

OCA 86-1100

**Office of Legislative Liaison**  
**Routing Slip**

TO:	ACTION	INFO
1. D/OLL		x
2. DD/OLL		x
3. Admin Officer		
4. Liaison		x
5. Legislation	x	
6. Ch/Liaison		x
7. DCh/Liaison		
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STAT

SUSPENSE 9 April 86  
 Date

Action Officer: [Redacted]

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Remarks:  
 The Attachments are with Legislation

*No objection provided to*  
*OMD - 10 April.*  
7 April 86  
 Name/Date

STAT

UNCLASSIFIED

86 - 1100



**EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503**

April 3, 1986

**SPECIAL**

LEGISLATIVE REFERRAL MEMORANDUM

**TO: Legislative Liaison Officer-**

- National Security Council
- Department of State
- Department of Justice
- Department of Defense
- Office of Personnel Management
- Central Intelligence Agency

**SUBJECT: Draft Floor Position on the draft of the Senate Armed Services Committee bill on Defense Reorganization.**

(A copy of the draft bill is included for your review.)

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than WEDNESDAY, APRIL 9, 1986.

Questions should be referred to Sue Thau/Annette Rooney (395-7300), the legislative analyst in this office.

**RONALD K. PETERSON FOR  
Assistant Director for  
Legislative Reference**

**Enclosures**

- cc: A. Belasco
- R. Greene
- H. Schreiber
- T. Stanners
- F. Seidl
- J. Eisenhower (see pg. 42)

**SPECIAL**



# STATEMENT OF ADMINISTRATION POLICY

April 3, 1986

Department of Defense Reorganization Act of 1986  
(Senators Goldwater (R) Arizona and Nunn (D) Georgia)

The Administration supports Senate passage of S. \_\_\_\_\_ and the adoption of amendments to delete the provisions requiring selected staff reductions in Defense. The statutory imposition of specific personnel reductions would eliminate needed management flexibility and impair the Secretary's ability to respond to changing program requirements.

\* \* \* \* \*

M1-186.1  
2579 (see)

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

X112-6

March 31, 1986

*Have*

MEMORANDUM FOR RONALD K. PETERSON

FROM: RODNEY B. McDANIEL *Bob for*

SUBJECT: Senate Armed Services Committee Bill

Attached is a draft of the Senate Armed Services Committee Bill on Defense Reorganization. We would appreciate your circulating the document for comment. The views of those on your distribution list would be helpful to us in evaluating how to deal with the various issues concerning reorganization which may arise in the course of Congressional debate.

Attachment

Tab A Draft Senate Armed Services Committee Bill

cc: David Chew

**TAB**

**A**

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March 26, 1986

Calendar No. --

99th CONGRESS  
2d Session

S. \_\_\_\_\_

[Report No. 99-\_\_]

-----  
IN THE SENATE OF THE UNITED STATES  
-----

Mr. Goldwater, from the Committee on Armed Services, reported the following original bill; which was read twice and ordered to be placed on the calendar

-----  
A BILL

To amend title 10, United States Code, to reorganize and strengthen certain elements of the Department of Defense, to improve the military advice provided the President, the National Security Council, and the Secretary of Defense, to enhance the effectiveness of military operations, to increase attention to the formulation of strategy, to provide for the more efficient use of resources, to strengthen civilian authority in the Department of Defense, and for other purposes.

1 Be it enacted by the Senate and House of Representatives  
2 of the United States of America in Congress assembled,

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1 SECTION 1. SHORT TITLE

2 This Act may be cited as the "Department of Defense  
3 Reorganization Act of 1986".

4 SEC. 2. REFERENCES TO TITLE 10, UNITED STATES CODE

5 Except as otherwise expressly provided, whenever in this  
6 Act an amendment or repeal is expressed in terms of an  
7 amendment to, or repeal of, a section or other provision, the  
8 reference shall be considered to be made to a section or  
9 other provision of title 10, United States Code.

TITLE I--DEPARTMENT OF DEFENSE

11 SEC. 101. MODIFICATION OF AUTHORITY OF SECRETARY OF DEFENSE  
12 TO REORGANIZE THE DEPARTMENT OF DEFENSE

13 Section 125 is amended--

14 (1) in subsection (a), by striking out "unless the  
15 Secretary" in the second sentence and all that follows  
16 down through the rest of the subsection and inserting in  
17 lieu thereof a period;

8 (2) in subsection (b)--

19 (A) by inserting "vested by law in the  
20 Department of Defense, or an officer, official, or  
21 agency thereof" after "function, power, or duty";

22 and

23 (B) by striking out "5312, 5313" and inserting  
24 in lieu thereof "5242, 5243"; and

25 (3) by striking out subsection (d).

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1 SEC. 102. ORGANIZATION OF THE DEPARTMENT OF DEFENSE

2 Section 131 is amended to read as follows:

3 ``§ 131. Executive department

4 ``The Department of Defense is an executive department of  
5 the United States. It is composed of the following:

6 `` (1) The Office of the Secretary of Defense.

7 `` (2) The Joint Chiefs of Staff.

8 `` (3) The Joint Staff.

9 `` (4) The Defense Agencies.

10 `` (5) Department of Defense Field Activities.

11 `` (6) The Department of the Army.

12 `` (7) The Department of the Navy.

13 `` (8) The Department of the Air Force.

14 `` (9) The unified and specified combatant commands of  
15 the Department of Defense.

16 `` (10) All field headquarters of the Department of  
17 Defense.

18 `` (11) The reserve components of the military  
19 departments.

20 `` (12) All installations of the Department of  
21 Defense.

22 `` (13) All functions and activities under the control  
23 or supervision of any element named in clauses (1)  
24 through (12).

25 `` (14) Such other offices as may be established or



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1 designated by the President.''.

2 SEC. 103. POWERS AND DUTIES OF THE SECRETARY OF DEFENSE

3 (a) In General.--Section 133 is amended--

4 (1) in subsection (c)(2), by striking out ``section  
5 125'' and inserting in lieu thereof ``sections 125 and  
6 191'';

7 (2) in subsection (e)--

8 (A) by inserting `` , major military missions, ''  
9 in clause (1) after ``policy'';

10 (B) by striking out ``that policy'' in clause (2)  
11 and inserting in lieu thereof ``such policy,  
12 missions, '' ; and

13 (C) by striking out ``the policy'' in clause (3)  
14 and inserting in lieu thereof ``such policy,  
15 missions, '' ; and

16 (3) by adding at the end the following new  
17 subsections:

18 ``(f) When a vacancy occurs in an office within the  
19 Department of Defense and the person appointed to that office  
20 is to be appointed from civilian life by the President, by  
21 and with the advice and consent of the Senate, the Secretary  
22 of Defense shall inform the President of the qualifications  
23 needed by an appointee to carry out effectively the duties  
24 and responsibilities of that office.

25 ``(g) The Secretary of Defense, with the approval of the

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1 President, shall provide annually to the Chairman of the  
 2 Joint Chiefs of Staff written policy guidance for the  
 3 preparation and review of contingency plans.

4 ``(h) The Secretary of Defense shall keep the Secretaries  
 5 of the Army, Navy, and Air Force informed on military  
 6 operations and activities of the Department of Defense that  
 7 directly affect their respective responsibilities.''.

8 (b) Conforming Amendments.--The section heading of  
 9 section 133 is amended to read as follows:

10 ``§ 133. Secretary of Defense: appointment; powers and  
 11 duties; delegation authority''.

#### 12 SEC. 104. REDESIGNATION OF SECTIONS

13 Chapter 4 is further amended by redesignating the  
 14 sections of chapter 4 as follows:

- 15 (1) Section 133a as section 142.
- 16 (2) Section 133b as section 2780.
- 17 (3) Section 134 as section 135.
- 18 (4) Section 135 as section 136.
- 19 (5) Section 136 as section 137.
- 20 (6) Section 136a as section 139.
- 21 (7) Section 137 as section 140.
- 22 (8) Section 138 as section 2871.
- 23 (9) Section 139 as section 2872.
- 24 (10) Section 139a as section 2873.
- 25 (11) Section 139b as section 2874.

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1 (12) Section 139c as section 2875.

2 (13) Section 140 as section 143.

3 (14) Section 140a as section 144.

4 (15) Section 140b as section 145.

5 (16) Section 140c as section 146.

6 SEC. 105. OFFICE OF THE SECRETARY OF DEFENSE

7 Chapter 4 is further amended by inserting after section  
8 133 the following new section:

9 ``§ 134. Office of the Secretary of Defense

10 ``(a) There is in the Department of Defense an Office of  
11 the Secretary of Defense. The function of the Office is to  
12 assist the Secretary of Defense in carrying out his duties  
13 and responsibilities.

14 ``(b) The Office of the Secretary of Defense is composed  
15 of the following:

16 ``(1) The Deputy Secretary of Defense.

17 ``(2) The Under Secretaries of Defense.

18 ``(3) The Assistant Secretaries of Defense.

19 ``(4) The Comptroller of the Department of Defense.

20 ``(5) The Director of Operational Test and  
21 Evaluation.

22 ``(6) The General Counsel of the Department of  
23 Defense.

24 ``(7) The Inspector General of the Department of  
25 Defense.

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1           “(8) Such other offices and officers as the  
2           Secretary of Defense may establish or designate.

3           “(c) Officers of the armed forces may be detailed for  
4           duty as assistants or personal aides to the Secretary of  
5           Defense. However, the Secretary may not establish a military  
6           staff other than that designated by section 151(d) of this  
7           title.

8           “(d) The Secretary of each military department, his  
9           civilian assistants, and members of the armed forces under  
10          the jurisdiction of his department shall cooperate fully with  
11          personnel of the Office of the Secretary of Defense to  
12          achieve efficient administration of the Department of Defense  
13          and to carry out effectively the authority, direction, and  
14          control of the Secretary of Defense.”.

15   SEC. 106. UNDER SECRETARIES OF DEFENSE

16          Section 136 (as redesignated by section 104(4)) is  
17          amended--

18                 (1) in subsection (a), by striking out the last  
19                 sentence; and

20                 (2) in subsection (b)--

21                         (A) by inserting “(1)” after “(b)”;

22                         (B) by designating the second sentence as  
23                         paragraph (2); and

24                         (C) by redesignating clauses (1) through (3) of  
25                         paragraph (2) (as redesignated) as clauses (A)

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1 through (C), respectively.

2 SEC. 107. ASSISTANT SECRETARIES OF DEFENSE

3 Section 137 (as redesignated by section 104(5)) is  
4 amended--

5 (1) in subsection (b)--

6 (A) by striking out paragraphs (2) and (3);

7 (B) by redesignating paragraph (4) as paragraph  
8 (2); and

9 (C) by striking out paragraphs (5) and (6);

10 (2) in subsection (c)--

11 (A) by striking out ``him'' in paragraph (1) and  
12 inserting in lieu thereof ``the Assistant  
13 Secretary''; and

14 (B) by striking out `` , or his designee'' in  
15 paragraph (2);

16 (3) by striking out subsection (d);

17 (4) by redesignating subsection (e) as subsection  
18 (d); and

19 (5) by inserting at the end of subsection (d) (as  
20 redesignated) the following: ``The order of precedence  
21 among the Assistant Secretaries shall be the order  
22 prescribed by the Secretary of Defense.''.

23 SEC. 108. COMPTROLLER OF THE DEPARTMENT OF DEFENSE

24 Chapter 4 is further amended by inserting after section  
25 137 (as redesignated by section 104(5)) the following new

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1 section:

2 ``§ 138. Comptroller of the Department of Defense

3 ``(a) There is a Comptroller of the Department of  
4 Defense, appointed from civilian life.

5 ``(b) Subject to the authority, direction, and control of  
6 the Secretary of Defense, the Comptroller of the Department  
7 of Defense shall--

8 ``(1) advise and assist the Secretary in performing  
9 such budgetary and fiscal functions and duties, and in  
10 exercising such budgetary and fiscal powers, as are  
11 needed to carry out the powers of the Secretary;

12 ``(2) supervise and direct the preparation of budget  
13 estimates of the Department of Defense;

14 ``(3) establish and supervise the execution of  
15 principles, policies, and procedures to be followed in  
16 connection with organizational and administrative matters  
17 relating to--

18 ``(A) the preparation and execution of budgets;

19 ``(B) fiscal, cost, operating, and capital  
20 property accounting;

21 ``(C) progress and statistical reporting; and

22 ``(D) internal audit;

23 ``(4) establish and supervise the execution of  
24 policies and procedures relating to the expenditure and  
25 collection of funds administered by the Department of

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1 Defense; and

2 `` (5) establish uniform terminologies,  
3 classifications, and procedures concerning matters  
4 covered by clauses (1) through (4). ``.

5 SEC. 109. INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE

6 Chapter 4 is further amended by inserting after section  
7 140 (as redesignated by section 104(7)) the following new  
8 section:

9 `` § 141. Inspector General of the Department of Defense

10 `` (a) There is an Inspector General of the Department of  
11 Defense, who shall be appointed as provided in section 3 of  
12 the Inspector General Act of 1978 (Public Law 95-452; 5  
13 U.S.C. App. 3).

14 `` (b) The Inspector General of the Department of Defense  
15 shall perform the duties, have the responsibilities, and  
16 exercise the powers specified in the Inspector General Act of  
17 1978 (Public Law 95-452; 5 U.S.C. App. 3). ``.

18 SEC. 110. TECHNICAL AND CONFORMING AMENDMENTS

19 (a) Reorganization of Chapter 4.--(1) The table of  
20 sections at the beginning of chapter 4 is amended to read as  
21 follows:

`` Sec.

`` 131. Executive department.

`` 132. Department of Defense: seal.

`` 133. Secretary of Defense: appointment; powers and duties;  
delegation authority.

`` 134. Office of the Secretary of Defense.

`` 135. Deputy Secretary of Defense: appointment; powers and  
duties; precedence.

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- ``136. Under Secretaries of Defense: appointment; powers and duties; precedence.
- ``137. Assistant Secretaries of Defense: appointment; powers and duties; precedence.
- ``138. Comptroller of the Department of Defense.
- ``139. Director of Operational Test and Evaluation: appointment; powers and duties.
- ``140. General Counsel: appointment; powers and duties.
- ``141. Inspector General of the Department of Defense.
- ``142. Secretary of Defense: annual report on North Atlantic Treaty Organization readiness.
- ``143. Emergencies and extraordinary expenses.
- ``144. Secretary of Defense: funds transfers for foreign cryptologic support.
- ``145. Prohibition of certain civilian personnel management constraints.
- ``146. Secretary of Defense: authority to withhold from public disclosure certain technical data.''

1       (2) Section 132 is amended by striking out the section  
2 heading and inserting in lieu thereof the following:

3       ``§ 132. Department of Defense: seal''.

4       (3) Except as provided in subsections (b) and (c), the  
5 sections of chapter 4 redesignated by section 104 and the  
6 sections added to such chapter by sections 105, 108, and 109  
7 shall appear in such chapter in the order of their numerical  
8 designations.

9       (b) Relocation of Section.--(1) Section 2780, as  
10 redesignated by section 104(2), is transferred to and made a  
11 part of chapter 165, and is inserted immediately after  
12 section 2779.

13       (2) The table of sections at the beginning of chapter 165  
14 is amended by adding at the end the following new item:

``2780. Sale or transfer of defense articles: report to Congress.''



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1 (c) Creation of New Chapter.--(1) Part IV of subtitle A  
2 is amended by adding after chapter 169 the following:

3 ``CHAPTER 171--REQUIREMENT FOR AUTHORIZATION OF  
4 APPROPRIATIONS; OVERSIGHT OF COST GROWTH IN MAJOR PROGRAMS

``Sec.

``2871. Annual authorization of appropriations and personnel  
strengths for the armed forces; annual manpower  
requirements and operations and maintenance  
reports.

``2872. Weapons development and procurement schedules for  
armed forces; reports; supplemental reports.

``2873. Oversight of cost growth in major programs: Selected  
Acquisition Reports.

``2874. Oversight of cost growth of major programs: unit cost  
reports.

``2875. Major defense acquisition programs: independent cost  
estimates.''.

5 (2) Sections 2871 through 2875, as redesignated by  
6 section 104, are transferred to and made a part of chapter  
7 171 (as added by subsection (c) of this section).

8 (3) The catchline of section 2872, as redesignated by  
9 section 104(9), is amended to read as follows:

``2872. Weapons development and procurement schedules for  
armed forces; reports; supplemental reports.''.

10 (4) The tables of chapters at the beginning of subtitle A  
11 and at the beginning of part IV of such subtitle are each  
12 amended by inserting after the item relating to chapter 169  
13 the following new item:

``171. Requirement for Authorization of  
Appropriations; Oversight of Cost  
Growth in Major Programs. . . . . 2871.''.

14 (d) Repeal of section.--Chapter 41 is amended--

15 (1) by striking out section 718; and

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1           (2) by striking out in the table of sections at the  
2       beginning of such chapter the item relating to section  
3       718.

4   SEC. 111. JOINT CHIEFS OF STAFF

5       (a) Composition; Functions; Chairman; Vice Chairman;  
6   Joint Staff.--Chapter 5 is amended to read as follows:

7           ``CHAPTER 5--JOINT CHIEFS OF STAFF

    ``Sec.  
    ``151. Composition; functions.  
    ``152. Chairman.  
    ``153. Vice Chairman.  
    ``154. Joint Staff.

8   ``§ 151. Composition; functions

9       ``(a)(1) There are in the Department of Defense the Joint  
10   Chiefs of Staff consisting of the following:

- 11       ``(A) The Chairman.  
12       ``(B) The Vice Chairman.  
13       ``(C) The Chief of Staff of the Army.  
14       ``(D) The Chief of Naval Operations.  
15       ``(E) The Chief of Staff of the Air Force.  
16       ``(F) The Commandant of the Marine Corps.

17       ``(2) The President may assign to serve as members of the  
18   Joint Chiefs of Staff only officers who have served in one or  
19   more joint duty positions for a substantial period of time.  
20   The President may waive such requirement in the case of any  
21   officer if the President determines such action is necessary  
22   in the national interest.

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1        “(b) The Chairman of the Joint Chiefs of Staff is the  
2 principal military adviser to the President, the National  
3 Security Council, and the Secretary of Defense.

4        “(c) The members of the Joint Chiefs of Staff are  
5 military advisers to the President, the National Security  
6 Council, and the Secretary of Defense, as specified in this  
7 section.

8        “(d) The Joint Chiefs of Staff, assisted by the Joint  
9 Staff, constitute the immediate military staff of the  
10 Secretary of Defense.

11       “(e) In performing his duties, the Chairman shall--

12           “(1) convene regular meetings of the Joint Chiefs of  
13 Staff;

14           “(2) unless impracticable, consult with and seek the  
15 advice of, individually or collectively, the other  
16 members of the Joint Chiefs of Staff; and

17           “(3) when appropriate, consult with and seek the  
18 advice of the commanders of the unified and specified  
19 combatant commands.

20       “(f) When the Chairman of the Joint Chiefs of Staff  
21 provides advice to the Secretary of Defense, the National  
22 Security Council, or the President, any other member of the  
23 Joint Chiefs of Staff may submit advice or an opinion in  
24 disagreement or advice or an opinion in addition to the  
25 advice provided by the Chairman. If such member submits such

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1 advice or opinion, the Chairman shall present the advice or  
2 opinion of such member at the same time the Chairman presents  
3 his own advice to the President, the National Security  
4 Council, or the Secretary of Defense, as the case may be.

