1) the Army;

(2) the Navy and the Marine Corps; and

(3) the Air Force.

The tenure of the members of the Joint Staff is subject to the approval of the Chairman of the Joint Chiefs of Staff, **and except in time of war, no such tenure may be more than three years. Except in time of war, officers completing a tour of duty with the Joint Staff may not be reassigned to the Joint Staff for a period of not less than three years following their previous tour of duty on the Joint Staff except that selected officers may be recalled to Joint Staff duty in less than three years with the approval of the Secretary of Defense in each case. The number of such officers recalled to Joint Staff duty in less than three years shall not exceed 30 serving on the Joint Staff at any one time.**

"(b) **The Chairman of the Joint Chiefs of Staff in consultation with t**[*T*]he Joint Chiefs of Staff, **and** with the approval of the Secretary of Defense, shall select the Director of the Joint Staff. **Except in time of war, the tour of duty of the Director may not exceed three years. Upon the completion of a tour of duty as Director of the Joint Staff, the Director, except in time of war, may not be reassigned to the Joint Staff.** [*The tenure of the Director is subject to the Secretary's approval.*] The Director must be an officer junior in grade to each member of the Joint Chiefs of Staff.

"(c) The Joint Staff[, *operating under the Director,*] shall perform such duties as the Joint Chiefs of Staff **or the Chairman prescribes** [*direct*]. The Chairman of the Joint Chiefs of Staff manages the Joint Staff and its Director, **on behalf of the Joint Chiefs of Staff.**

"(d) The Joint Staff shall not operate or be organized as an overall Armed Forces General Staff and shall have no executive authority. The Joint Staff may be organized and may operate along conventional staff lines to support the Joint Chiefs of Staff in discharging their assigned responsibilities."]

[*Sec. 212. There shall be, under the Joint Chiefs of Staff, a Joint Staff to consist of not to exceed two hundred and ten officers and to be composed of approximately equal numbers of officers appointed by the Joint Chiefs of Staff from each of the three armed services. The Joint Staff, operating under a Director thereof appointed by the Joint Chiefs of Staff, shall perform such duties as may be directed by the Joint Chiefs of Staff. The Director shall be an officer junior in grade to all members of the Joint Chiefs of Staff.*] [44]

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[43] Repealed by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676). Pursuant to Section 1 (b), (c), and (d) of Reorganization Plan No. 6 effective 30 June 1953, the following changes were effected with respect to Section 212 as originally

Munitions Board

Sec. 213. [Repealed.] [45]

Research and Development Board

Sec. 214. [Repealed.] [46]

TITLE III—MISCELLANEOUS

Compensation of Secretaries and Deputy Secretary

Sec. 301. (a) The Secretary of Defense shall receive the compensation prescribed by law for heads of executive departments.[47]

(b) The Deputy Secretary of Defense shall receive compensation at the rate of **$22,500** [*$20,000 $14,500*] [48] a year, or such other compensation plus $500 a year as may hereafter be provided by law for under secretaries of executive departments.

[This section was amended by Section 53 of Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676) which repealed the second sentence relating to compensation of the Secretaries of the military departments. This sentence was codified in Title 10 of the United States Code, as follows:

"Sec. 3012. (h). The compensation of the Secretary [of the Army] is **$22,000** [*$18,000*] a year."

"Sec. 5031. (d). The compensation of the Secretary [of the Navy] is **$22,000** [*$18,000*] a year."

"Sec. 8012. (g). The compensation of the Secretary [of the Air Force] is **$22,000** [*$18,000*] a year."]

[*The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each receive compensation at the rate of $14,000 a year,*

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enacted in the National Security Act of 1947 and as amended by Section 7 (c) of Public Law 216, 81st Congress (63 Stat. 578): Section 1 (b) of the Plan provided for the selection of the Director of the Joint Staff and his tenure to be subject to the approval of the Secretary of Defense; Section 1 (c) provided for the selection of members of the Joint Staff and their tenure to be subject to the approval of the Chairman of the Joint Chiefs of Staff; and Section 1 (d) transferred to the Chairman of the Joint Chiefs of Staff the function of managing the Joint Staff and the Director. Section 212 as thus modified by Reorganization Plan No. 6 of 1953 was repealed and codified in Title 10, U.S. Code, by Public Law 1028, 84th Congress, 10 August 1956. Section 5 (a) of the Department of Defense Reorganization Act of 1958 further amended this section to read as indicated.

[45] Repealed by Section 53, Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676). However, subsection (c) was restated as a function of the Secretary of Defense in Section 2201 of Title 10, U.S. Code. This section was repealed by Section 3 (c) of the Department of Defense Reorganization Act of 1958. The text of Section 2201 appears in footnote 17 on page 201.

[46] Repealed by Section 53, Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 676). However, subsections (a) and (b) were restated as a function of the Secretary of Defense in Section 2351 of Title 10, U.S. Code. This section was repealed by Section 3 (d) of the Department of Defense Reorganization Act of 1958. The text of Section 2351 appears in footnote 17 on page 201.

[47] Supplemented by Public Law 359, 81st Congress, 15 October 1949 (63 Stat. 880) which provided for a salary of $22,500 per annum, and further supplemented by Section 102 (3) of Public Law 854, 84th Congress, 31 July 1956 (70 Stat. 736) which provided for a salary of $25,000 per annum.

[48] Supplemented by Public Law 359, 81st Congress, 15 October 1949 (63 Stat. 880) which provided for a salary of $20,000 per annum, and further supplemented by Section 102 (a) (5), Public Law 854, 84th Congress, 31 July 1956 (70 Stat. 736) which increased basic compensation to $22,500 per annum for the Deputy Secretary of Defense.

or such other compensation as may hereafter be provided by law for under secretaries of executive departments.] [49]

Sec. 302. **The compensation of the Assistant Secretaries of Defense is that prescribed by law for assistant secretaries of executive departments.**[50] **The Assistant Secretaries shall perform such duties as the Secretary of Defense may prescribe.**[51]

[Provision for the compensation of the Under Secretaries and Assistant Secretaries of the military departments, formerly contained in this section of the National Security Act of 1947 as amended was codified in Title 10 of the United States Code, as follows:

"Sec. 3013. (b). Compensation of the Under Secretary and of the Assistant Secretaries [of the Army] is that prescribed by law for assistant secretaries of executive departments."

"Sec. 5033. (c). Compensation of the Under Secretary [of the Navy] is that prescribed by law for assistant secretaries of executive departments.

"Sec. 5034. (d). Compensation of the Assistant Secretaries [of the Navy] is that prescribed by law for assistant secretaries of executive departments."

"Sec. 8013. (b). Compensation of the Under Secretary and of the Assistant Secretaries [of the Air Force] is that prescribed by law for assistant secretaries of executive departments."]

[*Sec. 302. The Assistant Secretaries of Defense and the Under Secretaries and Assistant Secretaries of the Army, the Navy, and the Air Force shall each receive compensation at the rate of $10,330 a year or at the rate hereafter prescribed by law for assistant secretaries of executive departments and shall perform such duties as the respective Secretaries may prescribe.*] [52]

Sec. 303. (a) [*The Secretary of Defense, the Chairman of the National Security Resources Board,*] **The Director of the Office of Civil and Defense Mobilization,** the Director of Central Intelligence, and the National Security Council, acting through its Executive Secretary, are authorized to appoint such advisory committees and to employ, consistent with other provisions of this Act, such part-time advisory personnel as they may deem necessary in carrying out their respective functions and the functions of agencies under their control. Persons holding other offices or positions under the United States for which they receive compensation, while serving as members of such committees, shall receive no additional compensation for such service. Other members of such committees and other part-time advisory personnel so employed may serve without compensation or may receive compensation at a rate not to exceed $50 for each day of service, as determined by the appointing authority.

(b) Service of an individual as a member of any such advisory committee, or in any other part-time capacity for a department or agency hereunder, shall not be considered as service bringing such individual within the provisions of **Sections 281, 283, or 284 of Title 18, United States Code,** [*Section 109 or 113 of the Criminal Code (U. S. C., 1940 edition, Title 18, secs. 198 and 203), or Section 19 (e) of the Contract Settlement Act of 1944,*] unless the act of such individual, which by such section is made unlawful when performed by an individual referred to in such section, is with respect

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[49] As amended by Section 102 (b), Public Law 854, 84th Congress, 31 July 1956 (70 Stat. 738).

[50] Fixed at $20,000 per annum by Section 106 (a) (13), Public Law 854, 84th Congress, 31 July 1956 (70 Stat. 738).

[51] As amended by Section 21, Public Law 1028, 84th Congress, 10 August 1956 (70A Stat. 629).

[52] Fixed at $20,000 per annum by Section 106 (a) (19), (20), (21), (42), (43), and (44), Public Law 854, 84th Congress, 31 July 1956 (70 Stat. 738).

to any particular matter which directly involves a department or agency which such person is advising or in which such department or agency is directly interested.

[The foregoing section was amended by Section 53 of Public Law 1028, 84th Congress, August 10, 1956 (70A Stat. 676) by deleting the reference therein to the Secretary of Defense. As applicable to the Secretary of Defense, the provisions of this section are codified in Section 173 of Title 10, United States Code, as follows:

"Sec. 173. (a) The Secretary of Defense may establish such advisory committees and employ such part-time advisers as he considers necessary for the performance of his functions and those of the agencies under his control.

(b) A person who serves as a member of a committee may not be paid for that service while holding another position or office under the United States for which he receives compensation. Other members and part-time advisers may serve without compensation or may be paid not more than $50 for each day of service, as the Secretary determines.

(c) Sections 281, 283, and 284 of Title 18 do not apply to a person because of his service on a committee, or as a part-time adviser, under subsection (a), unless he performs an act which is unlawful under one of those sections and which relates to a matter directly involving a department or agency which he is advising or to a matter in which that department or agency is directly interested."] [63]

Status of Transferred Civilian Personnel

Sec. 304. All transfers of civilian personnel under this Act shall be without change in classification or compensation, but the head of any department or agency to which such a transfer is made is authorized to make such changes in the titles and designations and prescribe such changes in the duties of such personnel commensurate with their classification as he may deem necessary and appropriate.

Saving Provisions

Sec. 305. (a) All laws, orders, regulations, and other actions applicable with respect to any function, activity, personnel, property, records, or other thing transferred under this Act, or with respect to any officer, department, or agency, from which such transfer is made, shall, except to the extent rescinded, modified, superseded, terminated, or made inapplicable by or under authority of law, have the same effect as if such transfer had not been made; but, after any such transfer, any such law, order, regulation, or other action which vested functions in or otherwise related to any officer, depart-

[63] Reorganization Plan No. 3, effective 12 June 1953 (67 Stat. 634), abolished the National Security Resources Board, created the Office of Defense Mobilization, and transferred all functions of the Chairman of the National Security Resources Board to the Director of Defense Mobilization (excluding certain functions abolished by Section 5 of the plan), as well as certain additional functions including those vested by statute in the Director of Defense Mobilization or in the Office of Defense Mobilization provided for in Executive Order 10193 of 16 December 1950, as superseded by Executive Order 10480 of 14 August 1953, as amended. Section 8 of Public Law 779, 83d Congress, 3 September 1954 (68 Stat. 1228) was enacted to conform this section with Reorganization Plan No. 3, substituting "the Director of the Office of Defense Mobilization" for "the Chairman of the National Security Resources Board." It further amended subsection (b) by inserting the correct reference to Title 18 of the U.S. Code. The name "The Director of the Office of Defense Mobilization" was changed to "The Director of the Office of Civil and Defense Mobilization" by Section 2 of Reorganization Plan No. 1, 1958, effective 1 July 1958 (23 F.R. 4991) as amended by Public Law 85–763, 26 August 1958 (72 Stat. 861).

ment, or agency from which such transfer was made shall, insofar as applicable with respect to the function, activity, personnel, property, records or other thing transferred and to the extent not inconsistent with other provisions of this Act, be deemed to have vested such function in or relate to the officer, department, or agency to which the transfer was made.

(b) No suit, action, or other proceeding lawfully commenced by or against the head of any department or agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of the taking effect of any transfer or change in title under the provisions of this Act; and, in the case of any such transfer, such suit, action, or other proceeding may be maintained by or against the successor of such head or other officer under the transfer, but only if the court shall allow the same to be maintained on motion or supplemental petition filed within twelve months after such transfer takes effect, showing a necessity for the survival of such suit, action, or other proceeding to obtain settlement of the questions involved.

(c) Notwithstanding the provisions of the second paragraph of Section 5 of Title I of the First War Powers Act, 1941, the existing organization of the War Department under the provisions of Executive Order Numbered 9082 of February 28, 1942, as modified by Executive Order Numbered 9722 of May 13, 1946, and the existing organization of the Department of the Navy under the provisions of Executive Order Numbered 9635 of September 29, 1945, including the assignment of functions to organizational units within the War and Navy Departments, may, to the extent determined by the Secretary of Defense, continue in force for two years following the date of enactment of this Act except to the extent modified by the provisions of this Act or under the authority of law.

Transfer of Funds

Sec. 306. All unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by or on behalf of the Army Air Forces or officers thereof, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Such other unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by the Department of War or the Department of the Army in exercise of functions transferred to the Department of the Air Force under this Act, as the Secretary of Defense shall determine, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Unexpended balances transferred under this section may be used for the purposes for which the appropriations, allocations, or other funds were originally made available, or for new expenditures occasioned by the enactment of this Act. The transfers herein authorized may be made with or without warrant action as may be appropriated from time to time from any appropriation covered by this section to any other such appropriation or to such new accounts established on the books of the Treasury as may be determined to be necessary to carry into effect provisions of this Act.

Authorization for Appropriations

Sec. 307. There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act.

Definitions

Sec. 308. (a) As used in this Act, the term "function" includes functions, powers, and duties.

(b) As used in this Act, the term "Department of Defense" shall be deemed to include the military departments of the Army, the Navy, and the Air Force, and all agencies created under Title II of this Act.

Separability

Sec. 309. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Effective Date

Sec. 310. (a) The first sentence of Section 202 (a) and Sections 1, 2, 307, 308, 309, and 310 shall take effect immediately upon the enactment of this Act.

(b) Except as provided in subsection (a), the provisions of this Act shall take effect on whichever of the following days is the earlier: The day after the day upon which the Secretary of Defense first appointed takes office, or the sixtieth day after the date of the enactment of this Act.

Succession to the Presidency

Sec. 311. Paragraph (1) of the subsection (d) of Section 1 of the Act entitled "An Act to provide for the performance of the duties of the office of President in case of the removal, resignation, death, or inability both of the President and Vice President", approved July 18, 1947, is amended by striking out "Secretary of War" and inserting in lieu thereof "Secretary of Defense", and by striking out "Secretary of the Navy,".

(The following provisions of the National Security Act amendments of 1949, Public Law 216, Eighty-first Congress, although not amendments to any particular sections of the National Security Act of 1947, are pertinent:

The titles of the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Under Secretaries and the Assistant Secretaries of the Departments of the Army, Navy, and Air Force, [*the Chairman of the Munitions Board, and the Chairman of the Research and Development Board,*] shall not be changed by virtue of this Act, and the reappointment of the officials holding such titles on the effective date of this Act shall not be required. It is hereby declared to be the intention of Congress that Section 203 (a) of the National Security Act of 1947, as amended by section 6 of this Act, shall not be deemed to have created a new office of Deputy Secretary of Defense but shall be deemed to have continued in existence under a new title, the Office of Under Secretary of Defense which was established by the Act entitled "An Act to amend the National Security Act of 1947 to provide for an Under Secretary of Defense", approved April 2, 1949 (Public Law 36, Eighty-first Congress). The title of the official holding the Office of Under Secretary of Defense on the effective date of this Act shall be changed to Deputy Secretary of Defense and the reappointment of such official shall not be required.[54]

All laws, orders, regulations, and other actions relating to the National

[54] Section 12 (f), Public Law 216, 81st Congress, 10 August 1949 (63 Stat. 578). Reference to the Chairman of the Munitions Board and Research and Development Board, contained in the text as originally enacted, has been deleted as these offices were abolished by Section 2 (b) of Reorganization Plan No. 6 of 1953, effective 30 June 1953 (67 Stat. 638).

Military Establishment, the Departments of the Army, the Navy, or the Air Force, or to any officer or activity of such establishment, or such departments, shall, except to the extent inconsistent with the provisions of this Act, have the same effect as if this Act had not been enacted; but, after the effective date of this Act, any such law, order, regulation, or other action which vested functions in or otherwise related to any officer, department, or establishment, shall be deemed to have vested such function in or relate to the officer or department, executive or military, succeeding the officer, department, or establishment in which such function was vested. For purposes of this subsection the Department of Defense shall be deemed the department succeeding the National Military Establishment, and the military departments of Army, Navy, and Air Force shall be deemed the departments succeeding the Executive Departments of Army, Navy, and Air Force.[55]

Reorganization Plan Numbered 8 of 1949, which was transmitted to the Congress by the President on July 18, 1949, pursuant to the provisions of the Reorganization Act of 1949, shall not take effect, notwithstanding the provisions of Section 6 of such Reorganization Act of 1949.)[56]

TITLE IV

Promotion of Economy and Efficiency Through Establishment of Uniform Budgetary and Fiscal Procedures and Organizations

Comptroller of Department of Defense

Sec. 401. (a) There is hereby established in the Department of Defense the Comptroller of the Department of Defense, who shall be one of the Assistant Secretaries of Defense.

(b) The Comptroller shall advise and assist the Secretary of Defense in performing such budgetary and fiscal functions as may be required to carry out the powers conferred upon the Secretary of Defense by this Act, including but not limited to those specified in this subsection. Subject to the authority, direction, and control of the Secretary of Defense, the Comptroller shall—

(1) supervise and direct the preparation of the budget estimates of the Department of Defense; and

(2) establish, and supervise the execution of—

(A) principles, policies, and procedures to be followed in connection with organizational and administrative matters relating to—

(i) the preparation and execution of the budgets,

(ii) fiscal, cost, operating, and capital property accounting,

(iii) progress and statistical reporting,

(iv) internal audit, and

(B) policies and procedures relating to the expenditure and collection of funds administered by the Department of Defense; and

(3) establish uniform terminologies, classifications, and procedures in all such matters.

Military Department Budget and Fiscal Organization—Departmental Comptrollers

Sec. 402. [Repealed. Codified without substantive change but with some reordering of words in identical sections of Title 10, U.S. Code, relating separately to the Army, Navy, and Air Force; for purposes of brevity only

[55] Section 12 (g), Public Law 216, 81st Congress, 10 August 1949 (63 Stat. 578).
[56] Section 12 (i), Public Law 216, 81st Congress, 10 August 1949 (63 Stat. 578).

that provision relating to the Army which is codified in Section 3014 of Title 10, U.S. Code, is repeated below:

"Sec. 3014. (a) Subject to the authority, direction, and control of the Secretary of Defense, the Secretary of the Army shall have the following matters in the Department of the Army organized and conducted consistently with the operations of the Office of the Comptroller of the Department of Defense:

(1) Budgeting.

(2) Accounting.

(3) Progress and statistical reporting.

(4) Internal audit.

(5) Administrative organization structure, and managerial procedures, relating to the matters covered by clauses (1)–(4).

"(b) There are a Comptroller of the Army and a Deputy Comptroller of the Army in the Department of the Army. They shall be appointed by the Secretary of the Army. The Secretary may appoint either civilian or military personnel to these offices. If either the Comptroller or the Deputy Comptroller is not a civilian, the other must be a civilian.

"(c) Subject to the authority of the Secretary of the Army, the Comptroller is responsible for the matters in the Department of the Army named in subsection (a) (1)–(5).

"(d) The Comptroller is under the direction and supervision of, and is directly responsible to, either the Secretary of the Army, the Under Secretary, or an Assistant Secretary. However, this subsection does not prevent the Comptroller from having concurrent responsibility to the Chief of Staff, the Vice Chief of Staff, or a Deputy Chief of Staff, if the Secretary so prescribes."] [57]

Performance Budget

Sec. 403. (a) The budget estimates of the Department of Defense shall be prepared, presented, and justified, where practicable, and authorized programs shall be administered, in such form and manner as the Secretary of Defense, subject to the authority and direction of the President, may determine, so as to account for, and report, the cost of performance of readily identifiable functional programs and activities, with segregation of operating and capital programs. So far as practicable, the budget estimates and authorized programs of the military departments shall be set forth in readily comparable form and shall follow a uniform pattern.

(b) In order to expedite the conversion from present budget and accounting methods to the cost-of-performance method prescribed in this title, the Secretary of each military department, with the approval of the President and the Secretary of Defense, is authorized and directed, until the end of the second year following the date of enactment of this Act, to make such transfers and adjustments within the military department of which he is the head between appropriations available for obligation by such department in such manner as he deems necessary to cause the obligation and administration of funds and the reports of expenditures to reflect the cost of performance of such programs and activities. Reports of transfers and

[57] Repealed by Section 53 of the Act of 10 August 1956 (70A Stat. 676). Corresponding provisions for the Department of the Navy and the Department of the Air Force are contained in Title 10, U.S. Code, Sections 5061 and 8014, respectively.

adjustments made pursuant to the authority of this subsection shall be made currently by the Secretary of Defense to the President and the Congress.

Obligation of Appropriations

Sec. 404. In order to prevent overdrafts and deficiencies in any fiscal year for which appropriations are made, on and after the beginning of the next fiscal year following the date of enactment of this Act appropriations made to the Department of Defense or to the military departments, and reimbursements thereto, shall be available for obligation and expenditure only after the Secretary of Defense shall approve scheduled rates of obligation, or modifications thereof: PROVIDED, That nothing in this section shall affect the right of the Department of Defense to incur such deficiencies as may be now or hereafter authorized by law to be incurred.

Working-Capital Funds

Sec. 405. (a) In order more effectively to control and account for the cost of programs and work performed in the Department of Defense, the Secretary of Defense is authorized to require the establishment of working-capital funds in the Department of Defense for the purpose of—

(1) financing inventories of such stores, supplies, materials, and equipment as he may designate; and

(2) providing working capital for such industrial-type activities, and for such commercial-type activities as provide common services within or among the departments and agencies of the Department of Defense as he may designate.

(b) The Secretary of the Treasury is authorized and directed to establish on the books of the Treasury Department at the request of the Secretary of Defense the working-capital funds established pursuant to the authority of this section.

(c) Such funds shall be—

(1) charged, when appropriate, with the cost of stores, supplies, materials, and equipment procured or otherwise acquired, manufactured, repaired, issued, and consumed and of services rendered or work performed, including applicable administrative expenses; and

(2) reimbursed from available appropriations or otherwise credited for the cost of stores, supplies, materials, or equipment furnished and of services rendered or work performed, including applicable administrative expenses. Reports of the condition and operations of such funds shall be made annually to the President and to the Congress.

(d) The Secretary of Defense is authorized to provide capital for such working-capital funds by capitalizing inventories on hand and, with the approval of the President, by transfer, until December 31, 1954, from unexpended balances of any appropriations of the military departments not carried to the surplus fund of the Treasury: PROVIDED, That no deficiency shall be incurred in any such appropriation as a result of any such transfer. To the extent that such methods do not, in the determination of the Secretary of Defense, provide adequate amounts of working capital, there is hereby authorized to be appropriated, out of any moneys in the Treasury not appropriated for other purposes, such sums as may be necessary to provide adequate working capital.

(e) Subject to the authority and direction of the Secretary of Defense, the Secretaries of the military departments shall allocate responsibility

within their respective military departments for the execution of functions which each military department is authorized by law to perform in such a manner as to effect the most economical and efficient organization and operation of the activities and use of the inventories for which working-capital funds are authorized by this section.

(f) No greater cost shall be incurred by the requisitioning agency for stores, supplies, materials, or equipment drawn from inventories, and for services rendered or work performed by the industrial-type or commercial-type activities for which working-capital funds are authorized by this section, than the amount of appropriations or funds available for such purposes.

(g) The Secretary of Defense is authorized to issue regulations to govern the operation of activities and use of inventories authorized by this section, which regulations may, whenever he determines the measures set forth in this subsection to be required by the needs of the Department of Defense, and when such measures are authorized by law, permit, stores, supplies, materials, and equipment to be sold to, and services to be rendered or work performed for, purchasers or users outside the Department of Defense. In such cases, the working-capital funds involved may be reimbursed by charges against appropriate appropriations or by payments received in cash.

(h) The appraised value of all stores, supplies, materials, and equipment returned to such working-capital funds from any department, activity, or agency, may be charged to the working-capital fund concerned and the proceeds thereof shall be credited to the current appropriations concerned; the amount so credited shall be available for expenditures for the same purposes as the appropriations credited: PROVIDED, That the provisions of this subsection shall not permit credits to appropriations as the result of capitalization of inventories authorized by subsection (d) of this section.

Management Funds

Sec. 406. The Act of July 3, 1942 (56 Stat. 645, c. 484), as amended, is hereby further amended to read as follows:

"(a) For the purpose of facilitating the economical and efficient conduct of operations in the Department of Defense which are financed by two or more appropriations where the costs of the operations are not susceptible of immediate distribution as charges to such appropriations, there are hereby established the Navy Management Fund, the Army Management Fund, and the Air Force Management Fund, each within, and under the direction of the respective Secretaries of, the Departments of the Navy, Army, or Air Force, as the case may be. There are authorized to be appropriated from time to time such funds as may be necessary to accomplish the purposes of the funds.

"(b) The corpus of the Navy Management Fund shall consist of the sum of $1,000,000, heretofore transferred to the Naval Procurement Fund from the Naval Emergency Fund (17X0300), which amount, and all balances in, and obligations against, any accounts in the Naval Procurement Fund, are hereby transferred to the Navy Management Fund; the corpus of the Army Management Fund shall consist of the sum of $1,000,000, which shall be transferred thereto from any unobligated balance of any appropriation available to the Department of the Army; the corpus of the Air Force Management Fund shall consist of the sum of $1,000,000, which shall be transferred thereto from any unobligated balance of any appropriation

available to the Department of the Air Force; in each case together with such additional funds as may from time to time be appropriated to any of said funds. Accounts for the individual operations to be financed under the respective management funds shall be established only upon approval by the Secretary of Defense.

"(c) Expenditures may be made from said management funds from time to time for material (other than material for stock) and for personal and contractual services under such regulations as may be prescribed by the Secretary of Defense: PROVIDED, (1) That no obligation shall be incurred against any such fund which is not properly chargeable to available funds under an appropriation of the department within which the fund is established or, whenever necessary to effectuate purposes authorized by this Act to funds of another department or agency within the Department of Defense, and (2) that each fund shall be promptly reimbursed from the appropriate appropriations of such department for all expenditures properly chargeable thereto. Nothing herein or in any other provision of law shall be construed to prevent advances by check or warrant, or reimbursements to any of said management funds from appropriations of said departments on the basis of the estimated cost of a project, such estimated cost to be revised and necessary appropriation adjustments made when adequate data become available.

"(d) Except as otherwise provided by law, amounts advanced to the management funds under the provisions of this Act shall be available for obligation only during the fiscal year in which they are advanced: PROVIDED, That nothing contained in this Act shall alter or limit the authorized period of availability of the funds from which such advances are made. Final adjustments of advances in accordance with actual costs shall be effected with the appropriate funds for the fiscal year in which such funds are advanced.

"(e) The portion of the Naval Appropriation Act, 1945 (58 Stat. 301, 310), relating to the Naval Procurement Fund is hereby repealed."

Adjustment of Accounts

Sec. 407. (a) When under authority of law a function or an activity is transferred or assigned from one department or agency within the Department of Defense to another such department or agency, the balances of appropriations which are determined by the Secretary of Defense to be available and necessary to finance or discharge the function or activity so transferred or assigned may, with the approval of the President, be transferred to, and be available for use by, the department or agency to which said function or activity is transferred or assigned for any purpose for which said funds were originally available. Balances so transferred shall be credited to any applicable existing appropriation account or accounts, or to any new appropriation account or accounts, which are hereby authorized to be established on the books of the Treasury Department, of the department or organization to which such function or activity is transferred, and shall be merged with funds in the applicable existing or newly established appropriation account or accounts and thereafter accounted for as one fund. Balances transferred to existing accounts shall be subject only to such limitations as are specifically applicable to such accounts and those transferred to new accounts shall be subject only to such limitations as are applicable to the appropriations from which they are transferrred.

(b) The number of employees which in the opinion of the Secretary of Defense is required for such transferred functions or activities may, with the approval of the Director of the Bureau of the Budget, be deducted from any personnel maximum or limitation of the department or agency within the Department of Defense from which such function or activity is transferred, and added to any such personnel maximum or limitation of the department or agency to which such function or activity is transferred.

"MISCELLANEOUS PROVISIONS.—(a) The Secretary of Defense may from time to time effect such transfers within the Department of Defense of any of the records, property, and personnel affected by this reorganization plan, and such transfers of unexpended balances (available or to be made available for use in connection with any affected function or agency) of appropriations, allocations, and other funds of such Department, as he deems necessary to carry out the provisions of this reorganization plan.

"(b) Nothing herein shall affect the compensation of the Chairman of the Military Liaison Committee (63 Stat. 762)." [58]

Availability of Reimbursements

Sec. 408. To carry out the purposes of this Act, reimbursements made under the authority of the Economy Act (31 U. S. C. 686), and sums paid by or on behalf of personnel of any department or organization for services rendered or supplies furnished, may be credited to authorized replacing or other accounts. Funds credited to such accounts shall remain available for obligation for the same period as the funds in the account so credited and each such account shall constitute one fund on the books of the Treasury Department.

Common Use of Disbursing Facilities

Sec. 409. To the extent authorized by the Secretary of Defense, disbursing officers of the Departments of the Army, Navy, and Air Force may, out of accounts of advances available to them, make disbursements covering obligations arising in connection with any function or activity of any other department or organization within the Department of Defense and charge upon vouchers the proper appropriation or appropriations of the other department or organization: PROVIDED, That all said expenditures shall subsequently be adjusted in settlement of disbursing officers' accounts.

Reports of Property

Sec. 410. [Repealed. Codified with minor editorial changes in Section 2701 of Title 10, United States Code, as follows:

"Sec. 2701. (a) Under regulations prescribed by him, the Secretary of Defense shall have the records of the fixed property, installations, major equipment items, and stored supplies of the military departments maintained on both a quantitative and a monetary basis, so far as practicable.

"(b) The Secretary shall report once a year to Congress and the President on property records maintained under this section."] [59]

Repealing and Saving Provisions

Sec. 411. All laws, orders, and regulations inconsistent with the provisions of this title are repealed insofar as they are inconsistent with the

[58] Section 6 of Reorganization Plan No. 6 of 1953 (67 Stat. 639).
[59] Repealed by Section 53 of the Act of 10 August 1956 (70A Stat. 676).

powers, duties, and responsibilities enacted hereby: PROVIDED, That the powers, duties, and responsibilities of the Secretary of Defense under this title shall be administered in conformance with the policy and requirements for administration of budgetary and fiscal matters in the Government generally, including accounting and financial reporting, and that nothing in this title shall be construed as eliminating or modifying the powers, duties, and responsibilities of any other department, agency, or officer of the Government in connection with such matters, but no such department, agency, or officer shall exercise any such powers, duties, or responsibilities in a manner that will render ineffective the provisions of this title.

NOTE—The following additional provisions of the Department of Defense Reorganization Act of 1958 did not amend the National Security Act of 1947, as amended:

Sec. 9 (b) Section 7 of Public Law 85–325, dated February 12, 1958, is amended to read as follows:

"Sec. 7. The Secretary of Defense or his designee is authorized to engage in such advanced projects essential to the Defense Department's responsibilities in the field of basic and applied research and development which pertain to weapons systems and military requirements as the Secretary of Defense may determine after consultation with the Joint Chiefs of Staff; and for a period of one year from the effective date of this Act, the Secretary of Defense or his designee is further authorized to engage in such advanced space projects as may be designated by the President.

"Nothing in this provision of law shall preclude the Secretary of Defense from assigning to the military departments the duty of engaging in research and development of weapons systems necessary to fulfill the combatant functions assigned by law to such military departments.

"The Secretary of Defense shall assign any weapons systems developed to such military department or departments for production and operational control as he may determine." [60]

Sec. 11. Chapter 41 of Title 10, U.S. Code, is amended as follows:

(1) By adding the following new item at the end of the analysis:

"716. Commissioned officers: transfers between Army, Navy, Air Force, and Marine Corps."

(2) By adding the following new section at the end:

"Sec. 716. Commissioned officers: transfers between Army, Navy, Air Force, and Marine Corps.

"Notwithstanding any other provision of law, the President may, within authorized strengths, transfer any commissioned officer with his consent from the Army, Navy, Air Force, or Marine Corps to, and appoint him in, any other of those armed forces. The Secretary of Defense shall establish, by regulations approved by the President, policies and procedures for such transfers and appointments. No officer transferred pursuant to this authority shall be assigned precedence or relative rank higher than that which he held on the day prior to such transfer."

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[60] The effect of this amendment was to delete the following words which had formed the third paragraph of Section 7 of Public Law 85–325, because these words had been added to the new subsection 203 (b) (2) of the National Security Act of 1947, as amended, by the Department of Defense Reorganization Act of 1958: "The Secretary or his designee is authorized to perform assigned research and development projects: by contract with private business entities, educational or research institutions, or other agencies of the Government, through one or more of the military departments, or by utilizing employees and consultants of the Department of Defense." For the discussion of Public Law 85–325, see above, Part IV, section 3, pp. 171–75.

7. Major Modifications of the National Security Act of 1947—1949–58.

The following tabulation summarizes the major changes proposed and those adopted between 1949 and 1958, including the amendments of 1949, Reorganization Plan No. 6 of 1953, President Eisenhower's proposals of 3 and 16 April 1958, H.R. 12541 as approved by the House of Representatives on 12 June 1958, and the Department of Defense Reorganization Act of 1958, approved on 6 August 1958.

