

# Union Calendar No. 417

99TH CONGRESS  
2D SESSION

# H. R. 4370

[Report No. 99-700]

To amend title 10, United States Code, to reorganize the Department of Defense.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 1986

Mr. NICHOLS (for himself, Mr. HOPKINS, Mr. ASPIN, Mr. SKELTON, Mr. MAVROULES, Mr. MCCURDY, Mr. KASICH, and Mr. BLAZ) introduced the following bill; which was referred to the Committee on Armed Services

JULY 21, 1986

Additional sponsors: Mr. MORRISON of Connecticut, Mr. GARCIA, Mr. GINGRICH, Mr. ANDREWS, Mr. RICHARDSON, Mr. GEJDENSON, Mr. SABO, Mr. PENNY, Mrs. LLOYD, Mr. SHAW, Mr. SMITH of Florida, Mr. WHITTAKER, Mr. BATES, Mr. CLINGER, Mr. ECKERT, of New York, Mr. BEVILL, Ms. KAPTUR, Mr. ENGLISH, Mr. BEDELL, Mr. NEAL, Mr. FAZIO, Mr. KOLBE, Mr. DIOGUARDI, Mr. REID, Mr. RIDGE, Mr. FISH, Mr. FROST, Mr. MCCLOSKEY, Mr. FRANK, Mr. DARDEN, Mr. GLICKMAN, Mrs. MARTIN of Illinois, Mr. HUGHES, Mrs. ROUKEMA, Mr. MARTINEZ, Mr. EDWARDS of Oklahoma, Mr. PACKARD, Mr. FOWLER, Mr. WIRTH, Mr. DICKINSON, Mr. EDGAR, Mr. BILIRAKIS, Mr. WILLIAMS, Mr. HAMILTON, Mr. VOLKMER, Mr. WATKINS, Mr. COELHO, Mrs. BYRON, Mr. DANIEL, Mrs. SCHROEDER, Mr. SUNIA, Mr. SCHEUER, Mr. HOYER, Mr. KOSTMAYER, and Mr. DAVIS

JULY 21, 1986

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 11, 1986]

# A BILL

To amend title 10, United States Code, to reorganize the  
Department of Defense.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Bill Nichols Department*  
5 *of Defense Reorganization Act of 1986”.*

6 **TITLE I—COMBATANT COMMANDS**

7 **SEC. 101. ENHANCEMENT OF AUTHORITY OF COMMANDERS**  
8 **OF UNIFIED AND SPECIFIED COMBATANT**  
9 **COMMANDS.**

10 *(a) REVISION AND EXTENSION OF COMBATANT COM-*  
11 *MAND AUTHORITY.—(1) Title 10, United States Code, is*  
12 *amended by inserting after chapter 5 the following new*  
13 *chapter:*

14 **“CHAPTER 6—COMBATANT COMMANDS**

*“161. Establishment.*

*“162. Forces assigned to combatant commands.*

*“163. Functions and supervision.*

*“164. Administration and support of assigned forces.*

*“165. Unified and specified commands: program and budget proposals; net assess-*  
*ments.*

*“166. Combatant command subordinate commanders and CINC staff officers: selec-*  
*tion and tenure.*

*“167. Joint Commanders Council.*

15 **“§ 161. Establishment**

16 *“(a) UNIFIED AND SPECIFIED COMMANDS.—With*  
17 *the advice and assistance of the Chairman of the Joint Chiefs*

1 of Staff, the President, through the Secretary of Defense,  
2 shall—

3           “(1) establish unified combatant commands and  
4 specified combatant commands to perform military  
5 missions; and

6           “(2) prescribe the force structure of those  
7 commands.

8           “(b) SPECIAL COMBATANT COMMANDS.—(1) If the  
9 President determines that a situation warrants the creation  
10 for a specific military mission of a force outside the existing  
11 unified and specified commands, the President, with the  
12 advice and assistance of the Chairman of the Joint Chiefs of  
13 Staff and acting through the Secretary of Defense, may—

14           “(A) establish a special combatant command to  
15 respond to that situation; and

16           “(B) prescribe the mission, force structure, and  
17 support and administrative arrangements of that  
18 command.