5 ``(g) After first informing the Secretary of Defense, a  
6 member of the Joint Chiefs of Staff may make such  
7 recommendations to Congress relating to the Department of  
8 Defense as he may consider appropriate.

9 ``(h) In addition to any advice or opinion submitted  
10 under subsection (f) by members of the Joint Chiefs of Staff  
11 other than the Chairman, such members, in their capacity as  
12 military advisers, shall provide advice to the President, the  
13 National Security Council, or the Secretary of Defense on a  
14 particular matter when the President, the National Security  
15 Council, or the Secretary requests such advice.

16 ``§ 152. Chairman

17 ``(a)(1) The Chairman of the Joint Chiefs of Staff shall  
18 be appointed by the President, by and with the advice and  
19 consent of the Senate, from the officers of the regular  
20 components of the armed forces. He serves at the pleasure of  
21 the President for a term of two years and, subject to  
22 paragraph (3), may be reappointed in the same manner for two  
23 additional terms. However, in time of war declared by  
24 Congress there is no limit on the number of reappointments.

25 ``(2) Notwithstanding paragraph (1), the term of a

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1 Chairman shall end not later than six months after the  
2 accession to office of a new President. The requirement of  
3 the preceding sentence does not apply in the case of a  
4 Chairman appointed or reappointed during the first six months  
5 of the term of a new President. As used in this paragraph,  
6 the term 'new President' shall not include a President who is  
7 elected to a second consecutive term.

8       ''(3) An officer may not serve as Chairman or Vice  
9 Chairman of the Joint Chiefs of Staff if the total combined  
10 period of service of such officer in both such positions  
11 exceeds six years. The President may extend the combined  
12 period of service for such officer to eight years if he  
13 determines such action is necessary in the national interest.  
14 The limitations of this paragraph do not apply in time of war  
15 declared by Congress.

16       ''(b) In addition to his other duties as a member of the  
17 Joint Chiefs of Staff, the Chairman shall, subject to the  
18 authority, direction, and control of the President and the  
19 Secretary of Defense--

20           ''(1) preside over the Joint Chiefs of Staff; and

21           ''(2) provide agenda for the meetings of the Joint  
22 Chiefs of Staff (including any subject for the agenda  
23 recommended by the Joint Chiefs of Staff), assist them in  
24 carrying on their business as promptly as practicable,  
25 and determine when issues under consideration shall be

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1 decided.

2 ``(c) The Chairman, while so serving, holds the grade of  
3 general or, in the case of an officer of the Navy, admiral  
4 and outranks all other officers of the armed forces. However,  
5 he may not exercise military command over the Joint Chiefs of  
6 Staff or any of the armed forces.

7 ``(d) Subject to the authority, direction, and control of  
8 the President and the Secretary of Defense, the Chairman of  
9 the Joint Chiefs of Staff shall--

10 ``(1) prepare strategic plans to provide for the  
11 strategic direction of the armed forces, including plans  
12 which conform with resource levels projected by the  
13 Secretary of Defense;

14 ``(2) advise the Secretary on the extent to which the  
15 program recommendations and budget proposals of the  
16 military departments and other components of the  
17 Department of Defense for each fiscal year conform with  
18 the priorities established in strategic plans and the  
19 operational requirements of the unified and specified  
20 combatant commands;

21 ``(3) advise the Secretary on the extent to which the  
22 major manpower programs and policies of the armed forces  
23 conform with strategic plans;

24 ``(4) provide for the preparation and review of  
25 contingency plans which conform to policy guidance from

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1 the President and the Secretary of Defense;

2        “(5) prepare joint logistic and mobility plans to  
3 support the contingency plans and recommend the  
4 assignment of logistic and mobility responsibilities to  
5 the military departments in accordance with such logistic  
6 and mobility plans;

7        “(6) advise the Secretary on critical deficiencies  
8 and strengths in force capabilities, including manpower,  
9 logistic, and mobility support, identified during the  
10 preparation and review of contingency plans and assess  
11 the effect of such deficiencies and strengths on meeting  
12 national security objectives and policy and on strategic  
13 plans;

14        “(7) assess joint military requirements for defense  
15 acquisition programs, especially in the area of  
16 communications, in order to enhance the ability of the  
17 armed forces to operate jointly;

18        “(8) develop doctrine, for the approval of the  
19 Secretary of Defense, for the joint employment of the  
20 armed forces;

21        “(9) formulate policies, for the approval of the  
22 Secretary of Defense, for the joint training of the armed  
23 forces that enhance their ability to operate jointly;

24        “(10) formulate policies, for the approval of the  
25 Secretary of Defense, for coordinating the military

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1 education and training of the armed forces, particularly  
2 the education and training of officers who serve in joint  
3 duty positions;

4 ``(11) provide for representation of the United  
5 States on the Military Staff Committee of the United  
6 Nations in accordance with the Charter of the United  
7 Nations; and

8 ``(12) perform such other duties as the President or  
9 the Secretary of Defense may prescribe.

10 ``(e)(1) Not less than once every three years, or upon  
11 the request of the President, the Chairman shall submit a  
12 report to the Secretary of Defense containing such  
13 recommendations for changes in the function assignments of  
14 the armed forces as the Chairman considers necessary to  
15 ensure maximum effectiveness of the armed forces. In  
16 preparing each report, the Chairman shall take into  
17 consideration--

18 ``(A) changes in the nature of the threats faced by  
19 the armed forces;

20 ``(B) unnecessary duplication of effort among the  
21 armed forces; and

22 ``(C) changes in technology that can be applied  
23 effectively to warfare.

24 ``(2) The Chairman shall also include in each such report  
25 recommendations for such changes in policies, directives,



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1 regulations, and legislation as may be necessary to achieve  
2 the changes in function assignments recommended by the  
3 Chairman.

4 ``§ 153. Vice Chairman

5 `` (a)(1) There is a Vice Chairman of the Joint Chiefs of  
6 Staff. The Vice Chairman shall be appointed by the President,  
7 by and with the advice and consent of the Senate, from the  
8 officers of the regular components of the armed forces.

9 `` (2) The Chairman and Vice Chairman may not be members  
10 of the same armed force. However, the Secretary of Defense  
11 may waive the restriction in the preceding sentence for a  
12 limited period of time in order to effect the orderly  
13 transition of officers appointed to serve in the positions of  
14 Chairman and Vice Chairman.

15 `` (3) The Vice Chairman serves at the pleasure of the  
16 President for a term of two years and may be reappointed in  
17 the same manner for two additional terms. However, in time of  
18 war declared by Congress there is no limit on the number of  
19 reappointments.

20 `` (b)(1) The Vice Chairman exercises such duties as may  
21 be delegated by the Chairman with the approval of the  
22 Secretary of Defense.

23 `` (2) When there is a vacancy in the office of Chairman  
24 or in the absence or disability of the Chairman, the Vice  
25 Chairman, unless otherwise directed by the President or

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1 Secretary of Defense, acts as Chairman and performs the  
2 duties of the Chairman until a successor is appointed or the  
3 absence or disability ceases.

4       “(c) The Vice Chairman may attend all meetings of the  
5 Joint Chiefs of Staff but may not vote on a matter before the  
6 Joint Chiefs of Staff except when acting as Chairman.

7       “(d) The Vice Chairman, while so serving, holds the  
8 grade of general or, in the case of an officer of the Navy,  
9 admiral and outranks all other officers of the armed forces  
10 except the Chairman. The Vice Chairman may not exercise  
11 military command over the Joint Chiefs of Staff or any of the  
12 armed forces.

13       “§ 154. Joint Staff

14       “(a)(1) There is in the Department of Defense a Joint  
15 Staff under the Chairman of the Joint Chiefs of Staff.  
16 Subject to the authority, direction, and control of the  
17 Chairman, the Joint Staff shall assist the Chairman and the  
18 other members of the Joint Chiefs of Staff in carrying out  
19 their responsibilities.

20       “(2) The Joint Staff shall include officers selected by  
21 the Chairman in approximately equal numbers from--

22               “(A) the Army;

23               “(B) the Navy and the Marine Corps; and

24               “(C) the Air Force.

25       “(3) Selection of officers of an armed force to serve on

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1 the Joint Staff shall be made by the Chairman from a list of  
2 officers submitted by the armed force. Each officer whose  
3 name is submitted shall be among those officers considered to  
4 be the most outstanding officers of that armed force. The  
5 Chairman may specify the number of officers to be included on  
6 any such list.

7     “(4) The tenure of the members of the Joint Staff is  
8 subject to the approval of the Chairman of the Joint Chiefs  
9 of Staff.

10     “(b) The Chairman of the Joint Chiefs of Staff, after  
11 consultation with the other members of the Joint Chiefs of  
12 Staff and with the approval of the Secretary of Defense, may  
13 select a Director of the Joint Staff.

14     “(c) The Chairman of the Joint Chiefs of Staff manages  
15 the Joint Staff and the Director of the Joint Staff. The  
16 Joint Staff shall perform such duties as the Chairman shall  
17 prescribe and shall perform such duties under such procedures  
18 as the Chairman shall prescribe.

19     “(d) The Joint Staff shall not operate or be organized  
20 as an overall Armed Forces General Staff and shall have no  
21 executive authority. The Joint Staff may be organized and may  
22 operate along conventional staff lines to support the  
23 Chairman and the other members of the Joint Chiefs of Staff  
24 in discharging their assigned responsibilities.

25     “(e)(1) An officer who is assigned or detailed to duty

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1 on the Joint Staff may not serve for a tour of duty of more  
2 than four years. However, such tour of duty may be extended  
3 with the approval of the Secretary of Defense.

4 `` (2) An officer completing a tour of duty with the Joint  
5 Staff may not be assigned or detailed to duty on the Joint  
6 Staff within two years after relief from that duty except  
7 with the approval of the Secretary.

8 `` (3) This subsection does not apply in time of war  
9 declared by Congress or in time of national emergency  
10 declared by the President.

11 `` (f)(1) The total number of civilian and military  
12 personnel assigned or detailed to permanent duty on the Joint  
13 Staff may not exceed 1,617. Such limitation does not apply in  
14 time of war or during a national emergency declared by  
15 Congress.

16 `` (2)(A) For purposes of this section, the Joint Staff  
17 includes all civilian and military personnel assigned or  
18 detailed to permanent duty to assist the Chairman and Vice  
19 Chairman in carrying out their responsibilities and to assist  
20 the other members of the Joint Chiefs of Staff in carrying  
21 out their responsibilities specified in section 151 of this  
22 title.

23 `` (B) The Joint Staff does not include civilian or  
24 military personnel assigned or detailed to permanent duty in  
25 a military department.''.

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1 (b) Conforming Amendments.--(1) The item relating to  
2 chapter 5 in the tables of chapters at the beginning of  
3 subtitle A and at the beginning of part I of such subtitle  
4 are each amended to read as follows:

5. Joint Chiefs of Staff. . . . . 151''.

5 (2) Section 525(b)(3) is amended by inserting ``or Vice  
6 Chairman'' after ``Chairman''.

7 (3) Section 743 is amended--

8 (A) by striking out ``and'' after ``Operations,'';

9 (B) by inserting ``and the Commandant of the Marine  
10 Corps'' after ``Air Force''; and

11 (C) by inserting ``and the Vice Chairman'' after  
12 ``Chairman''.

13 (c) Date for First Report.--The first report under  
14 section 152(e) of title 10, United States Code (as added by  
15 subsection (a) of this section), shall be submitted by the  
16 Chairman of the Joint Chiefs of Staff not later than one year  
17 after the date of the enactment of this Act.

18 (d) Effective Date.--The limitation prescribed in section  
19 154(f) of title 10, United States Code (as added by  
20 subsection (a) of this section), shall be effective after  
21 September 30, 1988.

22 SEC. 112. COMBATANT COMMANDS

23 (a) In General.--Part I of subtitle A is amended by  
24 inserting after chapter 5 the following new chapter:

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## 1                    ``CHAPTER 6--COMBATANT COMMANDS

- ``Sec.  
``161. Definitions.  
``162. Combatant commands: establishment; composition;  
          functions.  
``163. Operational chain of command.  
``164. Commanders of combatant commands: assignment; powers  
          and duties.  
``165. Combatant commands: administration and support.

## 2    ``§ 161. Definitions

3        ``In this chapter:

4            ``(1) 'Unified combatant command' means a command  
5            which has broad, continuing missions and which is  
6            composed of combatant forces from two or more military  
7            departments.

8            ``(2) 'Specified combatant command' means a command  
9            which has broad, continuing missions and which is  
10           composed of combatant forces from a single military  
11           department.

12            ``(3) 'Combatant command' means a unified combatant  
13            command or a specified combatant command.

14            ``(4) 'Combatant forces' means those forces of the  
15            armed forces whose primary mission is to engage in  
16            combat.

17    ``§ 162. Combatant commands: establishment; composition;  
18    functions

19            ``(a) With the advice and assistance of the Chairman of  
20            the Joint Chiefs of Staff, the President, through the  
21            Secretary of Defense, shall--

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1           “(1) establish unified combatant commands and  
2 specified combatant commands to perform military  
3 missions;  
4           “(2) prescribe the force structure of those  
5 commands;  
6           “(3) review periodically, but not less often than  
7 every two years, the missions, tasks, responsibilities  
8 (including geographic boundaries), and force structure of  
9 each combatant command and revise such missions, tasks,  
10 responsibilities, and force structures as may be  
11 necessary to respond to changing conditions; and  
12           “(4) notify Congress, except during time of  
13 hostilities or imminent threat of hostilities, at least  
14 60 days before (A) establishing a new combatant command,  
15 or (B) significantly revising the missions, tasks,  
16 responsibilities, or force structure of an existing  
17 combatant command.  
18           “(b)(1) Unless otherwise directed by the Secretary of  
19 Defense, all combatant forces of the military departments  
20 shall be assigned to combatant commands, established under  
21 this section, to perform the missions of those commands.  
22           “(2) Consistent with the force structure prescribed by  
23 the President for each combatant command, the Secretary of  
24 each military department, with the approval of the Secretary  
25 of Defense, shall assign combatant forces of his department

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1 to combatant commands.

2       “(3) A combatant force so assigned may be transferred  
3 from the command to which it is assigned only by authority of  
4 the Secretary of Defense and only under procedures prescribed  
5 by the Secretary and approved by the President.

6       “(c) Combatant commands established under this section  
7 are responsible to the President and to the Secretary of  
8 Defense for the performance of such military missions as may  
9 be assigned to such commands by the Secretary of Defense with  
10 the approval of the President.

11       “§ 163. Operational chain of command

12       “(a) Unless otherwise directed by the President, the  
13 chain of command for the operational direction of the  
14 combatant commands runs from the President to the Secretary  
15 of Defense to the commanders of the unified and specified  
16 combatant commands.

17       “(b) Subject to the limitations of section 152(c) of  
18 this title, the President or the Secretary of Defense may  
19 direct the channel of command communications to run from the  
20 Secretary of Defense to the commanders of the unified and  
21 specified combatant commands through the Chairman of the  
22 Joint Chiefs of Staff.

23       “(c) Unless otherwise directed by the President or the  
24 Secretary of Defense, the commander of a combatant command  
25 shall prescribe the chain of command to, and the



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1 organizational relationship among, the commands and forces  
2 within that command.

3       “(d)(1) As a means of providing for more effective  
4 control and coordination of the combatant commands, the  
5 Secretary of Defense may assign responsibility to the  
6 Chairman of the Joint Chiefs of Staff for overseeing the  
7 activities of the combatant commands. Such assignment by the  
8 Secretary to the Chairman does not confer any command  
9 authority on the Chairman and does not alter the  
10 responsibility of the combatant commanders prescribed in  
11 section 164(b) of this title.

12       “(2) Subject to the authority, direction, and control of  
13 the Secretary of Defense, the Chairman of the Joint Chiefs of  
14 Staff serves as the spokesman in the executive part of the  
15 Department of Defense for the commanders of the combatant  
16 commands on operational requirements. In performing such  
17 responsibility, the Chairman shall--

18           “(A) confer with and obtain information from the  
19 commanders of the combatant commands about the  
20 operational requirements of their commands;

21           “(B) evaluate and integrate such information;

22           “(C) advise and make recommendations to the  
23 Secretary of Defense about the operational requirements  
24 of the combatant commands, individually and collectively;  
25 and

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1            “(D) perform such other activities as may be  
2            required to communicate clearly the operational  
3            requirements of the combatant commands.

4    “§ 164. Commanders of combatant commands: assignment; powers  
5                                 and duties

6            “(a) The President may assign to serve as commanders of  
7            unified combatant commands only officers who have served in  
8            one or more joint duty positions for a substantial period of  
9            time. The President may waive the requirement of the  
10           preceding sentence in the case of any officer if the  
11           President determines such action is necessary in the national  
12           interest.

13           “(b) Each commander of a combatant command performs his  
14           duties under the authority, direction, and control of the  
15           Secretary of Defense and is directly responsible to the  
16           Secretary for the performance of his command and its  
17           preparedness to execute assigned missions.

18           “(c) Each commander of a combatant command shall--

19                         “(1) maintain the security of his command and  
20                         protect the United States, its possessions, and bases  
21                         against attack or hostile incursion;

22                         “(2) carry out assigned missions, tasks, and  
23                         responsibilities; and

24                         “(3) assign tasks to, and direct coordination among,  
25                         his subordinate commanders so as to ensure unity of

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1 effort in the accomplishment of the missions assigned to  
2 his command.

3 ``(d) Forces assigned to combatant commands are under the  
4 full operational command of the commander of the combatant  
5 command to which they are assigned. Full operational command  
6 includes--

7 ``(1) all aspects of military operations and joint  
8 training; and

9 ``(2) authority as assigned by the Secretary of  
10 Defense, after consultation with the Secretaries of the  
11 military departments and the combatant commander, for  
12 coordination and approval of those aspects of  
13 administration and support, including planning for  
14 wartime logistics, necessary for the accomplishment of  
15 the missions assigned to the command.

16 ``(e)(1) Commanders of commands and forces assigned to a  
17 combatant command are under the authority, direction, and  
18 control of, and are responsible to, the commander of the  
19 combatant command.

20 ``(2) The commander of a command or force referred to in  
21 paragraph (1) shall communicate with other elements of the  
22 Department of Defense on any matter for which the combatant  
23 commander has been assigned full operational command under  
24 subsection (d) in accordance with procedures, if any,  
25 established by the commander of the combatant command.

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1       ``(3) If directed by the combatant commander, the  
2 commander of a command or force referred to in paragraph (1)  
3 shall advise the combatant commander of all communications  
4 with other elements of the Department of Defense on any  
5 matter for which the combatant commander has not been  
6 assigned full operational command under subsection (d).

7       ``(f)(1) Selection of an officer of an armed force to  
8 serve as commander of a command directly subordinated to the  
9 commander of a combatant command may be made only with the  
10 concurrence of the commander of the combatant command and  
11 only in accordance with procedures established by the  
12 Secretary of Defense.