MAJOR MODIFICATIONS OF THE NATIONAL SECURITY ACT OF 1947

Problem Areas	I P.L. 216 10 August 1949	II Reorganization Plan No. 6 30 June 1953
1. Authority of Secretary of Defense	Secretary of Defense to exercise full direction, authority, and control over Department of Defense, but not to abolish or reassign combatant functions of the military departments; proposed abolition or transfer of other functions assigned by law to be reported in advance to the Congress.	Functions of Munitions Board and Research and Development Board transferred to the Secretary, with authorization to use such agencies as deemed appropriate to carry out his assigned functions.
2. Staff Assistants for the Secretary of Defense	Deputy Secretary of Defense and 3 Assistant Secretaries of Defense, 1 of whom designated Comptroller.	6 additional Assistant Secretaries of Defense and General Counsel.
3. Chairman of Joint Chiefs of Staff	Chairman, appointed by President, to preside over JCS without a vote and assist JCS to prosecute their business.	Chairman to approve members of Joint Staff selected by JCS; management of Joint Staff and its Director transferred from JCS to Chairman.
4. Joint Chiefs of Staff	JCS, with statutory duties, to be principal military advisers to the President, National Security Council, and the Secretary of Defense and have right to present to the Congress, after first informing the Secretary of Defense, any recommendation deemed proper.	As under I.
5. Joint Staff	Joint Staff, under a Director appointed by the JCS, not to exceed 210 officers.	As under I, but Director to be approved by the Secretary of Defense.

III Presidential Messages 3 and 16 April 1958	IV H.R. 12541 12 June 1958	V P.L. 85–599 6 August 1958
Repeal prohibition on transfer of combatant functions; permit abolition and transfer of all functions, with 30 days' notice to Congress, of changes in functions assigned by law.	(a) Assignment of common supply and service activities to single department or agency permitted; (b) Secretary of Defense authorized to assign development and operational use of new weapons to any department or Service; (c) transfer of functions assigned by law permitted after 30 days' notice; (d) Congress to have 60 days to reject by concurrent resolution transfer or abolition of any major combatant function defined as such by one or more of the Joint Chiefs of Staff.	As under IV (a), (b), and (c), but Congress to have an additional 10 days for either House to reject by simple majority any transfer or abolition of major combatant function assigned by law to a military department.
(a) Establish a Director of Defense Research and Engineering and reduce number of Assistant Secretaries to 7; (b) authorize Assistant Secretaries to issue instructions to military departments.	As under III (a).	As under III (a); Assistant Secretaries permitted to issue orders through Secretaries of the military departments by written authority of the Secretary of Defense.
As under II, but provide Chairman with a vote.	As under III.	As under III.
(a) Repeal authority of JCS members to present recommendations to the Congress on own initiative; (b) authorize chiefs of military Services to delegate duties to vice chiefs.	As under I and III (b).	As under I and III (b).
(a) As under II, but Chairman to appoint Director with approval of the Secretary of Defense; (b) remove limitation on size of Joint Staff.	As under III (a), but Chairman to consult with JCS on appointment of Director; size increased to 400; not to be an Armed Forces General Staff nor to have executive authority.	As under IV.

MAJOR MODIFICATIONS OF THE NATIONAL SECURITY ACT OF 1947 (continued)

Problem Areas	I P.L. 216 10 August 1949	II Reorganization Plan No. 6 30 June 1953
6. Unified Command of Operational Forces	JCS, subject to authority and direction of the President and the Secretary of Defense, authorized to establish unified commands in strategic areas.	As under I, but a military department, rather than a Service chief, to act as executive agent for each unified command.[1]
7. Control and Coordination of Research Activities	Research and Development Board, composed of Chairman with power of decision and 2 representatives from each military department, to coordinate programs and allocate responsibility.	RDB abolished and functions transferred to the Secretary of Defense.
8. Departments of Army, Navy, and Air Force	"Military" departments to be "separately administered" by respective Secretaries under direction, authority, and control of Secretary of Defense. Secretaries authorized to present recommendations to the Congress after informing the Secretary of Defense.	As under I.

[1] President Eisenhower's message to the Congress transmitting Reorganization Plan No. 6 of 1953 announced that this change would be made, but it was effected by administrative action rather than incorporated in the plan itself. See Part VI, section 7, pp. 293–306.

III Presidential Messages 3 and 16 April 1958	IV H.R. 12541 12 June 1958	V P.L. 85–599 6 August 1958
Authorize Secretary of Defense, with approval of the President, to establish unified and specified commands and to assign missions and forces to such commands; remove Secretaries and Service chiefs of military departments from chain of command to such commands; forces not so assigned to remain in military departments.	As under III, but with advice and assistance of JCS. Unified and specified commanders to have full operational command; forces to be transferred from such commands only as authorized by Secretary of Defense with approval of the President.	As under IV.
Authorize Secretary of Defense to delegate performance of any research and development activity to any officer or agency; establish Director of Research and Engineering to supervise all research and direct any requiring central management.	As under III; Secretary of Defense or designee specifically authorized to engage in basic and applied research projects.	As under IV.
(a) Delete "separately" from phrase "separately administered"; (b) require departments to support own forces assigned to unified commands; (c) limit supervisory authority of chiefs of Services to units and individuals not assigned to unified commands; (d) repeal right of Secretaries to present recommendations to the Congress; (e) reduce number of Assistant Secretaries from 4 to 3 in each military department.	(a) Departments to be "separately organized" under own Secretaries and each department to function under direction of Secretary of Defense exercised through its respective Secretary; (b) military departments to "administer" as well as to support forces assigned to unified commands; (c) Service chiefs to supervise units and individuals as directed by respective Secretaries but consistent with principle of full operational command vested in unified and specified commanders; (d) Secretaries authorized to present recommendations to the Congress; (e) Assistant Secretaries reduced to 3.	As under IV, but with deletion under (a) of phrase "exercised through its respective secretary."

V.
Administrative and Legislative Modifications 1958-78

Sequence of Major Events

1. Major Administrative Changes—1958–78. The Secretary of Defense used the authority granted him by the Defense Reorganization Act of 1958 to adjust the structure of the Department.

2. Assignment of Civil Defense to the Department of Defense—20 July 1961. President John F. Kennedy assigned responsibility for civil defense operations to the Department of Defense.

3. Four-year Terms for the Joint Chiefs of Staff—26 April–5 June 1967. The Congress, at its initiative, fixed the terms of the Joint Chiefs of Staff at 4 years.

4. Organizational Arrangements for Reserve Affairs—10 January–1 December 1967. The Congress, on its own initiative, designated one Assistant Secretary of Defense as Assistant Secretary for Manpower and Reserve Affairs, authorized an additional Assistant Secretary in each military department, and established the statutory position of Deputy Assistant Secretary of Defense for Reserve Affairs.

5. Assistant Secretary for Health Affairs—27 March–19 November 1969. The Congress, on its own initiative, increased the number of Assistant Secretaries of Defense by one to provide for supervision of health affairs.

6. Blue Ribbon Defense Panel Report—July 1969–July 1970. The President and the Secretary of Defense appointed a Blue Ribbon Panel to study the organization and management of the Department and to recommend changes.

7. Dissenting Opinions, Blue Ribbon Panel—1 July 1970. In separate dissenting statements, two members of the Blue Ribbon Panel differed from the views of the majority on proposed changes.

8. Assistant Secretary for Defense (Telecommunications)—16 April–22 December 1971. The Secretary of Defense requested the Congress to authorize a second Deputy Secretary of Defense and two additional Assistant Secretaries of Defense. One Assistant Secretary position was approved.

9. Second Deputy Secretary of Defense—9 February–27 October 1972. When the Secretary of Defense renewed his request for a second deputy, the Congress agreed to the proposal.

10. Final Report on Implementation of the Blue Ribbon Defense Panel Recommendations—1975. The Department summarized the actions it had taken to carry out the recommendations of the panel.

11. Under Secretaries of Defense—7 April–21 October 1977. At the request of the Secretary of Defense, the Congress established two Under Secretaries of Defense, one for Policy and one for Research and Engineering, in lieu of the second Deputy Secretary of Defense and of the Director of Defense Research and Engineering.

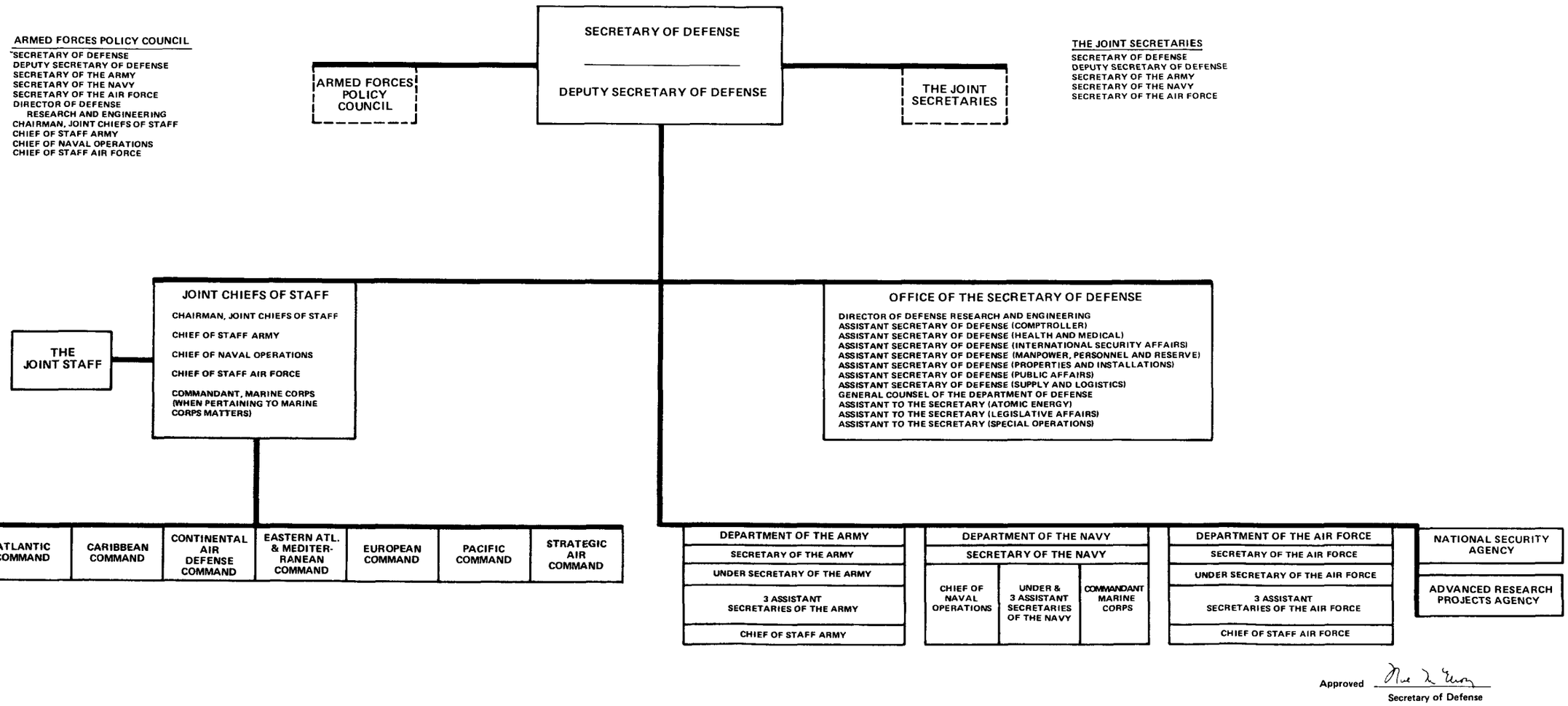
12. Streamlining the Department of Defense—11 March 1977–19 April 1978. The Secretary of Defense left vacant two of the nine authorized positions of Assistant Secretary of Defense as an experiment in 1977 and subsequently obtained Congressional approval to abolish five statutory positions—two in the Office of the Secretary of Defense and one in each military department.

13. Other Legislative Changes—1959–78. Enactment of public laws and of a reorganization plan modified or repealed sections of the National Security Act of 1947 as amended.

CHART 14

ORGANIZATION OF DEPARTMENT OF DEFENSE

APRIL 1959



Approved _____
Secretary of Defense

was established. Chart 15 shows the organization of the Department on 10 January 1968.

e. Secretary of Defense Melvin R. Laird established four additional Defense agencies for common supply and service activities: The Defense Security Assistance Agency on 1 September 1971; the Defense Mapping Agency on 1 January 1972; the Defense Civil Preparedness Agency on 5 May 1972—a transfer from the Department of the Army; and the Defense Investigative Service on 1 October 1972. Secretary Laird redesignated the Assistant Secretary of Defense (Administration) as the Assistant Secretary of Defense (Intelligence) on 3 November 1971.

f. On 11 April 1973 Secretary of Defense Elliot L. Richardson announced that the position of Assistant Secretary of Defense (Legislative Affairs) was being established in lieu of the Assistant Secretary of Defense (Systems Analysis), whose functions were transferred to the new nonstatutory position of Director of Program Analysis and Evaluation.

g. On 17 January 1974 Secretary of Defense James E. Schlesinger abolished the position of Assistant Secretary of Defense (Telecommunications) and transferred the functions of that position to the new nonstatutory position of Director, Telecommunications and Command and Control Systems. Secretary Schlesinger subsequently abolished the position of the Director of Program Analysis and Evaluation and established the position of the Assistant Secretary of Defense (Program Analysis and Evaluation), effective 11 February 1974.

h. Secretary of Defense Donald H. Rumsfeld announced on 18 May 1976 that the Assistant Secretary of Defense (Program Analysis and Evaluation) was being redesignated as Director of Planning and Evaluation, a nonstatutory position, thus leaving vacant one of the nine positions of Assistant Secretary of Defense. Secretary Rumsfeld established the Defense Audit Service as a Defense Agency on 14 October 1976. Chart 19 shows the Department of Defense on 27 December 1976 (see p. 258).

i. By administrative action, Secretary of Defense Harold Brown adjusted the structure of the Office of the Secretary of Defense and reduced the number of officials who reported directly to him. On 11 March 1977, the position of Assistant Secretary of Defense (Communications, Command, Control and Intelligence) was established and the positions of Director, Telecommunications and Command and Control Systems, and of the Assistant Secretary of Defense (Intelligence/Director of Defense Intelligence) were abolished. On 30 March 1977 Secretary Brown announced that the Assistant Secretary of Defense (Legislative Affairs) was being redesignated as Assistant to the Secretary for Legislative Affairs. On 20 April 1977 the position of Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) was established, combining the functional responsibilities formerly assigned to two Assistant Secretaries. On 28 April 1977, the Director of Planning and Evaluation was redesignated as Assistant Secretary of Defense (Program Analysis and Evaluation). In January 1978 Secretary Brown announced that he had further streamlined the organization of the Department by placing under the direction, authority, and control of an

V.
Administrative and Legislative Modifications—1958–75

1. Major Administrative Changes—1958–78.

The Department of Defense Reorganization Act of 1958 empowered the Secretary of Defense to exercise full direction, authority, and control over the Department. Vested with such authority, the Secretary adjusted the internal structure of the Department of Defense by administrative action from time to time, as indicated below.

a. Secretary of Defense Neil H. McElroy issued directives on 31 December 1958 that established two command lines: One for the operational direction of the armed forces running through the Joint Chiefs of Staff to the unified and specified commands and the second for the direction of support activities through the Secretaries of the military departments.[1] Other directives defined the responsibilities of the new Director of Defense Research and Engineering and of the seven Assistant Secretaries of Defense. Chart 14 shows the organization of the Department after these changes were made.

b. On 12 May 1960 Secretary of Defense Thomas S. Gates, Jr., established the Defense Communications Agency to exercise operational control of the long-haul, point-to-point communications facilities of the military departments.

c. Secretary of Defense Robert S. McNamara established three additional Defense agencies for common supply and service activities: The Defense Intelligence Agency on 1 August 1961, the Defense Supply Agency on 6 November 1961, and the Defense Contract Audit Agency on 9 June 1965.

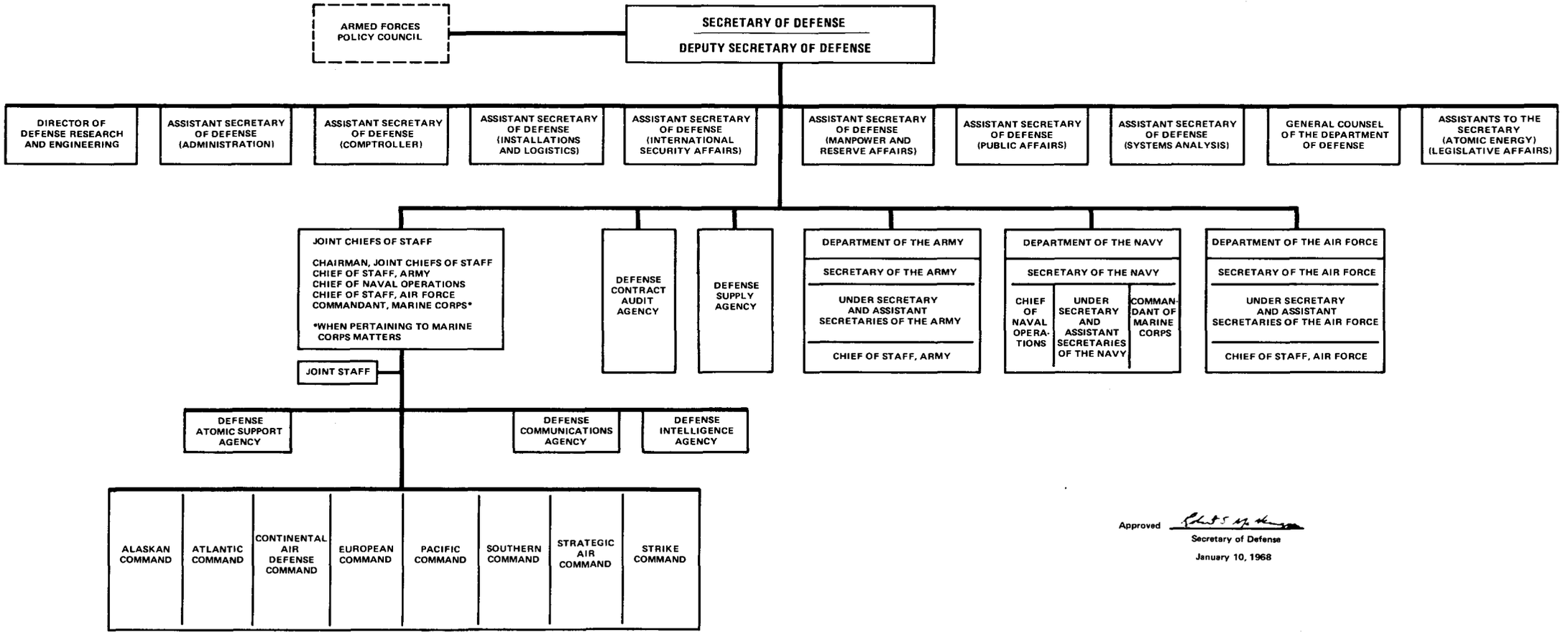
d. Secretary McNamara also made changes in the areas of functional responsibility assigned to Assistant Secretaries of Defense. On 30 January 1961 the position of Assistant Secretary of Defense (Installations and Logistics) was established, combining functional areas formerly assigned to two Assistant Secretaries. On the following day, the position of Assistant Secretary of Defense (Health and Medical) was abolished and the functions were transferred to the Assistant Secretary of Defense (Manpower). One of the two vacant positions was assigned to Defense Research and Engineering when the Deputy Director was designated an Assistant Secretary from 19 May 1961 until 15 July 1965. Removal of this position from Defense Research and Engineering permitted its use to establish a new Assistant Secretary of Defense (Systems Analysis) on 10 September 1965. The other Assistant Secretary position was reestablished and assigned responsibility for civil defense from 31 August 1961 until 31 March 1964, when this function was transferred to the Department of the Army. On 1 July 1964 the position of Assistant Secretary of Defense (Administration)

[1] See Part VI, section 10, pp. 316–24.

CHART 15

ORGANIZATION OF DEPARTMENT OF DEFENSE

10 JANUARY 1968



Approved

Secretary of Defense

January 10, 1968

(i) a fallout shelter program;

(ii) a chemical, biological and radiological warfare defense program;

(iii) all steps necessary to warn or alert Federal military and civilian authorities, State officials and the civilian population;

(iv) all functions pertaining to communications, including a warning network, reporting on monitoring, instructions to shelters and communications between authorities;

(v) emergency assistance to State and local governments in a post-attack period, including water, debris, fire, health, traffic police and evacuation capabilities;

(vi) protection and emergency operational capability of State and local government agencies in keeping with plans for the continuity of government; and

(vii) programs for making financial contributions to the States (including personnel and administrative expenses) for civil defense purposes.

(b) In addition to the foregoing, the Secretary shall:

(i) develop plans and operate systems to undertake a nationwide post-attack assessment of the nature and extent of the damage resulting from enemy attack and the surviving resources, including systems to monitor and report specific hazards resulting from the detonation or use of special weapons; and

(ii) make necessary arrangements for the donation of Federal surplus property in accordance with section 203(j)(4) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(j)(4)), subject to applicable limitations.

Sec. 2. *Civil Defense Responsibilities of the Office of Civil and Defense Mobilization.* The Director of the Office of Civil and Defense Mobilization shall

(a) advise and assist the President in:

(i) determining policy for, planning, directing and coordinating, including the obtaining of information from all departments and agencies, the total civil defense program;

(ii) reviewing and coordinating the civil defense activities of the Federal departments and agencies with each other and with the activities of the States and neighboring countries in accordance with section 201(b) of the Act;

(iii) determining the appropriate civil defense roles of Federal departments and agencies, and enlisting State, local and private participation, mobilizing national support, evaluating progress of programs, and preparing reports to the Congress relating to civil defense matters;

(iv) helping and encouraging the States to negotiate and enter into interstate civil defense compacts and enact reciprocal civil defense legislation in accordance with section 201(g) of the Act; and

(v) providing all practical assistance to States in arranging, through the Department of State, mutual civil defense aid between the States and neighboring countries in accordance with section 203 of the Act;

(b) develop plans, conduct programs and coordinate preparations for the continuity of Federal governmental operations in the event of attack; and

(c) develop plans, conduct programs and coordinate preparations for the continuity of State and local governments in the event of attack, which plans, programs and preparations shall be designed to assure the continued

Under Secretary or Assistant Secretary of Defense most of the Defense agencies that had formerly reported directly to the Secretary.

2. Assignment of Civil Defense to the Department of Defense—20 July 1961.

In his message on urgent national needs to the Congress on 25 May 1961, President John F. Kennedy announced that his Administration intended to initiate a civil defense fallout shelter program and to assign responsibility for this program to the civilian authority responsible for the Nation's continental defense, the Secretary of Defense.

As Reorganization Plan No. 1 of 1958 (72 Stat. 1799) had transferred to the President the civil defense functions formerly assigned to the Federal Civil Defense Administrator, the delegation of civil defense functions to the Secretary of Defense could be accomplished through Executive order, rather than by reorganization plan or new legislation. On 20 July 1961, President Kennedy signed Executive Order 10952, delegating civil defense operational functions to the Secretary of Defense.

EXECUTIVE ORDER 10952

Assigning Civil Defense Responsibilities to the Secretary of Defense and Others

WHEREAS the possibility of enemy attack upon the United States must be taken into account in developing our continental defense program; and

WHEREAS following a thorough review and consideration of our military and nonmilitary defense activities, I have concluded that adequate protection of the civilian population requires a substantial strengthening of the Nation's civil defense capability; and

WHEREAS the rapid accecleration of civil defense activities can be accomplished most effectively and efficiently through performance by the regular departments and agencies of government of those civil defense functions related to their established roles and capabilities; and

WHEREAS I have concluded that the undertaking of greatly accelerated civil defense activities, including the initiation of a substantial shelter program, requires new organizational arrangements;

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States and Commander-in-Chief of the armed forces of the United States, including the authority contained in the Federal Civil Defense Act of 1950, as amended, and other authorities of law vested in me pursuant to Reorganization Plan No. 1 of 1958, it is hereby ordered as follows:

Section 1. *Delegation of Authority to the Secretary of Defense.* (a) Except as hereinafter otherwise provided and as is reserved to the Office of Civil and Defense Mobilization in section 2 of this order, the Secretary of Defense is delegated all functions (including as used in this order, powers, duties, and authority) contained in the Federal Civil Defense Act of 1950, as amended (hereinafter referred to as the Act), vested in me pursuant to Reorganization Plan No. 1 of 1958 (72 Stat. 1799), subject to the direction and control of the President. Such functions to be performed by the Secretary of Defense, working as necessary or appropriate through other agencies by contractual or other agreements, as well as with State and local leaders, shall include but not be limited to the development and execution of:

effective functioning of civilian political authority under any emergency condition.

Sec. 3. *Excluded Functions.* The following functions of the President under the provisions of the Act are excluded from delegations to the Secretary of Defense made by this order and are reserved to the President:

(a) Those under subsections (h) and (i) of section 201 of the Act (50 U.S.C. App. 2281 (h), (i)) to the extent that they pertain to medical stockpiles and food stockpiles.

(b) Those under the following provision of the Act: Sections 102(a), 201(b), and 402 and Title III.

Sec. 4. *Transfer of Property, Facilities, Personnel and Funds.* Subject to applicable law, there shall be hereby transferred to the Secretary of Defense such portion of the property, facilities, and personnel of the Office of Civil and Defense Mobilization engaged in the performance of the civil defense responsibilities herein assigned to the Secretary of Defense as shall be agreed upon by the Secretary and the Director of the Office of Civil and Defense Mobilization together with such portions of the funds currently available for those purposes as shall be approved by the Director of the Bureau of the Budget.

Sec. 5. *Reports.* The Secretary of Defense shall annually submit to the President a written report covering expenditures, contributions, activities, and accomplishments of the Secretary of Defense pursuant to this order.

Sec. 6. *Redelegation.* The Secretary of Defense is hereby authorized to redelegate within the Department of Defense the functions hereinabove delegated to him.

Sec. 7. *Amendment.* The Director of the Office of Civil and Defense Mobilization is hereby relieved of responsibilities under the Act except as otherwise provided herein, and the provisions of Executive Order No. 10773, as amended, are amended accordingly.

Sec. 8. *Prior actions.* (a) Except to the extent that they may be inconsistent with the provisions of this order, and except as particular Executive orders or other orders are amended, modified, or superseded by the provisions of this order, all determinations, authorizations, regulations, rulings, certificates, orders (including emergency preparedness orders), directives, contracts, agreements, and other actions made, issued, or entered into with respect to any function affected by this order, and not revoked, superseded, or otherwise made inapplicable before the date of this order, shall continue in full force and effect until amended, modified, or terminated by the President or other appropriate authority; but, to the extent necessary to conform to the provisions of this order, any of the foregoing shall be deemed to refer to the Secertary of Defense or other appropriate officer or agency instead of, or in addition to, the Office of Civil and Defense Mobilization or the Director thereof.

(b) This order shall not terminate any delegation or assignment of any substantive (program) function to any delegate agency made by any emergency preparedness order heretofore issued by the Director of the Office of Civil and Defense Mobilization (26 F.R. 651–662; 835–840) (which emergency preparedness order shall remain in effect until amended or revoked by or at the specific direction of the President). No such emergency preparedness order shall limit the delegation or assignment of any substantive (program) function to the Secretary of Defense made by the foregoing sections of this order.

Sec. 9. *Effective Date.* This order shall become effective on the first day of August, 1961.

JOHN F. KENNEDY

THE WHITE HOUSE,
July 20, 1961.

Sources: U.S. *Code of Federal Regulations. Title 3—The President.* 1959–63 Compilation, pp. 479–81. Washington: Government Printing Office, 1964.

See also, U.S. National Archives and Records Service. *Public Papers of the Presidents: John F. Kennedy, 1961,* pp. 402–403. Washington: Government Printing Office, 1962.

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3. Four-year Terms for the Joint Chiefs of Staff—26 April–5 June 1967.

The Congress initiated legislation in 1967 to establish 4-year terms for the Chiefs of Staff of the Army and the Air Force and for the Chief of Naval Operations, parallel to existing law establishing the term of the Commandant of the Marine Corps. This provision was incorporated as a separate title in H.R. 9240, the bill authorizing appropriations for the Department of Defense for fiscal year 1968. The bill was introduced on 26 April 1967 by Representative L. Mendel Rivers, Chairman of the House Committee on Armed Services. That committee favorably reported H.R. 9240 to the House on 2 May with the comment that "the sole objective of the proposed title is to permit members of the Joint Chiefs of Staff to advise the Congress, as well as the President and the Secretary of Defense, freely in defense matters."

The opposing views of the Department of Defense were conveyed to Congressman Rivers in a letter from Deputy Secretary of Defense Cyrus Vance on 8 May 1967: "the proposed title would restrict the President's flexibility in appointing military advisers and could confront him with the alternative of losing a significant part of the military counsel provided by law or of subjecting distinguished military officers to the stigma of dismissal." Although this letter was read during the debate on the measure, the House of Representatives approved the bill recommended by the committee on 9 May 1967 and substituted it for S. 666, the authorization bill that had been approved earlier by the Senate, which had not included a title relating to terms of service. The Committee of Conference on the two bills accepted with a minor modification the language of H.R. 9240, and both bodies approved the Conference Committee report on 23 May 1967. President Lyndon B. Johnson signed the measure as Public Law 90–22 (81 Stat. 52) on 5 June 1967, without comment.

Although the new law amended sections of Title 10, U.S. Code, derived from statutes other than the National Security Act of 1947, as amended, it affected relationships within the Department of Defense. It left unchanged the term of the Chairman of the Joint Chiefs of Staff as established by the National Security Act of 1947, as amended. New wording appears in bold face type and the former wording in italics within brackets.

Sections 3034(a), 5081(a), 8034(a), and 5201(a), Title 10, U.S. Code, as Amended by Title IV, Public Law 90–22

Sec. 3034(a) The Chief of Staff [of the Army] shall be appointed by the President, by and with the advice and consent of the Senate, **for a period of four years,** from the general officers of the Army. He serves during the pleasure of the President [, *but not for more than four years unless reappointed by the President, by and with the advice and consent of the Senate*]. **In time of war or national emergency declared by the Congress after December 31, 1968, he may be reappointed for a term of not more than four years.**

* * * * *

Sec. 5081(a) There is a Chief of Naval Operations, appointed by the President, by and with the advice and consent of the Senate, **to serve at the pleasure of the President,** for a term of [*not more than*] four years, from officers on the active list in the line of the Navy, eligible to command at sea and not below the grade of rear admiral. **In time of war or national emergency declared by the Congress after December 31, 1968, he may be reappointed for a term of not more than four years.**

* * * * *

Sec. 8034(a) The Chief of Staff [of the Air Force] shall be appointed **for a period of four years** by the President, by and with the advice and consent of the Senate, from the general officers of the Air Force. He serves during the pleasure of the President [, *but not for more than four years unless reappointed by the President, by and with the advice and consent of the Senate*]. **In time of war or national emergency declared by the Congress after December 31, 1968, he may be reappointed for a term of not more than four years.**

* * * * *

Sec. 5201(a) There is a Commandant of the Marine Corps, appointed by the President, **for a term of four years,** by and with the advice and consent of the Senate, [*for a term of four years,*] **to serve at the pleasure of the President,** from officers on the active list of the Marine Corps, not below the grade of colonel. **In time of war or national emergency declared by the Congress after December 31, 1968, he may be reappointed for a term of not more than four years.**

Sources: For House consideration of H.R. 9240, see:

U.S. Congress. House of Representatives. Committee on Armed Services. *Authorizing Defense Procurement and Research and Development.* H. Rpt. 221. 90th Congress, 1st session, Washington: Government Printing Office, 1967.

U.S. Congress, *Congressional Record,* Volume 113, Part 8, p. 10890 (26 April 1967); Part 9, pp. 11410 (2 May 1967), 11976–12017 (9 May 1967). Washington: Government Printing Office, 1967.

For resolution of differences, see:

U.S. Congress. House of Representatives. Committee of Conference. *Authorizing Appropriations for Defense Procurement and Research and Development for Fiscal Year 1968.* H. Rpt. 270. 90th Congress, 1st session. Washington: Government Printing Office, 1967.

U.S. Congress. *Congressional Record.* Volume 113, Part 10, pp. 12907 (16 May 1967), 13057 (17 May 1967), 13381 (22 May 1967), 13534 and 13575–81 (23 May 1967), 13685 and 13960 (24 May 1967), 13722 (24 May 1967); and Part 11, p. 14725 (6 June 1967). Washington: Government Printing Office, 1967.

4. Organizational Arrangements for Reserve Affairs— 10 January–1 December 1967.

On the first day of the 90th Congress, Representative F. Edward Hébert introduced H.R. 2, the "Reserve Forces Bill of Rights and Vitalization Act," which included the following amendments to sections of Title 10, U.S. Code, derived from the National Security Act of 1947, as amended: (1) An increase from seven to eight Assistant Secretaries of Defense, one of whom was to be designated Assistant Secretary for Reserve Affairs, and (2) an increase from three to four Assistant Secretaries in each of the military departments.

The Committee on Armed Services reported H.R. 2 favorably on 13 February 1967, and the House of Representatives approved the bill on 20 February.