19           “(2) In the case of any such special combatant com-  
20 mand, the President, with the advice and assistance of the  
21 Chairman of the Joint Chiefs of Staff and acting through the  
22 Secretary of Defense, shall prescribe the chain of command  
23 from the President and Secretary of Defense to the command-  
24 er of that command. Such chain of command shall be the

1 *shortest practicable for each force deployed consistent with*  
2 *proper supervision and support.*

3       “(c) *PERIODIC REVIEW.—(1) The Chairman shall pe-*  
4 *riodically (and not less often than every other year)—*

5               “(A) *review the overall structure of the unified*  
6 *and specified combatant commands (including the rela-*  
7 *tionship among their respective functions, missions,*  
8 *areas of responsibility, and chains of command); and*

9               “(B) *recommend to the President, through the*  
10 *Secretary of Defense, any changes that the Chairman*  
11 *considers necessary or appropriate.*

12       “(2) *The President shall promptly inform Congress of*  
13 *any action taken in response to recommendations made by*  
14 *the Chairman under paragraph (1)(B).*

15       “**§ 162. Forces assigned to combatant commands**

16       “(a) *ASSIGNMENT OF FORCES.—(1)(A) Except as pro-*  
17 *vided in paragraph (2), the Secretaries of the military de-*  
18 *partments shall assign all forces under their jurisdiction to*  
19 *unified and specified combatant commands to perform the*  
20 *missions assigned to those commands. Such assignments*  
21 *shall be made as directed by the Secretary of Defense, in-*  
22 *cluding direction as to the command to which forces are to be*  
23 *assigned.*

24       “(B) *As directed by the Secretary of Defense, the com-*  
25 *manders of the unified and specified combatant commands*

1 *and the Secretaries of the military departments shall assign*  
2 *forces under their jurisdiction to any special combatant com-*  
3 *mand established under this chapter to perform the missions*  
4 *assigned to that command.*

5       “(2) *Except as otherwise directed by the Secretary of*  
6 *Defense, forces to be assigned by the Secretaries of the mili-*  
7 *tary departments to the combatant commands under para-*  
8 *graph (1) do not include forces assigned to the recruiting,*  
9 *organizing, training, or supplying of the armed forces.*

10       “(3) *A force assigned to a combatant command under*  
11 *this section may be transferred from the command to which it*  
12 *is assigned only by authority of the Secretary of Defense and*  
13 *under procedures prescribed by the Secretary with the*  
14 *approval of the President.*

15       “(4) *A force not assigned to a combatant command re-*  
16 *mains, for all purposes, in the military department*  
17 *concerned.*

18       “(5) *Unless otherwise directed by the Secretary of De-*  
19 *fense, all forces operating within the geographic area as-*  
20 *signed to the commander of a unified command shall be as-*  
21 *signed to and under the command of the commander of that*  
22 *command. The preceding sentence applies to forces assigned*  
23 *to a specified command or a special combatant command only*  
24 *as prescribed by the Secretary of Defense.*

1       “(b) *COMMAND OF ASSIGNED FORCES.—(1) Notwith-*  
2 *standing any other provision of law, a force assigned to a*  
3 *combatant command under this section is under the command*  
4 *of the commander of that command. In this section, the term*  
5 *‘command’ means the authority to give authoritative direction*  
6 *to subordinate forces necessary to accomplish assigned*  
7 *missions.*

8       “(2) *The Secretary of Defense shall ensure that com-*  
9 *manders of combatant commands have sufficient authority*  
10 *over the forces assigned to their commands to exercise effec-*  
11 *tive command over those forces.*

12       “(3) *If a commander of a combatant command at any*  
13 *time considers his authority over any of the forces assigned to*  
14 *that command to be insufficient to command effectively, the*  
15 *commander shall promptly inform the Secretary of Defense.*

16       “(c) *ORGANIZATION, TRAINING, AND EMPLOYMENT*  
17 *OF ASSIGNED FORCES.—(1) The commander of each com-*  
18 *batant command shall prescribe the chain of command and*  
19 *organizational structure of forces assigned to that command.*  
20 *To the extent practicable, the structure established should be*  
21 *the structure that would be used in the event of war or*  
22 *hostilities.*

23       “(2) *The commander of a combatant command shall*  
24 *have authority—*

1           “(A) to train forces assigned to that command;  
2           and

3           “(B) to employ those forces to accomplish as-  
4           signed missions.