13       ``(2) The commander of a combatant command shall evaluate  
14 the duty performance of each commander of a command directly  
15 subordinated to the commander of such combatant command and  
16 submit the evaluation to the Secretary of the military  
17 department of which the commander being evaluated is a  
18 member.

19       ``(g)(1) Each unified combatant command shall have a  
20 joint staff with officers in key positions of responsibility  
21 from each military department having forces assigned to the  
22 combatant command.

23       ``(2) Selection of officers of an armed force to serve on  
24 the joint staff of a unified combatant command in any grade  
25 above lieutenant colonel or, in the case of an officer of the

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1 Navy, any grade above commander shall be made only with the  
2 concurrence of the commander of such command and only in  
3 accordance with procedures established by the Secretary of  
4 Defense.

5       “(h) In accordance with procedures established by the  
6 Secretary of Defense, the commander of a combatant command  
7 may suspend from duty and recommend the reassignment of any  
8 officer assigned to such combatant command.

9       “§ 165. Combatant commands: administration and support

10       “(a) The Secretary of Defense, with the advice and  
11 assistance of the Chairman of the Joint Chiefs of Staff,  
12 shall provide for the administration and support of combatant  
13 forces assigned to each combatant command.

14       “(b) Subject to the authority, direction, and control of  
15 the Secretary of Defense and consistent with the full  
16 operational command vested in combatant commanders by section  
17 164(d) of this title, the Secretary of a military department  
18 is responsible for the administration and support of forces  
19 assigned by him to a combatant command.

20       “(c) After consultation with the Secretary of each  
21 military department, the Secretary of Defense may also assign  
22 the responsibility or any part of the responsibility for the  
23 administration and support of combatant forces assigned to  
24 the combatant commands to other components of the Department  
25 of Defense. A component assigned such a responsibility shall

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1 discharge that responsibility under the authority, direction,  
2 and control of the Secretary of Defense and consistent with  
3 the full operational command vested in combatant commanders  
4 by section 164(d) of this title.''.  
5

6 (b) Conforming Amendments.--(1) The tables of chapters at  
7 the beginning of subtitle A and at the beginning of part I of  
8 such subtitle are each amended by inserting after the item  
9 relating to chapter 5 the following new item:

10 ``6. Combatant Commands. . . . . 161''.

11 (2) Section 124 is repealed.

12 (3) The table of sections at the beginning of chapter 3  
13 is amended by striking out the item relating to section 124.

14 SEC. 113. REPEAL OF PROHIBITION AGAINST CONSOLIDATING  
15 FUNCTIONS OF THE MILITARY TRANSPORTATION  
16 COMMANDS

17 Section 1110 of the Department of Defense Authorization  
18 Act, 1983 (Public Law 97-252; 96 Stat. 747), is repealed.

19 SEC. 114. REPEAL OF PROHIBITION AGAINST ALTERING THE COMMAND  
20 STRUCTURE FOR MILITARY FORCES IN ALASKA

21 Section 8106 of the Department of Defense Appropriations  
22 Act, 1986, as contained in section 101(b) of the Joint  
23 Resolution entitled ``Joint Resolution making further  
24 continuing appropriations for fiscal year 1986, and for other  
purposes'', approved December 19, 1985 (Public Law 99-190; 99  
Stat. 1221), is repealed.

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## 1 SEC. 115. POSITIONS OF IMPORTANCE AND RESPONSIBILITY

2 Section 601 is amended by adding at the end thereof the  
3 following new subsections:

4 ``(d) When an officer is recommended to the President for  
5 an initial appointment to the grade of lieutenant general or  
6 vice admiral, or for an initial appointment to the grade of  
7 general or admiral, the Chairman of the Joint Chiefs of Staff  
8 shall submit to the President the evaluation of the Chairman  
9 of the performance of that officer as a member of the Joint  
10 Staff and in other joint duty positions. The Chairman shall  
11 submit the evaluation to the President at the same time the  
12 recommendation for the appointment is submitted to the  
13 President.

14 ``(e) Each time a vacancy occurs in a military office or  
15 position within the Department of Defense that the President  
16 has designated as a position of importance and responsibility  
17 to carry the grade of general or admiral or lieutenant  
18 general or vice admiral, the Secretary of Defense shall  
19 inform the President of the qualifications needed by an  
20 appointee to carry out effectively the duties and  
21 responsibilities of that office or position.''.  
22

## 22 SEC. 116. SERVICE OF OFFICERS IN JOINT DUTY POSITIONS

23 (a) In General.--Section 646 is amended to read as  
24 follows:

25 ``§ 646. Service of officers in joint duty positions

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1       “(a) The Secretary of Defense, after consultation with  
2 the Chairman of the Joint Chiefs of Staff and the Secretary  
3 of each military department, shall ensure that the personnel  
4 practices, policies, and procedures of the Army, Navy, Air  
5 Force, and Marine Corps enhance the abilities of those  
6 officers assigned to joint duty positions to perform  
7 effectively the duties of such positions.

8       “(b) In carrying out subsection (a), the Secretary of  
9 Defense shall ensure that--

10           “(1) officers are well prepared to assume joint duty  
11 positions as the result of previous experience  
12 (including, as appropriate, previous duty in joint duty  
13 positions), formal education, and training;

14           “(2) continuity is attained and preserved in joint  
15 organizations through appropriate periods of service by  
16 officers serving in joint organizations;

17           “(3) the promotion, retention, and assignment  
18 policies of the Army, Navy, Air Force, and Marine Corps  
19 provide sufficient incentives for officers to seek joint  
20 duty assignments;

21           “(4) the curricula of joint military colleges and  
22 schools are oriented to preparing officers for joint duty  
23 assignments;

24           “(5) a substantial percentage of the graduates of  
25 joint military colleges and schools are assigned to joint



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1 duty positions soon after they complete their courses of  
2 study; and

3 `` (6) the curricula of the military colleges and  
4 schools of the Army, Navy, Air Force, and Marine Corps  
5 give appropriate emphasis to instruction in joint  
6 military matters.``.

7 (b) Conforming Amendment.--The table of sections at the  
8 beginning of subchapter V of chapter 36 is amended by  
9 striking out the item relating to section 646 and inserting  
10 in lieu thereof the following:

``646. Service of officers in joint duty positions.``.

11 SEC. 117. DEFENSE AGENCIES AND DEPARTMENT OF DEFENSE FIELD  
12 ACTIVITIES

13 (a) In General.--Chapter 8 is amended--

14 (1) by redesignating section 191 as section 195;

15 (2) by striking out the table of sections at the  
16 beginning of such chapter and inserting in lieu thereof  
17 the following:

``Subchapter	Sec.
I. Common Supply and Service Activities. . . . .	191
II. Defense Intelligence Agency . . . . .	195

18 ``SUBCHAPTER I--COMMON SUPPLY AND SERVICE ACTIVITIES

``Sec.  
``191. Common supply and service activities.

19 ``§ 191. Common supply and service activities

20 `` (a) In any case in which the Secretary of Defense  
21 determines such action would be more effective, economical,

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1 or efficient, he may provide for the performance of a supply  
2 or service activity which is common to more than one military  
3 department by a single agency of the Department of Defense.

4       “(b) The Secretary of Defense shall assign  
5 responsibility for the overall supervision of each supply or  
6 service agency referred to in subsection (a) to the Deputy  
7 Secretary of Defense, an Under Secretary of Defense, an  
8 Assistant Secretary of Defense, the Comptroller of the  
9 Department of Defense, the General Counsel of the Department  
10 of Defense, or the Chairman of the Joint Chiefs of Staff. In  
11 discharging such responsibility, an official assigned such a  
12 responsibility shall advise the Secretary of Defense on the  
13 extent to which the program recommendations and budget  
14 proposals of such supply or service agency conform with the  
15 material requirements of the military departments and the  
16 operational requirements of the unified and specified  
17 combatant commands. This subsection shall not apply to the  
18 Defense Intelligence Agency and the National Security Agency.

19       “(c) The Secretary of Defense shall establish procedures  
20 to ensure the full and effective review of the program  
21 recommendations and budget proposals of each such supply or  
22 service agency.

23       “(d)(1) The Chairman of the Joint Chiefs of Staff shall  
24 be responsible for advising the Secretary of Defense on the  
25 preparedness of each such supply or service agency which has

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1 wartime support responsibilities to perform those  
 2 responsibilities. As part of such advice, the Chairman shall  
 3 assess the adequacy of the contingency plans, participation  
 4 in joint exercises, and readiness reporting systems of each  
 5 such supply or service agency.

6 ``(2) The Secretary of Defense and the Director of  
 7 Central Intelligence shall jointly develop and implement, as  
 8 they may determine to be necessary, policies and programs to  
 9 correct such deficiencies as the Chairman of the Joint Chiefs  
 10 of Staff may identify in the wartime support capabilities of  
 11 the Defense Intelligence Agency and the National Security  
 12 Agency.

13 ``(e) The Secretary of Defense shall periodically assess  
 14 the continuing need for each such supply or service agency.  
 15 In making such assessment, the Secretary shall also examine  
 16 the division of responsibilities between such supply or  
 17 service agency and other components of the Department of  
 18 Defense.

19 ``SUBCHAPTER II--DEFENSE INTELLIGENCE AGENCY

``Sec.

``195. Unauthorized use of Defense Intelligence Agency name,  
 initials, or seal.''; and

20 (3) by striking out the chapter heading and inserting  
 21 in lieu thereof the following:

22 ``CHAPTER 8--DEFENSE AGENCIES AND DEPARTMENT OF DEFENSE FIELD  
 23 ACTIVITIES''.

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1 (b) Conforming Amendment.--The tables of chapters at the  
2 beginning of subtitle A and at the beginning of part I of  
3 such subtitle are each amended by striking out the item  
4 relating to chapter 8 and inserting in lieu thereof the  
5 following:

''8. Defense Agencies and Department of Defense  
Field Activities. . . . . 191''.

6 SEC. 118. REDUCTION IN PERSONNEL ASSIGNED TO DEFENSE AGENCIES  
7 AND DEPARTMENT OF DEFENSE FIELD ACTIVITIES

8 (a) Management Headquarters Activities and Management  
9 Headquarters Support Activities.--Not later than September  
10 30, 1988, the Secretary of Defense shall reduce the total  
11 number of military and civilian personnel assigned to duty in  
12 the management headquarters activities or management  
13 headquarters support activities in the Defense Agencies and  
14 Department of Defense Field Activities by a number that is at  
15 least 15 percent below the total number of personnel  
16 performing such activities on September 30, 1985. The number  
17 of personnel reduced under this subsection in excess of the  
18 reduction required by this subsection may be included in the  
19 number required to be reduced by subsection (b).

20 (b) Other Activities.--Not later than September 30, 1988,  
21 the Secretary of Defense shall reduce the total number of  
22 military and civilian personnel assigned to duty in the  
23 Defense Agencies and Department of Defense Field Activities,

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1 other than personnel assigned to management headquarters  
2 activities or management headquarters support activities, by  
3 a number that is at least 10 percent below the total number  
4 of personnel performing such activities on September 30,  
5 1985.

6 (c) Prohibition Against Certain Actions To Achieve  
7 Reductions.--The reductions required by subsections (a) and  
8 (b) may not be accomplished by recategorizing or redefining  
9 duties, functions, offices, or organizations.

10 (d) Allocations To Be Made by Secretary of Defense.--(1)  
11 The Secretary of Defense shall allocate the reductions  
12 required by subsections (a) and (b) in a manner consistent  
13 with the efficient operation of the Department of Defense.

14 (2) The Secretary shall also consolidate and eliminate  
15 unnecessary management headquarters activities and management  
16 headquarters support activities.

17 (e) Reduction Not Applicable to National Security  
18 Agency.--The reductions required by this section do not apply  
19 to the National Security Agency.

20 (f) Prohibition on Future Increases.--After September 30,  
21 1988, the number of civilian and military personnel assigned  
22 to perform activities described in subsections (a) and (b)  
23 may not be increased above the number of such personnel  
24 assigned to perform such activities on September 30, 1988.  
25 The limitation provided in this subsection shall not apply in

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1 time of war or during a national emergency declared by  
2 Congress.

3 (g) Definitions.--For purposes of this section, the term  
4 ``management headquarters activities`` and ``management  
5 headquarters support activities`` have the same meanings as  
6 prescribed for such terms in Department of Defense Directive  
7 5100.73 entitled ``Department of Defense Management  
8 Headquarters and Headquarters Support Activities`` dated  
9 January 7, 1985.

10 SEC. 119. ADDITIONAL CONFORMING AMENDMENTS

11 (a) Amendments to Title 10, United States Code.--(1)  
12 Section 139(a)(2)(F) (as redesignated by section 104(6) of  
13 this Act) is amended by striking out ``section 139a(a)(1)``  
14 and inserting in lieu thereof ``section 2873(a)(1)``.

15 (2) Paragraphs (1) and (2) of section 2403(e) are each  
16 amended by striking out ``section 139a`` and inserting in  
17 lieu thereof ``section 2873``.

18 (3) Section 2872 (as redesignated by section 104(9) of  
19 this Act) is amended by striking out ``section 138(a)`` in  
20 subsection (a) and inserting in lieu thereof ``section  
21 2871(a)``.

22 (4) Section 2673(c) (as redesignated by section 104(10)  
23 of this Act) is amended by striking out ``section 139`` in  
24 subsection (c)(1), and inserting in lieu thereof ``section  
25 2872``.

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1 (5) Section 2874 (as redesignated by section 104(11) of  
2 this Act) is amended--

3 (A) in subsection (a)(1), by striking out ``section  
4 139a(a)'' and inserting in lieu thereof ``section  
5 2873(a)''; and

6 (B) in subsection (b), by striking out ``section  
7 139a(b)(3) and inserting in lieu thereof ``section  
8 2873(b)(3)''.

9 (6) Section 2875(b)(1) (as redesignated by section  
10 104(12) of this Act) is amended by striking out ``section  
11 139a(a)(1)'' and inserting in lieu thereof ``section  
12 2873(a)(1)''.

13 (7) Section 8062(e) is amended by striking out ``section  
14 138'' and inserting in lieu thereof ``section 2871''.

15 (b) Amendments to Arms Export Control Act.--(1) Section  
16 51(c)(1) of the Arms Export Control Act (22 U.S.C.  
17 2795(c)(1)) is amended by striking out ``section 138(g)'' and  
18 inserting in lieu thereof ``section 2871(g)''.

19 (2) Section 53(b) of the Arms Export Control Act (22  
20 U.S.C. 2795b(b)) is amended by striking out ``section  
21 139(a)'' and inserting in lieu thereof ``section 2872(a)''.

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March 26, 1986

[DRAFT OF REORGANIZATION OF THE  
MILITARY DEPARTMENTS]

TITLE II--ARMY

1

2 SEC. 201. DEPARTMENT OF THE ARMY

3 (a) In General.--(1) Chapter 303 is amended by  
4 redesignating section 3015 as section 3041, transferring such  
5 section (as redesignated) to chapter 305, and inserting such  
6 section immediately after section 3040.

7 (2) Such chapter is further amended by striking out  
8 sections 3012, 3013, 3014, and 3016 and inserting in lieu  
9 thereof the following:

10 ``§ 3013. Secretary of the Army: appointment; powers and  
11 duties; delegation authority

12 ``(a) There is a Secretary of the Army appointed from  
13 civilian life by the President, by and with the advice and  
14 consent of the Senate. The Secretary is the head of the  
15 Department of the Army. A person may not be appointed as  
16 Secretary of the Army within five years after relief from  
17 active duty as a commissioned officer of a regular component  
18 of an armed force.

19 ``(b) Subject to the authority, direction, and control of  
20 the Secretary of Defense, the Secretary of the Army is  
21 responsible for and has the authority necessary for the  
22 following matters with respect to the Army:



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- 1            “(1) Recruiting.
- 2            “(2) Organizing.
- 3            “(3) Supplying.
- 4            “(4) Equipping (including research and development).
- 5            “(5) Training.
- 6            “(6) Servicing.
- 7            “(7) Mobilizing.
- 8            “(8) Demobilizing.
- 9            “(9) Administering.
- 10           “(10) Maintaining.
- 11           “(11) The construction, maintenance, and repair of
- 12 buildings, structures, and utilities and the acquisition
- 13 of real property and interests therein necessary to carry
- 14 out the responsibilities specified in clauses (1) through
- 15 (10).
- 16           “(c) Subject to the authority, direction, and control of
- 17 the Secretary of Defense, the Secretary of the Army is also
- 18 responsible to the Secretary of Defense for--
- 19            “(1) the functioning and efficiency of the
- 20 Department of the Army;
- 21            “(2) the formulation of policies and programs by the
- 22 Department of the Army that are fully consistent with
- 23 national security objectives and policies established by
- 24 the President or the Secretary of Defense;
- 25            “(3) the effective and timely implementation of

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1 policy, program, and budget decisions and instructions of  
2 the President or the Secretary of Defense relating to the  
3 functions of the Department of the Army;

4 `` (4) carrying out the functions of the Department of  
5 the Army so as to fulfill (to the maximum extent  
6 practicable) the current and future operational  
7 requirements of the unified and specified combatant  
8 commands;

9 `` (5) effective cooperation and coordination between  
10 the Department of the Army and the other military  
11 departments and agencies of the Department of Defense to  
12 provide for more effective, efficient, and economical  
13 administration and to eliminate duplication;

14 `` (6) the presentation and justification of the  
15 positions of the Department of the Army on the plans,  
16 programs, and policies of the Department of Defense; and

17 `` (7) the effective supervision and control of the  
18 intelligence activities of the Department of the Army.

19 `` (d) The Secretary of the Army is also responsible for  
20 such other activities as may be prescribed by law, the  
21 President, or the Secretary of Defense.

22 `` (e) After first informing the Secretary of Defense, the  
23 Secretary of the Army may make such recommendations to  
24 Congress relating to the Department of Defense as he  
25 considers appropriate.

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1       ``(f) The Secretary of the Army may assign such of his  
2 functions, powers, and duties as he considers appropriate to  
3 the Under Secretary of the Army and to the Assistant  
4 Secretaries of the Army. Officers of the Army shall, as  
5 directed by the Secretary, report on any matter to the  
6 Secretary, the Under Secretary, or any Assistant Secretary.

7       ``(g) The Secretary may assign, detail, and prescribe the  
8 duties of members of the Army and civilian personnel of the  
9 Department of the Army.

10       ``(h) The Secretary may change the title of any officer  
11 or activity of the Department of the Army not prescribed by  
12 law.

13       ``(i) The Secretary may prescribe regulations to carry  
14 out his functions, powers, and duties under this title.

15       ``§ 3014. Office of the Secretary of the Army

16       ``(a) There is in the Department of the Army an Office of  
17 the Secretary of the Army to assist the Secretary in carrying  
18 out his responsibilities.

19       ``(b) The Office of the Secretary of the Army shall  
20 consist of the following:

21           ``(1) The Under Secretary of the Army.

22           ``(2) The Assistant Secretaries of the Army.

23           ``(3) The Inspector General of the Army.

24           ``(4) The Army Reserve Forces Policy Committee.

25           ``(5) Such other offices and officers as the

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1 Secretary of the Army may establish or designate.