Secretary of the Army Stanley R. Resor testified for the Department of Defense at hearings on H.R. 2 before the Senate Armed Services Committee on 26 June and 27 September 1967. He supported the establishment of an additional Assistant Secretary in each military department to oversee manpower and reserve activities, but asked that these responsibilities not be assigned by statute to a specific official. He also indicated that the Department opposed the establishment of an Assistant Secretary of Defense for Reserve Affairs because this position would duplicate the responsibilities of other Assistant Secretaries of Defense. On 7 November 1967 the Senate committee reported substitute language for H.R. 2. Although the number of Assistant Secretaries of Defense remained at seven, one was assigned specific responsibility for manpower and reserve affairs. Similar language was added specifying the duties of the new, fourth Assistant Secretaries in each of the military departments. In addition, the Senate substitute provided for a new Deputy Assistant Secretary of Defense for Reserve Affairs. The Senate approved the committee's recommendations on 8 November 1967.

The views of the Senate prevailed in the Committee of Conference, whose report was approved by the House of Representatives on 15 November and by the Senate on the following day. President Lyndon B. Johnson signed the measure as Public Law 90–168 (81 Stat. 521) on 1 December 1967. The changes are indicated below with new wording in bold face type and the former wording in italics within brackets.

Sections 136(b) and (f), 3013, 5034(a) and (b), and 8013, Title 10, U.S. Code, as Amended by Section 2(1), (2), (12), (13), (14), and (15), Public Law 90–168

Sec. 136(b) The Assistant Secretaries [of Defense] shall perform such duties and exercise such power as the Secretary of Defense may prescribe. **One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Manpower and Reserve Affairs. He shall have as his principal duty the overall supervision of manpower and reserve component affairs of the Department of Defense.** In addition, one of the Assistant Secretaries shall be the Comptroller of the Department of Defense . . .

* * * * *

(f) **Within the Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs shall be a Deputy Assistant Secretary of Defense for Reserve Affairs who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. Subject to the supervision and control of the Assistant Secretary of Defense for Manpower and Reserve Affairs, the Deputy Assistant Secretary shall be responsible for all matters relating to reserve affairs within the Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs.**

* * * * *

Sec. 3013 There are an Under Secretary of the Army and **four** [*three*] Assistant Secretaries of the Army in the Department of the Army. They shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. **One of the Assistant Secretaries shall be the Assistant Secretary of the Army for Manpower and Reserve Affairs. He shall have as his principal duty the overall supervision of manpower and reserve component affairs of the Department of the Army.**

* * * * *

Sec. 5034(a) There are **four** [*three*] Assistant Secretaries of the Navy in the Department of the Navy. They shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.

(b) The Assistant Secretaries shall perform such duties as the Secretary of the Navy prescribes. **One of the Assistant Secretaries shall be the Assistant Secretary of the Navy for Manpower and Reserve Affairs. He shall have as his principal duty the overall supervision of manpower and reserve component affairs of the Department of the Navy.**

* * * * *

Sec. 8013 There are an Under Secretary of the Air Force and **four** [*three*] Assistant Secretaries of the Air Force in the Department of the Air Force. They shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. **One of the Assistant Secretaries shall be Assistant Secretary of the Air Force for Manpower and Reserve Affairs. He shall have as his principal duty the overall supervision of manpower and reserve component affairs of the Department of the Air Force.**

Sources: For House consideration of H.R. 2, see:

U.S. Congress. House of Representatives. Committee on Armed Services. *Full Committee Consideration of H.R. 2, to Amend Titles 10, 14, 32, and 37, United States Code, to Strengthen the Reserve Components of the Armed Forces, and Clarify the Status of National Guard Technicians, and for Other Purposes.* House Armed Services Committee Paper No. 2. 90th Congress, 1st Session. Washington: Government Printing Office, 1967.

U.S. Congress. House of Representatives. Committee on Armed Services. *Reserve Bill of Rights.* H. Rpt. 13. 90th Congress, 1st session. Washington: Government Printing Office, 1967.

U.S. Congress. *Congressional Record.* Volume 113, Part 1, p. 94 (10 January 1967); and Part 3, pp. 3311 (13 February 1967) and 3825–41 (20 February 1967). Washington: Government Printing Office, 1967.

For Senate consideration of H.R. 2, see:

U.S. Congress. Senate. Committee on Armed Services. *Reserve Components of the Armed Forces and National Guard Technicians; Hearings on H.R. 2* . . . . 90th Congress, 1st session. Washington: Government Printing Office, 1967.

U.S. Congress. Senate. Committee on Armed Services. *Reserve Components of the Armed Services.* S. Rpt. 732. 90th Congress, 1st session. Washington: Government Printing Office, 1967.

U.S. Congress. *Congressional Record.* Volume 113, Part 3, pp. 4036–37 (21 February 1967); Part 23, pp. 31511 (7 November 1967), 31686–87 and 31688–96 (8 November 1967). Washington: Government Printing Office, 1967.

For resolution of differences, see:

U.S. Congress. House of Representatives. Committee of Conference. *Reserve Components of the Armed Forces.* H. Rpt. 925. 90th Congress, 1st session. Washington: Government Printing Office, 1967.

U.S. Congress. *Congressional Record.* Volume 113, Part 23, p. 31696 (8 November 1967); Part 24, pp. 32330 (14 November 1967), 32631–36 (16 November 1967), 32846–47 (17 November 1967), 33125 (20 November 1967), 33429 (21 November 1967); Part 27, p. 37387 (15 December 1967). Washington: Government Printing Office, 1967.

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5. Assistant Secretary of Defense for Health Affairs— 27 March–19 November 1969.

The Committee on Armed Services of the House of Representatives initiated legislation in 1968 to assign responsibility for health affairs to an Assistant Secretary of Defense. Although the House approved this measure, it was rejected by the Senate members of the Committee of Conference and thus failed to be enacted.

This proposal was discussed again during the succeeding Congress by members of the same House committee with the new Secretary of Defense, Melvin R. Laird, at hearings on 27 March and 6 May 1969. Secretary Laird indicated a preference for deferring organizational changes until completion of a comprehensive study of the Department being undertaken by a special outside panel.

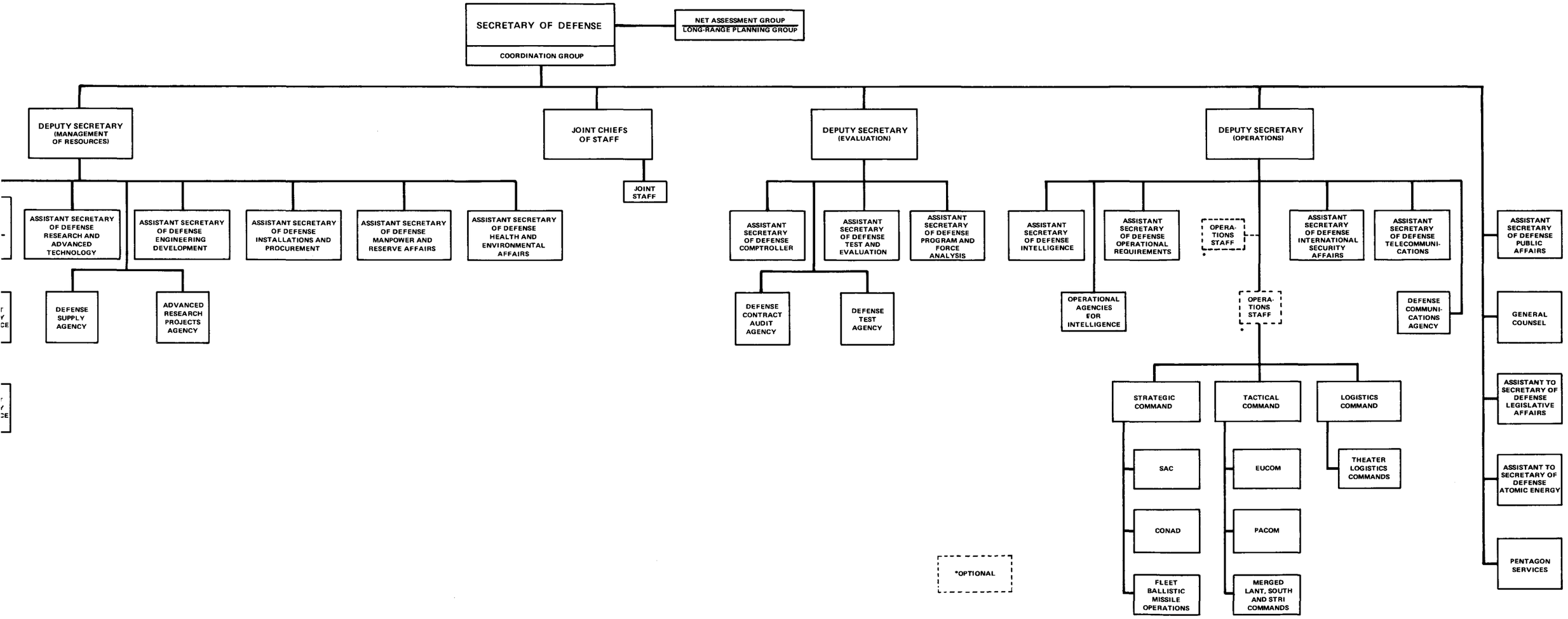
Nevertheless, H.R. 14000, the bill authorizing appropriations for the Department of Defense for fiscal year 1970 that was introduced on 25 September 1969 by Chairman L. Mendel Rivers, included an amendment to Section 136, U.S. Code (derived from the National Security Act of 1947, as amended), to increase to eight the number of Assistant Secretaries of Defense, to designate an Assistant Secretary of Defense for Health Affairs, and to establish the position of Deputy Assistant Secretary of Defense for Dental Affairs. The Committee on Armed Services favorably reported H.R. 14000 on 29 September 1969. After approving the bill in the Committee of the Whole, the House of Representatives substituted language of H.R. 14000 for S. 2546, the authorization bill previously approved by the Senate that had not included the proposed amendment to Section 136, Title 10, U.S. Code.

A Committee of Conference appointed to resolve differences agreed on 4 November 1969 to recommend the increase to eight Assistant Secretaries, of whom one was to be designated Assistant Secretary for Health Affairs, but not to establish the Deputy Assistant Secretary for Dental Affairs. Both Houses approved this recommendation the next day, and President Richard M. Nixon signed the enrolled bill as Public Law 91–121 (83 Stat. 204) on 19 November 1969. New wording is shown in bold face type.

CHART 16

ORGANIZATION OF DEPARTMENT OF DEFENSE PROPOSED BY BLUE RIBBON DEFENSE PANEL

1 JULY 1970



Section 136, Title 10, U.S. Code, As Amended by Section 404(a), Public Law 91–121

(a) There are **eight** [*seven*] Assistant Secretaries of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

(b) The Assistant Secretaries shall perform such duties and exercise such powers as the Secretary of Defense may prescribe. **One of the Assistant Secretaries shall be the Assistant Secretary for Health Affairs. He shall have as his principal duty the overall supervision of health affairs of the Department of Defense.** One of the Assistant Secretaries shall be the Assistant Secretary for Manpower and Reserve Affairs . . . .

Sources: For House consideration of S. 2546 and H.R. 14000, see:

U.S. Congress. House of Representatives. Committee on Armed Services. *Hearings on Military Posture. . . .* House Armed Services Committee Paper No. 91–14, pp. 1711–12 and 2455. 91st Congress, 1st session. Washington: Government Printing Office, 1969.

U.S. Congress. House of Representatives. Committee on Armed Services. *Authorizing Appropriations for Military Procurement, Research and Development, Fiscal Year 1970, and Reserve Strength, and for Other Purposes.* H. Rpt. 91–522. 91st Congress, 1st session. Washington: Government Printing Office, 1969.

U.S. Congress. *Congressional Record.* Volume 115, Part 20, pp. 27070 (25 September 1969), 27459 (29 September 1969), 27803 (30 September 1969); Part 21, pp. 27954–28012 (1 October 1969), 28101–76 (2 October 1969), and 28404–95 (3 October 1969). Washington: Government Printing Office, 1969.

For Senate consideration and resolution of differences, see:

U.S. Congress. House of Representatives. Committee of Conference. *Authorizing Appropriations for Fiscal Year 1970 for Military Procurement, Research and Development, for Construction of Test Facilities at Kwajalein Missile Range, and for Reserve Strength.* H. Rpt. 91–607. 91st Congress, 1st session. Washington: Government Printing Office, 1969.

U.S. Congress. *Congressional Record.* Volume 115, Part 21, pp. 28641–43 (6 October 1969), 28804 (7 October 1969); Part 24, pp. 32919–26, 32927 (4 November 1969), 33069, 33116–19 (5 November 1969); Part 25, pp. 33379–89, 33389–94, and 33395–96 (6 November 1969), 33506 (7 November 1969), 33585 (10 November 1969), 33822 (12 November 1969); and Part 26, p. 35439 (24 November 1969). Washington: Government Printing Office, 1969.

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6. Blue Ribbon Defense Panel Report—July 1969–July 1970.

Appointed by President Nixon and Secretary of Defense Laird in July 1969, a Blue Ribbon Panel of 16 business and professional leaders under Gilbert W. Fitzhugh as chairman studied and evaluated the organization and functioning of the Department of Defense in the performance of its national security mission. The panel's 237-page report on 1 July 1970 contained 113 recommendations, of which 15 were concerned with organizational structure.

The panel's summary of its recommendations on organization follows, and the organization chart proposed by the panel (No. 16) faces p. 248.

CONSOLIDATED LIST OF RECOMMENDATIONS
Organization

I–1 The functions of the Department of Defense should be divided into three major groupings:

(a) Military Operations, including operational command, intelligence, and communications (herein called Operations);

(b) Management of personnel and materiel resources (herein called Management of Resources); and

(c) Evaluation type functions, including financial controls, testing of weapons, analysis of costs and effectiveness of force structures, etc, (herein called Evaluation).

I–2 Each of these major groups should report to the Secretary of Defense through a separate Deputy Secretary. Appointees to these three positions should be drawn from civilian life, and should rank above all other officers of the Department of Defense except the Secretary. One of the three should be designated principal deputy. The General Counsel, the Assistant to the Secretary of Defense (Atomic Energy), the Assistant Secretary of Defense (Public Affairs), and the Assistant to the Secretary of Defense (Legislative Affairs) would continue to report directly to the Secretary of Defense. The staff of the Office of the Secretary of Defense should not exceed 2,000 people.

I–3 The Deputy Secretary of Defense for Management of Resources should be delegated responsibility for the following functions:

(a) The Military Departments, which should continue under the immediate supervision of their Secretaries;

(b) Research and Advanced Technology;

(c) Engineering Development;

(d) Installations and Procurement (a modification of the present Installations and Logistics);

(e) Manpower and Reserve Affairs;

(f) Health and Environmental Affairs;

(g) Defense Supply Agency; and

(h) Advanced Research Projects Agency.

There should be an Assistant Secretary of Defense for each of the functions (b) through (f) inclusive, who reports and provides staff assistance to the Secretary of Defense through the Deputy Secretary of Defense (Management of Resources). The position of Director, Defense Research and Engineering, should be abolished, and his functions reallocated between the Assistant Secretary of Defense for Research and Advanced Technology and the Assistant Secretary of Defense for Engineering Development.

Functions (g) and (h) should continue to be constituted as Defense Agencies, each under the immediate supervision of a Director.

The Advanced Research Projects Agency should be delegated the responsibility for all research and exploratory development budget categories. Funds for such research should be budgeted directly to this Agency, and the Agency should be authorized to assign or contract for work projects to laboratories of the Defense Department or in the private sector, as appropriate.

I–4 The Deputy Secretary of Defense for Operations should be delegated responsibility for the following functions:

(a) Military Operations;

(b) The Unified Commands;

(c) Operational Requirements;

(d) Intelligence;

(e) Telecommunications (and Automatic Data Processing);
(f) International Security Affairs;
(g) Defense Communications Agency; and
(h) Civil Defense Agency (If Civil Defense is to be retained in the Department of Defense).

Three new major Unified Commands should be created: (1) A Strategic Command, composed of the existing Strategic Air Command, the Joint Strategic Target Planning Staff, the Continental Air Defense Command, and Fleet Ballistic Missile Operations; (2) a Tactical (or General Purpose) Command, composed of all combatant general purpose forces of the United States assigned to organized combatant units; and (3) a Logistics Command, to exercise for all combatant forces supervision of support activities, including supply distribution, maintenance, traffic management and transportation. No Commander of a Unified Command should be permitted to serve concurrently as Chief of his Military Service.

The responsibilities now delegated to the Joint Chiefs of Staff by the Secretary of Defense to serve as military staff in the chain of operational command with respect to the Unified Commands, and all other responsibilities so delegated which are related to military operations and the Unified Commands, should be assigned to a single senior military officer, who should also supervise the separate staff which provides staff support on military operations and the channel of communications from the President and Secretary of Defense to Unified Commands. This officer should report to the Secretary of Defense through the Deputy Secretary of Defense (Operations). This senior military officer could be either the Chairman of the Joint Chiefs of Staff, as an individual, not ex-officio, the Commander of the Tactical Command, or some other senior military officer, as determined by the President and the Secretary of Defense.

There should be an Assistant Secretary of Defense for each of the functions (c) through (f), inclusive, who reports and provides staff assistance to the Secretary of Defense through the Deputy Secretary of Defense (Operations). The Defense Communications Agency and the Civil Defense Agency would each be under the immediate supervision of a Director.

All intelligence functions of the Department of Defense and all communications functions should report to the Secretary of Defense through the Deputy Secretary of Defense for Operations.

I–5 The following steps should also be taken:

(a) To provide the staff support on military operations, and the channel of communications from the President and the Secretary of Defense to the Unified Commands, an operations staff, separate from all other military staffs, should be created.

(b) The responsibilities now delegated to the Joint Chiefs of Staff by the Secretary of Defense to serve as military staff in the chain of operational command with respect to the Unified Commands, and all other responsibilities so delegated which are related to military operations and the Unified Commands, should be rescinded; and consideration should be given to changing the title of the Chief of Naval Operations to Chief of Staff of the Navy.

(c) All staff personnel positions in the Organization of the Joint Chiefs of Staff and in the headquarters military staffs of the Military Services which are in support of activities, such as military operations, which are

recommended for transfer to other organizational elements, should be eliminated.

(d) The Organization of the Joint Chiefs of Staff should be limited to include only the Joint Chiefs of Staff and a reconstituted Joint Staff limited in size to not more than 250 officers augmented by professional civilian analysts as required.

(e) The Unified Commanders should be given unfragmented command authority for their Commands, and the Commanders of component commands should be redesignated Deputies to the commander of the appropriate Unified Command, in order to make it unmistakably clear that the combatant forces are in the chain of command which runs exclusively through the Unified Commander;

(f) In consolidating the existing area Unified Commands into the Tactical Command, major organizational and functional advantages will be obtained by:

(1) Merging the Atlantic Command and the Strike Command;

(2) Abolishing the Southern Command and reassigning its functions to the merged Atlantic and Strike Commands;

(3) Abolishing the Alaskan Command and reassigning its general purpose function to the Pacific Command and its strategic defense functions to the Strategic Command; and

(4) Restructuring the command channels of the sub-unified commands.

(g) The responsibilities related to civil disturbances currently delegated to the Army should be redelegated to the Tactical Command; and

(h) The Unified Commanders should be given express responsibility and capability for making recommendations to the Deputy Secretary of Defense for Operations, for operational capabilities objectives and for allocations of force structures needed for the effective accomplishment of the missions assigned to their Commands.

I-6 The Deputy Secretary of Defense for Evaluation should be delegated the responsibility for the evaluation and control-type activities, including:

(a) Comptroller (including internal audit and inspection services);

(b) Program and Force Analysis (a modification of the present Systems Analysis Unit);

(c) Test and Evaluation;

(d) Defense Contract Audit Agency; and

(e) Defense Test Agency.

There should be an Assistant Secretary of Defense for each of the functions (a) through (c) inclusive, who reports and provides staff assistance to the Secretary of Defense through the Deputy Secretary of Defense for Evaluation.

The Defense Contract Audit Agency should be continued as a Defense Agency, under the immediate supervision of a Director.

A Defense Test Agency should be created to perform the functions of overview of all Defense test and evaluation, designing or reviewing of designs for test, monitoring and evaluation of the entire Defense test program, and conducting tests and evaluations as required, with particular emphasis on operational testing, and on systems and equipments which span Service lines. The Defense Test Agency should be under the super-

vision of a civilian Director, reporting to the Secretary of Defense through the Deputy Secretary of Defense for Evaluation.

I–7 The number of Assistant Secretaries in each of the Military Departments should be set at three, and except for the Assistant Secretaries (Financial Management), they should serve as senior members of a personal staff to the Secretaries of the Military Departments without the existing limitations of purview imposed by formal functional assignments. The Assistant Secretary (Financial Management) should become the Comptroller of the Military Department, with a military deputy, as in the current organization in the Department of the Navy.

The Secretariats and Service Military Staffs should be integrated to the extent necessary to eliminate duplication; the functions related to military operations and intelligence should be eliminated; line type functions, e.g., personnel operations, should be transferred to command organizations; and the remaining elements should be reduced by at least thirty percent. (A study of the present staffs indicates that the Secretariats and Service staffs combined should total no more than 2,000 people for each Department).

I–8 Class II activities (Army), Field Extensions (Air Force), and Commands and Bureaus (Navy), all of which are line, rather than staff in character, which are now organizationally located under the direct supervision of staff elements in the headquarters military staffs of the services, should be transferred to existing command-type organizations within the Services.

I–9 The Defense Atomic Support Agency should be disestablished. Its functions for nuclear weapons management should be transferred to the operations staff under the Deputy Secretary of Defense for Operations, and its weapons effects test design function should be transferred to the Defense Test Agency.

I–10 The administration functions presently assigned to the Assistant Secretary of Defense (Administration) should be assigned to a Director of Pentagon Services, reporting to the immediate office of the Secretary of Defense. He should be responsible for operating the facilities and providing administrative support for the Washington Headquarters.

I–11 A separate program category should be established for public affairs activities in the Department of Defense.

I–12 A Net Assessment Group should be created for the purpose of conducting and reporting net assessments of United States and foreign military capabilities and potentials. This group should consist of individuals from appropriate units in the Department of Defense, consultants and contract personnel appointed from time to time by the Secretary of Defense, and should report directly to him.

I–13 A Long-Range Planning Group should be created for the purpose of providing staff support to the Secretary of Defense with responsibility for long-range planning which integrates net assessments, technological projections, fiscal planning, etc. This group should consist of individuals from appropriate units in the Department of Defense, consultants and

contract personnel appointed from time to time by the Secretary of Defense, and should report directly to him.

I–14 A coordinating Group should be established in the immediate office of the Secretary of Defense. The responsibilities of this Group should be to assist the Secretary of Defense and the Deputy Secretaries of Defense in coordinating the activities of the entire Department in the scheduling and follow-up of the various inter-Departmental liaison activities; to staff for the Secretary the control function for improvement and reduction of management information/control systems needed within the Department and required from Defense contractors; and to assure that each organizational charter of the Office of the Secretary of Defense is properly scoped and coordinated and in accordance with the assigned responsibility of the organization. The responsibility for the Department's Directive/Guidance System, currently assigned to the Assistant Secretary of Defense (Administration), should be assigned to this group. The coordinating group should be headed by a civilian Director, who should also serve as executive assistant to the Secretary of Defense.

I–15 The Army Topographic Command, the Naval Oceanographic Office and the Aeronautical Chart and Information Center should be combined into a unified Defense Map Service reporting to the Secretary of Defense through the Deputy Secretary of Defense for Management of Resources.

Source: U.S. Department of Defense. *Report to the President and the Secretary of Defense on the Department of Defense by the Blue Ribbon Defense Panel, 1 July 1970*, pp. 61, 211–16. Washington: Government Printing Office, 1970.

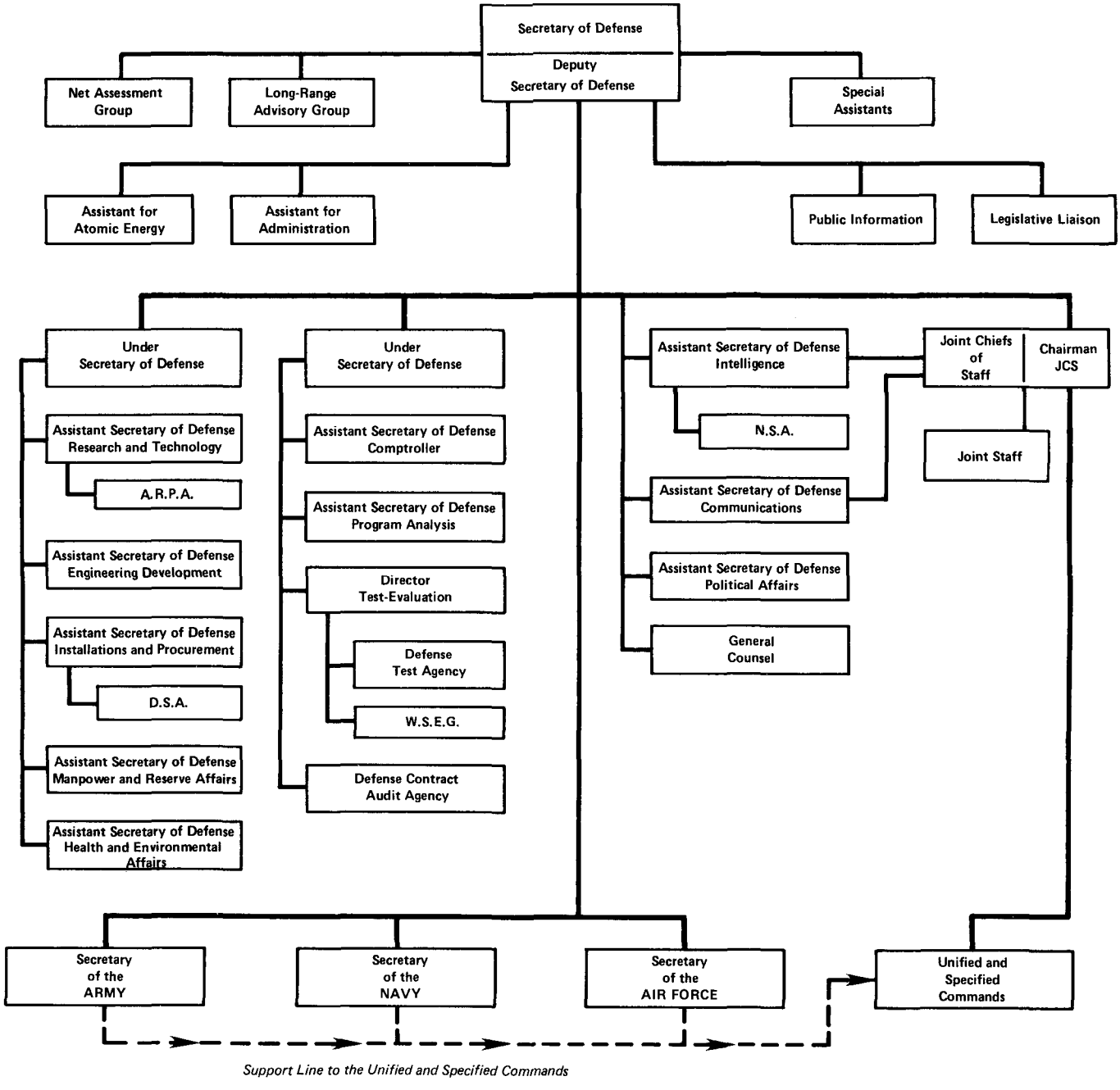
7. Dissenting Opinions, Blue Ribbon Panel–1 July 1970.

In separate dissenting statements, two members of the Blue Ribbon Panel took issue with the recommendations of the majority for the establishment of a Deputy Secretary of Defense for Operations. The organization charts (Nos. 17 and 18) appended to these dissents follow.

Source: U.S. Department of Defense. *Report to the President and the Secretary of Defense on the Department of Defense by the Blue Ribbon Defense Panel, 1 July 1970*, pp. 206, 210. Washington: Government Printing Office, 1970.

CHART 17

ORGANIZATION OF DEPARTMENT OF DEFENSE
PROPOSED BY WILFRED J. McNEIL
25 JUNE 1970



Support Line to the Unified and Specified Commands

8. Assistant Secretary of Defense (Telecommunications)—16 April–22 December 1971.

On 16 April 1971, Secretary of Defense Laird requested the Congress to authorize a second Deputy Secretary of Defense and to increase the number of Assistant Secretaries of Defense by 2 for a total of 10. One of the new Assistant Secretaries would supervise intelligence activities and the other, telecommunications. The requested legislation—amendments to sections of Title 10, U.S. Code, derived from the National Security Act of 1947, as amended—was introduced as H.R. 8856 on 2 June 1971.

Secretary Laird repeated his request for the second Deputy Secretary and for an Assistant Secretary (Telecommunications) on 15 October 1971. He explained at hearings on 16 November 1971 before the House Committee on Armed Services that he had disestablished the position of Assistant Secretary of Defense (Administration) and used the vacancy to provide for oversight of intelligence. On the following day the committee favorably reported H.R. 8856 with an amendment providing 9, rather than 10, Assistant Secretaries. The House of Representatives approved the bill as amended on 6 December 1971.

The bill was referred to the Senate Committee on Armed Services, which reported it on 10 December 1971 with an amendment to delete the section of the bill authorizing a second Deputy Secretary of Defense on the ground that further examination of departmental organization was necessary. The Senate approved the bill in the form recommended by the committee on 10 December 1971, and the House of Representatives concurred with the Senate amendment on 13 December 1971. President Nixon signed the bill as Public Law 92–215 (85 Stat. 777) on 22 December 1971.

Public Law 92–215
92nd Congress, H. R. 8856
December 22, 1971

AN ACT

To authorize an additional Assistant Secretary of Defense.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That section 136(a) of title 10, United States Code, is amended by striking out "eight" and inserting in lieu thereof "nine".

SEC. 2. Section 5315(13) of title 5, United States Code, is amended to read as follows:

"(13) Assistant Secretaries of Defense (9).".

Approved December 22, 1971.

Sources: For House consideration of H.R. 8856, see:

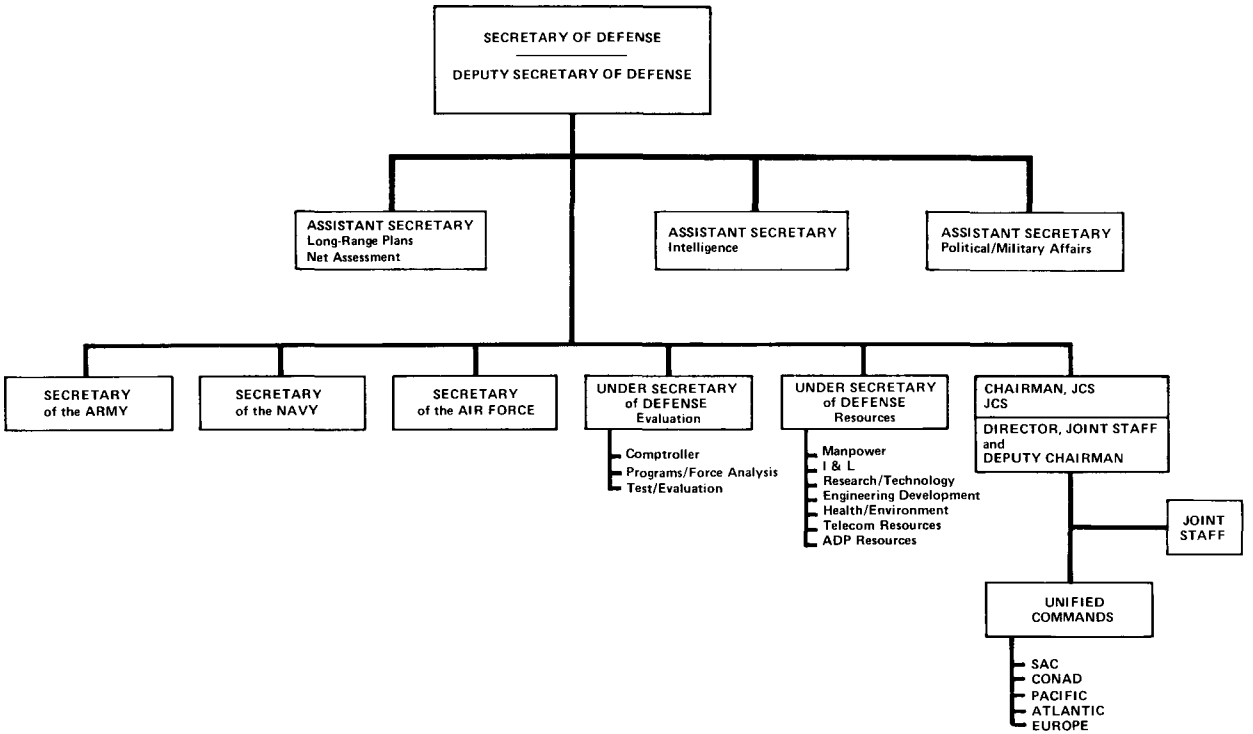
U.S. Congress. House of Representatives. Committee on Armed Services. *Full Committee Hearings on H.R. 8856, to Authorize on Additional Deputy Secretary of Defense, and for Other Purposes.* House Armed Services Committee Paper No. 92–33. 92nd Congress, 1st session. Washington: Government Printing Office, 1971.

U.S. Congress. House of Representatives. Committee on Armed Services. *Authorizing an Additional Deputy Secretary of Defense, and for Other Purposes.* H. Rpt. 92–673. 92nd Congress, 1st session. Washington: Government Printing Office, 1971.

CHART 18

ORGANIZATION OF DEPARTMENT OF DEFENSE PROPOSED BY ROBERT C. JACKSON

JUNE 1970



U.S. Congress. *Congressional Record.* Volume 117, Part 13, p. 17540 (2 June 1971); Part 32, pp. 41871 (17 November 1971) and 44885-86 (6 December 1971). Washington: Government Printing Office, 1971.