5   **“§163. Functions and supervision**

6           “(a) *FUNCTIONS.*—Commanders of combatant com-  
7           mands established under this chapter are responsible to the  
8           President and to the Secretary of Defense for such missions  
9           as may be assigned to them by the Secretary with the approv-  
10          al of the President.

11          “(b) *SUPERVISION BY JCS CHAIRMAN.*—Subject to  
12          the authority, direction, and control of the Secretary of De-  
13          fense, the Chairman of the Joint Chiefs of Staff supervises  
14          the commanders of the combatant commands and is their  
15          spokesman at the seat of Government.

16   **“§ 164. Administration and support of assigned forces**

17          “(a) *ADMINISTRATION.*—Subject to the authority, di-  
18          rection, and control of the Secretary of Defense, the Secre-  
19          tary of each military department is responsible for the ad-  
20          ministration of forces assigned by that department to combat-  
21          ant commands.

22          “(b) *SUPPORT.*—Unless otherwise directed by the Sec-  
23          retary of Defense, the Secretary of each military department  
24          is responsible for the support of forces assigned by that de-  
25          partment to combatant commands. The Secretary of Defense

1 *may assign the responsibility for the support of forces as-*  
2 *signed to a combatant command (or any part of that responsi-*  
3 *bility) to—*

4           “(1) *one or more of the military departments;*

5           “(2) *other agencies of the Department of Defense;*

6           *or*

7           “(3) *the commander of the combatant command*  
8 *concerned.*

9           “(c) *REQUESTS BY CINCS TO PROVIDE OWN SUP-*  
10 *PORT.—(1) If a commander of a combatant command decides*  
11 *that performance of a support function (or any part of such a*  
12 *function) by elements of that command would improve the*  
13 *capability of the command to carry out assigned missions or*  
14 *would otherwise be more effective, economical, or efficient, the*  
15 *commander may submit to the Secretary of Defense a propos-*  
16 *al for the transfer of that function (or any part of that func-*  
17 *tion) to the command.*

18           “(2) *Parts of a support function with respect to which a*  
19 *commander may submit a proposal under this subsection in-*  
20 *clude the authority, with respect to that function, to establish*  
21 *requirements and to plan and direct distribution.*

22           “(d) *ADVICE OF CHAIRMAN.—The functions of the*  
23 *Secretary under this section shall be carried out with the*  
24 *advice and assistance of the Chairman of the Joint Chiefs of*  
25 *Staff.*

1 *“§ 165. Unified and specified commands: program and*  
2 *budget proposals; net assessments*

3 *“(a) COMBATANT COMMAND BUDGETS.—The Secre-*  
4 *tary of Defense shall include in the annual budget of the*  
5 *Department of Defense submitted to Congress a separate*  
6 *budget proposal for such activities of each of the unified and*  
7 *specified combatant commands as may be determined under*  
8 *subsection (b).*

9 *“(b) CONTENT OF PROPOSALS.—A budget proposal*  
10 *under subsection (a) for funding of activities of a combatant*  
11 *command shall include funding proposals for such activities*  
12 *of the combatant command as the Secretary (after consulta-*  
13 *tion with the Chairman of the Joint Chiefs of Staff) deter-*  
14 *mines to be appropriate for inclusion. Activities of a combat-*  
15 *ant command for which funding may be requested in such a*  
16 *proposal include the following:*

17 *“(1) Joint exercises.*

18 *“(2) Force training.*

19 *“(3) Contingencies.*

20 *“(4) Selected operations.*

21 *“(c) SUBMISSION BY CINCS.—The commander of*  
22 *each unified or specified combatant command shall submit to*  
23 *the Chairman an annual program and budget proposal for*  
24 *that command for consideration for inclusion under subsec-*  
25 *tion (a) in the next budget of the Department of Defense.*

1       “(d) *SUBMISSION OF BUDGET PROPOSALS BY*  
2 *CHAIRMAN.—The Chairman shall—*

3               “(1) *review and analyze the combatant command*  
4 *budget proposals submitted under subsection (c);*

5               “(2) *establish priorities in accordance with guid-*  
6 *ance provided by the Secretary; and*

7               “(3) *recommend to the Secretary for the purposes*  
8 *of subsection (a) a budget proposal for each command.*