2 ``(c) The Secretary of the Army shall ensure that the  
3 Office of the Secretary of the Army does not duplicate  
4 specific functions for which the Secretary has assigned  
5 responsibility to the Army Staff.

6 ``(d) The total number of military and civilian personnel  
7 assigned or detailed to permanent duty in the Office of the  
8 Secretary of the Army may not exceed 313. However, such  
9 limitation does not apply in time of war or during a national  
10 emergency declared by Congress.

11 ``§ 3015. Under Secretary of the Army: appointment; powers  
12 and duties

13 ``(a) There is an Under Secretary of the Army appointed  
14 from civilian life by the President, by and with the advice  
15 and consent of the Senate.

16 ``(b) The Under Secretary shall perform such duties and  
17 exercise such powers as the Secretary of the Army may  
18 prescribe.

19 ``§ 3016. Assistant Secretaries of the Army: appointment;  
20 powers and duties

21 ``(a) There are five Assistant Secretaries of the Army in  
22 the Department of the Army. They shall be appointed from  
23 civilian life by the President, by and with the advice and  
24 consent of the Senate.

25 ``(b)(1) The Assistant Secretaries shall perform such

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1 duties and exercise such powers as the Secretary of the Army  
2 may prescribe.

3 `` (2) One of the Assistant Secretaries shall be the  
4 Assistant Secretary of the Army for Manpower and Reserve  
5 Affairs. He shall have as his principal duty the overall  
6 supervision of manpower and reserve component affairs of the  
7 Department of the Army.

8 `` (3) One of the Assistant Secretaries shall be the  
9 Assistant Secretary of the Army for Civil Works. He shall  
10 have as his principal duty the overall supervision of the  
11 functions of the Department of the Army relating to programs  
12 for conservation and development of the national water  
13 resources including flood control, navigation, shore  
14 protection, and related purposes.``.

15 (3) Chapter 303 is further amended by striking out  
16 section 3019.

17 (4) Chapter 303 is further amended by inserting after  
18 section 3017 the following new section:

19 `` § 3018. Inspector General of the Army: detail; duties

20 `` (a) There is in the Office of the Secretary of the Army  
21 an Inspector General of the Army who shall be detailed to  
22 such position by the Secretary of the Army from general  
23 officers of the Army. An officer may not be detailed to such  
24 position for a tour of duty of not more than four years,  
25 except that the Secretary may extend such a tour of duty if

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1 he makes a special finding that the extension is necessary in  
2 the public interest.

3       “(b) The Inspector General, when directed, shall inquire  
4 into and report upon any matter that affects the discipline,  
5 efficiency, or economy of the Department of the Army. He  
6 shall make such inspections, investigations, and reports as  
7 the Secretary of the Army or the Chief of Staff of the Army  
8 directs.

9       “(c) The Inspector General shall periodically propose  
10 programs of inspections to the Secretary of the Army and  
11 shall recommend additional inspections and investigations as  
12 may appear appropriate.

13       “(d) The Inspector General shall have such deputies and  
14 assistants as the Secretary of the Army may prescribe. Each  
15 such deputy and assistant shall be an officer detailed by the  
16 Secretary to that position from the officers of the Army for  
17 a tour of duty of not more than four years, under a procedure  
18 prescribed by the Secretary.”.

19       (5)(A) Section 3033 is redesignated as section 3019, is  
20 transferred to and made a part of chapter 303, and is  
21 inserted immediately after section 3018.

22       (B) Section 3019 (as redesignated by subparagraph (A)) is  
23 amended--

24             (i) in subsection (a)--

25                 (I) by striking out “office” and inserting in

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1           lieu thereof ``Office``;

2                   (II) by inserting ``and the mobilization  
3           preparedness`` after ``reserve components``; and

4                   (III) by striking out ``Chief of Staff and the  
5           Assistant Secretary responsible for reserve affairs``  
6           and inserting in lieu thereof ``Secretary of the Army  
7           and the Chief of Staff``; and

8           (ii) in the section heading, by striking out the  
9           semicolon and inserting in lieu thereof a colon.

10          (b) Conforming Amendments.--(1) Such chapter is further  
11       amended by redesignating sections 3010 and 3011 as sections  
12       3011 and 3012, respectively.

13          (2) The table of sections at the beginning of such  
14       chapter is amended to read as follows:

``Sec.  
``3011. Organization.  
``3012. Department of the Army: seal.  
``3013. Secretary of the Army: appointment; powers and  
          duties; delegation authority.  
``3014. Office of the Secretary of the Army.  
``3015. Under Secretary of the Army: appointment; powers and  
          duties.  
``3016. Assistant Secretaries of the Army: appointment;  
          powers and duties.  
``3017. Secretary of the Army: successors to duties.  
``3018. Inspector General of the Army: detail; duties.  
``3019. Reserve components of Army: policies and regulations  
          for government of.``

15          (3) Section 175(d) is amended by striking out ``3033``  
16       and ``8033`` and inserting in lieu thereof ``3019`` and  
17       ``8019``, respectively.

18          (c) Effective Date.--The limitation provided for in

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1 section 3014(d) of title 10, United States Code (as amended  
2 by subsection (a)(2) of this section), shall be effective  
3 after September 30, 1988.

4 SEC. 202. THE ARMY STAFF

5 (a) Composition of the Army Staff.--Section 3031 is  
6 amended to read as follows:

7 ``§ 3031. The Army Staff: composition; assignment and detail  
8 of members of Army and civilians

9 ``(a) There is in the executive part of the Department of  
10 the Army an Army Staff to assist the Secretary of the Army in  
11 carrying out his responsibilities.

12 ``(b) The Army Staff shall consist of the following:

13 ``(1) The Chief of Staff.

14 ``(2) The Vice Chief of Staff.

15 ``(3) Not more than four Deputy Chiefs of Staff, as  
16 prescribed by the Secretary of the Army.

17 ``(4) Not more than three Assistant Chiefs of Staff,  
18 as prescribed by the Secretary.

19 ``(5) The Chief of Engineers.

20 ``(6) The Surgeon General of the Army.

21 ``(7) The Judge Advocate General of the Army.

22 ``(8) The Chief of Chaplains of the Army.

23 ``(9) The Chief of Army Reserve.

24 ``(10) Provost Marshal General.

25 ``(11) Other members of the Army assigned or detailed



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1 to the Army Staff.

2 ``(12) Civilians in the Department of the Army  
3 assigned or detailed to the Army Staff.

4 ``(c) Except as otherwise specifically prescribed by law,  
5 the Army Staff shall be organized in such manner, and its  
6 members shall perform such duties and have such titles, as  
7 the Secretary may prescribe. A part of the Army Staff may be  
8 designated as the Army General Staff.

9 ``(d)(1) The total number of military and civilian  
10 personnel assigned or detailed to permanent duty to the Army  
11 Staff may not exceed 2,729. Such limitation does not apply in  
12 time of war or during a national emergency declared by  
13 Congress.

14 ``(2) Not more than 1,825 officers of the Army may be  
15 assigned or detailed to permanent duty in the Office of the  
16 Secretary of the Army and the Army Staff. Of such number, not  
17 more than 1,000 may be detailed or assigned to duty on or  
18 with the Army General Staff. However, such limitations do not  
19 apply in time of war or during a national emergency declared  
20 by Congress, or whenever the President finds that it is in  
21 the national interest to increase the number of officers in  
22 the Office of the Secretary of the Army and the Army Staff or  
23 on or with the Army General Staff.''

24 (b) The Army Staff; General Duties.--Section 3032 is  
25 amended--

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1 (1) in subsection (a), by inserting before the period  
2 `` , and the Chief of Staff of the Army'';

3 (2) in subsection (b)--

4 (A) by striking out ``direction and control of  
5 the Secretary'' in the matter preceding clause (1)  
6 and inserting in lieu thereof ``authority, direction,  
7 and control of the Secretary of the Army'';

8 (B) by striking out `` , training, serving,  
9 mobilizing, and demobilizing'' in clause (1) and  
10 inserting in lieu thereof ``(including research and  
11 development), training, servicing, mobilizing,  
12 demobilizing, administering, and maintaining''; and

13 (C) by striking out ``for military operations''  
14 in clause (2) and inserting in lieu thereof ``to  
15 support military operations by combatant commands'';  
16 and

17 (3) by striking out the section heading and inserting  
18 in lieu thereof the following:

19 ``§ 3032. The Army Staff: general duties''.

20 (c) Chief of Staff.--Section 3034 is redesignated as  
21 section 3033 and (as redesignated) is amended--

22 (1) in subsection (a)--

23 (A) by striking out ``The Chief of Staff shall  
24 be'' and inserting in lieu thereof ``There is a Chief  
25 of Staff of the Army''; and

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1 (B) by striking out ``national emergency,  
2 declared by the Congress after December 31, 1966``  
3 and inserting in lieu thereof ``during a national  
4 emergency declared by Congress``;

5 (2) by striking out subsections (c) and (d) and  
6 inserting in lieu thereof the following:

7 `` (c) Except as otherwise prescribed by law and subject  
8 to section 3013(f) of this title, the Chief of Staff performs  
9 his duties under the authority, direction, and control of the  
10 Secretary of the Army and is directly responsible to the  
11 Secretary.

12 `` (d) Subject to the authority, direction, and control of  
13 the Secretary of the Army, the Chief of Staff shall--

14 `` (1) preside over the Army Staff;

15 `` (2) transmit the plans and recommendations of the  
16 Army Staff to the Secretary and advise the Secretary with  
17 regard to such plans and recommendations;

18 `` (3) after approval of the plans or recommendations  
19 of the Army Staff by the Secretary, act as the agent of  
20 the Secretary in carrying them into effect;

21 `` (4) exercise supervision, consistent with the full  
22 operational command vested in unified or specified  
23 combatant commanders under section 164 of this title,  
24 over such of the members and organizations of the Army as  
25 the Secretary of the Army determines;

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1           “(5) perform the duties prescribed for him by  
2           section 171 of this title and other provisions of law;

3           “(6) keep the Secretary fully informed on matters  
4           considered or acted upon by the Joint Chiefs of Staff;  
5           and

6           “(7) perform such other military duties, not  
7           otherwise assigned by law, as are assigned to him by the  
8           President, the Secretary of Defense, or the Secretary of  
9           the Army.

10          “(e) The Chief of Staff shall also perform the duties  
11          prescribed for him as a member of the Joint Chiefs of Staff  
12          under section 151 of this title.”; and

13                 (3) by striking out the section heading and inserting  
14                 in lieu thereof the following:

15          “§ 3033. Chief of Staff: appointment; term of office; powers  
16                         and duties”.

17                 (d) Vice Chief of Staff.--Section 3035 is redesignated as  
18          section 3034 and (as redesignated) is amended--

19                         (1) by striking out subsections (a) and (b) and  
20                         inserting in lieu thereof the following:

21                 “(a) There is a Vice Chief of Staff of the Army  
22                 appointed by the President, by and with the advice and  
23                 consent of the Senate, from the general officers of the Army.

24                 “(b) The Vice Chief of Staff of the Army, while so  
25                 serving, has the grade of general without vacating his

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1 regular or reserve grade.'';

2 (2) by adding at the end the following new  
3 subsection:

4 '(d) When there is a vacancy in the office of Chief of  
5 Staff or during the absence or disability of the Chief of  
6 Staff--

7 '(1) the Vice Chief of Staff shall perform the  
8 duties of the Chief of Staff until a successor is  
9 appointed or the absence or disability ceases; or

10 '(2) if there is a vacancy in the office of the Vice  
11 Chief of Staff or the Vice Chief of Staff is absent or  
12 disabled, unless the President directs otherwise, the  
13 most senior officer of the Army in the Army Staff who is  
14 not absent or disabled and who is not restricted in  
15 performance of duty shall perform the duties of the Chief  
16 of Staff until a successor to the Chief of Staff or the  
17 Vice Chief of Staff is appointed or until the absence or  
18 disability of the Chief of Staff or Vice Chief of Staff  
19 ceases, whichever occurs first.''; and

20 (3) by striking out the section heading and inserting  
21 in lieu thereof the following:

22 ''§ 3Ø34. Vice Chief of Staff: appointment; powers and  
23 duties; succession to duties of Chief of  
24 Staff''.

25 (e) Deputy Chiefs of Staff.--Chapter 3Ø5 is further

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1 amended by inserting after section 3034 (as redesignated by  
2 subsection (d)) the following new section:

3 ``§ 3035. Deputy Chiefs of Staff and Assistant Chiefs of  
4 Staff: detail

5 ``The Deputy Chiefs of Staff and the Assistant Chiefs of  
6 Staff shall be general officers detailed to those  
7 positions.''.

8 (f) Relocation of Sections.--(1) Chapter 305 is further  
9 amended by inserting after section 3037 the following new  
10 section:

11 ``§ 3038. Office of Army Reserve: appointment of Chief

12 ``(a) There is in the executive part of the Department of  
13 the Army an Office of the Army Reserve which is headed by a  
14 chief who is the adviser to the Chief of Staff on Army  
15 Reserve matters.

16 ``(b) The President, by and with the advice and consent  
17 of the Senate, shall appoint the Chief of Army Reserve from  
18 officers of the Army Reserve not on active duty, or on active  
19 duty under section 265 of this title, who--

20 ``(1) have had at least 10 years of commissioned  
21 service in the Army Reserve;

22 ``(2) are in grade of brigadier general and above;  
23 and

24 ``(3) have been recommended by the Secretary of the  
25 Army.

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1       “(c) The Chief of Army Reserve holds office for four  
2 years but may be removed for cause at any time. He is  
3 eligible to succeed himself. If he holds a lower reserve  
4 grade, he shall be appointed in the grade of major general  
5 for service in the Army Reserve.”.

6       (2) Section 3039 is amended to read as follows:

7       “§ 3039. Provost Marshal General

8       “(a) There is a Provost Marshal General in the Army. The  
9 Provost Marshal General shall perform the duties prescribed  
10 by the Secretary of the Army, by the Chief of Staff, or by  
11 law.

12       “(b) The position of Provost Marshal General shall be  
13 filled by the detail of a general officer of the Army for a  
14 tour of duty of not more than four years. However, the  
15 Secretary may extend such a tour of duty if he makes a  
16 special finding that the extension is necessary in the public  
17 interest.”.

18       (g) Conforming Amendment.--The table of sections at the  
19 beginning of chapter 305 is amended to read as follows:

“Sec.

“3031. The Army Staff: composition; assignment and detail of  
members of Army and civilians.

“3032. The Army Staff: general duties.

“3033. Chief of Staff: appointment; term of office; powers  
and duties.

“3034. Vice Chief of Staff: appointment; powers and duties;  
succession to duties of Chief of Staff.

“3035. Deputy Chiefs of Staff and Assistant Chiefs of Staff:  
detail.

“3036. Chiefs of branches: appointment; duties.

“3037. Judge Advocate General, Assistant Judge Advocate

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General, and general officers of Judge Advocate  
General's Corps: appointment; duties.

``3038. Office of Army Reserve: appointment of Chief.

``3039. Provost Marshal General.

``3040. Deputy and assistant chiefs of branches.

``3041. Chief of National Guard Bureau: appointment; acting  
chief.''.

1 (h) Effective Date.--The limitations provided for in  
2 section 3031(d) of title 10, United States Code (as amended  
3 by subsection (a) of this section), shall be effective after  
4 September 30, 1983.

5 SEC. 203. COMMANDS

6 Section 3074(a) is amended by inserting ``or the  
7 Secretary of Defense'' after ``by law''.

8 TITLE III--NAVY

9 SEC. 301. DEPARTMENT OF THE NAVY

10 (a) Organization.--(1) Chapter 503 is amended--

11 (A) in section 5011--

12 (i) by striking out the third and fourth  
13 sentences; and

14 (ii) by striking out the section heading and  
15 inserting in lieu thereof the following:

16 ``§ 5011. Organization'';

17 (B) by striking out sections 5012 and 5013; and

18 (C) by inserting after section 5011 the following new  
19 sections:

20 ``§ 5012. Department of the Navy: seal

21 ``The Secretary of the Navy shall have a seal for the



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1 Department of the Navy. The design of the seal must be  
2 approved by the President. Judicial notice shall be taken of  
3 the seal.

4 ``§ 5Ø13. Secretary of the Navy: appointment; powers and  
5 duties; delegation authority

6 ``(a) There is a Secretary of the Navy appointed from  
7 civilian life by the President, by and with the advice and  
8 consent of the Senate. The Secretary is the head of the  
9 Department of the Navy. A person may not be appointed as  
10 Secretary of the Navy within five years after relief from  
11 active duty as a commissioned officer of a regular component  
12 of an armed force.

13 ``(b) Subject to the authority, direction, and control of  
14 the Secretary of Defense, the Secretary of the Navy is  
15 responsible for and has the authority necessary for the  
16 following matters with respect to the Navy and Marine Corps:

17 ``(1) Recruiting.

18 ``(2) Organizing.

19 ``(3) Supplying.

20 ``(4) Equipping (including research and development).

21 ``(5) Training.

22 ``(6) Servicing.

23 ``(7) Mobilizing.

24 ``(8) Demobilizing.

25 ``(9) Administering.

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1           ``(10) Maintaining.

2           ``(11) The construction, maintenance, and repair of  
3 buildings, structures, and utilities and the acquisition  
4 of real property and interests therein necessary to carry  
5 out the responsibilities specified in clauses (1) through  
6 (10).

7           ``(c) Subject to the authority, direction, and control of  
8 the Secretary of Defense, the Secretary of the Navy is also  
9 responsible to the Secretary of Defense for--

10           ``(1) the functioning and efficiency of the  
11 Department of the Navy;

12           ``(2) the formulation of policies and programs by the  
13 Department of the Navy that are fully consistent with  
14 national security objectives and policies established by  
15 the President or the Secretary of Defense;

16           ``(3) the effective and timely implementation of  
17 policy, program, and budget decisions and instructions of  
18 the President or the Secretary of Defense relating to the  
19 functions of the Department of the Navy;

20           ``(4) carrying out the functions of the Department of  
21 the Navy so as to fulfill (to the maximum extent  
22 practicable) the current and future operational  
23 requirements of the unified and specified combatant  
24 commands;

25           ``(5) effective cooperation and coordination between

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1 the Department of the Navy and the other military  
2 departments and agencies of the Department of Defense to  
3 provide for more effective, efficient, and economical  
4 administration and to eliminate duplication;

5 ``(6) the presentation and justification of the  
6 positions of the Department of the Navy on the plans,  
7 programs, and policies of the Department of Defense; and

8 ``(7) the effective supervision and control of the  
9 intelligence activities of the Department of the Navy.

10 ``(d) The Secretary of the Navy is also responsible for  
11 such other activities as may be prescribed by law, the  
12 President, or the Secretary of Defense.

13 ``(e) After first informing the Secretary of Defense, the  
14 Secretary of the Navy may make such recommendations to  
15 Congress relating to the Department of Defense as he  
16 considers appropriate.

17 ``(f) The Secretary of the Navy may assign such of his  
18 functions, powers, and duties as he considers appropriate to  
19 the Under Secretary of the Navy and to the Assistant  
20 Secretaries of the Navy. Officers of the Navy and the Marine  
21 Corps shall, as directed by the Secretary, report on any  
22 matter to the Secretary, the Under Secretary, or any  
23 Assistant Secretary.