For Senate consideration of H.R. 8856, see:

U.S. Congress. Senate. Committee on Armed Services. *Hearing: Nomination of Lt. Gen. Robert E. Cushman, Jr., USMC, to be Commandant of the U.S. Marine Corps and H.R. 8856, Authorizing an Additional Deputy Secretary of Defense,* pp. 6–18. 92nd Congress, 1st session. Washington: Government Printing Office, 1972.

U.S. Congress. Senate. Committee on Armed Services. *Authorizing an Additional Assistant Secretary of Defense.* S. Rpt. 92–576. 92nd Congress, 1st session. Washington: Government Printing Office, 1971.

U.S. Congress. *Congressional Record.* Volume 117, Part 34, p. 45209 (7 December 1971); Part 35, pp. 46074 and 46198 (10 December 1971). Washington: Government Printing Office, 1971.

For House concurrence and final enactment, see:

U.S. Congress. *Congressional Record.* Volume 117, Part 36, pp. 46596 (13 December 1971), 46884 and 46896 (14 December 1971), and 47695 (17 December 1971). Washington: Government Printing Office, 1971.

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9. Second Deputy Secretary of Defense—9 February–27 October 1972.

Secretary of Defense Laird reiterated his request for a second Deputy Secretary of Defense in a letter to the Chairman of the Senate Armed Services Committee on 9 February 1972. The requested legislation was introduced as S. 3237 on 24 February 1972. To clear up one matter of concern, Secretary Laird informed the Senate Committee Chairman on 12 October 1972 that "at the time of the nomination of a second Deputy Secretary of Defense and at the time of the nomination of a Deputy Secretary of Defense to fill an ensuing vacancy, the President would designate which of the two Deputy Secretaries would take precedence to act in the absence of the Secretary." So assured, the committee favorably reported S. 3237 on the same day.

To facilitate consideration of S. 3237 in the House of Representatives, a member of the Senate committee moved that the substance of the bill be added to another measure pending in the Senate that related to military personnel missing in action and that had already been approved by the House of Representatives—H.R. 14911. So amended, H.R. 14911 was approved by the Senate on 14 October 1972, and the House concurred with the Senate amendments the same day.

President Nixon signed H.R. 14911 as Public Law 92–596 (86 Stat. 1317) on 27 October 1972, but the position of the second Deputy Secretary of Defense was not filled until 2 January 1976. The changes made are indicated with new wording in bold face type and the former wording in *italics within brackets.*

Sections 134 and 171, Title 10, U.S. Code As Amended by Sections 4 and 5 of Public Law 92–596

Sec. 134. Deputy Secretar[*y*]**ies** of Defense: appointment; powers and duties; precedence.

(a) There [*is a*] **are two** Deputy Secretar[*y*]**ies** of Defense, appointed

from civilian life by the President, by and with the advice and consent of the Senate. A person may not be appointed as [*a*] Deputy Secretary of Defense within [*10*] **ten** years after relief from active duty as a commissioned officer of a regular component of an armed force.

(b) The Deputy Secretar[*y*]**ies** shall perform such duties and exercise such powers as the Secretary of Defense may prescribe. The Deputy Secretar[*y*]**ies, in the order of precedence, designated by the President** shall act for, and exercise the powers of, the Secretary when the Secretary is [*absent or*] disabled **or there is no Secretary of Defense.**

(c) The Deputy Secretar[*y*]*ies* take[*s*] precedence in the Department of Defense immediately after the Secretary.

Sec. 171. Armed Forces Policy Council

(a) There is in the Department of Defense an Armed Forces Policy Council consisting of—

(1) the Secretary of Defense, as Chairman, with the power of decision;
(2) [*the*] **a** Deputy Secretary of Defense;
(3) the Secretary of the Army;
(4) the Secretary of the Navy;
(5) the Secretary of the Air Force;
(6) the Director of Defense Research and Engineering;
(7) the Chairman of the Joint Chiefs of Staff;
(8) the Chief of Staff of the Army;
(9) the Chief of Naval Operations; and
(10) the Chief of Staff of the Air Force

(b) The Armed Forces Policy Council shall advise the Secretary of Defense on matters of broad policy relating to the armed forces and shall consider and report on such other matters as the Secretary of Defense may direct.

Sources: U.S. Congress. Senate. Committee on Armed Services. *Authorizing an Additional Deputy Secretary of Defense.* S. Rpt. 92–1296. 92nd Congress, 2nd session. Washington: Government Printing Office, 1972.

U.S. Congress. *Congressional Record.* Volume 118, Part 5, p. 5381 (24 February 1972); Part 27, pp. 35242 (12 October 1972), 36194, 36205–07, and 36389–90 (14 October 1972); Part 28, pp. 36801 and 37025 (17 October 1972) and 37199 and 37202 (18 October 1972). Washington: Government Printing Office, 1972.

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10. *Final Report on Implementation of Blue Ribbon Defense Panel Recommendations—1975.*

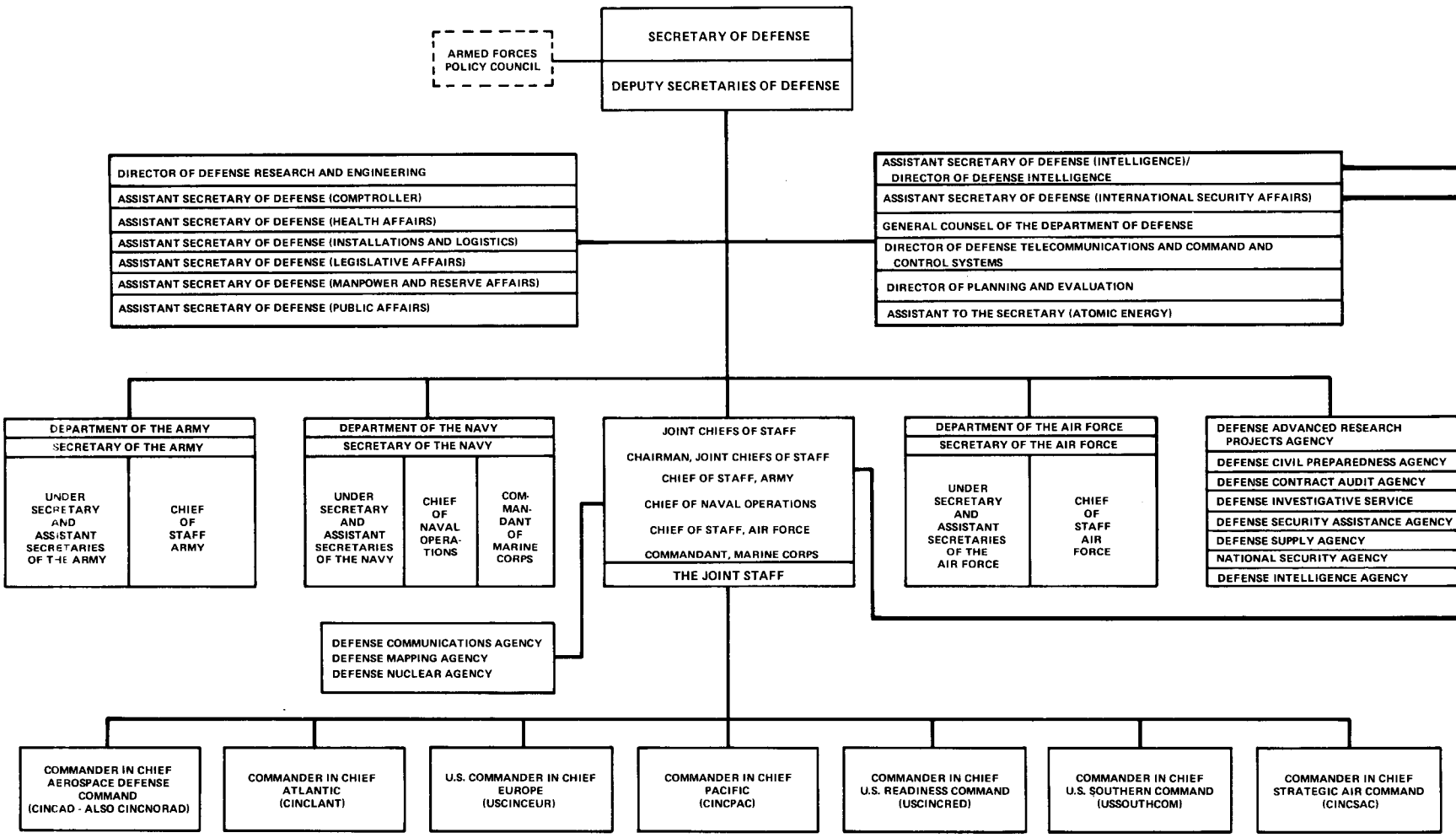
On 28 February 1975, the Department of Defense issued a fact sheet that summarized the actions which had been taken to carry out the recommendations of the Blue Ribbon Defense Panel. The actions concerning the 15 proposals for organizational changes had been dealt with as follows:

a. Recommendations accepted and implemented:
   Numbers 11, 12, and 15
b. Recommendations on which the Department's actions were consistent with the panel's objectives, but which might differ on details and procedures:
   Numbers 1, 2, 3, 4, 6, 7, 8, 9, and 10
c. Recommendations on which "No Decision" was reached:
   Number 5

CHART 19

ORGANIZATION OF DEPARTMENT OF DEFENSE

27 DECEMBER 1976



APPROVED

SECRETARY OF DEFENSE
27 DECEMBER 1976

d. Recommendations rejected:
Numbers 13 and 14

Chart No. 19 shows the organization of the Department of Defense on 27 December 1976.

Source: U.S. Department of Defense. Office of the Deputy Assistant Secretary of Defense (Administration). "Fact Sheet: Summary Report on the Blue Ribbon Panel Recommendations," 28 February 1975.

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11. Under Secretaries of Defense—7 April–21 October 1977.

As part of a plan for streamlining the organization of the Department of Defense, on 7 April 1977 Secretary of Defense Harold Brown requested the Congress to abolish the positions of the second Deputy Secretary of Defense and of the Director of Defense Research and Engineering and to establish two Under Secretaries of Defense, one for Policy and one for Research and Engineering. The proposed legislation was introduced as H.R. 6582 and S. 1372 on 25 April.

After considering S. 1372 in executive session, the Senate Committee on Armed Services reported it favorably with a technical amendment on 27 May. The Senate approved the bill on 9 June.

The Investigations Subcommittee of the House Committee on Armed Services held an open hearing on H.R. 6582 on 23 May and subsequently drafted a revised bill that modified the form and organization of H.R. 6582, but not the substance. The subcommittee approved the revision on 12 July, and it was introduced the same day as H.R. 8247. The full committee considered H.R. 8247 on 18 July, proposed that the text of that bill be substituted for S. 1372 as approved by the Senate, and so reported to the House of Representatives on 21 July. The House approved the substitute language for S. 1372 on 19 September, and the Senate concurred with the House amendments on 6 October. President Jimmy Carter signed the enrolled bill as Public Law 95–140 (91 Stat. 1172) on 21 October 1977. The changes are indicated, with new wording in bold face type and the former wording in italics within brackets.

Sections 134, 135, 136(e), and 171(a), Title 10, U.S. Code As Amended by Public Law 95–140

Sec. 134. Deputy Secretar[*ies*]y of Defense; appointment; powers and duties; precedence.

(a) There [*are two*] **is a** Deputy Secretar[*ies*]y of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate. A person may not be appointed as a Deputy Secretary of Defense within ten years after relief from active duty as a commissioned officer of a regular component of an armed force.

(b) The Deputy Secretar[*ies*]y shall perform such duties and exercise such powers as the Secretary of Defense may prescribe. The Deputy Secretar[*ies*]y[,] [*in the order of precedence, designated by the President*] shall act for, and exercise the powers of, the Secretary when the Secretary is disabled or there is no Secretary of Defense.

(c) The Deputy Secretar[*ies*]y takes precedence in the Department of Defense immediately after the Secretary.

Sec. 135. [*Director of Defense Research and Engineering*] **Under Secretaries of Defense;** appointment; powers and duties; precedence

(a) There [*is*] **are** [*a Director of Defense Research and Engineering*] **two Under Secretaries of Defense, one of whom shall be the Under Secretary of Defense for Policy and one of whom shall be the Under Secretary of Defense for Research and Engineering. The Under Secretaries of Defense shall be** appointed from civilian life by the President, by and with the advice and consent of the Senate. **A person may not be appointed Under Secretary of Defense for Policy within ten years after relief from active duty as a commissioned officer of a regular component of an armed force.**

(b) [*The Director performs*] **The Under Secretary of Defense for Policy shall perform such duties and exercise such powers as the Secretary of Defense may prescribe. The Under Secretary of Defense for Research and Engineering shall perform** such duties relating to research and engineering as the Secretary of Defense may prescribe, including—

(1) being the principal advisor to the Secretary on scientific and technical matters;

(2) supervising all research and engineering activities in the Department of Defense; and

(3) directing, controlling, assigning, and reassigning research and engineering activities that the Secretary considers need centralized management.

(c) The [*Director*] **Under Secretary of Defense for Policy** takes precedence in the Department of Defense after the Secretary of Defense, the Deputy Secretar[*ies*]y of Defense, and the Secretaries of the military departments. **The Under Secretary of Defense for Research and Engineering takes precedence in the Department of Defense immediately after the Under Secretary of Defense for Policy.**

Sec. 136. Assistant Secretaries of Defense; appointment; powers and duties; precedence

* * * * *

(e) The Assistant Secretaries take precedence in the Department of Defense after the Secretary of Defense, the Deputy Secretar[*ies*]y of Defense, the Secretaries of the military departments, and the [*Director of Defense and Engineering*] **Under Secretaries of Defense.**

* * * * *

Sec. 171. Armed Forces Policy Council

(a) There is in the Department of Defense an Armed Forces Policy Council consisting of—

(1) the Secretary of Defense, as Chairman, with the power of decision;

(2) [*a*] **the** Deputy Secretary of Defense;

(3) the Secretary of the Army;

(4) the Secretary of the Navy;

(5) the Secretary of the Air Force;

(6) the [*Director of Defense Research and Engineering*] **Under Secretaries of Defense;**

(7) the Chairman of the Joint Chiefs of Staff;

(8) the Chief of Staff of the Army;

(9) the Chief of Naval Operations; and
(10) the Chief of Staff of the Air Force.

Sources: For House consideration of H.R. 6582, H.R. 8347, and S. 1372, see:

U.S. Congress. House of Representatives. Committee on Armed Services. Investigations Subcommittee. *Hearings on H.R. 6582 . . . and Full Committee Consideration of H.R. 8247 and S. 1372.* House Armed Services Committee Paper No. 95–32. 95th Congress, 1st session. Washington: Government Printing Office, 1977.

U.S. Congress. House of Representatives. Committee on Armed Services. *Department of Defense Executive Reorganization.* H. Rpt. 95–519. 95th Congress, 1st session. Washington: Government Printing Office, 1977.

U.S. Congress. *Congressional Record.* [Bound volume not yet available.]

For Senate consideration of S. 1372 and resolution of differences, see:

U.S. Congress. Senate. Committee on Armed Services. *Disestablishing One of the Positions of Deputy Secretary of Defense and Establishing an Under Secretary of Defense for Policy, and for Other Purposes.* S. Rpt. 95–234. 95th Congress, 1st session. Washington: Government Printing Office, 1977.

U.S. Congress. *Congressional Record.* [Bound volume not yet available.]

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12. *Streamlining the Department of Defense—11 March 1977–19 April 1978.*

On 7 March 1978, Secretary of Defense Harold Brown transmitted to the Congress a Defense Reorganization Order that abolished the positions of two Assistant Secretaries of Defense and one Assistant Secretary in each of the military departments. This proposal generally reflected the way in which the Department of Defense had been organized for nearly a year as a result of combining a number of previously separated functions.[1] As neither the Senate nor the House of Representatives adopted a resolution in opposition to the order, it became effective on 19 April 1978.

Chart 20 shows the organization of the Office of the Secretary of Defense after enactment of Public Law 95–140 on 21 October 1977 and the disestablishment of two positions of Assistant Secretary of Defense.

THE SECRETARY OF DEFENSE
Washington, D. C. 20301

Mar 7 1978

DEPARTMENT OF DEFENSE REORGANIZATION ORDER

By virtue of the authority vested in me by section 125(a) of title 10, United States Code, and as Secretary of Defense, it is hereby ordered as follows:

Section 1. ABOLITION OF POSITIONS AND TRANSFER OF FUNCTIONS.—

The following positions established in sections 3071 or 3013, respectively, of title 10, United States Code, are hereby abolished and their functions transferred to the Secretary of the Army:

Director, Women's Army Corps

Deputy Director, Women's Army Corps

Assistant Secretary of the Army (one position with function unspecified).

Section 2. PERFORMANCE OF TRANSFERRED FUNCTIONS.—

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[1] See Part V, section 1, pp. 240–41.

The Secretary of the Army may, from time to time, make such provisions as he shall deem appropriate authorizing the performance by any other officer or by any office or agency of the Department of the Army of any functions transferred to him by the provisions of Section 1 of this order, or assigning such functions to any other officer or to any office or agency of the Department of the Army.

Section 3. ABOLITION OF POSITION AND TRANSFER OF FUNCTIONS.—

The following position established in section 5034 of title 10, United States Code, is hereby abolished and its functions transferred to the Secretary of the Navy:

Assistant Secretary of the Navy (one position with function unspecified).

Section 4. ABOLITION OF POSITION AND TRANSFER OF FUNCTIONS.—

The following position established by section 8013 of title 10, United States Code, is hereby abolished and its functions transferred to the Secretary of the Air Force;

Assistant Secretary of the Air Force (one position with function unspecified).

Section 5. ABOLITION OF POSITIONS AND TRANSFER OF FUNCTIONS.—

The following positions established in section 136 of title 10, United States Code, are hereby abolished and their functions transferred to the Secretary of Defense:

Assistant Secretary of Defense (one position with function unspecified)

Assistant Secretary of Defense (one position with function unspecified).

Section 6. EFFECT ON MAJOR COMBATANT FUNCTIONS, POWERS OR DUTIES.—

Nothing contained in this Reorganization Order proposes to transfer, reassign, consolidate, abolish, or affect in any way, a major combatant function, power, or duty assigned to the Army, Navy, Air Force, or Marine Corps by sections 3062(b), 5012, 5013, or 8062(c) of title 10, United States Code.

Section 7. EFFECTIVE DATE.—

The provisions of this order shall take effect on the date determined in accordance with section 125(a) of title 10, United States Code.

HAROLD BROWN

Source: U.S. Department of Defense. Office of the Secretary of Defense. Letters, Secretary of Defense Harold Brown to the President of the Senate, Speaker of the House of Representatives, and Chairmen of the Committees on Armed Services of the Senate and of the House of Representatives, 7 March 1978, with attachment, Department of Defense Reorganization Plan, 2 March 1978. In files of the Office of the Secretary of Defense, Pentagon.

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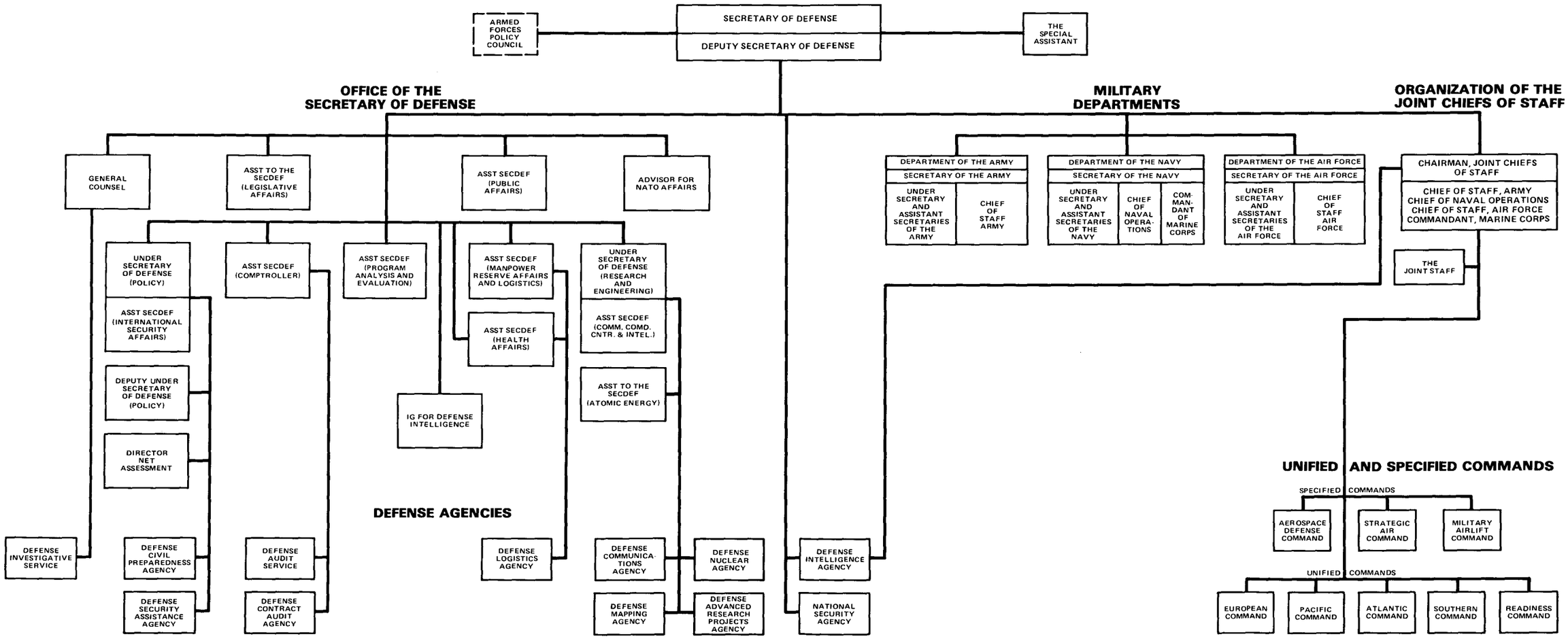
13. Other Legislative Changes—1959–78.

Enactment of other public laws and reorganization plans during these years modified or repealed some sections of the National Security Act of 1947, as amended, or sections of Title 10, U.S. Code, derived from that act.

a. After the transfer of civil defense functions to the Department of Defense by Executive order,[1] the Congress redesignated the Office of Civil and Defense Mobilization as the Office of Emergency Planning by

[1] See pp. 241–44.

CHART 20. ORGANIZATION OF DEPARTMENT OF DEFENSE, JUNE 1978.



Public Law 87–296 (75 Stat. 630), 22 September 1961. As head of a successor agency to the National Security Resources Board (established by Section 103 of the National Security Act of 1947), the Director of the Office of Emergency Planning remained a member of the National Security Council.

b. Additional sections of the National Security Act of 1947, as amended, were repealed and restated without substantive change in Title 10, U.S. Code, as a result of the enactment of Public Law 87–651 (76 Stat. 506), 7 September 1962.

c. The Federal Executive Salary Act of 1966, which formed Title III of Public Law 89–554 (80 Stat. 632), 6 September 1966, established a new system of compensation for statutory and other senior officials and superseded provisions of the National Security Act of 1947, as amended, relating to compensation.

d. At the request of President Lyndon B. Johnson and Secretary of Defense Clark M. Clifford, the Congress authorized the reappointment of General Earle G. Wheeler as Chairman of the Joint Chiefs of Staff for an additional 1-year term by Public Law 90–342 (82 Stat. 180), 15 June 1968, an exception to the provisions of Section 142(a), Title 10, U.S. Code, derived from the National Security Act of 1947, as amended.

e. The Congress redesignated the Office of Emergency Planning as the Office of Emergency Preparedness by Public Law 90–608 (82 Stat. 1194), 21 October 1968.

f. At the request of President Richard M. Nixon and Secretary of Defense Melvin R. Laird, the Congress authorized the reappointment of General Wheeler as Chairman of the Joint Chiefs of Staff for a second additional 1-year term by Public Law 91–19 (83 Stat. 12), 28 May 1969.

g. Reorganization Plan No. 1 of 1973 (87 Stat. 1089), proposed by President Nixon on 26 January 1973 and which became effective on 1 July 1973, abolished the Office of Emergency Preparedness, transferred its functions to other agencies in the executive branch, and terminated the membership of the Director on the National Security Council.

h. Reorganization Plan No. 3 of 1978 (43 F.R. 41943), transmitted to the Congress by President Jimmy Carter on 19 June 1978, provided for the transfer of the Defense Civil Preparedness Agency from the Department of Defense to a new Federal Emergency Management Agency. As neither House adopted a resolution in opposition, the plan was expected to become effective on a date to be specified by the President on or before 1 April 1979.

i. During the consideration on the floor of the Senate of the Department of Defense Appropriation Authorization bill for fiscal year 1979, Senator Dewey F. Bartlett offered an amendment making the Commandant of the Marine Corps a permanent and fully participating member of the Joint Chiefs of Staff. Accepted by the Senate and subsequently by the House of Representatives, the amendment was enacted as section 807 of Public Law 95–485 (92 Stat. 1611, 1622) approved by President Carter on 20 October

1978. It amended section 141 of Title 10, U.S. Code (derived from the National Security Act of 1947, as amended) by adding a new clause (5), "the Commandant of the Marine Corps," to subsection (a) listing the membership of the Joint Chiefs of Staff and by deleting subsection (c) of section 141 that had authorized the Commandant of the Marine Corps to participate on a co-equal status with the Joint Chiefs of Staff when matters concerning the Marine Corps were under consideration.

VI.
Functions of the Armed Services and the Joint Chiefs of Staff

Sequence of Major Events

1. Executive Order 9877—26 July 1947. Signed by President Truman on the same day as the National Security Act, the Executive order stated the functions of the armed forces.

2. Proposed Revision of Executive Order 9877—20 January 1948. Secretary of Defense Forrestal asked the Secretaries of Army, Navy, and Air Force and the Joint Chiefs of Staff for their comments on a revision intended to bring the Executive order into conformity with the National Security Act.

3. Functions of the Armed Forces and the Joint Chiefs of Staff—3 February—21 April 1948. Secretary Forrestal issued the paper immediately after receiving President Truman's approval.

4. Revocation of Executive Order 9877—21 April 1948. President Truman issued Executive Order 9950 revoking the Executive order of 26 July 1947 prescribing the primary functions and responsibilities of the three Services.

5. Memorandum for the Record of the Key West Conference—11 March—1 July 1948. This memorandum, dated 26 March, was forwarded to Secretary of Defense Forrestal for approval on 29 April. It was agreed to by all of the Joint Chiefs except the Chief of Naval Operations, who submitted separate views on 22 April. Secretary Forrestal approved the memorandum on 1 July, after amending paragraph 5 (f).

6. The Newport Conference—20–22 August 1948. A Memorandum for the Record, dated 23 August 1948, summarized conclusions reached and decisions made at the conference.

7. Department of Defense Directive No. 5100.1, "Functions of the Armed Forces and the Joint Chiefs of Staff"—16 March 1954. This document, incorporating changes made since 1948, was issued as a Department of Defense Directive.

8. Memorandum for Members of the Armed Forces Policy Council—26 November 1956. Secretary of Defense Wilson issued a memorandum clarifying and interpreting roles and missions in five problem areas concerning chiefly the Army and the Air Force.

9. Department of Defense Directive No. 5160.22, "Clarification of Roles and Missions of the Army and Air Force Regarding Use of Aircraft"—18 March 1957. In Department of Defense Directive No. 5160.22, Secretary Wilson clarified the roles and missions of the Army and Air Force regarding use of aircraft.

10. Department of Defense Directive No. 5100.1, "Functions of the Department of Defense and its Major Components"—31 December 1958. The 1958 amendments to the National Security Act were followed by a thorough revision of Department of Defense Directive 5100.1, the functions directive of 16 March 1954.

11. Responsibility for Development of Space Systems—6 March 1961. Secretary of Defense McNamara issued Directive No. 5160.32 to clarify responsibilities of the military Services and the Director of Defense Research and Engineering for the development of space projects.

12. Changes to the Functions Directive—1966–77. Between 17 June 1966 and 24 March 1977 four changes to Department of Defense Directive No. 5100.1 were issued.

13. Revision of Department of Defense Directive No. 5160.32—8 September 1970. This directive was revised to incorporate references to the formal system established in the Department of Defense for the review of proposed developmental projects.

14. Cancellation of Department of Defense Directive No. 5160.22—8 March 1971. The 1957 directive on roles and missions of the Army and Air Force regarding use of aircraft was rescinded on 8 March 1971.

VI.
Functions of the Armed Services and the JCS

1. Executive Order 9877—26 July 1947

In their joint letter of 16 January 1947, Secretary of War Patterson and Secretary of the Navy Forrestal recommended to President Truman the text of an Executive order setting forth the functions of the armed Services. When he transmitted the unification bill to the Congress, the President made clear that he intended to issue an Executive order on functions. During its consideration of the bill, the Congress debated including Service missions in the legislation, and the National Security Act of 1947 did incorporate general statements of functions of each of the Services. The President issued Executive Order 9877 on the same day that he signed the National Security Act.

Sources: For Joint Army-Navy letter, see:

U.S. Congress. House of Representatives. *Congressional Record.* Volume 93, Part 10, p. 204. Washington: Government Printing Office, 1947. (Above, part 1, section 9, pp. 31–33.)

For National Security Act, see:

Public Law 253, 80th Congress (61 Stat. 495), *sections* 205(e), 206(c), and 209(f). (Above, part 1, section 12, pp. 35–50.)

EXECUTIVE ORDER 9877

Functions of the Armed Forces

By the virtue of the authority vested in me by the Constitution and laws of the United States, and as President of the United States and Commander in Chief of the Armed Forces of the United States, I hereby prescribe the following assignment of primary functions and responsibilities to the three armed services.

Section I—THE COMMON MISSIONS OF THE ARMED FORCES OF THE UNITED STATES ARE:

1. To support and defend the Constitution of the United States against all enemies, foreign or domestic.

2. To maintain, by timely and effective military action, the security of the United States, its possessions and areas vital to its interest.

3. To uphold and advance the national policies and interests of the United States.

4. To safeguard the internal security of the United States as directed by higher authority.

5. To conduct integrated operations on the land, on the sea, and in the air necessary for these purposes.

In order to facilitate the accomplishment of the foregoing missions the armed forces shall formulate integrated plans and make coordinated preparations. Each service shall observe the general principles and fulfill the specific functions outlined below, and shall make use of the personnel, equipment and facilities of the other services in all cases where economy and effectiveness will thereby be increased.

Section II—Functions of the United States Army

General

The United States Army includes land combat and service forces and such aviation and water transport as may be organic therein. It is organized, trained and equipped primarily for prompt and sustained combat incident to operations on land. The Army is responsible for the preparation of land forces necessary for the effective prosecution of war, and, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Army to meet the needs of war.

The specific functions of the United States Army are:

1. To organize, train and equip land forces for:

a. Operations on land, including joint operations.

b. The seizure or defense of land areas, including airborne and joint amphibious operations.

c. The occupation of land areas.

2. To develop weapons, tactics, technique, organization and equipment of Army combat and service elements, coordinating with the Navy and the Air Force in all aspects of joint concern, including those which pertain to amphibious and airborne operations.

3. To provide, as directed by proper authority, such missions and detachments for service in foreign countries as may be required to support the national policies and interests of the United States.

4. To assist the Navy and Air Forces in the accomplishment of their missions, including the provision of common services and supplies as determined by proper authority.

Section III—Functions of the United States Navy

General

The United States Navy includes naval combat and service forces, naval aviation, and the United States Marine Corps. It is organized, trained and equipped primarily for prompt and sustained combat at sea. The Navy is responsible for the preparation of naval forces necessary for the effective prosecution of war, and in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Navy to meet the needs of war.

The specific functions of the United States Navy are:

1. To organize, train and equip naval forces for:

a. Operations at sea, including joint operations.

b. The control of vital sea areas, the protection of vital sea lanes, and the suppression of enemy sea commerce.

c. The support of occupation forces as required.

d. The seizure of minor enemy shore positions capable of reduction by such landing forces as may be comprised within the fleet organization.

e. Naval reconnaissance, antisubmarine warfare, and protection of shipping. The air aspects of those functions shall be coordinated with the Air Force, including the development and procurement of aircraft, and air installations located on shore, and use shall be made of Air Force personnel, equipment and facilities in all cases where economy and effectiveness will thereby be increased. Subject to the above provision, the Navy will not be restricted as to types of aircraft maintained and operated for these purposes.

f. The air transport necessary for essential internal administration and

for air transport over routes of sole interest to naval forces where the requirements cannot be met by normal air transport facilities.

2. To develop weapons, tactics, technique, organization and equipment of naval combat and service elements, coordinating with the Army and the Air Force in all aspects of joint concern, including those which pertain to amphibious operations.

3. To provide, as directed by proper authority, such missions and detachments for service in foreign countries as may be required to support the national policies and interests of the United States.

4. To maintain the U. S. Marine Corps whose specific functions are:

a. To provide Marine Forces together with supporting air components, for service with the Fleet in the seizure or defense of advanced naval bases and for the conduct of limited land operations in connection therewith.

b. To develop, in coordination with the Army and the Air Force those phases of amphibious operations which pertain to the tactics, technique and equipment employed by landing forces.

c. To provide detachments and organizations for service on armed vessels of the Navy.

d. To provide security detachments for protection of naval property at naval stations and bases.

e. To provide, as directed by proper authority, such missions and detachments for service in foreign countries as may be required to support the national policies and interests of the United States.

5. To assist the Army and the Air Force in the accomplishment of their missions, including the provision of common services and supplies as determined by proper authority.

Section IV—Functions of the United States Air Force

General

The United States Air Force includes all military aviation forces, both combat and service, not otherwise specifically assigned. It is organized, trained, and equipped primarily for prompt and sustained air offensive and defensive operations. The Air Force is responsible for the preparation of the air forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Air Force to meet the needs of war.