9       “(e) *SECRETARY OF DEFENSE GUIDANCE.—Budget*  
10 *proposals under subsections (c) and (d) shall be prepared in*  
11 *accordance with, and subject to, guidance furnished by the*  
12 *Secretary of Defense, including guidance with respect to an-*  
13 *ticipated budget limitations.*

14       “(f) *NET ASSESSMENTS.—(1) In accordance with*  
15 *guidelines established by the Secretary of Defense, the find-*  
16 *ings, conclusions, and recommendations of any net assess-*  
17 *ment conducted by an organization of the Department of De-*  
18 *fense shall be made available to the commanders of the uni-*  
19 *fied and specified combatant commands.*

20       “(2) *The Chairman of the Joint Chiefs of Staff shall*  
21 *establish procedures by which—*

22               “(A) *each commander of a combatant command*  
23 *may require the Joint Staff to assist the commander*  
24 *with respect to net assessments relating to the com-*  
25 *mander’s duties; and*

1           “(B) each commander shall contribute to the prep-  
2           aration, conduct, and findings of net assessments per-  
3           formed by the Joint Staff.

4           “(3) The Secretary of Defense shall establish procedures  
5           by which a commander of a combatant command may require  
6           organizations of the Department of Defense that perform net  
7           assessments (in addition to the Joint Staff) to assist the com-  
8           mander with respect to net assessments relating to the com-  
9           mander’s duties.

10          “(4) The commander of a unified or specified combatant  
11          command shall include the results of any current net assess-  
12          ment conducted by or on behalf of his command—

13                 “(A) in preparing any evaluation of the capabili-  
14                 ties of his command for submission to the Secretary or  
15                 the Chairman; and

16                 “(B) in developing operations plans for the  
17                 command.

18          “§ 166. **Combatant command subordinate commanders and**  
19                         **CINC staff officers: selection and tenure**

20          “(a) **SELECTION.**—

21                 “(1) **SENIOR GENERAL AND FLAG OFFICERS.**—  
22                 The selection of a general or flag officer for recommen-  
23                 dation to the President for nomination to an assign-  
24                 ment as a principal subordinate officer of the com-  
25                 mander of a unified or specified combatant command,

1        *or to the staff of such a commander, in a position of*  
2        *importance and responsibility designated by the Presi-*  
3        *dent under section 601 of this title shall be made by*  
4        *the commander of that command in accordance with*  
5        *procedures prescribed by the Secretary of Defense.*  
6        *Such procedures shall provide for the selection to be*  
7        *made from a list of officers submitted to the command-*  
8        *er by the Secretary of the military department con-*  
9        *cerned and that the commander may specify the*  
10       *number of officers to be included on such a list.*

11            *“(2) OTHER OFFICERS.—Except as provided*  
12        *under paragraph (1), the selection of an officer to an*  
13        *assignment as a principal subordinate officer of the*  
14        *commander of a unified or specified combatant com-*  
15        *mand, or to the staff of such a commander, shall be*  
16        *made by that commander. Such selection shall be made*  
17        *from a list of officers submitted to the commander by*  
18        *the Secretary of the military department concerned.*  
19        *The commander may specify the number of officers to*  
20        *be included on such a list.*

21            *“(b) TENURE.—The tenure of an officer assigned to a*  
22        *combatant command under subsection (a) is subject to the*  
23        *approval of the commander of the combatant command.*

1 **“§ 167. Joint Commanders Council**

2       “(a) *ESTABLISHMENT.*—*There is hereby established in*  
3 *the Department of Defense a council to be known as the*  
4 *‘Joint Commanders Council’. The Council consists of—*

5               “(1) *the Chairman of the Joint Chiefs of Staff,*  
6 *who is the head of the Council; and*

7               “(2) *the commanders of the unified and specified*  
8 *combatant commands.*

9       “(b) *FUNCTIONS.*—*The Council, as a body, shall—*

10               “(1) *provide advice to the President and Secre-*  
11 *tary of Defense on matters with respect to which such*  
12 *advice is requested; and*

13               “(2) *advise the Chairman, as requested by him,*  
14 *on the execution of the Chairman’s responsibilities.”.*

15       (2) *The tables of chapters at the beginning of subtitle A,*  
16 *and at the beginning of part I of subtitle A, of such title are*  
17 *amended by inserting after the item relating to chapter 5 the*  
18 *following new item:*

      “6. *Combatant Commands*..... 161”.