24 ``(g) The Secretary may assign, detail, and prescribe the  
25 duties of members of the Navy and Marine Corps and civilian

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1 personnel of the Department of the Navy.

2       “(h) The Secretary may change the title of any officer  
3 or activity of the Department of the Navy not prescribed by  
4 law.

5       “(i) The Secretary may prescribe regulations to carry  
6 out his functions, powers, and duties under this title.

7       “§ 5013a. Secretary of the Navy: powers with respect to  
8                               Coast Guard

9       “(a) Whenever the Coast Guard operates as a service in  
10 the Navy under section 3 of title 14, the Secretary of the  
11 Navy has the same powers and duties with respect to the Coast  
12 Guard as the Secretary of Transportation has when the Coast  
13 Guard is not so operating.

14       “(b) While operating as a service in the Navy, the Coast  
15 Guard is subject to the orders of the Secretary of the Navy,  
16 who may order changes in Coast Guard operations to make them  
17 uniform, to the extent he considers advisable, with Navy  
18 operations.

19       “§ 5014. Office of the Secretary of the Navy

20       “(a) There is in the Department of the Navy an Office of  
21 the Secretary of the Navy to assist the Secretary in carrying  
22 out his responsibilities.

23       “(b) The Office of the Secretary of the Navy shall  
24 consist of the following:

25               “(1) The Under Secretary of the Navy.

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1           ``(2) The Assistant Secretaries of the Navy.

2           ``(3) The Naval Inspector General.

3           ``(4) The Chief of Naval Research.

4           ``(5) Such other offices and officers as the  
5 Secretary of the Navy may establish or designate.

6           ``(c) The Secretary of the Navy shall ensure that the  
7 Office of the Secretary of the Navy does not duplicate  
8 specific functions for which the Secretary has assigned  
9 responsibility to the Office of the Chief of Naval Operations  
10 or to the Headquarters, Marine Corps.

11          ``(d) The total number of military and civilian personnel  
12 assigned or detailed to permanent duty in the Office of the  
13 Secretary of the Navy may not exceed 685. However, such  
14 limitation does not apply in time of war or during a national  
15 emergency declared by Congress.

16    ``§ 5Ø15. Under Secretary of the Navy: appointment; powers  
17                           and duties

18          ``(a) There is an Under Secretary of the Navy appointed  
19 from civilian life by the President, by and with the advice  
20 and consent of the Senate.

21          ``(b) The Under Secretary shall perform such duties and  
22 exercise such powers as the Secretary of the Navy may  
23 prescribe.

24    ``§ 5Ø16. Assistant Secretaries of the Navy: appointment;  
25                           powers and duties

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1       “(a) There are four Assistant Secretaries of the Navy in  
2 the Department of the Navy. They shall be appointed from  
3 civilian life by the President, by and with the advice and  
4 consent of the Senate.

5       “(b)(1) The Assistant Secretaries shall perform such  
6 duties and exercise such powers as the Secretary of the Navy  
7 may prescribe.

8       “(2) One of the Assistant Secretaries shall be the  
9 Assistant Secretary of the Navy for Manpower and Reserve  
10 Affairs. He shall have as his principal duty the overall  
11 supervision of manpower and reserve component affairs of the  
12 Department of the Navy.

13   “§ 5017. Secretary of the Navy: successors to duties

14   “(a) If the Secretary of the Navy dies, resigns, is  
15 removed from office, is absent, or is disabled, the person  
16 who is highest on the following list and who is not absent or  
17 disabled shall perform the duties of the Secretary until the  
18 President, under section 3347 of title 5, directs another  
19 person to perform those duties or until the absence or  
20 disability ceases:

21       “(1) The Under Secretary of the Navy.

22       “(2) The Assistant Secretaries of the Navy in order  
23 of their length of service as such.

24       “(3) The Chief of Naval Operations.

25       “(4) The Commandant of the Marine Corps.

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1       “(b) Performance of the duties of the Secretary by the  
2 Chief of Naval Operations, the Commandant of the Marine  
3 Corps, or any officer of the Navy or Marine Corps designated  
4 under section 3347 of title 5 shall not be considered as the  
5 holding of a civil office within the meaning of section  
6 973(b) of this title.”.

7       (2)(A) Section 5088 is redesignated as section 5018, is  
8 transferred to and made a part of chapter 503, and is  
9 inserted immediately after section 5017.

10       (B) Section 5018 (as redesignated by subparagraph (A) of  
11 this paragraph) is amended by striking out “Chief of Naval  
12 Operations” in subsections (a) and (c) and inserting in lieu  
13 thereof “Secretary of the Navy”.

14       (b) Redesignation of Sections.--Sections 5150, 5151,  
15 5152, and 5153 are redesignated as sections 5019, 5020, 5021,  
16 and 5022, respectively, are transferred to and made a part of  
17 chapter 503, and are inserted in numerical sequence  
18 immediately after section 5018 (as redesignated by  
19 subsection (a)(2) of this section).

20       (c) Technical and Conforming Amendments.--(1) Section  
21 5021 (as redesignated by subsection (b) of this section) is  
22 amended by striking out “section 5151” in subsection (a)  
23 and inserting in lieu thereof “section 5020”.

24       (2) Subsection (c) of section 5022 (as redesignated by  
25 subsection (b) of this section) is amended by striking out

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1 ``claim proceeding`` and inserting in lieu thereof ``claim,  
2 proceeding,``.

3 (3) Chapters 505 and 507 are repealed.

4 (4) The tables of chapters at the beginning of subtitle C  
5 and the beginning of part I of such subtitle are each amended  
6 by striking out the items relating to chapters 505 and 507.

7 (4) The table of sections at the beginning of chapter 503  
8 is amended to read as follows:

- ``Sec.
- ``5011. Organization.
- ``5012. Department of the Navy: seal.
- ``5013. Secretary of the Navy: appointment; powers and  
duties; delegation authority.
- ``5013a. Secretary of the Navy: powers with respect to Coast  
Guard.
- ``5014. Office of the Secretary of the Navy.
- ``5015. Under Secretary of the Navy: appointment; powers and  
duties.
- ``5016. Assistant Secretaries of the Navy: appointment;  
powers and duties.
- ``5017. Secretary of the Navy: successors to duties.
- ``5018. Naval Inspector General: detail; duties.
- ``5019. Office of Naval Research: Chief; appointment, term,  
emoluments; Assistant Chief; succession to duties.
- ``5020. Office of Naval Research: duties.
- ``5021. Office of Naval Research: appropriations; time limit.
- ``5022. Naval Research Advisory Committee.``.

9 (5) Chapter 513 is amended--

10 (A) by striking out the chapter heading and inserting  
11 in lieu thereof the following:

12 ``CHAPTER 513--BUREAUS; OFFICE OF THE JUDGE ADVOCATE  
13 GENERAL``;

14 (B) in the table of sections at the beginning of such  
15 chapter--



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1 (i) by striking out the items relating to  
2 sections 5150, 5151, 5152, and 5153; and

3 (ii) by redesignating the item relating to  
4 section 5155 as 5150; and

5 (C) by redesignating section 5155 as section 5150.

6 (6) The tables of chapters at the beginning of subtitle C  
7 and at the beginning of part I of such subtitle are each  
8 amended by striking out the item relating to chapter 513 and  
9 inserting in lieu thereof the following:

``513. Bureaus; Office of the Judge Advocate  
General. . . . . 5131''.

10 (7) Chapter 561 is amended--

11 (A) by redesignating sections 7861 and 7862 as  
12 sections 7862 and 7863, respectively; and

13 (B) by striking out the table of sections at the  
14 beginning of such chapter and inserting in lieu thereof  
15 the following:

- ``Sec.
- ``7861. Custody of departmental records and property.
- ``7862. Accounts of paymasters of lost or captured naval vessels.
- ``7863. Disbursements by order of commanding officer.

16 ``§ 7861. Custody of departmental records and property  
17 ``The Secretary of the Navy has custody and charge of all  
18 books, records, papers, furniture, fixtures, and other  
19 property under the lawful control of the executive part of  
20 the Department of the Navy.''.  
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1 (a) Effective Date.--The limitation prescribed in section  
 2 5014(d) of title 10, United States Code (as amended by  
 3 subsection (a)(1) of this section), shall be effective after  
 4 September 30, 1988.

5 SEC. 302. OFFICE OF THE CHIEF OF NAVAL OPERATIONS

6 (a) In General.--Part I of subtitle C is amended--

7 (1) by striking out chapter 509; and

8 (2) by inserting after chapter 503 the following new  
 9 chapter:

10 ``CHAPTER 505--OFFICE OF THE CHIEF OF NAVAL OPERATIONS

``Sec.

``5031. Office of the Chief of Naval Operations.

``5032. Office of the Chief of Naval Operations: general  
 duties.

``5033. Chief of Naval Operations: appointment; term of  
 office; powers and duties.

``5034. Chief of Naval Operations: retirement.

``5035. Vice Chief of Naval Operations: appointment; powers  
 and duties; succession to duties of Chief of Naval  
 Operations.

``5036. Deputy Chiefs of Naval Operations: detail; duties.

``5037. Assistant Chiefs of Naval Operations: detail; duties.

11 ``§ 5031. Office of the Chief of Naval Operations

12 ``(a) There is in the executive part of the Department of  
 13 the Navy an Office of the Chief of Naval Operations to assist  
 14 the Secretary of the Navy in carrying out his  
 15 responsibilities.

16 ``(b) The Office of the Chief of Naval Operations shall  
 17 consist of the following:

18 ``(1) The Chief of Naval Operations.

19 ``(2) The Vice Chief of Naval Operations.

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1           ``(3) Not more than four Deputy Chiefs of Naval  
2           Operations, as prescribed by the Secretary of the Navy.

3           ``(4) Not more than three Assistant Chiefs of Naval  
4           Operations, as prescribed by the Secretary.

5           ``(5) The Surgeon General of the Navy.

6           ``(6) The Chief of Naval Personnel.

7           ``(7) The Judge Advocate General of the Navy.

8           ``(8) The Chief of Chaplains of the Navy.

9           ``(9) Other members of the Navy and Marine Corps  
10          assigned or detailed to the Office of the Chief of Naval  
11          Operations.

12          ``(10) Civilians in the Department of the Navy  
13          assigned or detailed to the Office of the Chief of Naval  
14          Operations.

15          ``(c) Except as otherwise specifically prescribed by law,  
16          the Office of the Chief of Naval Operations shall be  
17          organized in such manner, and its members shall perform such  
18          duties and have such titles, as the Secretary may prescribe.

19          ``(d)(1) The total number of military and civilian  
20          personnel assigned or detailed to permanent duty in the  
21          Office of the Chief of Naval Operations may not exceed 1,725.  
22          Such limitation does not apply in time of war or during a  
23          national emergency declared by Congress.

24          ``(2) Not more than 1,300 officers of the Navy and Marine  
25          Corps may be assigned or detailed to permanent duty in the

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1 Office of the Chief of Naval Operations. However, such  
2 limitation does not apply in time of war or during a national  
3 emergency declared by Congress, or whenever the President  
4 finds that it is in the national interest to increase the  
5 number of officers in the Office of the Chief of Naval  
6 Operations.

7 ``§ 5032. Office of the Chief of Naval Operations: general  
8 duties

9 ``(a) The Office of the Chief of Naval Operations shall  
10 furnish professional assistance to the Secretary, the Under  
11 Secretary, and the Assistant Secretaries of the Navy, and the  
12 Chief of Naval Operations.

13 ``(b) Under the authority, direction, and control of the  
14 Secretary of the Navy, the Office of the Chief of Naval  
15 Operations shall--

16 ``(1) prepare for such employment of the Navy, and  
17 for such recruiting, organizing, supplying, equipping  
18 (including research and development), training,  
19 servicing, mobilizing, demobilizing, administering, and  
20 maintaining of the Navy, as will assist in the execution  
21 of any power, duty, or function of the Secretary or the  
22 Chief of Naval Operations;

23 ``(2) investigate and report upon the efficiency of  
24 the Navy and its preparation to support military  
25 operations by combatant commands;

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1           “(3) prepare detailed instructions for the execution  
2 of approved plans and supervise the execution of those  
3 plans and instructions;

4           “(4) act as agent of the Secretary and the Chief of  
5 Naval Operations in coordinating the actions of all  
6 organizations of the Navy; and

7           “(5) perform such other duties, not otherwise  
8 assigned by law, as may be prescribed by the Secretary.

9   “§ 5033. Chief of Naval Operations: appointment; term of  
10           office; powers and duties

11          “(a) There is a Chief of Naval Operations appointed by  
12 the President, by and with the advice and consent of the  
13 Senate. The Chief of Naval Operations shall be appointed for  
14 a term of four years, from officers on the active-duty list  
15 in the line of the Navy who are eligible to command at sea  
16 and who hold the grade of rear admiral or above. He serves at  
17 the pleasure of the President. In time of war or during a  
18 national emergency declared by Congress, he may be  
19 reappointed for a term of not more than four years.

20          “(b) The Chief of Naval Operations, while so serving,  
21 has the grade of admiral without vacating his regular or  
22 reserve grade. In the performance of his duties within the  
23 Department of the Navy, the Chief of Naval Operations takes  
24 precedence above all other officers of the naval service.

25          “(c) Except as otherwise prescribed by law and subject

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1 to section 5013(f) of this title, the Chief of Naval  
2 Operations performs his duties under the authority,  
3 direction, and control of the Secretary of the Navy and is  
4 directly responsible to the Secretary.

5 ``(d) Subject to the authority, direction, and control of  
6 the Secretary of the Navy, the Chief of Naval Operations  
7 shall--

8 ``(1) preside over the Office of the Chief of Naval  
9 Operations;

10 ``(2) transmit the plans and recommendations of the  
11 Office of the Chief of Naval Operations to the Secretary  
12 and advise the Secretary with regard to such plans and  
13 recommendations;

14 ``(3) after approval of the plans or recommendations  
15 of the Office of the Chief of Naval Operations by the  
16 Secretary, act as the agent of the Secretary in carrying  
17 them into effect;

18 ``(4) exercise supervision, consistent with the full  
19 operational command vested in unified or specified  
20 combatant commanders under section 164 of this title,  
21 over such of the members and organizations of the Navy  
22 and the Marine Corps as the Secretary of the Navy  
23 determines;

24 ``(5) perform the duties prescribed for him by  
25 section 171 of this title and other provisions of law;

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1           “(6) keep the Secretary fully informed on matters  
2           considered or acted upon by the Joint Chiefs of Staff;  
3           and

4           “(7) perform such other military duties, not  
5           otherwise assigned by law, as are assigned to him by the  
6           President, the Secretary of Defense, or the Secretary of  
7           the Navy.

8           “(e) The Chief of Naval Operations shall also perform  
9           the duties prescribed for him as a member of the Joint Chiefs  
10          of Staff under section 151 of this title.

11        “§ 5034. Chief of Naval Operations: retirement

12        “An officer who is retired while serving as Chief of  
13        Naval Operations, or who, after serving at least two and one-  
14        half years as Chief of Naval Operations, is retired after  
15        completion of that service while serving in a lower grade  
16        than admiral, may, in the discretion of the President, be  
17        retired with the grade of admiral. The retired pay of such an  
18        officer shall be computed at the highest rates of basic pay  
19        applicable to him while he served in that office.

20        “§ 5035. Vice Chief of Naval Operations: appointment; powers  
21                           and duties; succession to duties of Chief of  
22                           Naval Operations

23        “(a) There is a Vice Chief of Naval Operations appointed  
24        by the President, by and with the advice and consent of the  
25        Senate, from officers on the active-duty list in the line of

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1 the Navy serving in grades above captain and eligible to  
2 command at sea.

3 `` (b) The Vice Chief of Naval Operations, while so  
4 serving, has the grade of admiral without vacating his  
5 regular or reserve grade.

6 `` (c) The Vice Chief of Naval Operations has such  
7 authority and duties with respect to the Department of the  
8 Navy as the Chief of Naval Operations, with the approval of  
9 the Secretary of the Navy, may delegate to or prescribe for  
10 him. Orders issued by the Vice Chief of Naval Operations in  
11 performing such duties have the same effect as those issued  
12 by the Chief of Naval Operations.

13 `` (d) When there is a vacancy in the office of Chief of  
14 Naval Operations or during the absence or disability of the  
15 Chief of Naval Operations--

16 `` (1) the Vice Chief of Naval Operations shall  
17 perform the duties of the Chief of Naval Operations until  
18 a successor is appointed or the absence or disability  
19 ceases; or

20 `` (2) if there is a vacancy in the office of the Vice  
21 Chief of Naval Operations or the Vice Chief of Naval  
22 Operations is absent or disabled, unless the President  
23 directs otherwise, the most senior officer in the Office  
24 of the Chief of Naval Operations who is not absent or  
25 disabled and who is not restricted in performance of duty



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1 shall perform the duties of the Chief of Naval Operations  
2 until a successor to the Chief of Naval Operations or the  
3 Vice Chief of Naval Operations is appointed or until the  
4 absence or disability of the Chief of Naval Operations or  
5 Vice Chief of Naval Operations ceases, whichever occurs  
6 first.''.

7 ``§ 5036. Deputy Chiefs of Naval Operations: detail; duties

8 `` (a) There are in the Office of the Chief of Naval  
9 Operations not more than four Deputy Chiefs of Naval  
10 Operations, detailed by the Secretary of the Navy from  
11 officers on the active-duty list in the line of the Navy  
12 serving in grades above captain.

13 `` (b) The Deputy Chiefs of Naval Operations are charged,  
14 under the direction of the Chief of Naval Operations, with  
15 the execution of the functions of their respective divisions.  
16 Orders issued by the Deputy Chiefs of Naval Operations in  
17 performing the duties assigned them are considered as coming  
18 from the Chief of Naval Operations.

19 ``§ 5037. Assistant Chiefs of Naval Operations: detail;  
20 duties

21 `` (a) There are in the Office of the Chief of Naval  
22 Operations not more than three Assistant Chiefs of Naval  
23 Operations, detailed by the Secretary of the Navy from  
24 officers on the active-duty list in the line of the Navy and  
25 officers on the active-duty list of the Marine Corps.

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1       “(b) The Assistant Chiefs of Naval Operations shall  
2 perform such duties as the Secretary of the Navy  
3 prescribes.”.

4       (b) Conforming Amendments.--The tables of chapters at the  
5 beginning of subtitle C of title 10, United States Code, and  
6 at the beginning of part I of such subtitle are each amended  
7 by striking out the items relating to chapter 509 and  
8 inserting in lieu thereof the following new item:

“505. Office of the Chief of Naval Operations. . . . 5031”.

9       (c) Effective Date.--The limitations provided for in  
10 section 5031(d) of title 10, United States Code (as amended  
11 by subsection (a)(2) of this section), shall be effective  
12 after September 30, 1988.

13 SEC. 303. HEADQUARTERS, MARINE CORPS

14       (a) In General.--Chapter 515 is amended to read as  
15 follows:

16               “CHAPTER 515--HEADQUARTERS, MARINE CORPS

“Sec.

“5201. Headquarters, Marine Corps.

“5202. Headquarters, Marine Corps: general duties.