The specific functions of the United States Air Force are:

1. To organize, train and equip air forces for:

a. Air operations including joint operations.

b. Gaining and maintaining general air supremacy.

c. Establishing local air superiority where and as required.

d. The strategic air force of the United States and strategic air reconnaissance.

e. Air lift and support for airborne operations.

f. Air support to land forces and naval forces, including support of occupation forces.

g. Air transport for the armed forces, except as provided by the Navy in accordance with paragraph 1 f, of Section III.

2. To develop weapons, tactics, technique, organization and equipment of Air Force combat and service elements, coordinating with the Army and

Navy on all aspects of joint concern, including those which pertain to amphibious and airborne operations.

3. To provide, as directed by proper authority, such missions and detachments for service in foreign countries as may be required to support the national policies and interests of the United States.

4. To provide the means for coordination of air defense among all services.

5. To assist the Army and Navy in accomplishment of their missions, including the provision of common services and supplies as determined by proper authority.

HARRY S. TRUMAN

The White House,
July 26, 1947.

Source: U.S. *Code of Federal Regulations. Title 3—The President.* 1943–48 Compilation, pp. 659–61. Washington: Government Printing Office, 1957.

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2. Proposed Revision of Executive Order 9877— 20 January 1948.

The differences in language between the National Security Act and Executive Order 9877 came into question almost immediately after unification in connection with the continuing dispute between the Navy and the Air Force over responsibility for air missions. Because it considered the language of the act more favorable to it than the Executive order, the Navy preferred that the Executive order be changed to conform to the act rather than be accepted as an interpretation of the act, as held by the Bureau of the Budget. Secretary of Defense Forrestal decided that a revision of Executive Order 9877 should be prepared and submitted to the military departments and the Joint Chiefs of Staff for comment. He sent out the draft revision on 20 January 1948.

Source: U.S. Department of Defense. Joint Chiefs of Staff files. Record Group 218, CCS 370 (8–19–45), Section 6. Modern Military Branch, National Archives, Washington, D.C.

THE SECRETARY OF DEFENSE
20 January 1948

MEMORANDUM FOR:
The Secretary of The Army
The Secretary of The Navy
The Secretary of The Air Force
The Joint Chiefs of Staff

As you know, the document which became Executive Order 9877 was prepared on the basis of instructions issued by Secretary Patterson and me, and formed a part of our letter of January 16, 1947 to President Truman. It was our recommendation that President Truman transmit the proposed Executive Order to Congress simultaneously with his transmittal of the proposed Unification Act. Specifically, in our letter of January 16, Secretary Patterson and I said: "We are agreed that the proper method of setting forth

the functions (so-called roles and missions) of the armed forces is by the issuance of an Executive Order concurrently with your approval of the appropriate legislation. We attach for your consideration a mutually agreed draft of such an order."

As you also know, this course was followed, and after fairly extensive hearings in both the House and the Senate, and after some floor amendments, the Unification Act was finally passed by Congress in substantially the form transmitted by the President.

The bill reached the President's desk immediately prior to the Congressional recess which began on July 26. Originally, it had been expected that the President would sign the bill, and would shortly thereafter issue an executive order. As a matter of fact, a meeting between Mr. Clifford, General Norstad, and Admiral Sherman had been arranged for Monday, July 28, to work out the minor changes in the Executive Order which various language changes in the bill seemed to make advisable. However, owing to the illness of the President's mother, the President desired to sign both the statute and the Executive Order, prior to leaving Washington on July 26. This was done, with the understanding that any minor changes in the Executive Order would be suggested at a later date.

I have had the attached redraft of the Executive Order (Appendix) prepared in order to conform the language of the Executive Order more exactly to the language of the statute. As time goes on, our experience in operating under the statute and the Executive Order may indicate the desirability of substantive changes—but the present revision goes only to the question of those minor changes of a conforming nature.

Any comments which you may have on the attached draft should be submitted to me prior to 30 January, for it is my intention to submit my recommendations to the President by the 1st of February.

/s/ JAMES FORRESTAL

REDRAFT OF EXECUTIVE ORDER 9877

[New material is indicated with new wording in bold face type and deleted material in italics within brackets.]

Functions of the Armed Forces

By virtue of the authority vested in me by the Constitution and laws of the United States, and as President of the United States and Commander in Chief of the Armed Forces of the United States, I hereby prescribe the following assignment of primary functions and responsibilities to the three armed services.

Section I—THE COMMON MISSIONS OF THE ARMED FORCES OF THE UNITED STATES ARE:

1. To support and defend the Constitution of the United States against all enemies, foreign or domestic.

2. To maintain, by timely and effective military action, the security of the United States, its possessions and areas vital to its interest.

3. To uphold and advance the national policies and interests of the United States.

4. To safeguard the internal security of the United States as directed by higher authority.

5. To conduct integrated operations on the land, on the sea, and in the air necessary for these purposes.

In order to facilitate the accomplishment of the foregoing missions the armed forces shall formulate integrated plans and make coordinated preparations. Each service shall observe the general principles and fulfill the specific functions outlined below, and shall make use of the personnel, equipment and facilities of the other services in all cases where economy and effectiveness will thereby be increased.

Section II—Functions of the United States Army

General

The United States Army includes land combat and service forces and such aviation and water transport as may be organic therein. It is organized, trained and equipped primarily for prompt and sustained combat incident to operations on land. The Army is responsible for the preparation of land forces necessary for the effective prosecution of war **except as otherwise assigned,** and, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Army to meet the needs of war.

The specific functions of the United States Army are:

1. To organize, train and equip land forces for:

a. Operations on land, including joint operations.

b. The seizure or defense of land areas, including airborne and joint amphibious operations.

c. The occupation of land areas.

2. To develop weapons, tactics, technique, organization and equipment of Army combat and service elements, coordinating with the Navy and the Air Force in all [*aspects*] **matters** of joint concern, including those which pertain to amphibious and airborne operations.

3. To provide, as directed by proper authority, such missions and detachments for service in foreign countries as may be required to support the national policies and interests of the United States.

4. To assist the Navy and Air Force in the accomplishment of their missions, including the provision of common services and supplies as determined by proper authority.

Section III—Functions of the United States Navy

General

The United States Navy includes naval combat and service forces [*naval aviation, and the United States Marine Corps.*] **and such aviation as may be organic therein.** It is organized, trained and equipped primarily for prompt and sustained combat **incident to operations** at sea. The Navy is responsible for the preparation of naval forces necessary for the effective prosecution of war **except as otherwise assigned,** and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Navy to meet the needs of war.

The specific functions of the United States Navy are:

1. To organize, train and equip naval forces for:

a. Operations at sea, including joint operations.

b. The control of vital sea areas, the protection of vital sea lanes, and the suppression of enemy sea commerce.

c. The support of occupation forces as required.

d. The seizure of minor enemy shore positions capable of reduction by such landing forces as may be comprised within the fleet organization.

e. Naval reconnaissance, antisubmarine warfare, and protection of shipping.

(The air aspects of those functions shall be coordinated with the Air Force, including the development and procurement of aircraft, and air installations located on shore, and use shall be made of Air Force personnel, equipment and facilities in all cases where economy and effectiveness will thereby be increased. Subject to the above provision, the Navy will not be restricted as to types of aircraft maintained and operated for these purposes.)

f. To establish, operate and maintain air transport essential for naval operations, namely [*T*] the air transport necessary for essential internal administration **and required for the fulfillment of the mission of the Navy** and [*for*] air transport over routes of sole interest to naval forces, where the requirements cannot be met by normal air transport facilities.

2. To develop **aircraft,** weapons, tactics, technique, organization and equipment of naval combat and service elements, coordinating with the Army and the Air Force in all [*aspects*] **matters** of joint concern[,]. [*including those which pertain to amphibious operations.*]

3. To provide, as directed by proper authority, such missions and detachments for service in foreign countries as may be required to support the national policies and interests of the United States.

4. To maintain the U.S. Marine Corps, **which shall include land combat and service forces and such aviation as may be organic therein, and** [*whose specific functions are:*] **which shall be organized, trained and equipped:**

a. To provide [*Marine Forces*] **fleet marine forces of combined arms,** together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of [*limited*] **such** land operations [*in connection therewith.*] **as may be essential to the prosecution of a naval campaign.**

b. To develop, in coordination with the Army and the Air Force those phases of amphibious operations which pertain to the tactics, technique and equipment employed by landing forces.

c. To provide detachments and organizations for service on armed vessels of the Navy.

d. To provide security detachments for protection of naval property at naval stations and bases.

e. To provide, as directed by proper authority, such missions and detachments for service in foreign countries as may be required to support the national policies and interests of the United States.

f. The Marine Corps is responsible, in accordance with integrated joint mobilization plans, for the expansion of peacetime components of the Marine Corps to meet the needs of war.

5. To assist the Army and the Air Force in the accomplishment of their missions, including the provision of common services and supplies as determined by proper authority.

All naval aviation shall be integrated with the naval service as part thereof within the Department of the Navy. Naval aviation shall consist of combat and service and training forces, and shall include land-based naval aviation, air transport essential for naval operations, all air weapons and air techniques involved in the operations and activities of the United States Navy, and the entire remainder of the aeronautical organization of the United States Navy, together with the personnel necessary therefor.

Section IV—FUNCTIONS OF THE UNITED STATES AIR FORCE

General

The United States Air Force includes all aviation forces [,] both combat and service [,] not otherwise [*specifically*] assigned. It is organized, trained, and equipped primarily for prompt and sustained [*air*] offensive and defensive **air** operations. The Air Force is responsible for the preparations of the air forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Air Force to meet the needs of war.

The specific functions of the United States Air Force are:

1. To organize, train and equip air forces for:

a. Air operations including joint operations.

b. Gaining and maintaining general air supremacy.

c. Establishing local air superiority where and as required.

d. The strategic air force of the United States and strategic air reconnaissance.

e. Air lift and support for airborne operations.

f. Air support to land forces and naval forces, including support of occupation forces.

g. Air transport for the armed forces, except as provided by the Navy in accordance with paragraph 1 f, of Section III.

2. To develop **aircraft,** weapons, tactics, technique, organization and equipment of Air Force combat and service elements, coordinating with the Army and Navy on all [*aspects*] **matters** of joint concern, including those which pertain to amphibious and airborne operations.

3. To provide, as directed by proper authority, such missions and detachments for service in foreign countries as may be required to support the national policies and interests of the United States.

4. To provide **air defense and** the means for coordination [*of air defense*] **therefor** among all services.

5. To assist the Army and Navy in accomplishment of their missions, including the provision of common services and supplies as determined by proper authority.

/s/ HARRY S. TRUMAN

THE WHITE HOUSE
(July 26, 1947)

Source: U.S. Department of Defense. Joint Chiefs of Staff files. Record Group 218, CCS 370 (8–19–45), Section 6. Modern Military Branch, National Archives, Washington, D.C.

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3. Functions of the Armed Forces and the Joint Chiefs of Staff—3 February–21 April 1948.

The Joint Chiefs of Staff could not reach agreement on the text of the draft revision of Executive Order 9877 proposed by Secretary Forrestal. The Chief of Naval Operations did not concur with some of the statements or with recommendations of an ad hoc committee appointed by the Joint Chiefs to consider the Secretary's draft. On 3 February 1948, Secretary Forrestal informed the Secretaries of the military departments that he

would do nothing about the Executive order for the present because of disagreements among the Joint Chiefs and the military departments and because of the absence of joint strategic plans. He would, however, work toward a time when he could issue a directive on functions of the armed forces simultaneously with rescission of Executive Order 9877 by the President.

The Joint Chiefs recommended to Secretary Forrestal on 6 February that the Executive order be cancelled and that he promulgate a statement on roles and missions being prepared by the Joint Chiefs. During February the Joint Chiefs struggled to agree on such a statement. On 27 February Secretary Forrestal informed President Truman that he had given the Joint Chiefs until 8 March to resolve their differences. When the Chiefs reported that they had failed to reach agreement on some of the most fundamental issues and asked that these matters be "resolved by higher authority," the Secretary arranged to meet with them at Key West, Florida. The conference, 11 to 14 March, appeared to reach agreement on the fundamental issues, chiefly between the Navy and the Air Force. At a subsequent meeting in Washington on 20 March the Secretary and the Chiefs considered matters that still remained to be resolved. Following the meetings, Secretary Forrestal approved and released to the press on 27 March a paper entitled "Functions of the Armed Forces and the Joint Chiefs of Staff." The Secretary also forwarded it for approval to the President, who specified that the words "by direction of the President" be inserted in the second paragraph of the introductory section. Thus amended, the statement was promulgated by Secretary Forrestal on 21 April 1948.

Sources: U.S. Department of Defense. Joint Chiefs of Staff files. Record Group 218, CCS 370 (8–19–45), Section 7. Modern Military Branch, National Archives, Washington, D.C.

Papers of Harry S. Truman, President's Secretary's File (PSF), Box 157, Harry S. Truman Library, Independence, Missouri.

Papers of George M. Elsey, Box 83, Harry S. Truman Library, Independence, Missouri.

THE SECRETARY OF DEFENSE

21 April 1948

MEMORANDUM FOR:
The Secretary of The Army
The Secretary of The Navy
The Secretary of The Air Force
Joint Chiefs of Staff

Attached is a signed copy of the paper defining the functions of the Armed Forces and the Joint Chiefs of Staff

Attached also is a photostatic copy of President Truman's letter, approving this paper

The only change in the paper, as executed, occurs in the third line from the bottom of page 1 where the words "by direction of the President" have been added.

/s/ JAMES FORRESTAL

THE WHITE HOUSE

April 21, 1948

Honorable James Forrestal
Secretary of Defense
Washington, D. C.
My dear Mr. Secretary:

In reply to your letter of March 27, 1948, I have today issued an Executive Order revoking Executive Order 9877, of July 26, 1947. In its stead, I wish you to issue the statement of functions of the Armed Forces and the Joint Chiefs of Staff which has been drawn up by you and the Joint Chiefs of Staff.

Very sincerely yours,
/s/ HARRY S. TRUMAN

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21 April 1948

Functions of the Armed Forces and the Joint Chiefs of Staff

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Introduction

Congress, in the National Security Act of 1947, has described the basic policy embodied in the Act in the following terms:

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

In accordance with the policy declared by Congress, and in accordance with the provisions of the National Security Act of 1947, and to provide guidance for the departments and the joint agencies of the National Military Establishment, the Secretary of Defense, by direction of the President,

hereby promulgates the following statement of the functions of the Armed Forces and the Joint Chiefs of Staff.

Section I—Principles

1. There shall be the maximum practicable integration of the policies and procedures of the departments and agencies of the National Military Establishment. This does not imply a merging of Armed Forces, but does demand a consonance and correlation of policies and procedures throughout the National Military Establishment, in order to produce an effective, economical, harmonious and businesslike organization which will insure the military security of the United States.

2. The functions stated herein shall be carried out in such a manner as to achieve the following:

a. Effective strategic direction of the Armed Forces.

b. Operation of Armed Forces under unified command, wherever such unified command is in the best interest of national security.

c. Integration of the Armed Forces into an efficient team of land, naval, and air forces.

d. Prevention of unnecessary duplication or overlapping among the Services, by utilization of the personnel, intelligence, facilities, equipment, supplies and services of any or all Services in all cases where military effectiveness and economy of resources will thereby be increased.

e. Coordination of Armed Forces operations to promote efficiency and economy and to prevent gaps in responsibility.

3. It is essential that there be full utilization and exploitation of the weapons, techniques, and intrinsic capabilities of each of the Services in any military situation where this will contribute effectively to the attainment of over-all military objectives. In effecting this, collateral as well as primary functions will be assigned. It is recognized that assignment of collateral functions may establish further justification for stated force requirements, but such assignment shall not be used as the basis for establishing additional force requirements.

4. Doctrines, procedures, and plans covering joint operations and joint exercises shall be jointly prepared. Primary responsibility for development of certain doctrines and procedures is hereinafter assigned.

5. Technological developments, variations in the availability of manpower and natural resources, changing economic conditions, and changes in the world politico-military situation may dictate the desirability of changes in the present assignment of specific functions and responsibilities to the individual Services. This determination and the initiation of implementing action are the responsibility of the Secretary of Defense.

Section II—Common Functions of the Armed Forces

A. *General*

As prescribed by higher authority and under the general direction of the Joint Chiefs of Staff, the armed forces shall conduct operations wherever and whenever necessary for the following purposes:

1. To support and defend the Constitution of the United States against all enemies, foreign or domestic.

2. To maintain, by timely and effective military action, the security of the United States, its possessions and areas vital to its interest.

3. To uphold and advance the national policies and interests of the United States.

4. To safeguard the internal security of the United States.

B. *Specific*

1. In accordance with guidance from the Joint Chiefs of Staff, to prepare forces and to establish reserves of equipment and supplies for the effective prosecution of war and to plan for the expansion of peacetime components to meet the needs of war.

2. To maintain in readiness mobile reserve forces, properly organized, trained, and equipped for employment in emergency.

3. To provide adequate, timely, and reliable intelligence for use within the National Military Establishment.

4. To organize, train, and equip forces for joint operations.

5. To conduct research, to develop tactics, technique and organization, and to develop and procure weapons, equipment, and supplies essential to the fulfillment of the functions hereinafter assigned, each Service coordinating with the others in all matters of joint concern.

6. To develop, garrison, supply, equip, and maintain bases and other installations, to include lines of communication, and to provide administrative and logistical support of all forces and bases.

7. To provide, as directed by proper authority, such forces, military missions, and detachments for service in foreign countries as may be required to support the national interests of the United States.

8. As directed by proper authority, to assist in training and equipping the military forces of foreign nations.

9. Each Service to assist the others in the accomplishment of their functions, including the provision of personnel, intelligence, training, facilities, equipment, supplies, and services as may be determined by proper authority.

10. Each Service to support operations of the others.

11. Each Service to coordinate operations (including administrative, logistical, training, and combat) with those of the other Services as necessary in the best interests of the United States.

12. Each Service to determine and provide the means of communications by which command within the Service is to be exercised.

13. To refer all matters of strategic significance to the Joint Chiefs of Staff.

Section III—Functions of the Joint Chiefs of Staff

A. *General*

The Joint Chiefs of Staff, consisting of the Chief of Staff, U.S. Army; the Chief of Naval Operations; the Chief of Staff, U.S. Air Force; and the Chief of Staff to the Commander-in-Chief, if there be one, are the principal military advisers to the President and to the Secretary of Defense.

B. *Specific*

Subject to the authority and direction of the President and the Secretary of Defense, it shall be the duty of the Joint Chiefs of Staff:

1. To prepare strategic plans and to provide for the strategic direction of the Armed Forces, to include the general direction of all combat operations.

2. To prepare joint logistic plans and to assign to the military Services logistic responsibilities in accordance with such plans.

3. To prepare integrated joint plans for military mobilization, and to

review major material requirements and personnel qualifications and requirements of the Armed Forces in the light of strategic and logistic plans.

4. To promulgate to the individual departments of the National Military Establishment general policies and doctrines in order to provide guidance in the preparation of their respective detailed plans.

5. As directed by proper authority, to participate in the preparation of combined plans for military action in conjunction with the armed forces of other nations.

6. To establish unified commands in strategic areas when such unified commands are in the interest of national security, and to authorize commanders thereof to establish such subordinate unified commands as may be necessary.

7. To designate, as necessary, one of their members as their executive agent for:

a. A unified command;

b. Certain operations, and specified commands;

c. The development of special tactics, technique, and equipment, except as otherwise provided herein; and

d. The conduct of joint training, except as otherwise provided herein.

8. To determine what means are required for the exercise of unified command, and to assign to individual members the responsibility of providing such means.

9. To approve policies and doctrines for:

a. Joint operations, including joint amphibious and airborne operations, and for joint training.

b. Coordinating the education of members of the Armed Forces.

10. To recommend to the Secretary of Defense the assignment of primary responsibility for any function of the Armed Forces requiring such determination.

11. To prepare and submit to the Secretary of Defense, for his information and consideration in furnishing guidance to the Departments for preparation of their annual budgetary estimates and in coordinating these budgets, a statement of military requirements which is based upon agreed strategic considerations, joint outline war plans, and current national security commitments. This statement of requirements shall include: tasks, priority of tasks, force requirements, and general strategic guidance concerning development of military installations and bases, equipping and maintaining the military forces, and research and development and industrial mobilization programs.

12. To provide United States representation on the Military Staff Committee of the United Nations, in accordance with the provisions of the Charter of the United Nations and representation on other properly authorized military staffs, boards, councils, and missions.

Section IV—Functions of the United States Army

The United States Army includes land combat and service forces and such aviation and water transport as may be organic therein. It is organized, trained, and equipped primarily for prompt and sustained combat operations on land. Of the three major Services, the Army has primary interest in all operations on land, except in those operations otherwise assigned herein.

A. *Primary Functions*

1. To organize, train, and equip Army forces for the conduct of prompt and sustained combat operations on land. Specifically:

a. To defeat enemy land forces.

b. To seize, occupy, and defend land areas.

2. To organize, train, and equip Army antiaircraft artillery units.

3. To organize and equip, in coordination with the other Services, and to provide Army forces for joint amphibious and airborne operations, and to provide for the training of such forces in accordance with policies and doctrines of the Joint Chiefs of Staff.

4. To develop, in coordination with the other Services, tactics, technique, and equipment of interest to the Army for amphibious operations and not provided for in Section V, paragraph A 4 and paragraph A 11 c.

5. To provide an organization capable of furnishing adequate, timely, and reliable intelligence for the Army.

6. To provide Army forces as required for the defense of the United States against air attack, in accordance with joint doctrines and procedures approved by the Joint Chiefs of Staff.

7. To provide forces, as directed by proper authority, for occupation of territories abroad, to include initial establishment of military government pending transfer of this responsibility to other authority.

8. To develop, in coordination with the Navy, the Air Force, and the Marine Corps, the doctrines, procedures, and equipment employed by Army and Marine forces in airborne operations. The Army shall have primary interest in the development of these airborne doctrines, procedures and equipment which are of common interest to the Army and the Marine Corps.

9. To formulate doctrines and procedures for the organization, equipping, training, and employment of forces operating on land, at division level and above, including division corps, army, and general reserve troops, except that the formulation of doctrines and procedures for the organization, equipping, training, and employment of Marine Corps units for amphibious operations shall be a function of the Department of the Navy, coordinating as required by paragraph A 11 c, Section V.

10. To provide support, as directed by higher authority, for the following activities.

a. The administration and operation of the Panama Canal.

b. River and harbor projects in the United States, its territories, and possessions.

c. Certain other civil activities prescribed by law.

B. *Collateral Functions.* The forces developed and trained to perform the primary functions set forth above shall be employed to support and supplement the other Services in carrying out their primary functions, where and whenever such participation will result in increased effectiveness and will contribute to the accomplishment of the over-all military objectives. The Joint Chiefs of Staff member of the Service having primary responsibility for a function shall be the agent of the Joint Chiefs of Staff to present to that body the requirements for and plans for the employment of all forces to carry out the function. He shall also be responsible for presenting to the Joint Chiefs of Staff for final decision any disagreement within the field of his primary responsibility which has not been resolved. This shall not be construed to prevent any member of the Joint Chiefs of Staff from presenting

unilaterally any issue of disagreement with another Service. Certain specific collateral functions of the Army are listed below:

1. To interdict enemy sea and air power and communications through operations on or from land.

2. To provide forces and equipment for and to conduct controlled mine field operations.[1]

Section V—Functions of the United States Navy and Marine Corps

Within the Department of the Navy, assigned forces include the entire operating forces of the United States Navy, including naval aviation, and the United States Marine Corps. These forces are organized, trained, and equipped primarily for prompt and sustained combat operations at sea, and for air and land operations incident thereto. Of the three major Services, the Navy has primary interest in all operations at sea, except in those operations otherwise assigned herein.

A. *Primary Functions*

1. To organize, train, and equip Navy and Marine Forces for the conduct of prompt and sustained combat operations at sea, including operations of sea-based aircraft and their land-based naval air components. Specifically:

a. To seek out and destroy enemy naval forces and to suppress enemy sea commerce.

b. To gain and maintain general sea supremacy.

c. To control vital sea areas and to protect vital sea lines of communication.

d. To establish and maintain local superiority (including air) in an area of naval operations.

e. To seize and defend advanced naval bases and to conduct such land operations as may be essential to the prosecution of a naval campaign.

2. To conduct air operations as necessary for the accomplishment of objectives in a naval campaign.

3. To organize and equip, in coordination with the other Services, and to provide Naval forces, including Naval close air support forces, for the conduct of joint amphibious operations, and to be responsible for the amphibious training of all forces as assigned for joint amphibious operations in accordance with the policies and doctrines of the Joint Chiefs of Staff.

4. To develop, in coordination with the other Services, the doctrines, procedures, and equipment of naval forces for amphibious operations, and the doctrines and procedures for joint amphibious operations.

5. To furnish adequate, timely, and reliable intelligence for the Navy and Marine Corps.

6. To be responsible for naval reconnaissance, antisubmarine warfare, the protection of shipping, and for mine laying, including the air aspects thereof.[2]

7. To provide air transport essential for naval operations.

8. To provide sea-based air defense and the sea-based means for coordinating control for defense against air attack, coordinating with the other Services in matters of joint concern.

9. To provide naval (including naval air) forces as required for the

[1] This collateral function was transferred from the Army to the Navy by the direction of the Secretary of Defense on 24 May 1949.

[2] The words "and controlled mine field operations" were added to this paragraph by direction of the Secretary of Defense on 24 May 1949.

defense of the United States against air attack, in accordance with joint doctrines and procedures approved by the Joint Chiefs of Staff.

10. To furnish aerial photography as necessary for naval and Marine Corps operations.

11. To maintain the United States Marine Corps, which shall include land combat and service forces and such aviation as may be organic therein. Its specific functions are:

a. To provide Fleet Marine Forces of combined arms, together with supporting air components, for service with the Fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign. These functions do not contemplate the creation of a second land army.

b. To provide detachments and organizations for service on armed vessels of the Navy, and security detachments for the protection of naval property at naval stations and bases.

c. To develop, in coordination with the Army, the Navy, and the Air Force, the tactics, technique, and equipment employed by landing forces in amphibious operations. The Marine Corps shall have primary interest in the development of those landing force tactics, technique, and equipment which are of common interest to the Army and the Marine Corps.

d. To train and equip, as required, Marine Forces for airborne operations, in coordination with the Army, the Navy, and the Air Force in accordance with policies and doctrines of the Joint Chiefs of Staff.

e. To develop, in coordination with the Army, the Navy, and the Air Force, doctrines, procedures, and equipment of interest to the Marine Corps for airborne operations and not provided for in Section IV, paragraph A 8.

12. To provide forces, as directed by proper authority for the establishment of military government, pending transfer of this responsibility to other authority.

B. *Collateral Functions.* The forces developed and trained to perform the primary functions set forth above shall be employed to support and supplement the other Services in carrying out their primary functions, where and whenever such participation will result in increased effectiveness and will contribute to the accomplishment of the over-all military objectives. The Joint Chiefs of Staff member of the Service having primary responsibility for a function shall be the agent of the Joint Chiefs of Staff to present to that body the requirements for and plans for the employment of all forces to carry out the function. He shall also be responsible for presenting to the Joint Chiefs of Staff for final decision any disagreement within the field of his primary responsibility which has not been resolved. This shall not be construed to prevent any member of the Joint Chiefs of Staff from presenting unilaterally any issue of disagreement with another Service. Certain specific collateral functions of the Navy and Marine Corps are listed below:

1. To interdict enemy land and air power and communications through operation at sea.

2. To conduct close air support for land operations.

3. To furnish aerial photography for cartographic purposes.

4. To be prepared to participate in the over-all air effort as directed by the Joint Chiefs of Staff.

Section VI—Functions of the United States Air Force

The United States Air Force includes air combat and service forces. It is organized, trained, and equipped primarily for prompt and sustained combat operations in the air. Of the three major Services, the Air Force has primary interest in all operations in the air, except in those operations otherwise assigned herein.

A. *Primary Functions*

1. To organize, train and equip Air Force forces for the conduct of prompt and sustained combat operations in the air. Specifically:

a. To be responsible for defense of the United States against air attack in accordance with the policies and procedures of the Joint Chiefs of Staff.

b. To gain and maintain general air supremacy.

c. To defeat enemy air forces.

d. To control vital air areas.

e. To establish local air superiority except as otherwise assigned herein.

2. To formulate joint doctrines and procedures, in coordination with the other Services, for the defense of the United States against air attack, and to provide the Air Force units, facilities, and equipment required therefor.

3. To be responsible for strategic air warfare.

4. To organize and equip Air Force forces for joint amphibious and airborne operations, in coordination with the other Services, and to provide for their training in accordance with policies and doctrines of the Joint Chiefs of Staff.

5. To furnish close combat and logistical air support to the Army, to include air lift, support, and resupply of airborne operations, aerial photography, tactical reconnaissance, and interdiction of enemy land power and communications.

6. To provide air transport for the Armed Forces except as otherwise assigned.

7. To provide Air Force forces for land-based air defense, coordinating with the other Services in matters of joint concern.

8. To develop, in coordination with the other Services, doctrines, procedures, and equipment for air defense from land areas, including the continental United States.

9. To provide an organization capable of furnishing adequate, timely, and reliable intelligence for the Air Force.

10. To furnish aerial photography for cartographic purposes.

11. To develop, in coordination with the other Services, tactics, technique, and equipment of interest to the Air Force for amphibious operations and not provided for in Section V, paragraph A 4 and paragraph A 11 c.

12. To develop, in coordination with the other Services, doctrines, procedures, and equipment employed by Air Force forces in airborne operations.

B. *Collateral Functions.* The forces developed and trained to perform the primary functions set forth above shall be employed to support and supplement the other Services in carrying out their primary functions, where and whenever such participation will result in increased effectiveness and will contribute to the accomplishment of the over-all military objectives. The Joint Chiefs of Staff member of the Service having primary responsibility for a function shall be the agent of the Joint Chiefs of Staff to present to

that body the requirements for and plans for the employment of all forces to carry out the function. He shall also be responsible for presenting to the Joint Chiefs of Staff for final decision any disagreement within the field of his primary responsibility which has not been resolved. This shall not be construed to prevent any member of the Joint Chiefs of Staff from presenting unilaterally any issue of disagreement with another Service. Certain specific collateral functions of the Air Force are listed below:

1. To interdict enemy sea power through air operations.
2. To conduct antisubmarine warfare and to protect shipping.
3. To conduct aerial minelaying operations.

Section VII—Glossary of Terms and Definitions

The usual and accepted definitions and interpretations of the English language, as contained in Webster's New International Dictionary (Unabridged), are applicable to this document, except that for purposes of clarity and to ensure a common understanding of its intent, certain words and phrases are defined specifically as follows:

Air Defense—All measures designed to nullify or reduce the effectiveness of the attack of hostile aircraft or guided missiles after they are airborne.

Air Superiority—That degree of capability (preponderance in morale and material) of one air force over another which permits the conduct of air operations by the former at a given time and place without prohibitive interference by the opposing air force.

Air Supremacy—That degree of air superiority wherein the opposing air force is incapable of effective interference.

Amphibious Operation—An attack launched from the sea by naval and landing forces embarked in ships or craft involving a landing on a hostile shore. An amphibious operation includes final preparation of the objective area for the landing and operations of naval, air and ground elements in over water movements, assault, and mutual support. An amphibious operation may precede a large-scale land operation in which case it becomes the amphibious phase of a joint amphibious operation. After the troops are landed and firmly established ashore the operation becomes a land operation.

Antisubmarine Operations—Operations contributing to the conduct of antisubmarine warfare.

Antisubmarine Warfare—Operations conducted against submarines, their supporting forces, and operating bases.

Base—A locality from which operations are projected or supported. May be preceded by a descriptive word such as "air" or "submarine," which indicates primary purpose.

Close Air Support—The attack by aircraft of hostile ground or naval targets which are so close to friendly forces as to require detailed integration of each air mission with the fire and movement of those forces.

Functions—Responsibilities, missions and tasks.

In coordination with—In consultation with. This expression means that agencies "coordinated with" shall participate actively; their concurrence shall be sought; and that if concurrence is not obtained, the disputed matter shall be referred to the next higher authority in which all participants have a voice.

Joint—As used in this paper, and generally among the Armed Forces, connotes activities, operations, organizations, etc., in which elements of more than one Service of the National Military Establishment participate.

Military—A term used in its broadest sense meaning of or pertaining to war or the affairs of war, whether Army, Navy or Air Force.

Naval Campaign—An operation or a connected series of operations conducted essentially by naval forces including all surface, sub-surface, air, amphibious, and Marines, for the purpose of gaining, extending, or maintaining control of the sea.

Operation—A military action, or the carrying out of a military mission, strategic, tactical, service, training, or administrative; the process of carrying on combat on land, on sea, or in the air, including movement, supply, attack, defense, and maneuvers needed to gain the objectives of any battle or campaign.

Strategic Air Operations—Air operations contributing to the conduct of strategic air warfare.

Strategic Air Warfare—Air combat and supporting operations designed to effect, through the systematic application of force to a selected series of vital targets, the progressive destruction and disintegration of the enemy's war-making capacity to a point where he no longer retains the ability or the will to wage war. Vital targets may include key manufacturing systems, sources of raw material, critical material, stock piles, power systems, transportation systems, communications facilities, concentrations of uncommitted elements of enemy armed forces, key agricultural areas, and other such target systems.

/s/ JAMES FORRESTAL

Source: U.S. Department of Defense. Joint Chiefs of Staff files. Record Group 218, CCS 370 (8-19-45), Section 7. Modern Military Branch, National Archives, Washington, D.C.