“5203. Commandant of the Marine Corps: appointment; term of  
office; powers and duties.

“5204. Assistant Commandant of the Marine Corps:  
appointment; powers and duties; succession to  
duties of Commandant.

17 “§ 5201. Headquarters, Marine Corps

18       “(a) There is in the executive part of the Department of  
19 the Navy a Headquarters, Marine Corps, to assist the  
20 Secretary of the Navy in carrying out his responsibilities.

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1       “(b) The Headquarters, Marine Corps, shall consist of  
2 the following:

3           “(1) The Commandant of the Marine Corps.

4           “(2) The Assistant Commandant of the Marine Corps.

5           “(3) The Chief of Staff of the Marine Corps.

6           “(4) Not more than four Deputy Chiefs of Staff, as  
7 prescribed by the Secretary of the Navy.

8           “(5) Not more than three Assistant Chiefs of Staff,  
9 as prescribed by the Secretary.

10          “(6) Other members of the Navy and Marine Corps  
11 assigned or detailed to the Headquarters, Marine Corps.

12          “(7) Civilians in the Department of the Navy  
13 assigned or detailed to the Headquarters, Marine Corps.

14       “(c) Except as otherwise specifically prescribed by law,  
15 the Headquarters, Marine Corps, shall be organized in such  
16 manner, and its members shall perform such duties and have  
17 such titles, as the Secretary may prescribe.

18       “(d)(1) The total number of military and civilian  
19 personnel assigned or detailed to permanent duty in the  
20 Headquarters, Marine Corps, shall not exceed 428. Such  
21 limitation does not apply in time of war or during a national  
22 emergency declared by Congress.

23       “(2) Not more than 325 officers of the Marine Corps and  
24 Navy may be assigned or detailed to permanent duty in the  
25 Headquarters, Marine Corps. However, such limitation does not

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1 apply in time of war or during a national emergency declared  
2 by Congress, or whenever the President finds that it is in  
3 the national interest to increase the number of officers in  
4 the Headquarters, Marine Corps.

5 ``§ 5202. Headquarters, Marine Corps: general duties

6 ``(a) The Headquarters, Marine Corps, shall furnish  
7 professional assistance to the Secretary, the Under  
8 Secretary, and the Assistant Secretaries of the Navy, and the  
9 Commandant of the Marine Corps.

10 ``(b) Under the authority, direction, and control of the  
11 Secretary of the Navy, the Headquarters, Marine Corps,  
12 shall--

13 ``(1) prepare for such employment of the Marine  
14 Corps, and for such recruiting, organizing, supplying,  
15 equipping (including research and development), training,  
16 servicing, mobilizing, demobilizing, administering, and  
17 maintaining of the Marine Corps, as will assist in the  
18 execution of any power, duty, or function of the  
19 Secretary or the Commandant;

20 ``(2) investigate and report upon the efficiency of  
21 the Marine Corps and its preparation to support military  
22 operations by combatant commanders;

23 ``(3) prepare detailed instructions for the execution  
24 of approved plans and supervise the execution of those  
25 plans and instructions;

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1           ``(4) act as agent of the Secretary and the  
2           Commandant in coordinating the action of all  
3           organizations of the Marine Corps; and

4           ``(5) perform such other duties, not otherwise  
5           assigned by law, as may be prescribed by the Secretary.

6   ``§ 5203. Commandant of the Marine Corps: appointment; term  
7           of office; powers and duties

8           ``(a) There is a Commandant of the Marine Corps appointed  
9           by the President by and with the advice and consent of the  
10          Senate. The Commandant shall be appointed for a term of four  
11          years from officers on the active-duty list of the Marine  
12          Corps not below the grade of colonel. He serves at the  
13          pleasure of the President. In time of war or during a  
14          national emergency declared by Congress, he may be  
15          reappointed for a term of not more than four years.

16          ``(b) The Commandant of the Marine Corps, while so  
17          serving, has the grade of general without vacating his  
18          regular or reserve grade.

19          ``(c) An officer who is retired while serving as  
20          Commandant of the Marine Corps, or who, after serving at  
21          least two and one-half years as Commandant, is retired after  
22          completion of that service while serving in a lower grade  
23          than general, may, in the discretion of the President, be  
24          retired with the grade of general. The retired pay of such an  
25          officer shall be computed at the highest rates of basic pay

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1 applicable to him while he served in that office.

2       “(d) Except as otherwise prescribed by law and subject  
3 to section 5013(f) of this title, the Commandant performs his  
4 duties under the authority, direction, and control of the  
5 Secretary of the Navy and is directly responsible to the  
6 Secretary.

7       “(e) Subject to the authority, direction, and control of  
8 the Secretary of the Navy, the Commandant shall--

9           “(1) preside over the Headquarters, Marine Corps;

10           “(2) transmit the plans and recommendations of the  
11 Headquarters, Marine Corps, to the Secretary, and advise  
12 the Secretary with regard to such plans and  
13 recommendations;

14           “(3) after approval of the plans and recommendations  
15 of the Headquarters, Marine Corps, by the Secretary, act  
16 as the agent of the Secretary in carrying them into  
17 effect;

18           “(4) exercise supervision, consistent with the full  
19 operational command vested in unified or specified  
20 combatant commanders under section 164 of this title,  
21 over such of the members and organizations of the Marine  
22 Corps and the Navy as the Secretary determines;

23           “(5) perform the duties prescribed for him by  
24 section 171 of this title and other provisions of law;

25           “(6) keep the Secretary fully informed on matters

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1 considered or acted upon by the Joint Chiefs of Staff;  
2 and

3 "(7) perform such other military duties, not  
4 otherwise assigned by law, as are assigned to him by the  
5 President, the Secretary of Defense, or the Secretary of  
6 the Navy.

7 "(f) The Commandant shall also perform the duties  
8 prescribed for him as a member of the Joint Chiefs of Staff  
9 under section 151 of this title.

10 "§ 5204. Assistant Commandant of the Marine Corps:

11 appointment; powers and duties; succession to  
12 duties of Commandant

13 "(a) There is an Assistant Commandant of the Marine  
14 Corps appointed by the President, by and with the advice and  
15 consent of the Senate, from officers on the active-duty list  
16 of the Marine Corps not restricted in the performance of  
17 duty.

18 "(b) The Assistant Commandant of the Marine Corps, while  
19 so serving, has the grade of general without vacating his  
20 regular or reserve grade.

21 "(c) The Assistant Commandant has such authority and  
22 duties with respect to the Marine Corps as the Commandant,  
23 with the approval of the Secretary of the Navy, may delegate  
24 to or prescribe for him. Orders issued by the Assistant  
25 Commandant in performing such duties have the same effect as

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1 those issued by the Commandant.

2       “(d) When there is a vacancy in the office of Commandant  
3 of the Marine Corps, or during the absence or disability of  
4 the Commandant of the Marine Corps--

5           “(1) the Assistant Commandant of the Marine Corps  
6 shall perform the duties of the Commandant until a  
7 successor is appointed or the absence or disability  
8 ceases; or

9           “(2) if there is a vacancy in the office of the  
10 Assistant Commandant of the Marine Corps or the Assistant  
11 Commandant is absent or disabled, unless the President  
12 directs otherwise, the most senior officer of the Marine  
13 Corps in the Headquarters, Marine Corps, who is not  
14 absent or disabled and who is not restricted in  
15 performance of duty shall perform the duties of the  
16 Commandant until a successor to the Commandant or the  
17 Assistant Commandant is appointed or until the absence or  
18 disability of the Commandant or Assistant Commandant  
19 ceases, whichever occurs first.”.

20       (b) Conforming Amendments.--The tables of chapters at the  
21 beginning of subtitle C of title 10, United States Code, and  
22 at the beginning of part I of such subtitle are each amended  
23 by striking out the item relating to chapter 515 and  
24 inserting in lieu thereof the following:

    “515. Headquarters, Marine Corps..... 5201”.



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1 (c) Effective Date.--The limitations provided for in  
 2 section 5201(d) of title 10, United States Code (as amended  
 3 by subsection (a) of this section), shall be effective after  
 4 September 30, 1988.

5 SEC. 304. COMPOSITION OF THE DEPARTMENT OF THE NAVY

6 (a) In General.--Part I of subtitle C is amended by  
 7 inserting after chapter 515 the following new chapter:

8 ``CHAPTER 518--COMPOSITION OF THE DEPARTMENT OF THE NAVY

``Sec.

``5241. Department of the Navy: composition.

``5242. United States Navy: composition; functions.

``5243. United States Marine Corps: composition; functions.

9 ``§ 5241. Department of the Navy: composition

10 ``The Department of the Navy is composed of the  
 11 following:

12 ``(1) The Office of the Secretary of the Navy.

13 ``(2) The Office of the Chief of Naval Operations.

14 ``(3) The Headquarters, Marine Corps.

15 ``(4) The entire operating forces, including naval  
 16 aviation, of the United States Navy and of the United  
 17 States Marine Corps, and the reserve components of those  
 18 operating forces.

19 ``(5) All field activities, headquarters, forces,  
 20 bases, installations, activities, and functions under the  
 21 control or supervision of the Secretary of the Navy.

22 ``(6) The United States Coast Guard when it is  
 23 operating as a service in the Navy.

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1 ``§ 5242. United States Navy: composition; functions

2 ``(a) The Navy, within the Department of the Navy,  
3 includes, in general, naval combat and service forces and  
4 such aviation as may be organic therein. The Navy shall be  
5 organized, trained, and equipped primarily for prompt and  
6 sustained combat incident to operations at sea. It is  
7 responsible for the preparation of naval forces necessary for  
8 the effective prosecution of war except as otherwise assigned  
9 and is generally responsible for naval reconnaissance,  
10 antisubmarine warfare, and protection of shipping.

11 ``(b) All naval aviation shall be integrated with the  
12 naval service as part thereof within the Department of the  
13 Navy. Naval aviation consists of combat and service and  
14 training forces, and includes land-based naval aviation, air  
15 transport essential for naval operations, all air weapons and  
16 air techniques involved in the operations and activities of  
17 the Navy, and the entire remainder of the aeronautical  
18 organization of the Navy, together with the personnel  
19 necessary therefor.

20 ``(c) The Navy shall develop aircraft, weapons, tactics,  
21 technique, organization, and equipment of naval combat and  
22 service elements. Matters of joint concern as to these  
23 functions shall be coordinated between the Army, the Air  
24 Force, and the Navy.

25 ``(d) The Navy is responsible, in accordance with

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1 integrated joint mobilization plans, for the expansion of the  
2 peacetime components of the Navy to meet the needs of war.

3 ``§ 5243. United States Marine Corps: composition; functions

4 `` (a) The Marine Corps, within the Department of the  
5 Navy, shall be so organized as to include not less than three  
6 combat divisions and three air wings, and such other land  
7 combat, aviation, and other services as may be organic  
8 therein. The Marine Corps shall be organized, trained, and  
9 equipped to provide fleet marine forces of combined arms,  
10 together with supporting air components, for service with the  
11 fleet in the seizure or defense of advanced naval bases and  
12 for the conduct of such land operations as may be essential  
13 to the prosecution of a naval campaign. In addition, the  
14 Marine Corps shall provide detachments and organizations for  
15 service on armed vessels of the Navy, shall provide security  
16 detachments for the protection of naval property at naval  
17 stations and bases, and shall perform such other duties as  
18 the President may direct. However, these additional duties  
19 may not detract from or interfere with the operations for  
20 which the Marine Corps is primarily organized.

21 `` (b) The Marine Corps shall develop, in coordination  
22 with the Army and the Air Force, those phases of amphibious  
23 operations that pertain to the tactics, technique, and  
24 equipment used by landing forces.

25 `` (c) The Marine Corps is responsible, in accordance with

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1 integrated joint mobilization plans, for the expansion of  
2 peacetime components of the Marine Corps to meet the needs of  
3 war.''.

4 (b) Conforming Amendments.--The tables of chapters at the  
5 beginning of subtitle C of title 10, United States Code, and  
6 at the beginning of part I of such subtitle are each amended  
7 by inserting after the item relating to chapter 515 the  
8 following new item:

''518. Composition of the Department of the Navy..... 5241''.

9 TITLE IV--AIR FORCE

10 SEC. 401. DEPARTMENT OF THE AIR FORCE

11 (a) In General.--(1) Chapter 803 is amended by striking  
12 out sections 8012, 8013, and 8014 and inserting in lieu  
13 thereof the following:

14 ''§ 8013. Secretary of the Air Force: appointment; powers and  
15 duties; delegation authority

16 ''(a) There is a Secretary of the Air Force appointed  
17 from civilian life by the President, by and with the advice  
18 and consent of the Senate. The Secretary is the head of the  
19 Department of the Air Force. A person may not be appointed as  
20 Secretary of the Air Force within five years after relief  
21 from active duty as a commissioned officer of a regular  
22 component of an armed force.

23 ''(b) Subject to the authority, direction, and control of  
24 the Secretary of Defense, the Secretary of the Air Force is

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1 responsible for and has the authority necessary for the  
2 following matters with respect to the Air Force:

3           ``(1) Recruiting.

4           ``(2) Organizing.

5           ``(3) Supplying.

6           ``(4) Equipping (including research and development).

7           ``(5) Training.

8           ``(6) Servicing.

9           ``(7) Mobilizing.

10          ``(8) Demobilizing.

11          ``(9) Administering.

12          ``(10) Maintaining.

13          ``(11) The construction, maintenance, and repair of  
14 buildings, structures, and utilities and the acquisition  
15 of real property and interests therein necessary to carry  
16 out the responsibilities specified in clauses (1) through  
17 (10).

18          ``(c) Subject to the authority, direction, and control of  
19 the Secretary of Defense, the Secretary of the Air Force is  
20 also responsible to the Secretary of Defense for--

21           ``(1) the functioning and efficiency of the  
22 Department of the Air Force;

23           ``(2) the formulation of policies and programs by the  
24 Department of the Air Force that are fully consistent  
25 with national security objectives and policies

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1 established by the President or the Secretary of Defense;

2 ``(3) the effective and timely implementation of  
3 policy, program, and budget decisions and instructions of  
4 the President or the Secretary of Defense relating to the  
5 functions of the Department of the Air Force;

6 ``(4) carrying out the functions of the Department of  
7 the Air Force so as to fulfill (to the maximum extent  
8 practicable) the current and future operational  
9 requirements of the unified and specified combatant  
10 commands;

11 ``(5) effective cooperation and coordination between  
12 the Department of the Air Force and the other military  
13 departments and agencies of the Department of Defense to  
14 provide for more effective, efficient, and economical  
15 administration and to eliminate duplication;

16 ``(6) the presentation and justification of the  
17 positions of the Department of the Air Force on the  
18 plans, programs, and policies of the Department of  
19 Defense; and

20 ``(7) the effective supervision and control of the  
21 intelligence activities of the Department of the Air  
22 Force.

23 ``(d) The Secretary of the Air Force is also responsible  
24 for such other activities as may be prescribed by law, the  
25 President, or the Secretary of Defense.

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1       “(e) After first informing the Secretary of Defense, the  
2 Secretary of the Air Force may make such recommendations to  
3 Congress relating to the Department of Defense as he  
4 considers appropriate.

5       “(f) The Secretary of the Air Force may assign such of  
6 his functions, powers, and duties as he considers appropriate  
7 to the Under Secretary of the Air Force and to the Assistant  
8 Secretaries of the Air Force. Officers of the Air Force  
9 shall, as directed by the Secretary, report on any matter to  
10 the Secretary, the Under Secretary, or any Assistant  
11 Secretary.

12       “(g) The Secretary may assign, detail, and prescribe the  
13 duties of members of the Air Force and civilian personnel of  
14 the Department of the Air Force.

15       “(h) The Secretary may change the title of any officer  
16 or activity of the Department of the Air Force not prescribed  
17 by law.

18       “(i) The Secretary may prescribe regulations to carry  
19 out his functions, powers, and duties under this title.

20       “§ 8014. Office of the Secretary of the Air Force

21       “(a) There is in the Department of the Air Force an  
22 office of the Secretary of the Air Force to assist the  
23 Secretary in carrying out his responsibilities.

24       “(b) The Office of the Secretary of the Air Force shall  
25 consist of the following:

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1           ``(1) The Under Secretary of the Air Force.

2           ``(2) The Assistant Secretaries of the Air Force.

3           ``(3) The Inspector General of the Air Force.

4           ``(4) The Air Reserve Forces Policy Committee.

5           ``(5) Such other offices and officers as the  
6       Secretary of the Air Force may establish or designate.

7           ``(c) The Secretary of the Air Force shall ensure that  
8       the Office of the Secretary of the Air Force does not  
9       duplicate specific functions for which the Secretary has  
10      assigned responsibility to the Air Staff.

11          ``(d) The total number of military and civilian personnel  
12      assigned or detailed to permanent duty in the Office of the  
13      Secretary of the Air Force may not exceed 258. However, such  
14      limitation does not apply in time of war or during a national  
15      emergency declared by Congress.

16      ``§ 8015. Under Secretary of the Air Force: appointment;  
17                                  powers and duties

18          ``(a) There is an Under Secretary of the Air Force  
19      appointed from civilian life by the President, by and with  
20      the advice and consent of the Senate.

21          ``(b) The Under Secretary shall perform such duties and  
22      exercise such powers as the Secretary of the Air Force may  
23      prescribe.

24      ``§ 8016. Assistant Secretaries of the Air Force:  
25                                  appointment; powers and duties



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1       “(a) There are three Assistant Secretaries of the Air  
2 Force in the Department of the Air Force. They shall be  
3 appointed from civilian life by the President, by and with  
4 the advice and consent of the Senate.

5       “(b)(1) The Assistant Secretaries shall perform such  
6 duties and exercise such powers as the Secretary of the Air  
7 Force may prescribe.

8       “(2) One of the Assistant Secretaries shall be the  
9 Assistant Secretary of the Air Force for Manpower and Reserve  
10 Affairs. He shall have as his principal duty the overall  
11 supervision of manpower and reserve component affairs of the  
12 Department of the Air Force.”.

13       (2) Chapter 803 is further amended by striking out  
14 section 8019.

15       (3) Chapter 803 is further amended by inserting after  
16 section 8017 the following new section:

17       “§ 8018. Inspector General of the Air Force: detail; duties

18       “(a) There is in the Office of the Secretary of the Air  
19 Force an Inspector General of the Air Force who shall be  
20 detailed to such position by the Secretary of the Air Force  
21 from general officers of the Air Force. An officer may not be  
22 detailed to such position for a tour of duty of not more than  
23 four years, except that the Secretary may extend such a tour  
24 of duty if he makes a special finding that the extension is  
25 necessary in the public interest.

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1       “(b) The Inspector General, when directed, shall inquire  
2 into and report upon any matter that affects the discipline,  
3 efficiency, or economy of the Department of the Air Force. He  
4 shall make such inspections, investigations, and reports as  
5 the Secretary of the Air Force or the Chief of Staff of the  
6 Air Force directs.

7       “(c) The Inspector General shall periodically propose  
8 programs of inspections to the Secretary of the Air Force and  
9 shall recommend additional inspections and investigations as  
10 may appear appropriate.