4. Revocation of Executive Order 9877—21 April 1948.

On 27 March 1948, when Secretary of Defense Forrestal forwarded to the President the "Functions Paper" for approval, he asked that Executive Order 9877 be revoked at the same time. The President agreed, and the Executive order was revoked on 21 April by Executive Order 9950.

Source: Papers of George M. Elsey, Box 83, Harry S Truman Library, Independence, Missouri.

EXECUTIVE ORDER 9950

Revoking Executive Order No. 9877 of July 26, 1947, Prescribing the Functions of the Armed Forces

By virtue of the authority vested in me by the Constitution and laws of the United States, and as President of the United States and Commander in Chief of the Armed Forces of the United States, it is ordered that Executive Order No. 9877 of July 26, 1947, prescribing the assignment of primary functions and responsibilities to the three armed services, be, and it is hereby, revoked.

HARRY S. TRUMAN

THE WHITE HOUSE
April 21, 1948

Source: U.S. *Code of Federal Regulations. Title 3—The President.* 1943–48 Compilation, p. 699. Washington: Government Printing Office, 1957.

5. Memorandum for the Record of the Key West Conference—11 March–1 July 1948.

As a guide to interpreting and implementing the statement on "Functions of the Armed Forces and the Joint Chiefs of Staff," the Joint Chiefs prepared a Memorandum for the Record, dated 26 March 1948. The Chief of Naval Operations, Admiral Louis E. Denfeld, did not agree fully with this memorandum and forwarded his views separately to the Secretary of Defense on 22 April. The views of the Chief of Staff to the Commander in Chief, the Chief of Staff, USA, and the Chief of Staff, USAF, were forwarded on 29 April. Secretary Forrestal approved the majority position on 1 July after amending paragraph 5 (f) of the memorandum to read as follows, with the new wording in bold face type and the former wording in italics within brackets:

> [*Having due regard for the responsibilities and procedures of the Research and Development Board as set forth in the Charter of the Board,*] N[*n*]othing in the foregoing shall, in itself, be construed as placing arbitrary restrictions on those material development programs and projects of an individual Service which are considered essential by that Service, in order properly to discharge the responsibility assigned in Section II, part B, paragraph 5, of "FUNCTIONS OF THE ARMED FORCES AND THE JOINT CHIEFS OF STAFF." It is intended that an individual Service is to be permitted to carry through the development stage any material improvement program or new weapon development program considered by that Service to be essential in the interest of increased effectiveness of its weapons, material, or equipment. The ultimate application and utilization of the product of such a development program shall, of course, be subject to the examination and recommendation of the Joint Chiefs of Staff on the basis of its contribution to the over-all war effort. **The statements contained in this paragraph must be qualified by this fact: Nothing contained in this Memorandum for the Record, and nothing contained in the Functions paper itself, is intended in any way to modify or affect the authority or duties of the Research and Development Board, as defined in the National Security Act of 1947 and in the Board's directive of 18 December 1947.**

Sources: For Joint Chiefs of Staff papers, see:

U.S. Department of Defense. Joint Chiefs of Staff files. Record Group 218, CCS 370 (8–19–45), Sections 7 and 8. Modern Military Branch, National Archives, Washington, D.C.

For amendment to "Functions Paper," see:

U.S. Department of Defense. Joint Chiefs of Staff files. Record Group 218, CCS 370 (8–19–45), Section 9. Modern Military Branch, National Archives, Washington, D.C.

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26 March 1948

MEMORANDUM FOR THE RECORD

Subject: Functions of the Armed Forces and the Joint Chiefs of Staff

1. This memorandum, based on notes taken during the conferences conducted by the Secretary of Defense with the Joint Chiefs of Staff at Key

West, Florida on 12, 13, 14 March 1948, and at Washington, D.C. on 20 March 1948, is provided for the guidance of all concerned.

2. There was general agreement that the Functions paper should not be an operational or command document, but should serve mainly as guidance for the Planners. The conferees agreed that, in time of war, the delineation of functions would not be governed by such a document, but by the means available at the time, and by the urgency of the situation. They considered, however, that the Functions paper should be of value to the Planners in the determination of force requirements and in the preparation of budgetary estimates which are based on strategic plans.

3. It was agreed that the paper should be written within the framework of the National Security Act. The Secretary of Defense stated that he planned to recommend to the President that Executive Order No. 9877 on "Functions of the Armed Forces" be rescinded. If that recommendation is approved the Secretary of Defense will promulgate the Functions paper to the Services with the understanding that it be changed from time to time if conditions warrant.

4. *Marine Corps.* In the discussions relating to the Marine Corps it was made clear that there should be no attempt to abolish the Corps, or to restrict it unduly in the discharge of its functions. There was agreement, however, that in order to prevent unnecessary duplication its size should not be such as to involve the creation of a second land army. The following language was adopted as a note to the Planners:

> For present planning purposes only, the ultimate number of divisions is four.

In considering Section V, A, paragraph 11 d it was the understanding that the Marine Corps would not, unless authorized by the JCS, train and equip parachute and glider units, but would in general limit the training and equipping "for airborne operations" to the transportation of Marine Forces by air. It was also the understanding that the creation of Marine Field unit headquarters, higher than a Corps headquarters, was not contemplated.

5. *Primary and Collateral Functions.* After considerable discussion the following memorandum was drafted by the conferees, and, except for paragraph f, was agreed to on 13 March. Paragraph f was drafted after the return to Washington.

a. Primary functions will be assigned.

b. Collateral as well as primary functions will be assigned. It is recognized that assignment of collateral functions may establish further justification for stated force requirements, but such assignment shall not be used as the basis for establishing additional force requirements. (Minute directed to the attention of the Planners: In connection with the discussion of this paragraph, and in particular the language, "but such assignment shall not be used as the basis for establishing additional force requirements" the sense is as follows: That no service is precluded from advancing any and all arguments before the JCS in favor of a project which that service believes necessary, but it is understood that the foundation of the arguments cannot rest on collateral or putative assignments. It is also the sense that the decision, having been arrived at by the JCS, that decision will be supported before the Budget or the Congress by all hands. It is agreed that, unless the project is approved by the JCS, collateral assignment arguments cannot be used in any other quarters.)

c. The JCS member of the service having primary responsibility for a

function shall be the agent of the JCS to present to that body the requirements for and plans for the employment of all forces to carry out the function. He shall also be responsible for presenting to the JCS for final decision any disagreement within the field of his primary responsibility which has not been resolved. This shall not be construed to prevent any member of the JCS from presenting unilaterally any issue of disagreement with another Service.

d. The JCS approval of force requirements will be on the basis of over-all security requirements. It is not intended that the Service with primary responsibility will dictate force requirements to another service through the medium of its interest in the use of forces used on a collateral basis. (Minute directed to attention of the Planners: With particular reference to paragraphs B and C of this paper, it is not intended that the service with primary responsibility shall undertake to use its interpretation of collateral functions of another service to deny weapons and equipment to that Service.)

e. The Navy will conduct air operations as necessary for the accomplishment of objectives in a naval campaign. They will be prepared to participate in the over-all air effort as directed by the Joint Chiefs of Staff. (Minute directed to the attention of the Planners: This paragraph will not be interpreted to prohibit the Navy from attacking any targets inland or otherwise, necessary for the accomplishment of its mission.)

f. Having due regard for the responsibilities and procedures of the Research and Development Board as set forth in the Charter of the Board, nothing in the foregoing shall, in itself, be construed as placing arbitrary restrictions on those material development programs and projects of an individual Service which are considered essential by that Service, in order properly to discharge the responsibility assigned in Section II, part B, paragraph 5, of "FUNCTIONS OF THE ARMED FORCES AND THE JOINT CHIEFS OF STAFF." It is intended that an individual Service is to be permitted to carry through the development stage any material improvement program or new weapons development program considered by that Service to be essential in the interest of increased effectiveness of its weapons, material, or equipment. The ultimate application and utilization of the product of such a development program shall, of course, be subject to the examination and recommendation of the Joint Chiefs of Staff on the basis of its contribution to the over-all war effort. (Note: This paragraph has not yet been considered by the JCS or by the Secretary of Defense.)

g. The Navy's requirements for equipment and forces to accomplish its mission will not be the basis for the development of a strategic air force.

6. *Strategic Air Warfare.* Although strategic air warfare was assigned to the Air Force as a primary function, it was agreed that the Navy should not be denied the air necessary to accomplish its mission. The Chief of Naval Operations stated at the outset, that the Navy has no intention of developing a separate strategic air force. The Chief of Staff of the Air Force stated that the Air Force had no desire to deprive the Navy of its carriers.

In considering the statement "To be prepared to participate in the over-all air effort as directed by the Joint Chiefs of Staff", which appears in Section V B 4, it was stressed that the capabilities of naval aviation should be utilized to the maximum, including a specific provision that the Navy would not be prohibited from attacking targets, inland or otherwise, to

accomplish its mission. The Chief of Staff of the Air Force stated that he visualized situations where it might be advisable to have naval aircraft operate from land bases.

One illustration that was brought out in connection with requirements for the execution of collateral functions was the construction of a large carrier. In discussing this example it was assumed that the Navy might not be able to establish a requirement for the carrier solely on the basis of its naval function. A consideration of its purely naval function, plus the contribution which it could make to strategic air warfare, might be enough to warrant its construction.

The Chief of Staff of the Air Force, pursuant to the provisions of paragraph 5 c, above, would be responsible for presenting to the JCS that portion of the requirement pertaining to its strategic air warfare function. If in the presentation a disagreement arose it would be the JCS who would make the decision. If they could not agree the Secretary of Defense would decide.

7. Attached herewith as pertinent documents are the following:

Enclosure #1—Memo from General Gruenther, 15 March [1]
Enclosure #2—Memo from Colonel Verbeck, 16 March [1]
Enclosure #3—Memo from Admiral Boone, 17 March [1]
Enclosure #4—Minutes Secretary's Conference, 20 March [1]

(Enclosures omitted from this draft since you already have copies)

ALFRED M. GRUENTHER,
Major General, U.S. Army,
Director, The Joint Staff.

Approved
JAMES V. FORRESTAL
—March 1948

6. The Newport Conference—20–22 August 1948.

In August 1948, Secretary of Defense Forrestal asked two distinguished retired officers, General Carl Spaatz, USAF, and Admiral John H. Towers, USN, to prepare for him a statement on a "fundamental concept of strategic warfare as it might have to be waged in defense of the United States." General Spaatz and Admiral Towers submitted a memorandum to the Secretary on 18 August that delineated the areas of agreement and disagreement between the Air Force and the Navy. The Secretary met with the Secretaries of the military departments and the Joint Chiefs of Staff at the Naval War College, Newport, Rhode Island, from 20 to 22 August 1948, to consider and resolve the outstanding issues and other joint matters. During the conference the Joint Chiefs recommended and the Secretary approved a supplement to the "Functions Paper."

This supplement appears in paragraph 2 of the Memorandum for Record, dated 23 August 1948, that summarizes the results of the meetings.

Source: For Spaatz-Towers memorandum, see:
Attachment to Entry, 6 October 1948, "Forrestal Diaries," pp. 2546–49. Princeton University Library, Princeton, New Jersey.

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[1] Not printed.

OFFICE OF THE SECRETARY OF DEFENSE
Washington

23 August 1948

MEMORANDUM FOR THE RECORD

SUBJECT: Newport Conference—Summary of Conclusions Reached and Decisions Made (Decisions with respect to command arrangements are included in a separate Memorandum for the Record, dated 23 August 1948, and entitled "Newport Conference—Decisions with Respect to Command").

At the conferences in Newport from 20 August to 22 August, the following actions were taken:

1. CONTROL AND DIRECTION OF ATOMIC OPERATIONS. (Herein [sic] of the Armed Forces Special Weapons Project)

a. *Planning for the Atomic Aspects of "Halfmoon":* It was agreed that, as an interim measure, the Chief of Staff, U.S. Army, the Chief of Naval Operations and the Chief of Staff, U.S. Air Force should, as heretofore proposed by General Bradley, direct the Chief, Armed Forces Special Weapons Project to report to the Chief of Staff, U.S. Air Force for instructions of the atomic aspects of "Halfmoon". This directive should be identical with the proposed directive attached to the memorandum from General Bradley to the Secretary of Defense of 3 August 1948, except that its title would be modified by inserting the word "interim" at the front of the title.

b. *Permanent Organization:* It was agreed to postpone any decision concerning the permanent future organization for the control and direction of atomic operations until the current study of the Military Liaison Committee could be completed.

2. CLARIFICATION OF THE TERM "PRIMARY MISSION" IN THE FUNCTIONS PAPER

a. The Joint Chiefs of Staff recommended, and the Secretary of Defense approved the issuance of the following supplement to his paper on "Functions of the Armed forces and the Joint Chiefs of Staff" which was attached to his memorandum to the Joint Chiefs of Staff of 21 April 1948:

"Subject to control by higher authority, each service, in the fields of its primary missions, must have exclusive responsibility for planning and programming and the necessary authority. In the execution of any mission of the armed services, all available resources must be used to the maximum overall effectiveness. For this reason, the exclusive responsibility and authority in a given field do not imply preclusive participation. In providing for our armed forces, including the preparation of the annual budget and the preparation of mobilization plans, it is essential to avoid duplication and the wastage of resources therefrom. For this reason the service having the primary function must determine the requirements, but in determining those requirements must take into account the contributions which may be made by forces from other services."

b. It was agreed that the effectiveness of the foregoing decision would depend upon (1) the spirit in which it was carried out; (2) general accept-

ance of the view that the decision was not in any wise a victory or defeat for any service, and (3) mutual acceptance on the part of all concerned of the obligation to work amicably to settle any differences arising under the decision, and to anticipate, and resolve in advance, any prospective differences. To this end, it was agreed that the Secretary of Defense, together with the three service Chiefs of Staff, should assemble the top members of their staffs at a meeting on Tuesday, 24 August for the purpose of describing and explaining the foregoing decision. It was also suggested that an effort should be made to secure newspaper cooperation in making clear the precise consequences of the decision, putting it up to the various journalist protagonists that this program could only work with their cooperation.

3. Establishment of a Weapons Evaluation Group

a. It was agreed that the establishment of a weapons evaluation group is desirable and necessary.

b. Although no final decision was reached as to the precise form of organization for a weapons evaluation group, it appeared to be the consensus of opinion that the group should be organized directly under the Joint Chiefs of Staff but that the Joint Chiefs of Staff should call upon Dr. Bush to organize the group and get it operating. It was also suggested that the civilian chief or civilian deputy chief of the group (depending on which of these two jobs was made a civilian job) might well be nominated by the Research and Development Board.

c. It was agreed that Mr. Forrestal and Mr. Carpenter would discuss this organizational problem further with Dr. Bush, as soon as Dr. Bush returned to Washington, specifically suggesting the solution referred to in *b.* above. Thereafter, and depending upon the outcome of the meeting with Bush, there should be another meeting with the Joint Chiefs of Staff.

4. Participation of Dr. Bush in the Work of the Joint Chiefs of Staff

It was the consensus of opinion that Dr. Bush should be invited to participate more directly in the work of the Joint Chiefs of Staff, and that he should be asked to sit with the Joint Chiefs of Staff on all appropriate occasions.

5. Creation of a Military Group in the Office of the Secretary of Defense

It was the consensus of opinion that there was a definite requirement for the creation of a small military group in the Office of the Secretary of Defense. There was no specific decision concerning the totality of functions of this group, but suggestions were made that it should perform some or all of the following duties:

(a) Keep the Secretary generally advised of matters of military significance in the several services and the Joint Chiefs of Staff;

(b) follow-up in the several services and in the Joint Chiefs of Staff on matters of military significance which emanated from the Office of the Secretary of Defense, or in which the Secretary was interested;

(c) bring to the attention of the Secretary of Defense matters of military significance which required some action, or were not being properly taken care of, in this respect acting as sort of a "dust pan";

(d) coordinate joint matters of a policy or operating nature in the

military or politico-military field which could not be handled by the Joint Chiefs of Staff or by any single service, and as to those matters which could be so handled, see that they were properly channeled and monitored;

(e) serve as a convenient means of liaison between each of the services and the Office of the Secretary of Defense on military and perhaps on other matters, and

(f) assist in bringing about a more orderly relationship between the National Military Establishment and the State Department.

There was discussion of, but no definite agreements concerning, the following additional matters relating to the establishment of this group:

(a) The size of the group (requirements of from three to 20 were suggested by various people);

(b) the extent to which persons assigned by the several services to this group would act as representatives of their respective services, or would serve exclusively as representatives of the Secretary of Defense, and

(c) whether the individual selected to head this group should also have the Joint Staff under his direction.

Similarly, there was no decision as to the identity of the man who should direct this group, but there was wide sentiment among the conferees to the effect that Lt. General Hull would be an excellent selection. In connection with discussions concerning the precise functions of the group, Mr. Forrestal suggested that the director should be selected, and allowed to develop his own charter. *It was agreed* that Mr. Forrestal, before proceeding further, should discuss these questions with Secretaries Symington and Sullivan (who were not present during the discussion of this item), and that this discussion should take place at the earliest possible moment.

6. Familiarizing the Services With the Organization of the Office of the Secretary of Defense and With the Functions and Responsibilities of the Various Sections and Individuals in that Office

It was the feeling of many of the conferees that the Office of the Secretary of Defense should make much clearer to the services than had heretofore been done, the organization of the Office of the Secretary of Defense and the functions of the various individuals and divisions thereof. Secretary Forrestal requested that action be taken in this direction.

7. Establishment of a Command Headquarters Behind the Rhine

It was agreed that it was imperative immediately to establish a stationary Western European Headquarters behind the Rhine which could plan and coordinate the evacuation of dependents from Germany; the withdrawal of troops from Germany, and the defense of the Rhine; and which could, in the event war should come, control these operations. (As to related matters, see separate memorandum for the record on decisions with respect to command.)

8. Miscellaneous Matters

During the course of the meeting, the following points were made, although no decision with respect to them was taken:

a. There was a necessity for the early clarification of a situation which had arisen concerning base rights in Labrador.

b. There was an immediate need to take stock of the status of our base rights generally.

c. The base rights situation in Iceland should be improved.

d. As a matter of urgency, some method should be found to provide the money to create, rehabilitate and ship surpluses to France, etc.

9. PRESS RELEASE CONCERNING CONFERENCE

The conferees agreed on the release to the press of the statement attached hereto.

JOHN H. OHLY
Special Assistant to the Secretary

Attachment [not printed]

Source: U.S. Department of Defense. Office of Secretary of Defense files. Record Group 330, CD 9–2–50. Modern Military Branch, National Archives, Washington, D.C.

7. Department of Defense Directive No. 5100.1, 16 March 1954.

President Eisenhower's message of 30 April 1953 transmitting Reorganization Plan No. 6 of 1953 to the Congress [1] stated that the Secretary of Defense, with the approval of the President, would issue a "revision of that portion of the 1948 memorandum commonly known as the Key West agreement which provides for a system of designating agents for unified commands." The revision issued by the Secretary of Defense on 1 October 1953 contained other changes as well, particularly pertaining to the Joint Chiefs of Staff, all derived directly or indirectly from the President's message. The revised paper was reissued on 16 March 1954, thereby clearly affirming the directive authority of the Secretary of Defense to establish and alter the functions of the armed forces and the Joint Chiefs of Staff. New wording appears in bold face type and former wording in italics within brackets.

16 March 1954
NUMBER 5100.1

Department of Defense Directive

SUBJECT: Functions of the Armed Forces and the Joint Chiefs of Staff

Reference: Secretary of Defense memorandum, 21 April 1948, to the Secretaries of Army, Navy and Air Force and the Joint Chiefs of Staff, attaching the "Functions of the Armed Forces and the Joint Chiefs of Staff", same date.

Attached for information and guidance is a copy of the 1 October 1953 revision of "Functions of the Armed Forces and the Joint Chiefs of Staff", commonly known as the "Key West Agreement". There is also attached a copy of a document pointing up the changes made in the original Key West Agreement, 21 April 1948.

MAURICE W. ROCHE
Administrative Secretary

[1] For President Eisenhower's message, see above, part 3, section 4, pp. 149–58.

FUNCTIONS OF THE ARMED FORCES AND THE JOINT CHIEFS OF STAFF

1 October 1953

Introduction

Congress, in the National Security Act of 1947, has described the basic policy embodied in the Act in the following terms:

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

In accordance with the policy declared by Congress, and in accordance with the provisions of the National Security Act of 1947, as amended, (including Reorganization Plan No. 6 of 1953) and to provide guidance for the departments and the joint agencies of the Department of Defense, the Secretary of Defense, by direction of the President, hereby promulgates the following statement of the functions of the armed forces and the Joint Chiefs of Staff.

Section I.—Principles

1. No function in any part of the Department of Defense, or in any of its component agencies, shall be performed independent of the direction, authority, and control of the Secretary of Defense.

2. There shall be the maximum practicable integration of the policies and procedures of the departments and agencies of the Department of Defense. This does not imply a merging of armed forces, but does demand a consonance and correlation of policies and procedures throughout the Department of Defense, in order to produce an effective, economical, harmonious, and business-like organization which will insure the military security of the United States.

3. The functions stated herein shall be carried out in such a manner as to achieve the following:

(a) Effective strategic direction of the armed forces.

(b) Operation of armed forces under unified command, wherever such unified command is in the best interest of national security.

(c) Integration of the armed forces into an efficient team of land, naval, and air forces.

(d) Prevention of unnecessary duplication or overlapping among the services, by utilization of the personnel, intelligence, facilities, equipment, supplies, and services of any or all services in all cases where military effectiveness and economy of resources will thereby be increased.

(e) Coordination of armed forces operations to promote efficiency and economy and to prevent gaps in responsibility.

4. It is essential that there be full utilization and exploitation of the weapons, techniques, and intrinsic capabilities of each of the services in any military situation where this will contribute effectively to the attainment of over-all military objectives. In effecting this, collateral as well as primary functions may establish further justification for stated force requirements, but such assignment shall not be used as the basis for establishing additional force requirements.

5. Doctrines, procedures, and plans covering joint operations and joint exercises shall be jointly prepared. Primary responsibility for development of certain doctrines and procedures is hereinafter assigned.

6. Technological developments, variations in the availability of manpower and natural resources, changing economic conditions, and changes in the world politico-military situation may dictate the desirability of changes in the present assignment of specific functions and responsibilities to the individual services. This determination and the initiation of implementing action are the responsibility of the Secretary of Defense.

Section II.—Common Functions of the Armed Forces

A. *General.*—As prescribed by higher authority and under the direction of the Secretary of Defense with the advice of the Joint Chiefs of Staff, the armed forces shall conduct operations wherever and whenever necessary for the following purposes:

1. To support and defend the Constitution of the United States against all enemies, foreign or domestic.

2. To maintain, by timely and effective military action the security of the United States, its possessions, and areas vital to its interest.

3. To uphold and advance the national policies and interests of the United States.

4. To safeguard the internal security of the United States.

B. *Specific*

1. In accordance with continuous guidance from the Joint Chiefs of Staff, to prepare forces and to establish reserves of equipment and supplies, for the effective prosecution of war and to plan for the expansion of peacetime components to meet the needs of war.

2. To maintain in readiness mobile reserve forces, properly organized, trained, and equipped for employment in emergency.

3. To provide adequate, timely, and reliable intelligence for use within the Department of Defense.

4. To organize, train, and equip forces for joint operations.

5. To conduct research, to develop tactics, techniques, and organization, and to develop and procure weapons, equipment, and supplies essential to the fulfillment of the functions hereinafter assigned, each Service coordinating with the others in all matters of joint concern.

6. To develop, garrison, supply, equip, and maintain bases and other installations, to include lines of communication, and to provide administrative and logistical support of all forces and bases.

7. To provide, as directed by proper authority, such forces, military missions, and detachments for service in foreign countries as may be required to support the national interests of the United States.

8. As directed by proper authority, to assist in training and equipping the military forces of foreign nations.

9. Each service to assist the others in the accomplishment of their functions, including the provision of personnel, intelligence, training, facilities, equipment, supplies, and services as may be determined by proper authority.

10. Each service to support operations of the others.

11. Each service to coordinate operations (including administrative, logistical, training, and combat) with those of the other services as necessary in the best interests of the United States.

12. Each service to determine and provide the means of communications by which command within the service is to be exercised.

13. To refer all matters of strategic significance to the Joint Chiefs of Staff.

14. *Unified Commands*

(a) The Secretary of Defense after consultation with the Joint Chiefs of Staff shall designate in each case one of the military departments to serve as the executive agency for unified commands and other matters requiring such designation.

(b) Under the arrangements herein established, the channel of responsibility will be from the Secretary of Defense to the designated civilian Secretary of a military department.

(c) For strategic direction and for the conduct of combat operations in emergency and wartime situations, the Secretary of the military department designated as executive agent shall forthwith authorize the military chief of such department in such situations to receive and transmit reports and orders and to act for such department in its executive agency capacity. The military chief will keep his Secretary, the Secretary of Defense, and the Joint Chiefs of Staff fully informed of decisions made and actions taken under such authority. The military chief will in such circumstances be acting in the name and under the direction of the Secretary of Defense. Promulgated orders will directly state that fact.

Section III.—Functions of the Joint Chiefs of Staff

A. *General.*—The Joint Chiefs of Staff, consisting of the Chairman; the Chief of Staff, U. S. Army; the Chief of Naval Operations; and the Chief of Staff, U. S. Air Force are the principal military advisers to the President, the National Security Council and the Secretary of Defense. The Commandant of the U. S. Marine Corps has co-equal status with the members of the Joint Chiefs of Staff on matters which directly concern the Marine Corps.

B. *Specific.*—Subject to the authority and direction of the President and the Secretary of Defense, it shall be the duty of the Joint Chiefs of Staff:

1. To prepare strategic plans and to provide for the strategic direction of the Armed Forces, including guidance for the operational control of forces and for the conduct of combat operations.

2. To prepare joint logistic plans and to assign to the military services logistic responsibilities in accordance with such plans.

3. To prepare integrated joint plans for military mobilization, and to review major material requirements and personnel qualifications and requirements of the Armed Forces in the light of strategic and logistic plans.

4. To promulgate to the individual departments of the Department of Defense general policies and doctrines in order to provide guidance in the preparation of their respective detailed plans.

5. As directed by proper authority, to participate in the preparation of combined plans for military action in conjunction with the armed forces of other nations.

6. To establish unified commands in strategic areas when such unified commands are in the interest of national security.

7. To determine what means are required for the exercise of unified command, and to recommend to the Secretary of Defense the assignment to individual military departments the responsibility of providing such means.

8. To approve policies and doctrines for:

(a) Joint operations, including joint amphibious and airborne operations, and for joint training.

(b) Coordinating the education of members of the Armed Forces.

9. To recommend to the Secretary of Defense the assignment of primary responsibility for any function of the Armed Forces requiring such determination.

10. To prepare and submit to the Secretary of Defense, for his information and consideration in furnishing guidance to the Departments for preparation of their annual budgetary estimates and in coordinating these budgets, a statement of military requirements which is based upon agreed strategic considerations, joint outline war plans, and current national security commitments. This statement of requirements shall include: tasks, priority of tasks, force requirements, and general strategic guidance concerning development of military installations and bases, equipping and maintaining the military forces, and research and development and industrial mobilization program.

11. To provide United States representation on the Military Staff Committee of the United Nations, in accordance with the provisions of the Charter of the United Nations and representation on other properly authorized military staffs, boards, councils, and missions.

Section IV.—Functions of the United States Army

The United States Army includes land combat and service forces and such aviation and water transport as may be organic therein. It is organized, trained, and equipped primarily for prompt and sustained combat operations on land. Of the three major services, the Army has primary interest in all operations on land, except in those operations otherwise assigned herein.

A. *Primary functions*

1. To organize, train, and equip Army forces for the conduct of prompt and sustained combat operations on land. Specifically:

(a) To defeat enemy land forces.

(b) To seize, occupy, and defend land areas.

2. To organize, train, and equip Army antiaircraft artillery units.

3. To organize and equip, in coordination with the other serivces, and to provide Army forces for joint amphibious and airborne operations, and to

provide for the training of such forces in accordance with policies and doctrines of the Joint Chiefs of Staff.

4. To develop, in coordination with the other services, tactics, technique, and equipment of interest to the Army for amphibious operations and not provided for in Section V, paragraph A 4 and paragraph A 11 (c).

5. To provide an organization capable of furnishing adequate, timely, and reliable intelligence for the Army.

6. To provide Army forces as required for the defense of the United States against air attack, in accordance with joint doctrines and procedures approved by the Joint Chiefs of Staff.

7. To provide forces, as directed by proper authority, for occupation of territories abroad, to include initial establishment of military government pending transfer of this responsibility to other authority.

8. To develop, in coordination with the Navy, the Air Force, and the Marine Corps, the doctrines, procedures, and equipment employed by Army and Marine forces in airborne operations. The Army shall have primary interest in the development of those airborne doctrines, procedures and equipment which are of common interest to the Army and the Marine Corps.

9. To formulate doctrines and procedures for the organization, equipping, training, and employment of forces operating on land, at division level and above, including division corps, army and general reserve troops, except that the formulation of doctrines and procedures for the organization, equipping, training, and employment of Marine Corps units for amphibious operations shall be a function of the Department of the Navy, coordinating as required by paragraph A 11 (c), Section V.

10. To provide support, as directed by higher authority, for the following activities:

(a) The administration and operation of the Panama Canal.

(b) River and harbor projects in the United States, its territories, and possessions.

(c) Certain other civil activities prescribed by law.

B. *Collateral functions.*—The forces developed and trained to perform the primary functions set forth above shall be employed to support and supplement the other services in carrying out their primary functions, where and whenever such participation will result in increased effectiveness and will contribute to the accomplishment of the over-all military objectives. The Joint Chiefs of Staff member of the service having primary responsibility for a function shall be the agent of the Joint Chiefs of Staff to present to that body the requirements and plans for the employment of all forces to carry out the function. He shall also be responsible for presenting to the Joint Chiefs of Staff for final decision any disagreement within the field of his primary responsibility which has not been resolved. This shall not be construed to prevent any member of the Joint Chiefs of Staff from presenting unilaterally any issue of disagreement with another service. Certain specific collateral functions of the Army are listed below:

1. To interdict enemy sea and air power and communications through operations on or from land.

Section V.—Functions of the United States Navy and Marine Corps

Within the Department of the Navy, assigned forces include the entire operating forces of the United States Navy, including naval aviation, and

the United States Marine Corps. These forces are organized, trained, and equipped primarily for prompt and sustained combat operations at sea, and for air and land operations incident thereto. Of the three major services, the Navy has primary interest in all operations at sea, except in those operations otherwise assigned herein.

A. *Primary Functions*

1. To organize, train, and equip Navy and Marine Forces for the conduct of prompt and sustained combat operations at sea, including operations of sea-based-aircraft and their land-based naval air components. Specifically:

(a) To seek out and destroy enemy naval forces and to suppress enemy sea commerce.

(b) To gain and maintain general sea supremacy.

(c) To control vital sea areas and to protect vital sea lines of communication.

(d) To establish and maintain local superiority (including air) in an area of naval operations.

(e) To seize and defend advanced naval bases and to conduct such land operations as may be essential to the prosecution of a naval campaign.

2. To conduct air operations as necessary for the accomplishment of objectives in a naval campaign.

3. To organize and equip, in coordination with the other services, and to provide naval forces, including naval close air-support forces, for the conduct of joint amphibious operations, and to be responsible for the amphibious training of all forces as assigned for joint amphibious operations in accordance with the policies and doctrines of the Joint Chiefs of Staff.

4. To develop, in coordination with the other services, the doctrines, procedures, and equipment of naval forces for amphibious operations, and the doctrines and procedures for joint amphibious operations.

5. To furnish adequate, timely and reliable intelligence for the Navy and Marine Corps.

6. To be responsible for naval reconnaissance, anti-submarine warfare, the protection of shipping, and for mine laying, including the air aspects thereof, and controlled mine field operations.

7. To provide air support essential for naval operations.

8. To provide sea-based air defense and the sea-based means for coordinating control for defense against air attack, coordinating with the other services in matters of joint concern.

9. To provide naval (including naval air) forces as required for the defense of the United States against air attack, in accordance with joint doctrines and procedures approved by the Joint Chiefs of Staff.

10. To furnish aerial photography as necessary for naval and Marine Corps operations.

11. To maintain the United States Marine Corps, which shall include land combat and service forces and such aviation as may be organic therein. Its specific functions are:

(a) To provide Fleet Marine Forces of combined arms, together with supporting air components, for service with the Fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign. These functions do not contemplate the creation of a second land Army.

(b) To provide detachments and organizations for service on armed

vessels of the Navy, and security detachments for the protection of naval property at naval stations and bases.

(c) To develop, in coordination with the Army, the Navy, and the Air Force, the tactics, technique, and equipment employed by landing forces in amphibious operations. The Marine Corps shall have primary interest in the development of those landing force tactics, technique, and equipment which are of common interest to the Army and the Marine Corps.

(d) To train and equip, as required, Marine Forces for airborne operations, in coordination with the Army, the Navy, and the Air Force in accordance with policies and doctrines of the Joint Chiefs of Staff.

(e) To develop, in coordination with the Army, the Navy, and the Air Force, doctrines, procedures, and equipment of interest to the Marine Corps for airborne operations and not provided for in Section IV, paragraph A8.

12. To provide forces, as directed by proper authority, for the establishment of military government, pending transfer of this responsibility to other authority.

B. *Collateral Functions.*—The forces developed and trained to perform the primary functions set forth above shall be employed to support and supplement the other services in carrying out their primary functions, where and whenever such participation will result in increased effectiveness and will contribute to the accomplishment of the over-all military objectives. The Joint Chiefs of Staff member of the service having primary responsibility for a function shall be the agent of the Joint Chiefs of Staff to present to that body the requirements and plans for the employment of all forces to carry out the function. He shall also be responsible for presenting to the Joint Chiefs of Staff for final decision any disagreement within the field of his primary responsibility which has not been resolved. This shall not be construed to prevent any member of the Joint Chiefs of Staff from presenting unilaterally any issue of disagreement with another service. Certain specific collateral functions of the Navy and Marine Corps are listed below:

1. To interdict enemy land and air power and communications through operation at sea.

2. To conduct close air support for land operations.

3. To furnish aerial photography for cartographic purposes.

4. To be prepared to participate in the over-all air effort as directed by the Joint Chiefs of Staff.

Section VI.—Functions of the United States Air Force

The United States Air Force includes air combat and service forces. It is organized, trained, and equipped primarily for prompt and sustained combat operations in the air. Of the three major services, the Air Force has primary interest in all operations in the air, except in those operations otherwise assigned herein.

A. *Primary Functions*

1. To organize, train and equip Air Force forces for the conduct of prompt and sustained combat operations in the air. Specifically:

(a) To be responsible for defense of the United States against air attack in accordance with the policies and procedures of the Joint Chiefs of Staff.

(b) To gain and maintain general air supremacy.

(c) To defeat enemy air forces.

(d) To control vital air areas.

(e) To establish local air superiority except as otherwise assigned herein.

2. To formulate joint doctrines and procedures, in coordination with the other services, for the defense of the United States against air attack, and to provide the Air Force units, facilities, and equipment required therefor.

3. To be responsible for strategic air warfare.

4. To organize and equip Air Force forces for joint amphibious and airborne operations, in coordination with the other services, and to provide for their training in accordance with policies and doctrines of the Joint Chiefs of Staff.

5. To furnish close combat and logistical air support to the Army, to include air lift, support, and resupply of air-borne operations, aerial photography, tactical reconnaissance, and interdiction of enemy land power and communications.

6. To provide air transport for the armed forces except as otherwise assigned.

7. To provide Air Force forces for land-based air defense, coordinating with the other services in matters of joint concern.

8. To develop, in coordination with the other services, doctrines, procedures, and equipment for air defense from land areas, including the continental United States.

9. To provide an organization capable of furnishing adequate, timely, and reliable intelligence for the Air Force.

10. To furnish aerial photography for cartographic purposes.

11. To develop, in coordination with the other services, tactics, technique, and equipment of interest to the Air Force for amphibious operations and not provided for in Section V, paragraph A4 and paragraph A11(c).

12. To develop, in coordination with the other services, doctrines, procedures and equipment employed by Air Force forces in air-borne operations.

B. *Collateral Functions.*—The forces developed and trained to perform the primary functions set forth above shall be employed to support and supplement the other services in carrying out their primary functions, where and whenever such participation will result in increased effectiveness and will contribute to the accomplishment of the over-all military objectives. The Joint Chiefs of Staff member of the service having primary responsibility for a function shall be the agent of the Joint Chiefs of Staff to present to that body the requirements and plans for the employment of all forces to carry out the function. He shall also be responsible for presenting to the Joint Chiefs of Staff for final decision any disagreement within the field of his primary responsibility which has not been resolved. This shall not be construed to prevent any member of the Joint Chiefs of Staff from presenting unilaterally any issue of disagreement with another service. Certain specific collateral functions of the Air Force are listed below:

1. To interdict enemy sea power through air operations.

2. To conduct antisubmarine warfare and to protect shipping.

3. To conduct aerial mine-laying operations.

Section VII.—Glossary of Terms and Definitions

The usual and accepted definitions and interpretations of the English language, as contained in Webster's New International Dictionary (Unabridged), are applicable to this document, except that for purposes of clarity and to ensure a common understanding of its intent, certain words and phrases are defined specifically as follows:

Air Defense.—All measures designed to nullify or reduce the effectiveness of the attack of hostile aircraft or guided missiles after they are airborne.

Air Superiority.—That degree of capability (preponderance in morale and material) of one air force over another which permits the conduct of air operations by the former at a given time and place without prohibitive interference by the opposing air force.

Air Supremacy.—That degree of air superiority wherein the opposing air force is incapable of effective interference.

Amphibious Operation.—An attack launched from the sea by naval and landing forces embarked in ships or craft involving a landing on a hostile shore. An amphibious operation includes final preparation of the objective area for the landing and operations of naval, air, and ground elements in over-water movements, assault, and mutual support. An amphibious operation may precede a large-scale land operation, in which case it becomes the amphibious phase of a joint amphibious operation. After the troops are landed and firmly established ashore the operation becomes a land operation.

Antisubmarine Operations.—Operations contributing to the conduct of antisubmarine warfare.

Antisubmarine Warfare.—Operations conducted against submarines, their supporting forces and operating bases.

Base.—A locality from which operations are projected or supported. May be preceded by a descriptive word such as "air" or "submarine", which indicates primary purpose.

Close Air Support.—The attack by aircraft of hostile ground or naval targets which are so close to friendly forces as to require detailed integration of each air mission with the fire and movement of those forces.

Functions.—Responsibilities, missions, and tasks.

In coordination with.—In consultation with. This expression means that agencies "coordinated with" shall participate actively; that their concurrence shall be sought; and that if concurrence is not obtained, the disputed matter shall be referred to the next higher authority in which all participants have a voice.

Joint.—As used in this paper, and generally among the Armed Forces, connotes activities, operations, organizations, etc., in which elements of more than one service of the Department of Defense participate.

Military.—A term used in its broadest sense meaning of or pertaining to war or the affairs of war, whether Army, Navy, or Air Force.

Naval Campaign.—An operation or a connected series of operations conducted essentially by naval forces including all surface, subsurface, air, amphibious, and Marines, for the purpose of gaining, extending, or maintaining control of the sea.

Operation.—A military action, or the carrying out of a military mission, strategic, tactical, service, training, or administrative; the process of carrying on combat on land, on sea, or in the air, including movement, supply, at-

tack, defense, and maneuvers needed to gain the objectives of any battle or campaign.

Strategic Air Operations.—Air operations contributing to the conduct of strategic air warfare.

Strategic Air Warfare.—Air combat and supporting operations designed to effect, through the systematic application of force to a selected series of vital targets, the progressive destruction and disintegration of the enemy's war-making capacity to a point where he no longer retains the ability or the will to wage war. Vital targets may include key manufacturing systems, sources of raw material, critical material, stock piles, power systems, transportation systems, communications facilities, concentration of uncommitted elements of enemy armed forces, key agricultural areas, and other such target systems.

/s/ C. E. WILSON
Secretary of Defense

CHANGES MADE IN KEY WEST AGREEMENT BY OCTOBER 1, 1953, REVISION

INTRODUCTION

Congress, in the National Security Act of 1947, has described the basic policy embodied in the Act in the following terms:

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

In accordance with the policy declared by Congress, and in accordance with the provisions of the National Security Act of 1947, **as amended (including Reorganization Plan No. 6 of 1953)**, and to provide guidance for the departments and the joint agencies of the [*National Military Establishment*] **Department of Defense**, the Secretary of Defense, by direction of the President, hereby promulgates the following statement of the functions of the armed forces and the Joint Chiefs of Staff.

Section I.—PRINCIPLES

1. No function in any part of the Department of Defense, or in any of its component agencies, shall be performed independent of the direction, authority, and control of the Secretary of Defense.

[*1.*]**2.** There shall be the maximum practicable integration of the policies and procedures of the departments and agencies of the [*National Military Establishment*] **Department of Defense.** This does not imply a merging of armed forces, but does demand a consonance and correlation of policies and procedures throughout the [*National Military Establishment*] **Department**

of Defense, in order to produce an effective, economical, harmonious, and business-like organization which will insure the military security of the United States.

[2.]**3.** (Same)

[3.]**4.** (Same)

[4.]**5.** (Same)

[5.]**6.** (Same)

Section II.—COMMON FUNCTIONS OF THE ARMED FORCES

a. General.—As prescribed by higher authority and under the [*general*] direction of the **Secretary of Defense with the advice of the** Joint Chiefs of Staff, the armed forces shall conduct operations wherever and whenever necessary for the following purposes:

1. (Same)

2. (Same)

3. (Same)

4. (Same)

b. (Same)

1. In accordance with **continuous** guidance from the Joint Chiefs of Staff, to prepare forces and to establish reserves of equipment and supplies, for the effective prosecution of war and to plan for the expansion of peacetime components to meet the needs of war.

2. (Same)

3. To provide adequate, timely and reliable intelligence for use within the [*National Military Establishment*] **Department of Defense.**

4. (Same)

5. (Same)

6. (Same)

7. (Same)

8. (Same)

9. (Same)

10. (Same)

11. (Same)

12. (Same)

13. (Same)

14. Unified Commands—(a) The Secretary of Defense after consultation with the Joint Chiefs of Staff shall designate in each case one of the military departments to serve as the executive agency for unified commands and other matters requiring such designation.

(b) Under the arrangements herein established, the channel of responsibility will be from the Secretary of Defense to the designated civilian Secretary of a military department.

(c) For the strategic direction and for the conduct of combat operations in emergency and wartime situations, the Secretary of the military department designated as executive agent shall forthwith authorize the military chief of such department in such situations to receive and transmit reports and orders and to act for such department in its executive agency capacity. The military chief will keep his Secretary, the Secretary of Defense and the Joint Chiefs of Staff fully informed of decisions made and actions taken under such authority. The military chief will in such circumstances be acting in the name and under the direction of the Secretary of Defense. Promulgated orders will directly state that fact.

Section III.—FUNCTIONS OF THE JOINT CHIEFS OF STAFF

A. *General.*—The Joint Chiefs of Staff, consisting of **the Chairman;** the Chief of Staff, U.S. Army; the Chief of Naval Operations; **and** the Chief of Staff, U.S. Air Force[*, and the Chief of Staff to the Commander-in-Chief, if there be one*], are the principal military advisers to the President, **the National Security Council** and [*to*] the Secretary of Defense. **The Commandant of the U. S. Marine Corps has co-equal status with the members of the Joint Chiefs of Staff on matters which directly concern the Marine Corps.**

B. *Specific.*—Subject to the authority and direction of the President and the Secretary of Defense, it shall be the duty of the Joint Chiefs of Staff:

1. To prepare strategic plans and to provide for the strategic direction of the Armed Forces, [*to include the general direction of all combat operations*] **including guidance for the operational control of forces and for the conduct of combat operations.**

2. (Same)

3. (Same)

4. To promulgate to the individual departments of the [*National Military Establishment*] **Department of Defense** general policies and doctrines in order to provide guidance in the preparation of their respective detailed plans.

5. (Same)

6. To establish unified commands in strategic areas when such unified commands are in the interest of national security [*and to authorize commanders thereof to establish such subordinate unified commands as may be necessary*].

[*7. To designate, as necessary, one of their members as their executive agent for:*]

[*(a) A unified command;*]

[*(b) Certain operations, and specified commands;*]

[*(c) The development of special tactics, technique, and equipment, except as otherwise provided herein; and*]

[*(d) The conduct of joint training, except as otherwise provided herein.*]

[*8.*]**7.** To determine what means are required for the exercise of unified command, and to [*assign*] **recommend to the Secretary of Defense the assignment** to individual [*members*] **military departments** the responsibility of providing such means.

[*9.*]**8.** (Same)

[*10.*]**9.** (Same)

[*11.*]**10.** (Same)

[*12.*]**11.** (Same)

Section IV.—FUNCTIONS OF THE UNITED STATES ARMY—no change

Section V.—FUNCTIONS OF THE UNITED STATES NAVY AND MARINE CORPS—no change

Section VI.—FUNCTIONS OF THE UNITED STATES AIR FORCE—no change

Section VII.—GLOSSARY OF TERMS AND DEFINITIONS—no change except

Joint.—As used in this paper, and generally among the Armed Forces connotes activities, operations, organizations, etc., in which elements of more

than one service of the [*National Military Establishment*] **Department of Defense** participate.

Source: U.S. Department of Defense. Office of Secretary of Defense files. DoD Directive 5100.1, 31 December 1958. Directives Branch, Directorate of Correspondence and Directives, Washington Headquarters Services, Department of Defense, Washington, D.C.

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8. Memorandum for Members of the Armed Forces Policy Council—26 November 1956.

Persistent and intensifying differences among the armed Services over their respective roles and missions, particularly those pertaining to development and operation of guided missiles, impelled Secretary of Defense Wilson to issue on 26 November 1956 a memorandum entitled "Clarification of Roles and Missions to Improve the Effectiveness of Operation of the Department of Defense."

THE SECRETARY OF DEFENSE
Washington

November 26, 1956

MEMORANDUM FOR:
Members of the Armed Forces Policy Council
SUBJECT:
Clarification of Roles and Missions to Improve the Effectiveness of Operation of the Department of Defense.

Important changes in organization and in roles and missions are not easily decided upon or effected. It is not as though we were starting fresh with a clean sheet of paper, so to speak, or could set up a theoretically perfect organization and division of responsibilities between the Military Departments. Assignment of responsibilities must continue to recognize the precedents of the past and the availability of men and facilities for carrying out assigned missions. Problems of this nature would be easier to solve if there were always complete unanimity of opinion among all responsible executives of the Defense Department, both military and civilian. The very nature of the problems, however, and the varying background and experience of the individuals serving in responsible positions make some differences of opinion normal and to be expected.

In spite of the differences of opinion which may exist, there are times when conditions require that changes should be made in administrative responsibilities and at such times decisions are mandatory. That is the situation now.

The National Security Act of 1947 states:

"*Declaration of Policy*

"Sec. 2. In enacting this legislation, it is the intent of Congress to provide a comprehensive program for the future security of the United States; to provide for the establishment of integrated policies and procedures for the departments, agencies, and functions of the Government relating to the national security; to provide three military departments, separately adminis-

tered, for the operation and administration of the Army, the Navy (including naval aviation and the United States Marine Corps), and the Air Force, with their assigned combat and service components; to provide for their authoritative coordination and unified direction under civilian control of the Secretary of Defense but not to merge them; to provide for the effective strategic direction of the armed forces and for their operation under unified control and for their integration into an efficient team of land, naval and air forces but not to establish a single Chief of Staff over the armed forces nor an armed forces general staff (but this is not to be interpreted as applying to the Joint Chiefs of Staff or Joint Staff)."

Nine years of experience operating under the National Security Act of 1947, as amended, have proved the soundness of this comprehensive program for national security.

The statement of roles and missions recommended by the Joint Chiefs of Staff at Key West and Newport and approved by Secretary of Defense James Forrestal, and as modified in 1953, have also proved to be sound and effectively to implement the intent of Congress as expressed in the National Security Act.

No basic changes in the present roles and missions of the armed services are necessary but the development of new weapons and of new strategic concepts, together with the nine years' operating experience by the Department of Defense have pointed up the need for some clarification and clearer interpretation of the roles and missions of the armed services. We have recognized the need for a review of these matters and from time to time certain steps have been taken and we are now taking others to improve the effectiveness of our overall military establishment, to avoid unnecessary duplication of activities and functions, and to utilize most effectively the funds made available by the people through Congress.

I would like to point out that clarification and interpretation of roles and missions does not in itself predetermine the weapons to be used by each of the armed services and their numbers, nor the numbers of men to be trained in various fields. It should be clearly understood that the approval of roles and missions of the armed services for guidance in peacetime does not predetermine the weapons or forces which a commander in the field would be permitted to use in the event of war. Also, the development of a weapon by a particular military department does not in itself predetermine its use. Such determinations rest with the Secretary of Defense after considering the recommendations of the Joint Chiefs of Staff and the Secretaries of the Military Departments.

The recent clarification of command responsibilities for field commanders should be most helpful in determining weapons and forces to be employed in various missions and should assist the Joint Chiefs of Staff in making recommendations in this regard to the Secretary of Defense in order to determine approved requirements for each of the armed services.

We have recently reviewed five important problem areas which need to be cleared up. The recommendations of the Joint Chiefs of Staff in regard to these matters have been carefully considered and their differences of opinion carefully weighed. In addition, I have given consideration to the opinions in these areas of responsible officials, both military and civilian, in the Office of the Secretary of Defense. These matters are being resolved as follows:

1. *Use of Aircraft by U.S. Army.*

In matters affecting the use of aircraft by the U.S. Army, the combat zone is defined as extending not more than 100 miles forward of the general line of contact between U.S. and enemy ground forces. Its extension to the rear of the general line of contact will be designated by the appropriate field commander, and normally extends back of the front lines about 100 miles.

The Army Aviation Program will consist of those types of aircraft required to carry out the following Army functions envisaged within the combat zone:

a. Command, liaison, and communications.

b. Observation, visual and photographic reconnaissance, fire adjustment, and topographical survey.

c. Airlift of Army personnel and materiel.

d. Aeromedical evacuation.

The Army Aircraft Program to carry out these functions will be subject to the following limitations:

a. Fixed wing aircraft, convertiplanes, and vertical/short take-off and landing aircraft will have an empty weight not to exceed 5,000 pounds. Rotary wing aircraft will have an empty weight not to exceed 20,000 pounds. Specific exceptions to weight limitations for specific aircraft for specific purposes may be granted by the Secretary of Defense after consideration of Army requirements and appropriate Air Force functions and capabilities. (For example, the Secretary of Defense has just approved the purchase by the Army of five DeHavilland DHC–4 airplanes, "Twin Otter", for test and evaluation and is giving consideration to another project involving a plane in the development stage.)

b. The provision of a limited airlift capability within the Army Aviation Program shall not serve as a basis for increasing or decreasing Air Force forces necessary to support or protect the Army airlift forces. Provision of this limited airlift capability will apply only to small combat units and limited quantities of materiel to improve local mobility, and not to the provision of an airlift capability sufficient for the large-scale movement of sizeable Army combat units which would infringe on the mission of the Air Force.

c. As limited Army Aviation airlift capability becomes available to active Army forces, provision should be made for compensating reductions in other forms of Army transportation designed to operate within the combat zone.

d. The Army Aviation Program will not provide for aircraft to perform the following functions:

(1) Strategic and tactical airlift.

(a) Airlift of Army supplies, equipment, personnel and units from exterior points to points within Army combat zone.

(b) Airlift for evacuation of personnel and materiel from Army combat zone.

(c) Airlift for air movement of troops, supplies and equipment in the initial and subsequent phases of airborne operations.

(d) Aeromedical evacuation from Air Force operating locations within the combat zone through Air Force casualty staging units to hospital facilities outside combat zone, and aeromedical evacuation from an airhead or

an airborne objective area where airborne operation includes air landed logistic support by Air Force.

(2) Tactical reconnaissance.

(3) Interdiction of the battlefield.

(4) Close combat air support.

e. The Army will not maintain unilateral aviation research facilities but will confine itself to development and determination of specific requirements peculiar to Army needs, to evaluation of proposals, and to user testing of equipment. The Army will make maximum use of Air Force and Navy aircraft research and development facilities. The Air Force and the Navy will be responsive to Army needs in such research activities on a reimbursable basis.

f. The Army will use existing types of Navy, Air Force or civilian aircraft when they are suitable, or may be suitably modified, to meet Army requirements, rather than attempt to develop and procure new types.

With regard to the 4 November 1952 Pace–Finletter Memorandum of Understanding, I am directing my staff to prepare an appropriate technical and detailed directive for coorination [sic] and issuance. Until this directive is approved, the Memorandum of Understanding will remain applicable except as specifically amended herein or by subsequent Secretary of Defense direction.

2. *Adequacy of Airlift.*

There has been a great deal of discussion and consideration given to the requirements for the airlift of tactical units and supplies. The current composition of the Air Force structure has been carefully examined, and it appears that it presently provides adequate airborne lift in the light of currently approved strategic concepts.

3. *Air Defense.*

Consideration has been given to distinguishing between Air Force and Army responsibility for surface-to-air guided missile systems for defense of the Continental United States on the basis of area defense and point defense, as well as the criterion of an arbitrary range limitation.

Area and point defense systems cannot be defined with precision. Area defense involves the concept of locating defense units to intercept enemy attacks remote from and without reference to individual vital installations, industrial complexes or population centers. For such a defense system to be effective, extensive information gathering networks such as the Semi-Automatic Ground Environment (SAGE) system are required to trace continuously the enemy attack and transmit and present the data in usable form for guiding the defense weapons to counter the attack. As applied to suface-to-air missiles, this means that area defense missiles, because of their more widespread sitings, will normally receive their guidance information from the network system rather than from acquisition and tracking radars located in the vicinity of the missile launching site.

Point defense has as its purpose the defense of specified geographical areas, cities and vital installations. One distinguishing feature of point defense missiles is that their guidance information is received from radars located near the launching sites.

The present state of the art justifies development of point defense

surface-to-air missile systems for use against air targets at expected altitudes out to a horizontal range of the order of 100 nautical miles.

It must be clearly understood that the Commander-in-Chief, Continental Air Defense Command, who has been given the responsibility for the Air Defense of the Continental United States, Alaska, and the United States area of responsibility in the North East, also has the authority and duty for stating his operational need for new or improved weapon systems and for recommending to the Joint Chiefs of Staff all new installations of any type. Therefore, no Service shall unilaterally plan for additional missile installations of either category (point or area defense) in support of CINCONAD's responsibilities until and unless they have been recommended by CINCONAD to the Joint Chiefs of Staff, and approved by that body.

In conformance with the above:

a. The Army is assigned responsibility for the development, procurement and manning of land-based surface-to-air missile systems for point defense. Currently, missile systems in the point defense category are the NIKE I, NIKE B, and land-based TALOS.

b. The Air Force is assigned responsibility for the development, procurement and manning of land-based surface-to-air missile systems for area defense. Currently, the missile system in the area defense category is the BOMARC.

c. The Navy, in close coordination with the Army and Air Force, is assigned responsibility for the development, procurement and employment of ship-based air defense weapon systems for the accomplishment of its assigned functions.

d. The Marine Corps is authorized to adapt to its organic use, such surface-to-air weapons systems developed by the other Services as may be required for the accomplishment of its assigned functions.

e. In overseas areas, the U.S. theater commander should normally assign responsibility for air defense to an air component commander, with appropriate participation by other components. Under this arrangement, Army units in the combat zone should continue to be responsible for their own local defense, employing organic means. Other Army air defense units should carry out point defense missions under the air component commander. Air Force units should carry out the area defense missions. Special emphasis should be given to simplicity, flexibility and mobility of weapon systems employed in air defense in overseas areas. Navy forces should continue to be responsible for their own air defense at sea, employing organic means. As approved by the theater commander, the air component commander should establish such procedures for coordinating Army, Navy, and Air Force air defense forces as may be required to carry out his responsibilities, and, in addition, should establish such detailed procedures as are necessary for proper coordination with national air defense commanders of allied countries.

4. *Air Force Tactical Support of the Army.*

The Army will continue its development of surface-to-surface missiles for close support of Army field operations with the following limitations:

a. That such missiles be designed and programmed for use against tactical targets within the zone of operations, defined as extending not more than 100 miles beyond the front lines. As such missiles would presumably be deployed within the combat zone normally extending back of

the front lines about 100 miles, this places a range limitation of about 200 miles on the design criteria for such weapons.

b. That the tactical air support functions beyond those that can be provided by Army surface-to-surface missiles as above defined remain the responsibility of the Air Force.

It is evident that the tactical air forces programmed for Army support should be reconsidered and the Joint Chiefs of Staff have been requested to furnish me with their recommendations for specific adjustments as to the number and types of planned Army guided missile and unguided rocket units and with the number of Air Force tactical wings which may be eliminated as a result of these decisions.

In preparing these recommendations, the development of balanced and interrelated Army and Air Force tactical support forces for the accomplishment of overall U.S. national security objectives must be considered, rather than the development of completely independent Army and Air Force forces to accomplish tactical support tasks. In developing force recommendations in this area, as well as for other U.S. military forces, it should be recognized that all operations in which our forces will be employed will be conducted under the command of the designated commanders who will have the necessary forces assigned to them for the conduct of their missions by higher authority.

5. *Intermediate Range Ballistic Missile (IRBM).*

In regard to the Intermediate Range Ballistic Missiles:

a. Operational employment of the land-based Intermediate Range Ballistic Missile system will be the sole responsibility of the U.S. Air Force.

b. Operational employment of the ship-based Intermediate Range Ballistic Missile system will be the sole responsibility of the U.S. Navy.

c. The U.S. Army will not plan at this time for the operational employment of the Intermediate Range Ballistic Missile or for any other missiles with ranges beyond 200 miles. This does not, however, prohibit the Army from making limited feasibility studies in this area.

(The Intercontinental Ballistic Missile has previously been assigned for operational employment to the U.S. Air Force.)

There are a number of other matters relating to research and development of particular weapons that will affect the choice of weapons to be used for various missions in the armed services. These choices can only be be made after a careful technical review of the capabilities of the various weapons under development. I refer particularly to weapons systems such as the NIKE and TALOS and the multiple approach (JUPITER–THOR) to developments such as the Intermediate Range Ballistic Missile. This memorandum does not attempt to answer those questions which can only be decided after studies now in progress are completed, and should not be so interpreted.

In the meantime, these competing weapons systems will be continued with support from Fiscal Year '57 funds until the completion of the technical evaluation referred to above. Budget support in Fiscal Year '58 for the land-based TALOS, as required, will be provided by the U.S. Army. Budget support in Fiscal Year '58 for the land-based Intermediate Range Ballistic Missile Program, as required, will be provided by the U.S. Air Force.

In view of the great interest in these matters in the Congress, copies

of this memorandum are being sent to the appropriate Congressional Committees. In addition, in order that there can be full understanding of these decisions within the Military Departments and by the public, copies of this memorandum are being made available to the press.

C. E. WILSON

Source: U.S. Department of Defense. Office of Secretary of Defense files. Directives Branch, Directorate for Correspondence and Directives, Washington Headquarters Services, Department of Defense, Washington, D.C.

9. Department of Defense Directive No. 5160.22—18 March 1957.

The sharp differences between the Air Force and the Army over their respective responsibilities and prerogatives in the provision of tactical air support for the Army could not be resolved by the Services themselves, although efforts to do so had been made, particularly in the Pace–Finletter agreements of 1951 and 1952. Secretary of Defense Wilson issued on 18 March 1957 Department of Defense Directive No. 5160.22, "Clarification of Roles and Missions of the Army and the Air Force Regarding Use of Aircraft," which superseded the Pace–Finletter agreements while reaffirming most of their provisions.

Sources: For the Pace–Finletter agreement of 20 October 1951, see:

U.S. Department of the Air Force. Office of Air Force History. "History of the Office of the Secretary of the Air Force, July–December 1951," Volume II [unpublished manuscript] in the Office of Air Force History, Washington, D.C.

For the Pace–Finletter agreement of 4 November 1952, see:

Army Special Regulation 95–400–5/Air Force Letter 55–5 [joint publication], 19 November 1952.

March 18, 1957
NUMBER 5160.22

Department of Defense Directive

SUBJECT: Clarification of Roles and Missions of the Departments of the Army and the Air Force Regarding Use of Aircraft

References:

(a) Memorandum of Understanding Between the Secretary of the Army and the Secretary of the Air Force Relating to Army Organic Aviation, 4 November 1952 (cancelled herein)

(b) DoD Directive 5100.1, "Functions of the Armed Forces and the Joint Chiefs of Staff"

(c) Secretary of Defense Memorandum for the Members of the Armed Forces Policy Council, "Clarification of Roles and Missions to Improve the Effectiveness of Operation of the Department of Defense," 26 November 1956

I. AUTHORITY AND PURPOSE

Pursuant to the authority contained in the National Security Act of 1947, as amended, and in consonance with reference (b), this directive is issued for the purpose of:

1. Defining the scope of the U.S. Army aviation program and establishment.

2. Insuring that the U.S. Army may employ aircraft necessary for its internal requirements in the conduct of operations on land, without duplicating the functions assigned to the U.S. Air Force.

3. Stressing and clarifying the responsibilities of the U.S. Air Force with regard to providing aviation support for the U.S. Army.

II. DEFINITION

For purposes of this directive, the combat zone is defined as extending not more than 100 miles forward of the general line of contact between U.S. and enemy ground forces. Its extension to the rear of the general line of contact will be designated by the appropriate field commander, and normally extends back of the front lines about 100 miles.

III. POLICY AND RESPONSIBILITIES

A. General

As stated in reference (b), the U.S. Air Force includes among its primary responsibilities those of furnishing close combat and logistical air support for the U.S. Army. These responsibilities are continuing in nature, from the immediate outset and throughout the course of all combat operations, and for peacetime training. While the extent of such support, by nature, is not readily susceptible of specific delimitation, it must at all times meet the reasonable requirements specified by the U.S. Army, either for combat operations or for training, and the U.S. Air Force shall be prepared to devote an appreciable portion of its resources to such support and to the establishment and organization which may be required therefor.

1. *U.S. Air Force*

Consistent with its assigned function of furnishing logistical air support to the U.S. Army, the U.S. Air Force will, as required, provide the following:

a. Airlift of Army supplies, equipment, personnel and units from exterior points to points within the Army combat zone.

b. Airlift for the evacuation of personnel and materiel from the Army combat zone.

c. Airlift for the air movement of troops, supplies, and equipment in the initial and subsequent phases of airborne operations.

d. Aeromedical evacuation from Air Force operating locations within the combat zone through Air Force casualty staging units to hospital facilities outside the combat zone; and the aeromedical evacuation from an airhead or an airborne objective area where airborne operation includes air landed logistical support by the Air Force.

2. *U.S. Army*

The U.S. Army Aviation Program will consist of those types of aircraft required to carry out the following Army functions envisaged within the combat zone and shall be used by the Army exclusively as a basis for developing Army requirements for aircraft and for the normal employment of Army Aviation. The capability of operation from unimproved fields should

be adopted as a basic objective for the development of Army Aviation. This capability is essential to the quality of responsiveness, and responsiveness is a quality essential to that aviation whose day-to-day operations must be intimately coordinated with the actions of surface forces. Army organic aircraft will be used by the responsible Army commander as he considers necessary for the discharge of his military mission.

a. *Command, liaison, courier and communications*—This includes aerial wire-laying and aviation to assist in the direction, coordination and control of Army forces in the field.

b. *Observation, visual and photographic reconnaissance, fire adjustment and topographical survey*—This includes aerial observation to amplify and supplement other Army methods of observation for the purpose of locating, verifying and evaluating targets, adjusting fire, terrain study, or obtaining information on enemy forces, complementing that obtained by air reconnaissance agencies of the other Services; this includes limited aerial photography incident to these purposes.

c. *Airlift of Army personnel and material*—Transportation of Army supplies, equipment, personnel, and small units within the Army combat zone in the course of combat and logistical operation. Includes the movement of small units to execute small-scale air-landed operations, the movement of reserves, and the shifting or relocation of small units and individuals within the combat zone as the situation may dictate. Includes expeditious movement of critically needed supplies or equipment, or both, within the combat zone, supplementing the ground transportation system operating within the field army. Does not include the execution of joint airborne operations.

d. *Aeromedical evacuation*—Aeromedical evacuation within the Army combat zone to include battlefield pickup of casualties (except those from an airhead or airborne objective area which is supported by Air Force air-landed logistical support), air transport to initial point of treatment and any subsequent moves to hospital facilities within the Army combat zone.

B. Limitations

The U.S. Army Aircraft Program, carrying out the functions set forth in A above, will be subject to the following limitations:

1. Fixed wing aircraft, convertiplanes, and vertical/short take-off and landing aircraft will have an empty weight not to exceed 5,000 pounds. Rotary wing aircraft will have an empty weight not to exceed 20,000 pounds. Specific exceptions to weight limitations for specific aircraft for specific purposes may be granted by the Secretary of Defense after consideration of U.S. Army requirements and appropriate U.S. Air Force functions and capabilities.

2. The provision of a limited airlift capability within the U.S. Army Aviation Program shall not serve as a basis for increasing or decreasing U.S. Air Force forces necessary to support or protect the U.S. Army airlift forces. Provision of this limited airlift capability will apply only to small combat units and limited quantities of materiel to improve local mobility, and not the provision of an airlift capability sufficient for the large-scale movement of sizeable U.S. Army combat units which would duplicate the mission of the U.S. Air Force.

3. As limited Army aviation airlift capability becomes available to active Army forces, provision should be made for compensating reductions in other forms of Army transportation designed to operate within the combat zone.

4. The U.S. Army Aviation Program will not provide for aircraft to perform the following functions:

a. Strategic and tactical airlift, as outlined in Section III, Subparagraphs A.1.a. through d., above.

b. Tactical reconnaissance.

c. Interdiction of the battlefield.

d. Close combat air support.

5. The U.S. Army will not maintain unilateral aviation research facilities, but will confine itself to development and determination of specific requirements peculiar to Army needs, to evaluation of proposals, and to user testing of equipment. The U.S. Army will make maximum use of U.S. Air Force and U.S. Navy aircraft research and development facilities. The U.S. Air Force and the U.S. Navy will be responsive to U.S. Army needs in such research activities on a reimbursable basis.

6. The U.S. Army will use existing types of U.S. Navy, U.S. Air Force or civilian aircraft when they are suitable, or may be suitably modified, to meet Army requirements, rather than attempt to develop and procure new types.

C. Army aircraft may, as required by the U.S. Army, be employed in peacetime operations and in training for the functions outlined above.

IV. INTERPRETATION

Nothing contained in this directive is intended to, nor shall be construed as modifying, altering, or rescinding any of the assigned functions of the Armed Forces; it provides a clarification and interpretation of the roles and missions of the armed services, necessitated by the development of new weapons and of new strategic concepts.

V. RESCISSION AND EFFECTIVE DATE

This directive is effective immediately. Reference (a) is hereby superseded.

VI. ACTION REQUIRED

The Secretary of the Army and the Secretary of the Air Force will take appropriate action to insure that the provisions of this directive are fully implemented within their respective Departments.