11       “(d) The Inspector General shall have such deputies and  
12 assistants as the Secretary of the Air Force may prescribe.  
13 Each such deputy and assistant shall be an officer detailed  
14 by the Secretary to that position from the officers of the  
15 Air Force for a tour of duty of not more than four years,  
16 under a procedure prescribed by the Secretary.”.

17       (4)(A) Section 8Ø33 is redesignated as section 8Ø19, is  
18 transferred to and made a part of chapter 8Ø3, and is  
19 inserted immediately after section 8Ø18.

20       (B) Section 8Ø19 (as redesignated by subparagraph (A)) is  
21 amended--

22           (i) in subsection (a)--

23               (I) by inserting “and the mobilization  
24 preparedness” after “reserve components”;

25               (II) by striking out “Chief of Staff, and the

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1 Assistant Secretary responsible for reserve affairs''  
 2 and inserting in lieu thereof ``Secretary of the Air  
 3 Force and the Chief of Staff''; and

4 (ii) by striking out the section heading and  
 5 inserting in lieu thereof the following:

6 ``§ 8019. Reserve components of the Air Force: policies and  
 7 regulations for the government of; functions of  
 8 National Guard Bureau with respect to Air  
 9 National Guard''.

10 (b) Conforming Amendments.--(1) Such chapter is further  
 11 amended by redesignating sections 8010 and 8011 as sections  
 12 8011 and 8012, respectively.

13 (2) The table of sections at the beginning of such  
 14 chapter is amended to read as follows:

``Sec.  
 ``8011. Organization.  
 ``8012. Department of the Air Force: seal.  
 ``8013. Secretary of the Air Force: appointment; powers and  
 duties; delegation authority.  
 ``8014. Office of the Secretary of the Air Force.  
 ``8015. Under Secretary of the Air Force: appointment; powers  
 and duties.  
 ``8016. Assistant Secretaries of the Air Force: appointment;  
 powers and duties.  
 ``8017. Secretary of the Air Force: successors to duties.  
 ``8018. Inspector General of the Air Force: detail; duties.  
 ``8019. Reserve components of Air Force: policies and  
 regulations for government of; functions of  
 National Guard Bureau with respect to Air National  
 Guard.''

15 (c) Effective Date.--The limitation provided for in  
 16 section 8014(d) of title 10, United States Code (as amended  
 17 by subsection (a)(1) of this section), shall be effective

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1 after September 30, 1988.

2 SEC. 402. THE AIR STAFF

3 (a) Composition of the Air Staff.--Section 8031 is  
4 amended to read as follows:

5 ``§ 8031. The Air Staff: composition; assignment and detail  
6 of members of Air Force and civilians

7 ``(a) There is in the executive part of the Department of  
8 the Air Force an Air Staff to assist the Secretary of the Air  
9 Force in carrying out his responsibilities.

10 ``(b) The Air Staff shall consist of the following:

11 ``(1) The Chief of Staff.

12 ``(2) The Vice Chief of Staff.

13 ``(3) Not more than four Deputy Chiefs of Staff, as  
14 prescribed by the Secretary of the Air Force.

15 ``(4) Not more than three Assistant Chiefs of Staff,  
16 as prescribed by the Secretary.

17 ``(5) The Surgeon General of the Air Force.

18 ``(6) The Judge Advocate General of the Air Force.

19 ``(7) The Chief of the Air Force Reserve.

20 ``(8) Other members of the Air Force assigned or  
21 detailed to the Air Staff.

22 ``(9) Civilians in the Department of the Air Force  
23 assigned or detailed to the Air Staff.

24 ``(c) Except as otherwise specifically prescribed by law,  
25 the Air Staff shall be organized in such manner, and its

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1 members shall perform such duties and have such titles, as  
2 the Secretary may prescribe.

3       “(d)(1) The total number of military and civilian  
4 personnel assigned or detailed to permanent duty to the Air  
5 Staff may not exceed 2,354. Such limitation does not apply in  
6 time of war or during a national emergency declared by  
7 Congress.

8       “(2) Not more than 1,575 officers of the Air Force may  
9 be assigned or detailed to permanent duty in the Office of  
10 the Secretary of the Air Force and the Air Staff. However,  
11 such limitation does not apply in time of war or during a  
12 national emergency declared by Congress, or whenever the  
13 President finds that it is in the national interest to  
14 increase the number of officers in the Office of the  
15 Secretary of the Air Force and the Air Staff.”.

16       (b) The Air Staff: General Duties.--Section 8032 is  
17 amended--

18           (1) in subsection (a), by inserting “of the Air  
19 Force” after “Chief of Staff”;

20           (2) in subsection (b)--

21               (A) by striking out “The” at the beginning of  
22 the subsection and inserting in lieu thereof “Under  
23 the authority, direction, and control of the  
24 Secretary of the Air Force, the”;

25               (B) by striking out “, training, serving,

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1 mobilizing, and demobilizing'' in clause (1) and  
 2 inserting in lieu thereof ``(including research and  
 3 development), training, servicing, mobilizing,  
 4 demobilizing, administering, and maintaining''; and

5 (C) by striking out ``for military operations''  
 6 in clause (2) and inserting in lieu thereof ``to  
 7 support military operations by combatant commands'';  
 8 and

9 (3) by striking out the section heading and inserting  
 10 in lieu thereof the following:

11 ``§ 8032. The Air Staff: general duties''.

12 (c) Chief of Staff.--Section 8034 is redesignated as  
 13 section 8033 and (as redesignated) is amended--

14 (1) in subsection (a)--

15 (A) by striking out ``The Chief of Staff shall  
 16 be'' and inserting in lieu thereof ``There is a Chief  
 17 of Staff of the Air Force''; and

18 (B) by striking out ``national emergency declared  
 19 by the Congress after December 31, 1968'' and  
 20 inserting in lieu thereof ``during a national  
 21 emergency declared by Congress'';

22 (2) by striking out subsections (c) and (d) and  
 23 inserting in lieu thereof the following:

24 ``(c) Except as otherwise prescribed by law and subject  
 25 to section 8013(f) of this title, the Chief of Staff performs

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1 his duties under the authority, direction, and control of the  
2 Secretary of the Air Force and is directly responsible to the  
3 Secretary.

4 `` (d) Subject to the authority, direction, and control of  
5 the Secretary of the Air Force, the Chief of Staff shall--

6 `` (1) preside over the Air Staff;

7 `` (2) transmit the plans and recommendations of the  
8 Air Staff to the Secretary and advise the Secretary with  
9 regard to such plans and recommendations;

10 `` (3) after approval of the plans or recommendations  
11 of the Air Staff by the Secretary, act as the agent of  
12 the Secretary in carrying them into effect;

13 `` (4) exercise supervision, in a manner consistent  
14 with the full operational command vested in unified or  
15 specified combatant commanders under section 164 of this  
16 title, over such of the members and organizations of the  
17 Air Force as the Secretary of the Air Force determines;

18 `` (5) perform the duties prescribed for him by  
19 section 171 of this title and other provisions of law;

20 `` (6) keep the Secretary fully informed on matters  
21 considered or acted upon by the Joint Chiefs of Staff;  
22 and

23 `` (7) perform such other military duties, not  
24 otherwise assigned by law, as are assigned to him by the  
25 President, the Secretary of Defense, or the Secretary of

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1 the Air Force.

2 ``(e) The Chief of Staff shall also perform the duties  
3 prescribed for him as a member of the Joint Chiefs of Staff  
4 under section 151 of this title.''; and

5 (3) by striking out the section heading and inserting  
6 in lieu thereof the following:

7 ``§ 8033. Chief of Staff: appointment; term of office; powers  
8 and duties''.

9 (d) Vice Chief of Staff.--Section 8035 is redesignated as  
10 section 8034 and (as redesignated) is amended--

11 (1) by striking out subsections (a) and (b) and  
12 inserting in lieu thereof the following:

13 ``(a) There is a Vice Chief of Staff of the Air Force  
14 appointed by the President, by and with the advice and  
15 consent of the Senate, from the general officers of the Air  
16 Force.

17 ``(b) The Vice Chief of Staff of the Air Force, while so  
18 serving, has the grade of general without vacating his  
19 regular or reserve grade.'';

20 (2) by striking out subsection (c);

21 (3) by redesignating subsection (d) as subsection  
22 (c);

23 (4) by inserting after subsection (c) (as  
24 redesignated by clause (3)) the following new subsection:

25 ``(d) When there is a vacancy in the office of Chief of



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1 Staff or during the absence or disability of the Chief of  
2 Staff--

3       “(1) the Vice Chief of Staff shall perform the  
4 duties of the Chief of Staff until a successor is  
5 appointed or the absence or disability ceases; or

6       “(2) if there is a vacancy in the office of the Vice  
7 Chief of Staff or the Vice Chief of Staff is absent or  
8 disabled, unless the President directs otherwise, the  
9 most senior officer of the Air Force in the Air Staff who  
10 is not absent or disabled and who is not restricted in  
11 performance of duty shall perform the duties of the Chief  
12 of Staff until a successor to the Chief of Staff or the  
13 Vice Chief of Staff is appointed or until the absence or  
14 disability of the Chief of Staff or Vice Chief of Staff  
15 ceases, whichever occurs first.”; and

16       (5) striking out the section heading and inserting in  
17 lieu thereof the following new heading:

18       “§ 8034. Vice Chief of Staff: appointment; powers and  
19               duties; succession to duties of Chief of  
20               Staff”.

21       (e) Deputy Chiefs of Staff.--Chapter 805 is further  
22 amended by inserting after section 8034 the following new  
23 section:

24       “§ 8035. Deputy Chiefs of Staff and Assistant Chiefs of  
25               Staff: detail

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1        ``The Deputy Chiefs of Staff and the Assistant Chiefs of  
2 Staff shall be general officers detailed to those  
3 positions.''.

4        (f) Judge Advocate General, Deputy Judge Advocate  
5 General.--Section 8072 is redesignated as section 8037, is  
6 transferred to and made a part of chapter 805, and is  
7 inserted immediately after section 8036.

8        (g) Office of the Air Force Reserve.--Chapter 805 is  
9 further amended by inserting after section 8037 (as  
10 redesignated by subsection (f) of this section) the following  
11 new section:

12    ``§ 8038. Office of Air Force Reserve: appointment of Chief

13        ``(a) There is in the executive part of the Department of  
14 the Air Force an Office of Air Force Reserve which is headed  
15 by a chief who is the adviser to the Chief of Staff, on Air  
16 Force Reserve matters.

17        ``(b) The President, by and with the advice and consent  
18 of the Senate, shall appoint the Chief of Air Force Reserve  
19 from officers of the Air Force Reserve not on active duty, or  
20 on active duty under section 265 of this title, who--

21            ``(1) have had at least ten years of commissioned  
22 service in the Air Force;

23            ``(2) are in grade of brigadier general and above;  
24 and

25            ``(3) have been recommended by the Secretary of the

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1 Air Force.

2 `` (c) The Chief of Air Force Reserve holds office for  
3 four years, but may be removed for cause at any time. He is  
4 eligible to succeed himself. If he holds a lower reserve  
5 grade, he shall be appointed in the grade of major general  
6 for service in the Air Force Reserve.``.

7 (h) Conforming Amendments.--(1) The table of sections at  
8 the beginning of chapter 805 is amended to read as follows:

``Sec.

``8031. The Air Staff: composition; assignment and detail of  
members of Air Force and civilians.

``8032. The Air Staff: general duties.

``8033. Chief of Staff: appointment; term of office; powers  
and duties.

``8034. Vice Chief of Staff: appointment; powers and duties;  
succession to duties of Chief of Staff.

``8035. Deputy Chiefs of Staff and Assistant Chiefs of Staff:  
detail.

``8036. Surgeon General: appointment; grade.

``8037. Judge Advocate General, Deputy Judge Advocate  
General: appointment; duties.

``8038. Office of Air Force Reserve: appointment of Chief.``.

9 (2) The section heading for section 8036 is amended by  
10 striking out the comma after ``appointment`` and inserting in  
11 lieu thereof a semicolon.

12 (3) The table of sections at the beginning of chapter 807  
13 is amended by striking out the item relating to section 8072.

14 (i) Effective Date.-- The limitations provided for in  
15 section 8031(d) of title 10, United States Code (as amended  
16 by subsection (a) of this section), shall be effective after  
17 September 30, 1988.

18 SEC. 403. COMMANDS

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1 Section 8074(a) is amended by striking out ``The'' and  
2 inserting in lieu thereof ``Except as otherwise prescribed by  
3 law or the Secretary of Defense, the''.

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1 MARCH 26, 1986

2 TITLE V--GENERAL PROVISIONS

3 SEC. 501. REDUCTION IN PERSONNEL ASSIGNED TO HEADQUARTERS

4 MANAGEMENT ACTIVITIES

5 (a) In General.--(1) Not later than September 30, 1988,  
6 the Secretary of Defense shall reduce the total number of  
7 military and civilian personnel assigned or detailed to  
8 permanent duty in the military departments and in the unified  
9 and specified combatant commands to perform management  
10 headquarters activities or management headquarters support  
11 activities by a number that is at least 10 percent of the  
12 total number of personnel assigned or detailed to perform  
13 such activities on September 30, 1985.

14 (2) In computing and in making the reduction required  
15 under paragraph (1), the Secretary of Defense shall exclude  
16 personnel in the Office of the Secretary of the Army, the  
17 Army Staff, the Office of the Secretary of the Navy, the  
18 Office of the Chief of Naval Operations, the Headquarters,  
19 Marine Corps, the Office of the Secretary of the Air Force,  
20 and the Air Staff who are assigned or detailed to permanent  
21 duty to perform management headquarters activities or  
22 management headquarters support activities.

23 (b) Allocation of Reductions To Be Made by the Secretary  
24 of Defense.--(1) The Secretary of Defense shall allocate the  
25 reductions required under subsection (a) among headquarters

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1 and headquarters support activities in a manner consistent  
2 with the efficient operation of the Department of Defense.

3 (2) The Secretary shall also consolidate and eliminate  
4 unnecessary headquarters and headquarters support elements  
5 and activities.

6 (c) Prohibition Against Certain Actions To Achieve  
7 Reductions.--The personnel reduction required by subsection  
8 (a) may not be accomplished by recategorizing or redefining  
9 duties, functions, offices, or organizations.

10 (d) Authority of Combatant Commanders With Regard to  
11 Reductions.--In the case of a reduction under this section  
12 made applicable by the Secretary of Defense to a unified or  
13 specified combatant command, the commander of that command,  
14 after consultation with the commanders of commands directly  
15 subordinated to the commander of the combatant command, shall  
16 determine the manner in which the reduction shall be  
17 accomplished.

18 (e) Prohibition on Future Increase.--After September 30,  
19 1988, the number of civilian and military personnel assigned  
20 to perform activities described in subsection (a) may not be  
21 increased above a number that is 10 percent less than the  
22 number of such personnel assigned or detailed to perform such  
23 activities on September 30, 1988. The limitation provided in  
24 this subsection shall not apply in time of war or during a  
25 national emergency declared by Congress.

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1 (f) Definitions.--For purposes of this section, the terms  
2 ``management headquarters activities`` and ``management  
3 headquarters support activities`` have the same meanings  
4 prescribed for such terms in Department of Defense Directive  
5 5100.73 entitled ``Department of Defense Management  
6 Headquarters and Headquarters Support Activities,`` dated  
7 January 7, 1985.

8 SEC. 502. ANNUAL REPORT ON NATIONAL SECURITY STRATEGY

9 (a) Report Requirement.--The President shall submit to  
10 the Committees on Armed Services and Foreign Relations of the  
11 Senate and the Committees on Armed Services and Foreign  
12 Affairs of the House of Representatives each year a  
13 comprehensive written report on the national security  
14 strategy of the United States. The President shall submit  
15 such report on the same date each year on which he submits  
16 the budget to Congress pursuant to section 1105 of title 31,  
17 United States Code.

18 (b) Contents of Report.--The report referred to in  
19 subsection (a) shall include--

20 (1) a comprehensive discussion of the vital  
21 interests, goals, and objectives of the United States  
22 throughout the world;

23 (2) a coordinated and comprehensive description of  
24 the foreign policy, worldwide commitments, and national  
25 defense capabilities of the United States necessary to

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1       deter aggression and to implement the national security  
2       strategy of the United States;

3               (3) a discussion of the proposed short-term and long-  
4       term uses of the political, economic, military, and other  
5       elements of the national power of the United States to  
6       protect or promote the interests and achieve the goals  
7       and objectives referred to in clause (1);

8               (4) a discussion of the adequacy of the capabilities  
9       of the United States to carry out the national security  
10       strategy of the United States, including an evaluation of  
11       the balance among the capabilities of all elements of the  
12       national power of the United States to support the  
13       implementation of the national security strategy; and

14               (5) such other pertinent information as may be  
15       necessary to help inform Congress on matters relating to  
16       the overall foreign policy strategy and military strategy  
17       of the United States.

18       (c) The report referred to in subsection (a) shall be  
19       submitted in a classified and an unclassified form.

20       SEC. 503. WAIVER OF CERTAIN REPORTING, NOTIFICATION, AND

21                               STUDY REQUIREMENTS

22       (a) In General.--Except as provided in subsection (b),  
23       effective on January 1, 1987, any provision of law contained  
24       in title 10 or 37, United States Code, or in any other  
25       provision of law contained in any Act authorizing



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1 appropriations to or for the Department of Defense or in any  
2 Act making appropriations to or for the Department of Defense  
3 that requires the President or any official or employee of  
4 the Department of Defense to submit in writing any report,  
5 notification, or study to Congress or to any committee of  
6 Congress shall not be effective to the extent that such  
7 provision requires the submission in writing of such report,  
8 notification, or study.

9 (b) Exceptions.--Subsection (a) of this section shall not  
10 apply to any provision of law enacted on or after the date of  
11 enactment of this Act or to any provision of law that  
12 requires the submission of the following reports,  
13 notifications, and studies:

14 (1) The annual reports, statements, and  
15 recommendations required by section 133(c) of title 10,  
16 United States Code, relating to the accomplishments of  
17 the Department of Defense.

18 (2) The annual report required by section 133(e) of  
19 such title, relating to foreign policy, major military  
20 missions, and military force structure.

21 (3) The reports required by subsection (b)(5) of  
22 section 139 of such title (as redesignated by section  
23 104(6) of this Act) and the annual report required by  
24 subsection (g) of such section, relating to operational  
25 test and evaluation activities.

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1           (4) The annual report required by section 142 of such  
2 title (as redesignated by section 104(1) of this Act),  
3 relating to North Atlantic Treaty Organization readiness.

4           (5) The submission of regulations required by section  
5 196(d) of such title (as redesignated by section 117(1)  
6 of this Act), relating to certain allowances and benefits  
7 for certain Defense Intelligence Agency personnel. [NOTE:  
8 THIS IS THOUGHT TO BE THE REPORT REFERRED TO IN THE SPECS  
9 AS THE REPORT REQUIRED BY 37 U.S.C. 431.]

10           (6) The reports required by section 1464(c) of such  
11 title, relating to the status of the Department of  
12 Defense Military Retirement Fund.

13           (7) The annual report required by section 2208(k) of  
14 such title, relating to the condition and operation of  
15 working-capital funds.