C. E. WILSON
Secretary of Defense

Source: U.S. Department of Defense. Office of Secretary of Defense files. DoD Directive 5160.22, 18 December 1957. Directives Branch, Directorate for Correspondence and Directives, Washington Headquarters Services, Department of Defense, Washington, D.C.

10. Department of Defense Directive No. 5100.1—31 December 1958.

The Department of Defense Reorganization Act of 1958, signed by President Eisenhower in August 1958, specified significant changes in the functions and organization of the Department and its components. To accommodate these changes, Department of Defense Directive No. 5100.1, "Functions of the Department of Defense and its Major Components," was completely revised and reissued on 31 December 1958.

Source: Department of Defense Reorganization Act of 1958, above, part 3, section 6, pp. 188–230.

December 31, 1958
NUMBER 5100.1

Department of Defense Directive

SUBJECT: Functions of the Department of Defense and its Major Components

References:
(a) DoD Directive 5100.1, "Functions of the Armed Forces and the Joint Chiefs of Staff", March 16, 1954 (cancelled herein)
(b) DoD Directive 5158.1, "Organization of the Joint Chiefs of Staff and Relationships with the Office of the Secretary of Defense"

I. INTRODUCTION

Congress, in the National Security Act of 1947, as amended, has described the basic policy embodied in the Act in the following terms:

"In enacting this legislation, it is the intent of Congress to provide a comprehensive program for the future security of the United States; to provide for the establishment of integrated policies and procedures for the departments, agencies, and functions of the Government relating to the national security; to provide a Department of Defense, including the three military departments of the Army, the Navy (including naval aviation and the United States Marine Corps), and the Air Force under the direction, authority, and control of the Secretary of Defense; to provide that each military department shall be separately organized under its own Secretary and shall function under the direction, authority, and control of the Secretary of Defense; to provide for their unified direction under civilian control of the Secretary of Defense but not to merge these departments or services; to provide for the establishment of unified or specified combatant commands, and a clear and direct line of command to such commands; to eliminate unnecessary duplication in the Department of Defense, and particularly in the field of research and engineering by vesting its overall direction and control in the Secretary of Defense; to provide more effective, efficient, and economical administration in the Department of Defense; to provide for the unified strategic direction of the combatant forces, for their operation under unified command, and for their integration into an efficient team of

land, naval, and air forces but not to establish a single Chief of Staff over the armed forces nor an overall armed forces general staff."

To provide guidance in accordance with the policy declared by Congress, the Secretary of Defense, with the approval of the President, hereby promulgates the following statement of the functions of the Department of Defense and its major components.

II. ORGANIZATIONAL RELATIONSHIPS IN THE DEPARTMENT OF DEFENSE

1. All functions in the Department of Defense and its component agencies are performed under the direction, authority, and control of the Secretary of Defense.

2. The Department of Defense includes the Office of the Secretary of Defense and the Joint Chiefs of Staff, the military departments and the military Services within those departments, the unified and specified commands, and such other agencies as the Secretary of Defense establishes to meet specific requirements.

a. In providing immediate staff assistance and advice to the Secretary of Defense, the Office of the Secretary of Defense and the Joint Chiefs of Staff, though separately identified and organized, function in full coordination and cooperation in accordance with Reference (b).

(1) The Office of the Secretary of Defense includes the offices of the Director of Defense Research and Engineering, the Assistant Secretaries of Defense, and the General Counsel and such other staff offices as the Secretary of Defense establishes to assist him in carrying out his duties and responsibilities. The functions of the heads of these offices shall be as assigned by the Secretary of Defense in accordance with existing laws.

(2) The Joint Chiefs of Staff, as a group, are directly responsible to the Secretary of Defense for the functions assigned to them. Each member of the Joint Chiefs of Staff, other than the Chairman, is responsible for keeping the Secretary of his military department fully informed on matters considered or acted upon by the Joint Chiefs of Staff.

b. Each military department (the Department of the Navy to include naval aviation and the United States Marine Corps) shall be separately organized under its own Secretary and shall function under the direction, authority, and control of the Secretary of Defense. The Secretary of a military department shall be responsible to the Secretary of Defense for the operation of such department as well as its efficiency. Orders to the military departments will be issued through the Secretaries of these departments, or their designees, by the Secretary of Defense or under authority specifically delegated in writing by the Secretary of Defense or provided by law.

c. Commanders of unified and specified commands are responsible to the President and the Secretary of Defense for the accomplishment of the military missions assigned to them. The chain of command runs from the President to the Secretary of Defense and through the Joint Chiefs of Staff to the commanders of unified and specified commands. Orders to such commanders will be issued by the President or the Secretary of Defense, or by the Joint Chiefs of Staff by authority and direction of the Secretary of Defense. These commanders shall have full operational command over

the forces assigned to them and shall perform such functions as are prescribed by the Unified Command Plan and other directives issued by competent authority.

3. The functions assigned hereinafter may be transferred, reassigned, abolished, or consolidated by the Secretary of Defense in accordance with the procedures established and the authorities provided in the National Security Act of 1947, as amended.

III. FUNCTIONS OF THE DEPARTMENT OF DEFENSE

As prescribed by higher authority, the Department of Defense shall maintain and employ armed forces:

1. To support and defend the Constitution of the United States against all enemies, foreign and domestic.

2. To insure, by timely and effective military action, the security of the United States, its possessions, and areas vital to its interest.

3. To uphold and advance the national policies and interests of the United States.

4. To safeguard the internal security of the United States.

IV. FUNCTIONS OF THE JOINT CHIEFS OF STAFF

The Joint Chiefs of Staff, consisting of the Chairman; the Chief of Staff, U.S. Army; the Chief of Naval Operations; and the Chief of Staff, U.S. Air Force, and supported by the Organization of the Joint Chiefs of Staff, constitute the immediate military staff of the Secretary of Defense. The Joint Chiefs of Staff are the principal military advisers to the President, the National Security Council, and the Secretary of Defense. The Commandant of the U.S. Marine Corps has coequal status with the members of the Joint Chiefs of Staff on matters which directly concern the Marine Corps. In performance of their functions of advising and assisting the Secretary of Defense, and subject to the authority and direction of the President and the Secretary of Defense, it shall be the duty of the Joint Chiefs of Staff:

1. To serve as advisers and as military staff in the chain of operational command with respect to unified and specified commands, to provide a channel of communications from the President and Secretary of Defense to unified and specified commands, and to coordinate all communications in matters of joint interest addressed to the commanders of the unified or specified commands by other authority.

2. To prepare strategic plans and provide for the strategic direction of the armed forces, including the direction of operations conducted by commanders of unified and specified commands and the discharge of any other function of command for such commands directed by the Secretary of Defense.

3. To prepare integrated logistic plans, which may include assignments to the armed forces of logistic responsibilities in accordance with such plans.

4. To prepare integrated plans for military mobilization.

5. To provide adequate, timely, and reliable joint intelligence for use within the Department of Defense.

6. To review major personnel, materiel, and logistic requirements of the armed forces in relation to strategic and logistic plans.

7. To review the plans and programs of commanders of unified and specified commands to determine their adequacy, feasibility, and suitability for the performance of assigned missions.

8. To provide military guidance for use by the military departments and the armed forces as needed in the preparation of their respective detailed plans.

9. To participate, as directed, in the preparation of combined plans for military action in conjunction with the armed forces of other nations.

10. To recommend to the Secretary of Defense the establishment and force structure of unified and specified commands in strategic areas.

11. To determine the headquarters support, such as facilities, personnel, and communications, required by commanders of unified and specified commands and to recommend the assignment to the military departments of the responsibilities for providing such support.

12. To establish doctrines for (a) unified operations and training and (b) coordination of the military education of members of the armed forces.

13. To recommend to the Secretary of Defense the assignment of primary responsibility for any function of the armed forces requiring such determination and the transfer, reassignment, abolition, or consolidation of such functions.

14. To prepare and submit to the Secretary of Defense, for information and consideration in connection with the preparation of budgets, statements of military requirements based upon United States strategic considerations, current national security policy, and strategic war plans. These statements of requirements shall include tasks, priority of tasks, force requirements, and general strategic guidance for the development of military installations and bases and for equipping and maintaining military forces.

15. To advise and assist the Secretary of Defense in research and engineering matters by preparing: (a) statements of broad strategic guidance to be used in the preparation of an integrated Department of Defense program; (b) statements of overall military requirements; (c) statements of the relative military importance of development activities to meet the needs of the unified and specified commanders; and (d) recommendations for the assignment of specific new weapons to the armed forces.

16. To prepare and submit to the Secretary of Defense for information and consideration general strategic guidance for the development of industrial mobilization programs.

17. To prepare and submit to the Secretary of Defense military guidance for use in the development of military aid programs and other actions relating to foreign military forces, including recommendations for allied military force, materiel, and facilities requirements related to United States strategic objectives, current national security policy, strategic war plans, and the implementation of approved programs; and to make recommendations to the Secretary of Defense, as necessary, for keeping the Military Assistance Program in consonance with agreed strategic concepts.

18. To provide United States representation on the Military Staff Committee of the United Nations, in accordance with the provisions of the Charter of the United Nations, and representation on other properly authorized military staffs, boards, councils, and missions.

19. To perform such other duties as the President or the Secretary of Defense may prescribe.

V. FUNCTIONS OF THE MILITARY DEPARTMENTS AND THE MILITARY SERVICES

The chain of command for purposes other than the operational direction of unified and specified commands runs from the President to the Secretary of Defense to the Secretaries of the military departments.

The military departments, under their respective Secretaries and in accordance with Sections II and IV, shall:

1. Prepare forces and establish reserves of equipment and supplies for the effective prosecution of war, and plan for the expansion of peacetime components to meet the needs of war.

2. Maintain in readiness mobile reserve forces, properly organized, trained, and equipped for employment in emergency.

3. Provide adequate, timely, and reliable departmental intelligence for use within the Department of Defense.

4. Organize, train, and equip forces for assignment to unified or specified commands.

5. Prepare and submit to the Secretary of Defense budgets for their respective departments; justify before the Congress budget requests as approved by the Secretary of Defense; and administer the funds made available for maintaining, equipping, and training the forces of their respective departments, including those assigned to unified and specified commands. The budget submissions to the Secretary of Defense by the military departments shall be prepared on the basis, among other things, of the advice of commanders of forces assigned to unified and specified commands; such advice, in the case of component commanders of unified commands, will be in agreement with the plans and programs of the respective unified commanders.

6. Conduct research, develop tactics, techniques, and organization, and develop and procure weapons, equipment, and supplies essential to the fulfillment of the functions hereinafter assigned.

7. Develop, garrison, supply, equip, and maintain bases and other installations, including lines of communication, and provide administrative and logistical support for all forces and bases.

8. Provide, as directed, such forces, military missions, and detachments for service in foreign countries as may be required to support the national interests of the United States.

9. Assist in training and equipping the military forces of foreign nations.

10. Assist each other in the accomplishment of their respective functions, including the provision of personnel, intelligence, training, facilities, equipment, supplies, and services.

The forces developed and trained to perform the primary functions set forth hereinafter shall be employed to support and supplement the other

Services in carrying out their primary functions, where and whenever such participation will result in increased effectiveness and will contribute to the accomplishment of the overall military objectives. As for collateral functions, while the assignment of such functions may establish further justification for stated force requirements, such assignment shall not be used as the basis for establishing additional force requirements.

A. Functions of the Department of the Army

The Department of the Army is responsible for the preparation of land forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated mobilization plans, for the expansion of the peacetime components of the Army to meet the needs of war.

The Army, within the Department of the Army, includes land combat and service forces and such aviation and water transport as may be organic therein.

1. *Primary Functions of the Army*

a. To organize, train, and equip Army forces for the conduct of prompt and sustained combat operations on land—specifically, forces to defeat enemy land forces and to seize, occupy, and defend land area.

b. To organize, train and equip Army air defense units, including the provision of Army forces as required for the defense of the United States against air attack, in accordance with doctrines established by the Joint Chiefs of Staff.

c. To organize and equip, in coordination with the other Services, and to provide Army forces for joint amphibious and airborne operations, and to provide for the training of such forces, in accordance with doctrines established by the Joint Chiefs of Staff.

(1) To develop, in coordination with the other Services, doctrines, tactics, techniques, and equipment of interest to the Army for amphibious operations and not provided for in Section V, paragraph B 1 b (3) and paragraph B 1 d.

(2) To develop, in coordination with the other Services, the doctrines, procedures, and equipment employed by Army and Marine Forces in airborne operations. The Army shall have primary interest in the development of those airborne doctrines, procedures, and equipment which are of common interest to the Army and the Marine Corps.

d. To provide an organization capable of furnishing adequate, timely, and reliable intelligence for the Army.

e. To provide forces for the occupations of territories abroad, to include initial establishment of military government pending transfer of this responsibility to other authority.

f. To formulate doctrines and procedures for the organizing, equipping, training, and employment of forces operating on land, except that the formulation of doctrines and procedures for the organization, equipping, training, and employment of Marine Corps units for amphibious operations shall be a function of the Department of the Navy, coordinating as required by Section V, paragraph B 1 b (3).

g. To conduct the following activities:

(1) The administration and operation of the Panama Canal.

(2) The authorized civil works program, including projects for improvement of navigation, flood control, beach erosion control, and other water resource developments in the United States, its territories, and its possessions.

(3) Certain other civil activities prescribed by law.

2. *Collateral Functions of the Army*—To train forces:

a. To interdict enemy sea and air power and communications through operations on or from land.

B. Functions of the Department of the Navy

The Department of the Navy is responsible for the preparation of Navy and Marine Corps forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated mobilization plans, for the expansion of the peacetime components of the Navy and Marine Corps to meet the needs of war.

Within the Department of the Navy, the Navy includes naval combat and service forces and such aviation as may be organic therein, and the Marine Corps includes not less than three combat divisions and three air wings and such other land combat, aviation, and other services as may be organic therein.

1. *Primary Functions of the Navy and the Marine Corps*

a. To organize, train, and equip Navy and Marine Corps forces for the conduct of prompt and sustained combat operations at sea, including operations of sea-based aircraft and land-based naval air components—specifically, forces to seek out and destroy enemy naval forces and to suppress enemy sea commerce, to gain and maintain general naval supremacy, to control vital sea areas and to protect vital sea lines of communication, to establish and maintain local superiority (including air) in an area of naval operations, to seize and defend advanced naval bases, and to conduct such land and air operations as may be essential to the prosecution of a naval campaign.

b. To maintain the Marine Corps, having the following specific functions:

(1) To provide Fleet Marine Forces of combined arms, together with supporting air components, for service with the Fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign. These functions do not contemplate the creation of a second land Army.

(2) To provide detachments and organizations for service on armed vessels of the Navy, and security detachments for the protection of naval property at naval stations and bases.

(3) To develop, in coordination with the other Services, the doctrines, tactics, techniques, and equipment employed by landing forces in amphibious operations. The Marine Corps shall have primary interest in the development of those landing force doctrines, tactics, techniques, and equipment which are of common interest to the Army and the Marine Corps.

(4) To train and equip, as required, Marine Forces for airborne operations, in coordination with the other Services and in accordance with doctrines established by the Joint Chiefs of Staff.

(5) To develop, in coordination with the other Services, doctrines, procedures, and equipment of interest to the Marine Corps for airborne operations and not provided for in Section V, paragraph A 1 c (2).

c. To organize and equip, in coordination with the other Services, and to provide naval forces, including naval close air-support forces, for the conduct of joint amphibious operations, and to be responsible for the amphibious training of all forces assigned to joint amphibious operations in accordance with doctrines established by the Joint Chiefs of Staff.

d. To develop, in coordination with the other Services, the doctrines, procedures, and equipment of naval forces for amphibious operations, and the doctrines and procedures for joint amphibious operations.

e. To furnish adequate, timely, and reliable intelligence for the Navy and Marine Corps.

f. To organize, train, and equip naval forces for naval reconnaissance, antisubmarine warfare, and protection of shipping, and mine laying, including the air aspects thereof, and controlled mine field operations.

g. To provide air support essential for naval operations.

h. To provide sea-based air defense and the sea-based means for coordinating control for defense against air attack, coordinating with the other Services in matters of joint concern.

i. To provide naval (including naval air) forces as required for the defense of the United States against air attack, in accordance with doctrines established by the Joint Chiefs of Staff.

j. To furnish aerial photography as necessary for Navy and Marine Corps operations.

2. *Collateral Functions of the Navy and Marine Corps*—To train forces:

a. To interdict enemy land and air power and communications through operations at sea.

b. To conduct close air and naval support for land operations.

c. To furnish aerial photography for cartographic purposes.

d. To be prepared to participate in the overall air effort as directed.

e. To establish military government, as directed, pending transfer of this responsibility to other authority.

C. Functions of the Department of the Air Force

The Department of the Air Force is responsible for the preparation of the air forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated mobilization plans, for the expansion of the peacetime components of the Air Force to meet the needs of war.

The Air Force, within the Department of the Air Force, includes aviation forces, both combat and service, not otherwise assigned.

1. *Primary Functions of the Air Force*

a. To organize, train, and equip Air Force forces for the conduct of prompt and sustained combat operations in the air—specifically, forces to defend the United States against air attack in accordance with doctrines

established by the Joint Chiefs of Staff, to gain and maintain general air supremacy, to defeat enemy air forces, to control vital air areas, and to establish local air superiority except as otherwise assigned herein.

b. To develop doctrines and procedures, in coordination with the other Services, for the unified defense of the United States against air attack.

c. To organize, train, and equip Air Force forces for strategic air warfare.

d. To organize and equip Air Force forces for joint amphibious and airborne operations, in coordination with the other Services, and to provide for their training in accordance with doctrines established by the Joint Chiefs of Staff.

e. To furnish close combat and logistical air support to the Army, to include air lift, support, and resupply of airborne operations, aerial photography, tactical reconnaissance, and interdiction of enemy land power and communications.

f. To provide air transport for the armed forces, except as otherwise assigned.

g. To develop, in coordination with the other Services, doctrines, procedures, and equipment for air defense from land areas, including the continental United States.

h. To formulate doctrines and procedures for the organizing, equipping, training, and employment of Air Force forces.

i. To provide an organization capable of furnishing adequate, timely, and reliable intelligence for the Air Force.

j. To furnish aerial photography for cartographic purposes.

k. To develop, in coordination with the other Services, tactics, techniques, and equipment of interest to the Air Force for emphibious [sic] operations and not provided for in Section V, paragraph B 1 b (3) and paragraph b [sic] 1 d.

l. To develop, in coordination with the other Services, doctrines, procedures, and equipment employed by Air Force forces in airborne operations.

2. *Collateral Functions of the Air Force*—To train forces:

a. To interdict enemy sea power through air operations.

b. To conduct antisubmarine warfare and to protect shipping.

c. To conduct aerial mine-laying operations.

VI. CANCELLATION

Reference (a) is cancelled.

VII. EFFECTIVE DATE

This Directive is effective immediately.

NEIL MCELROY
Secretary of Defense

Source: U.S. Department of Defense. Office of Secretary of Defense files. DoD Directive 5100.1, 31 December 1958. Directives Branch, Directorate of Correspondence and Directives, Washington Headquarters Services, Department of Defense, Washington, D.C.

11. Responsibility for Development of Space Systems— 6 March 1961.

The advent of military satellite and space vehicle systems in the late 1950's created problems of control and coordination within the Department of Defense. In a memorandum of 18 September 1959 to the Chairman of the Joint Chiefs of Staff, Secretary of Defense McElroy responded to the views of the Joint Chiefs on coordination of satellite and space vehicle operations, assigning major responsibility for development, production, and launching of space boosters to the Air Force. Early in 1961, Secretary of Defense McNamara reviewed the military portion of the national space program. Convinced that it could be improved by better organization and clearer assignment of responsibility, he issued Department of Defense Directive 5160.32, "Development of Space Systems," on 6 March 1961.

Source: U.S. Department of Defense. Office of Secretary of Defense files. DoD Directive 5160.32, 8 September 1970. Directives Branch, Directorate of Correspondence and Directives, Washington Headquarters Services, Department of Defense, Washington, D.C.

March 6, 1961
NUMBER 5160.32
GC, DoD

Department of Defense Directive

SUBJECT: Development of Space Systems

References:

(a) Memorandum (Conf) from Secretary of Defense to Chairman, Joint Chiefs of Staff, subject: Satellite and Space Vehicles Operations, September 18, 1959

(b) Memorandum from Director, Advanced Research Projects Agency to Secretary of the Army, Secretary of the Navy, and Secretary of the Air Force, subject: Study Contracts for Projects Assigned to the Advanced Research Projects Agency, September 14, 1959

(c) Memorandum (Conf) from Director of Defense Research and Engineering to the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, and Director, Advanced Research Projects Agency, subject: ARPA Programs, June 11, 1959

I. PURPOSE

This directive establishes policies and assigns responsibilities for research, development, test, and engineering of satellites, anti-satellites, space probes and supporting systems therefor, for all components of the Department of Defense.

II. POLICY AND ASSIGNMENT OF RESPONSIBILITIES

A. Each military department and Department of Defense agency is authorized to conduct preliminary research to develop new ways of using space

technology to perform its assigned function. The scope of such research shall be defined by the Director of Defense Research and Engineering in terms of expenditure limitations and other appropriate conditions.

B. Proposals for research and development of space programs and projects beyond the defined preliminary research stage shall be submitted to the Director of Defense Research and Engineering for review and determination as to whether such proposals, when transmitted to the Secretary of Defense, will be recommended for approval. Any such proposal will become a Department of Defense space development program or project only upon specific approval of the Secretary of Defense or the Deputy Secretary of Defense.

C. Research, development, test, and engineering of Department of Defense space development programs or projects, which are approved hereafter, will be the responsibility of the Department of the Air Force.

D. Exceptions to paragraph C will be made by the Secretary of Defense or the Deputy Secretary of Defense only in unusual circumstances.

E. The Director of Defense Research and Engineering will maintain a current summary of approved Department of Defense space development programs and projects.

III. CANCELLATION

Reference (a), except as to the assignments of specific projects made therein, and references (b) and (c) are hereby cancelled.

IV. EFFECTIVE DATE

This directive is effective upon publication. Instructions implementing this directive will be issued within thirty (30) days.

ROBERT S. MCNAMARA
Secretary of Defense

Source: U.S. Department of Defense. Office of Secretary of Defense files. DoD Directive 5160.32, 8 September 1970. Directives Branch, Directorate of Correspondence and Directives, Washington Headquarters Services, Department of Defense, Washington, D.C.

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12. Changes to the Functions Directive—1966–77.

Although only minor legislative actions pertaining to the organization and functions of the Department of Defense occurred after the passage of the Reorganization Act of 1958, four changes were made to Directive 5100.1. Changes 1, 3, and 4 of 17 June 1966, 31 January 1977, and 24 March 1977, respectively, simply revised the directive to conform with organizational changes and designations. Change 2 of 17 June 1969 incorporated the increased logistical responsibilities assigned to the Joint Chiefs of Staff by Secretary of Defense McNamara in a memorandum of 20 June 1964. New wording appears in bold face type; former wording in italics within brackets.

Source: Materials pertaining to all four changes are to be found in Office of Secretary of Defense files, DoD Directive 5100.1 series, Directives Branch, Directorate of Correspondence and Directives, Washington Headquarters Services, Department of Defense, Washington, D.C.

The following changes to Department of Defense Directive 5100.1, "Functions of the Department of Defense and its Major Components," dated 31 December 1958, were authorized on 17 June 1966:

* * * * *

IV. FUNCTIONS OF THE JOINT CHIEFS OF STAFF

* * * * *

3. To prepare integrated logistic plans, which may include assignments [*to the armed forces*] of logistic responsibilities **to the armed forces and the Defense Supply Agency** in accordance with such plans.

* * * * *

8. To provide military guidance for use by the military departments, [*and*] the armed forces, **and the defense agencies** as needed in the preparation of their respective detailed plans.

* * * * *

(Paragraph V C 1 k)
a [*e*]mphibious operations and not provided for in Section V., paragraph B 1 b (3) and paragraph **B** *[b]* 1 d. [Editorial change]

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VI. FUNCTIONS OF DEPARTMENT OF DEFENSE AGENCIES
[new; Title VI added]

1. Defense Atomic Support Agency (DASA). See DoD Directive 5105.31, July 22, 1964.
2. Defense Communications Agency (DCA). See DoD Directive 5105.19, November 14, 1961.
3. Defense Contract Audit Agency (DCAA). See DoD Directive 5105.36, June 9, 1965.
4. Defense Intelligence Agency (DIA). See DoD Directive 5105.21, August 1, 1961.
5. Defense Supply Agency (DSA). See DoD Directive 5105.22, December 9, 1965.
[Sections VI and VII were renumbered VII and VIII, respectively.]

/s/ ROBERT S. MCNAMARA
[/s/ Neil McElroy]
[Secretary of Defense]

Department of Defense Directive 5100.1, 17 June 1969, reprinted the text with the following additional amendments:
Refs.:

* * * * *

(c) SecDef multi-addressee memorandum, "Logistic Responsibilities of the JCS, June 20, 1964" (hereby cancelled)

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(Paragraph II 3, last line)
in the National Security Act of 1947, as amended **(10 U.S.C. 125)**.

* * * * *

IV. FUNCTIONS OF THE JOINT CHIEFS OF STAFF

* * * * *

3. To prepare **joint** logistic plans [,] **and assign** [*which may include assignments of*] logistic responsibilities to the **military services** [*armed forces*] and the **Defense Supply Agency** [*defense agencies*], in accordance with **those** [*such*] plans; **ascertain the logistic support available to execute the general war and contingency plans of the commanders of the unified and specified commands; review and recommend to the Secretary of Defense appropriate logistic guidance for the military services which, if implemented, will result in logistic readiness consistent with the approved strategic plans.**

* * * * *

V. FUNCTIONS OF THE MILITARY DEPARTMENTS AND THE MILITARY SERVICES

* * * * *

5. Recommend to the Secretary of Defense appropriate logistic guidance for their respective military departments which, if implemented, will result in logistic readiness consistent with the approved strategic guidance, and verify the continuing adequacy of the approved logistic guidance and the resources available to their respective military departments.

[Paragraphs 5–10 renumbered 6–11, respectively.]

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VII. CANCELLATION

References (a) **and** (c) are [*is*] **hereby** cancelled.

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Change 3 to Department of Defense Directive 5100.1, 31 January 1977, revised Section VI as follows:

VI. FUNCTIONS OF DEPARTMENT OF DEFENSE AGENCIES

1. **Defense Advanced Research Projects Agency (DARPA). See DoD Directive 5105.41, March 23, 1972.**

2. **Defense Audit Service (DAS). See DoD Directive 5105.48, October 14, 1976.**

3. **Defense Civil Preparedness Agency (DCPA). See DoD Directive 5105.43, July 14, 1972.**

4. [2.] Defense Communications Agency (DCA). See DoD Directive 5105.19, **October 8, 1974** [*November 14, 1961.*]

5. [3.] Defense Contract Audit Agency (DCAA). See DoD Directive 5105.36, June 9, 1965.

6. [*4.*] Defense Intelligence Agency (DS[*I*]A). See DoD Directive 5105.21, August 1, 1961 [**December 16, 1976**].[1]

7. **Defense Investigative Service (DIS). See DoD Directive 5105.42, April 18, 1972.**

[1] This error in the Department of Defense directive change 3 of 31 January 1977 was corrected by Department of Defense directive change 4 of 24 March 1977.

8. [5.] Defense **Logistics** [*Supply*] Agency (DL[S]A). See DoD Directive 5105.22, **January 5, 1977** [*December 9, 1965*].

9. Defense Mapping Agency (DMA). See DoD Directive 5105.40, January 1, 1972.

10. [*1.*] Defense **Nuclear** [*Atomic Support*] Agency (**DNA** [*DASA*]). See DoD Directive 5105.31, **November 3, 1971** [*July 22, 1964*].

11. Defense Security Assistance Agency (DSAA). See DoD Directive 5105.38, August 11, 1971.

13. Revision of Department of Defense Directive No. 5160.32—8 September 1970.

In April 1970 the Director of Defense Research and Engineering asked the military Services and the Joint Chiefs of Staff for their comments on proposed amendments to Department of Defense Directive 5160.32, "Development of Space Systems". (See item 11, pp. 325–26.) Continuing differences among the Services over responsibilities for development and operation of space systems prompted this initiative. The revised directive left with the Air Force "responsibility for development, production, and deployment of space systems for warning and surveillance of enemy nuclear delivery capabilities and all launch vehicles, including launch and orbital support operations." The roles of the Secretary of Defense and the Director of Defense Research and Engineering as supervisors, monitors, and decision-makers were also delineated.

Source: U.S. Department of Defense. Office of Secretary of Defense files. DoD Directive 5160.32, 8 September 1970. Directives Branch, Directorate of Correspondence and Directives, Washington Headquarters Services, Department of Defense, Washington, D.C.

September 8, 1970
NUMBER 5160.32
DDR & E

Department of Defense Directive

SUBJECT: Development of Space Systems

Reference: (a) DoD Directive 5160.32, March 6, 1961, subject as above (hereby cancelled).

I. PURPOSE

This Directive establishes policies and assigns responsibilities for research, development, test, and engineering of satellites, anti-satellites, space probes and supporting systems therefor, for all components of the Department of Defense.

II. CANCELLATION

Reference (a) is hereby superseded and cancelled.

III. POLICY AND ASSIGNMENT OF RESPONSIBILITIES

A. Functional responsibilities within OSD and the Military Departments for acquiring major weapon systems will be applied to the development and acquisition of space systems.

B. Existing assignment of responsibilities for on-going space systems are not changed by this Directive. The Air Force will have the responsibility for development, production and deployment of space systems for warning and surveillance of enemy nuclear delivery capabilities and all launch vehicles, including launch and orbital support operations. Military Department proposals for space development programs will require specific OSD approval based on DCP and DSARC policies. DCP's for space communications, navigation, unique surveillance (i.e., ocean or battlefield), meteorology, defense/offense, mapping/charting/geodesy, and major technology programs will designate the Military Department or DOD agency responsible for execution of the program.

C. Exceptions to B above will be made only by the Secretary of Defense or Deputy Secretary of Defense.

D. The Director of Defense Research and Engineering will monitor all space technology activity to minimize system technical risk and cost, to prevent unwarranted duplication, and to assure that a space program assigned to one department meets the needs of other departments. Other departments may appoint program/project monitors to report progress to their departments and perform liaison between their departments and the responsible department. DDR&E will continue to serve as a focal point for space technology and space systems where the interests of more than one department are involved.

IV. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective upon publication. Two(2) copies of implementing instructions shall be forwarded to the Director of Defense Research and Engineering within sixty (60) days.

/s/ DAVID PACKARD
Deputy Secretary of Defense

Source: U.S. Department of Defense. Office of Secretary of Defense files. DoD Directive 5160.32, 8 September 1970. Directives Branch, Directorate of Correspondence and Directives, Washington Headquarters Services, Department of Defense, Washington, D.C.

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14. Cancellation of Department of Defense Directive No. 5160.22—8 March 1971.

Reassessment of U.S. military strategy and force requirements during the early 1960's led to an increase in general purpose forces, including a buildup of Army aviation for greater tactical mobility and firepower. During the hearings on the Department of Defense budget for fiscal year 1963, one member of the House Committee on Appropriations expressed the hope to Secretary of Defense Robert S. McNamara that "you have done away with—if not formally at least other than through lipservice—the

5,000-pound limitation for the Army air arm." Secretary McNamara replied, "We are not applying any such limitation."

Nevertheless, Department of Defense Directive No. 5160.22 was not cancelled until 8 March 1971, and then on the ground that it had "served the purpose for which it was issued." The Army favored and the Air Force opposed the cancellation. The effect of the cancellation, clearly intended by Deputy Secretary of Defense David Packard, the moving spirit in this action, was to remove from the Army and the Air Force and the Office of the Secretary of Defense the restraints of the official guidelines and to leave them free to address pertinent problems on a case-by-case basis.

Sources: U.S. Department of Defense. Office of Secretary of Defense files. DoD Directive 5160.22, 18 March 1957. Directives Branch, Directorate of Correspondence and Directives, Washington Headquarters Services, Department of Defense, Washington, D.C.

U.S. Congress. House. Committee on Appropriations. *Hearings before a Subcommittee of the Committee on Appropriations, Department of Defense Appropriation for 1963*, Part 2, p. 94. 87th Congress, 2nd session. Washington: Government Printing Office, 1962.

Department of Defense Directives System Transmittal

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March 8, 1971
5100 series

CANCELLATION

Department of Defense Directive 5160.22, "Clarification of Roles and Misssions of the Departments of the Army and Air Force Regarding Use of Aircraft," dated March 18, 1957, has served the purpose for which it was issued and is hereby cancelled.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division
OASD (Administration)

Source: U.S. Department of Defense. Office of Secretary of Defense files. DoD Directive 5160.22, 18 September 1957. Directives Branch, Directorate of Correspondence and Directives, Washington Headquarters Services, Department of Defense, Washington, D.C.

The Secretaries of Defense

James V. Forrestal	17 September 1947—27 March 1949
Louis Johnson	28 March 1949—19 September 1950
George C. Marshall	21 September 1950—12 September 1951
Robert A. Lovett	17 September 1951—20 January 1953
Charles E. Wilson	28 January 1953—8 October 1957
Neil H. McElroy	9 October 1957—1 December 1959
Thomas S. Gates, Jr.	2 December 1959—20 January 1961
Robert S. McNamara	21 January 1961—29 February 1968
Clark M. Clifford	1 March 1968—20 January 1969
Melvin R. Laird	22 January 1969—29 January 1973
Elliot L. Richardson	30 January 1973—24 May 1973
James R. Schlesinger	2 July 1973—19 November 1975
Donald H. Rumsfeld	20 November 1975—20 January 1977
Harold Brown	21 January 1977—

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