16           (8) The notifications required by section 2233a(a)(1)  
17 of such title, relating to expenditures and contributions  
18 for acquisition of facilities for reserve components.

19           (9) The notifications required by section 2304(c)(7)  
20 of such title, relating to the use of procurement  
21 procedures other than competitive procedures.

22           (10) The notifications required by section 2306(h)(3)  
23 of such title, relating to cancellation ceilings in  
24 certain multiyear contracts.

25           (11) The annual report required by section 2313(d)(4)

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1 of such title, relating to subpoenas issued by the  
2 Director of the Defense Contract Audit Agency to obtain  
3 contractor records.

4 (12) The annual report required by section 2349 of  
5 such title, relating to North Atlantic Treaty  
6 Organization acquisition and cross-servicing agreements.

7 (13) The notifications required by section 2394(b)(2)  
8 of such title, relating to contracts for energy or fuel.

9 (14) The notifications required by subsection (e)(1)  
10 of section 24Ø3 of such title and the annual report  
11 required by subsection (e)(2) of such section, relating  
12 to waivers of certain requirements for contractor  
13 guarantees.

14 (15) The annual report required by section 2457(d) of  
15 such title, relating to the policy to standardize  
16 equipment, ammunition, and fuel procured for the use of  
17 United States military forces stationed in Europe under  
18 the North Atlantic Treaty.

19 (16) The reports required by subsection (a) or (e) of  
20 section 2662 of such title and the annual report required  
21 by subsection (b) of such section, relating to certain  
22 real property transactions.

23 (17) The proposals referred to in section 2667a(b)(1)  
24 of such title, relating to sale and replacement of  
25 nonexcess real property.

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1           (18) The notifications required by section 2672(b) of  
2 such title, relating to acquisitions of interests in land  
3 for more than \$100,000.

4           (19) The notifications required by section 2676(d) of  
5 such title, relating to reductions in scope and increases  
6 in cost of a land acquisition.

7           (20) The notifications and submissions required by  
8 section 2687(b) of such title, relating to base closures  
9 and realignments.

10           (21) The annual report required by section 2779(b)(4)  
11 of such title, relating to the use of funds appropriated  
12 for the elimination of certain losses caused by  
13 fluctuations in currency exchange rates of foreign  
14 countries.

15           (22) The reports required by section 2780 of such  
16 title (as redesignated by section 104(2) of this Act),  
17 relating to sales or transfers of certain defense  
18 articles.

19           (23) The reports required by section 2804(b) of such  
20 title, relating to military construction projects not  
21 authorized by law.

22           (24) The notifications required by section 2805(b)(3)  
23 of such title, relating to minor construction in  
24 connection with certain relocations of activities from  
25 one installation to another. [NOTE: WHAT ABOUT THE

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1 NOTIFICATION REQUIRED BY SECTION 2805(b)(2)?]

2 (25) The reports required by section 2806(c)(2) of  
3 such title, relating to contributions for North Atlantic  
4 Treaty Organization Infrastructure.

5 (26) The notifications required by subsection (b) of  
6 section 2807 of such title and the reports required by  
7 subsection (c) of such section, relating to architectural  
8 and engineering services and construction design in  
9 connection with military construction or military family  
10 housing projects.

1 (27) The notifications required by section 2808(b) of  
12 such title, relating to military construction projects in  
13 the event of a declaration of war or national emergency.

14 (28) The justifications and economic analyses  
15 required by section 2809(a)(4) of such title, relating to  
16 long-term contracts for the construction, management, and  
17 operation of certain facilities.

18 (29) The notifications and justifications required by  
19 section 2823(b) of such title, relating to disagreements  
20 on the availability of suitable alternative housing at  
21 locations in the United States where family housing is  
22 proposed to be constructed.

23 (30) The notifications required by section 2827(b) of  
24 such title, relating to relocation of military family  
25 housing units.

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1 (31) The economic analyses required by section  
2 2828(g)(6)(A) of such title, relating to leasing military  
3 family housing facilities.

4 (32) The notifications required by section 2934(b) of  
5 such title, relating to agreements with the Secretary of  
6 State for the use of Department of State housing and  
7 related services by Department of Defense personnel.

8 (33) The notifications required by section 2853(d) of  
9 such title, relating to reductions in the scope of work  
10 or increases in the cost of military construction  
11 projects. [NOTE: WHAT ABOUT THE REPORTS REQUIRED BY  
12 SECTION 2853(e)?]

13 (34) The notifications required by section 2854(b) of  
14 such title, relating to repair, restoration, or  
15 replacement of damaged or destroyed military facilities.

16 (35) The annual request required by section 2859 of  
17 such title, relating to military construction  
18 authorizations. [NOTE: IS THE SECTION 2859 MATTER A  
19 REPORT, NOTIFICATION, OR STUDY?]

20 (36) The annual report required by section 2851(a) of  
21 such title, relating to military construction activities  
22 and military family housing activities.

23 (37) The annual report required by section 2871(c)(3)  
24 of such title (as redesignated by section 104(8) of this  
25 Act), relating to military and civilian personnel end

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1 strength levels, certain other manpower requirements,  
2 base structures, and certain requirements for and  
3 information on officers.

4 (38) The annual report required by section 2871(d)(2)  
5 of such title (as redesignated by section 104(8) of this  
6 Act), relating to average student training loads.

7 (39) The annual report required by section 2871(e) of  
8 such title (as redesignated by section 104(8) of this  
9 Act), relating to operations and maintenance.

10 (40)(A) The annual and supplemental reports required  
11 by section 2872 of such title (as redesignated by section  
12 104(9) of this Act), relating to weapons development and  
13 procurement schedules, including the matter required by  
14 section 53(b) of the Arms Export Control Act (95 Stat.  
15 1524; 22 U.S.C. 2795b(b)) to be included in such annual  
16 reports.

17 (B) The notifications in lieu of such supplemental  
18 reports under subsection (b) of such section 2872.

19 (41) The Selected Acquisition Reports required by  
20 section 2873 of such title (as redesignated by section  
21 104(10) of this Act).

22 (42) The notifications required by subsection (d)(3)  
23 of section 2874 of such title (as redesignated by section  
24 104(11) of this Act) and reports required by subsection  
25 (e) of such section, relating to increases in program

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1 acquisition unit costs and procurement unit costs of  
2 certain major defense acquisition programs.

3 (43) The statements and quarterly report required by  
4 subsections (c) and (e) of section 709 of the Department  
5 of Defense Appropriation Authorization Act, 1975 (88  
6 Stat. 408; 50 U.S.C. App. 2403-1(e)), relating to the  
7 export of certain goods, technology, and industrial  
8 techniques.

9 (44) The notifications required by section 1201(c) of  
10 the Department of Defense Authorization Act, 1984 (Public  
11 Law 98-94; 97 Stat. 678), relating to transfers of  
12 amounts of authorizations.

13 (45) The reports and assessments required by section  
14 1231 of the Department of Defense Authorization Act, 1984  
15 (Public Law 98-94; 97 Stat. 693), relating to certain  
16 intercontinental ballistic missile systems.

17 (46) The reports required by section 307(b)(3) of the  
18 Department of Defense Authorization Act, 1985 (98 Stat.  
19 2515; 10 U.S.C. 2304 note), relating to waivers of a  
20 prohibition on contracting out certain logistics  
21 activities.

22 (47) The annual report required by section 1002(d)(1)  
23 of the Department of Defense Authorization Act, 1985 (98  
24 Stat. 2575; 22 U.S.C. 1926 note), relating to the supply  
25 of munitions and certain aircraft facilities in support



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1 of the North Atlantic Treaty Organization.

2 (48) The annual report required by section 1ØØ2(d)(2)  
3 of the Department of Defense Authorization Act, 1985 (98  
4 Stat. 2575; 22 U.S.C. 1928 note), relating to the status  
5 and cost of the United States commitment to the North  
6 Atlantic Treaty Organization and certain activities of  
7 other NATO members.

8 (49) The annual reports required by subsections (c)  
9 and (d) of section 1ØØ3 of the Department of Defense  
10 Authorization Act, 1985 (98 Stat. 2576; 22 U.S.C. 1928  
11 note), relating to allied contributions to the common  
12 defense.

13 (50) The annual report required by section 11Ø2 of  
14 the Department of Defense Authorization Act, 1985 (98  
15 Stat. 258Ø; 1Ø U.S.C. 2872 note (formerly 1Ø U.S.C. 139  
16 note)), relating to the Strategic Defense Initiative and  
17 any other antiballistic missile defense program.

18 (51) The notifications required by section 15Ø1(c) of  
19 the Department of Defense Authorization Act, 1985 (Public  
20 Law 98-525; 98 Stat. 2626), relating to transfers of  
21 amounts of authorizations.

22 (52) The reports required by section 1536(g) of the  
23 Department of Defense Authorization Act, 1985 (98 Stat.  
24 2633; 46 U.S.C. 112Ø note), relating to the Commission on  
25 Merchant Marine and Defense.

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1 (53) The certification required by section 125(a)(1)  
2 of the Department of Defense Authorization Act, 1986  
3 (Public Law 99-145; 99 Stat. 601), relating to any new  
4 contract for the procurement of 5-ton trucks.

5 (54) The legislative environmental impact statement  
6 required by section 209(c) of the Department of Defense  
7 Authorization Act, 1986 (Public Law 99-145; 99 Stat.  
8 610), relating to full-scale development of a small  
9 intercontinental ballistic missile or the selection of  
10 basing areas for the deployment of such missile.

11 (55) The certification required by section 222 of the  
12 Department of Defense Authorization Act, 1986 (Public Law  
13 99-145; 99 Stat. 613), relating to termination of a  
14 prohibition of deployment of a strategic defense system.

15 (56) The reports required by section 223 of the  
16 Department of Defense Authorization Act, 1986 (Public Law  
17 99-145; 99 Stat. 613), relating to the Strategic Defense  
18 Initiative.

19 (57) The quarterly reports required by section 502(c)  
20 of the Department of Defense Authorization Act, 1986  
21 (Public Law 99-145; 99 Stat. 621), relating to the  
22 obligation of funds appropriated for civilian personnel.

23 (58) The annual report required by section 1221(d)(2)  
24 of the Department of Defense Authorization Act, 1986  
25 (Public Law 99-145; 99 Stat. 727), relating to a research

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1 program to support the polygraph activities of the  
2 Department of Defense. [NOTE: WHAT ABOUT THE REPORT  
3 REQUIRED BY SECTION 1221(c)(2)?]

4 (59) The annual reports required by section 1407 of  
5 the Department of Defense Authorization Act, 1986 (Public  
6 Law 99-145; 99 Stat. 745), relating to unobligated  
7 balances in appropriation accounts.

8 (60)(A) The certifications required by subsections  
9 (b) and (c)(2) of section 1411 of the Department of  
10 Defense Authorization Act, 1986 (Public Law 99-145; 99  
11 Stat. 745), relating to the procurement or assembly of  
12 binary chemical weapons.

13 (B) The report required by subsection (e) of such  
14 section, relating to consultations among NATO member  
15 nations concerning NATO's chemical deterrent posture.

16 (61)(A) The requirements to transmit copies of  
17 international agreements, as provided in subsections (b)  
18 and (c) of section 405 of the Military Construction  
19 Authorization Act, 1981 (Public Law 90-418; 94 Stat.  
20 1761), relating to the construction of contingency  
21 facilities.

22 (B) The reports required by subsection (d) of such  
23 section, relating to plans for such construction. [NOTE:  
24 DO YOU WANT THIS REQUIREMENT INCLUDED IN THIS EXCEPTION?]

25 (62) The annual reports required by section 704 of

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1 the Military Construction Authorization Act, 1982 (Public  
2 Law 97-99; 95 Stat. 1377), relating to contracts for  
3 construction in the United States and its possessions.

4 (63) The economic analyses required by section  
5 802(d)(1) of the Military Construction Authorization Act,  
6 1984 (97 Stat. 784; 10 U.S.C. 2821 note), relating to  
7 proposed military housing rental guarantee agreements.

8 (64) The notifications required by section 803(b)(2)  
9 of the Military Construction Authorization Act, 1984 (97  
10 Stat. 785; 10 U.S.C. 2821 note), relating to waivers of a  
11 requirement to use manufactured or factory-built housing  
12 fabricated in the United States by a United States  
13 contractor for military family housing construction in  
14 foreign countries.

15 (65) The report required by section 840(d) of the  
16 Military Construction Authorization Act, 1986 (Public Law  
17 99-167; 99 Stat. 998), relating to the sale of land at  
18 Fort Jackson, South Carolina.

19 (66) The notifications required by the proviso in  
20 section 8005(m) of the Department of Defense  
21 Appropriations Act, 1985 (as contained in section 101(h)  
22 of the Joint Resolution entitled ``Joint Resolution  
23 making continuing appropriations for fiscal year 1985,  
24 and for other purposes'', approved October 12, 1984  
25 (Public Law 98-473; 98 Stat. 1923)), relating to unusual

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1 cost overruns incident to overhaul, maintenance, and  
2 repair for certain ships.

3 (67) The annual report required by section 8104(b) of  
4 the Department of Defense Appropriations Act, 1985 (as  
5 contained in section 101(h) of the Joint Resolution  
6 entitled ``Joint Resolution making continuing  
7 appropriations for fiscal year 1985, and for other  
8 purposes'', approved October 12, 1984 (Public Law 98-473;  
9 98 Stat. 1942; 10 U.S.C. 2872 note (formerly 10 U.S.C.  
10 139 note))), relating to consultations with members of  
11 common defense alliances concerning Strategic Defense  
12 Initiative research.

13 (68) The notifications required by section 8020 or  
14 8021 of the Department of Defense Appropriations Act,  
15 1986 (as contained in section 101(b) of the Joint  
16 Resolution entitled ``Joint Resolution making further  
17 continuing appropriations for the fiscal year 1986, and  
18 for other purposes'', approved December 19, 1985 (Public  
19 Law 99-190; 99 Stat. 1206)), relating to transfers of  
20 working capital funds.

21 (69) The notifications required by section 8021 of  
22 the Department of Defense Appropriations Act, 1986 (as  
23 contained in section 101(b) of the Joint Resolution  
24 entitled ``Joint Resolution making further continuing  
25 appropriations for the fiscal year 1986, and for other

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1 purposes'', approved December 19, 1985 (Public Law 99-  
2 190; 99 Stat. 1206)), relating to the obligation of  
3 working capital funds to procure war reserve material  
4 inventory.

5 (70) The notifications required by section 8042 of  
6 the Department of Defense Appropriations Act, 1986 (as  
7 contained in section 101(b)) of the Joint Resolution  
8 entitled ``Joint Resolution making further continuing  
9 appropriations for the fiscal year 1986, and for other  
10 purposes'', approved December 19, 1985 (Public Law 99-  
11 190; 99 Stat. 1210)), relating to the availability of  
12 appropriated funds for intelligence or special activities  
13 different from activities justified to the Congress.

14 (71) The notification required by section 8075 of the  
15 Department of Defense Appropriations Act, 1986 (as  
16 contained in section 101(b) of the Joint Resolution  
17 entitled ``Joint Resolution making further continuing  
18 appropriations for the fiscal year 1986, and for other  
19 purposes'', approved December 19, 1985 (Public Law 99-  
20 190; 99 Stat. 1214)), relating to the acquisition of  
21 certain types of weapons, subsystems, and munitions of  
22 European NATO manufacture.

23 (72) The certification required by section 8097 of  
24 the Department of Defense Appropriations Act, 1986 (as  
25 contained in section 101(b) of the Joint Resolution

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1 entitled ``Joint Resolution making further continuing  
2 appropriations for the fiscal year 1986, and for other  
3 purposes'', approved December 19, 1985 (Public Law 99-  
4 190; 99 Stat. 1219)), relating to the obligation or  
5 expenditure of funds to carry out a test of the Space  
6 Defense System (anti-satellite weapon) against an object  
7 in space.

8 (73) The annual report required by the third proviso  
9 in the undesignated paragraph under the heading ``Foreign  
10 Currency Fluctuation, Construction, Defense'' in the  
11 Military Construction Appropriation Act, 1980 (Public Law  
12 96-130; 93 Stat. 1019), relating to transfers of  
13 appropriated funds to eliminate losses in military  
14 construction or expenses of family housing caused by  
15 fluctuations in foreign currency exchange rates of  
16 foreign countries.

17 (74) The reports required by section 125(a) of the  
18 Military Construction Appropriations Act, 1985 (as  
19 contained in section 101(e) of the Joint Resolution  
20 entitled ``Joint Resolution making continuing  
21 appropriations for fiscal year 1985, and for other  
22 purposes'', approved October 12, 1984 (Public Law 98-473;  
23 98 Stat. 1883)), relating to terminations of a  
24 prohibition on the availability of appropriated military  
25 construction funds to foreign governments ineligible to

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1 receive such funds by reason of inadequate drug control  
2 measures.

3 (75)(A) The semiannual report required by section  
4 5(b) of the Inspector General Act of 1978 (5 U.S.C. App.  
5 3), relating to activities of the Inspector General of  
6 the Department of Defense.

7 (B) The reports required by section 5(d) of such Act  
8 (5 U.S.C. App. 3), relating to particular cases of  
9 problems, abuses, or deficiencies which have come to the  
10 attention of the Inspector General of the Department of  
11 Defense.

12 (C) The statements required by paragraphs (3) and (4)  
13 of section 8(b) of such Act (5 U.S.C. App. 3), relating  
14 to the exercise of certain authority of the Secretary of  
15 Defense with respect to the activities of the Inspector  
16 General of the Department of Defense. [NOTE: THESE  
17 PROVISIONS MAY NOT BE COVERED BY THE SUNSET RULE  
18 PRESCRIBED IN SUBSECTION (a).]

19 (76) The requirement to furnish information and to  
20 report to Congress concerning intelligence activities as  
21 provided in subsections (a) and (b) of section 501 of the  
22 National Security Act of 1947 (50 U.S.C. 413). [NOTE:  
23 THIS MAY NOT BE COVERED BY THE SUNSET RULE PRESCRIBED IN  
24 SUBSECTION (a).]

25 (77) The notifications required by section 502(a) of



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1 the National Security Act of 1947 (50 U.S.C. 414(a))  
2 relating to the obligation or expenditure of funds from  
3 the Reserve for Contingencies of the Central Intelligence  
4 Agency and the obligation or expenditure of funds for  
5 significant anticipated intelligence activities. [NOTE:  
6 THIS MAY NOT BE COVERED BY THE SUNSET RULE PRESCRIBED IN  
7 SUBSECTION (a).]

8 [ GENERAL NOTES: (1) THERE IS NO 10 U.S.C. 2984, THE  
9 CITATION GIVEN FOR THE REPORT ON INTERNATIONAL DRUG CONTROL.

10 (2) 10 U.S.C. 2674, RELATING TO MINOR CONSTRUCTION WAS  
11 REPEALED BY SECTION 7(1) OF PUBLIC LAW 97-214.]

12 SEC. 504. EFFECTIVE DATE

13 Except as otherwise provided in this Act, the provisions  
14 of this Act and the amendments made by this Act shall take  
15 effect on such date or dates as the Secretary of Defense may  
16 specify, but in no event may the effective date for any  
17 provision or amendment be later than 180 days following the  
18 date of the enactment of this Act.