19       (b) *COURT-MARTIAL JURISDICTION.*—*Section 822(a)*  
20 *of title 10, United States Code (article 22(a) of the Uniform*  
21 *Code of Military Justice), is amended—*

22               (1) *by redesignating paragraphs (2) through (7)*  
23 *as paragraphs (4) through (9), respectively; and*

24               (2) *by inserting after paragraph (1) the following*  
25 *new paragraphs (2) and (3):*

1           “(2) the Secretary of Defense;

2           “(3) the commanding officer of a unified or speci-  
3       fied combatant command;”.

4       (c) *OPERATIONAL AUTHORITY OVER FORCES.*—Sec-  
5       tion 5012 of such title is amended—

6           (1) by striking out “is generally” and all that fol-  
7       lows in the third sentence of subsection (a) and insert-  
8       ing in lieu thereof “, in accordance with integrated  
9       joint mobilization plans, for the expansion of the peace-  
10      time components of the Navy to meet the needs of  
11      war.”; and

12          (2) by striking out subsection (d).

13       (d) *CONFORMING AMENDMENTS.*—

14          (1) *REPEAL OF SECTION 124.*—(A) Section 124  
15      of such title is repealed.

16          (B) The table of sections at the beginning of chap-  
17      ter 3 of such title is amended by striking out the item  
18      relating to section 124.

19          (2) *COMMAND AUTHORITY OF CINCS.*—Sections  
20      3034(d)(4), 5081(c), 5201(d), and 8034(d)(4) of such  
21      title are amended by striking out “full operational  
22      command vested in unified or specified combatant com-  
23      manders under section 124 of this title” and inserting  
24      in lieu thereof “command authority vested in the com-

1       *manders of unified and specified combatant commands*  
2       *under chapter 6 of this title”.*

3   **SEC. 102. FUNCTIONS OF CHAIRMAN OF JOINT CHIEFS OF STAFF.**

4       *(a) IN GENERAL.—Section 141(c) of title 10, United*  
5   *States Code, is amended—*

6               *(1) by striking out the matter preceding clause (1)*  
7       *and inserting in lieu thereof the following:*

8       *“(c) Subject to the authority and direction of the Presi-*  
9   *dent and the Secretary of Defense, the Chairman (in consul-*  
10   *tation, as appropriate, with the other members of the Joint*  
11   *Chiefs of Staff and with the commanders of the unified and*  
12   *specified commands) shall—”;*

13              *(2) by striking out “and” at the end of paragraph*  
14    *(7);*

15              *(3) by redesignating paragraph (8) as paragraph*  
16    *(15); and*

17              *(4) by inserting after paragraph (7) the following*  
18    *new paragraphs:*

19              *“(8) submit to the Secretary recommendations for*  
20    *the allocation of defense resources under the proposed*  
21    *national defense budget for each fiscal year, to be de-*  
22    *veloped within anticipated limits on funding levels*  
23    *available for defense functions and based on—*

24              *“(A) guidance provided by the Secretary;*

1           “(B) recommendations submitted by the com-  
2           manders of the unified and specified combatant  
3           commands based on the requirements of their as-  
4           signed missions; and

5           “(C) recommendations (as appropriate) sub-  
6           mitted by the Secretaries of the military depart-  
7           ments and the heads of other components of the  
8           Department of Defense;

9           “(9) review the program objectives and budget  
10          proposals of the Secretary of each military department  
11          and of those defense agencies with a combat support  
12          mission and recommend to the Secretary changes in  
13          such proposals in accordance with the Chairman’s rec-  
14          ommendations under clause (8);

15          “(10) in accordance with section 165(d) of this  
16          title, recommend to the Secretary a budget for each  
17          unified and specified combatant command, including  
18          the functions of each such command for which funds  
19          should be appropriated to the command;

20          “(11) establish and maintain, in consultation  
21          with the commanders of the unified and specified com-  
22          batant commands, a uniform system of evaluating the  
23          overall capabilities of each such command to accom-  
24          plish its missions;

1           “(12) monitor the extent to which each military  
2           department provides officers for joint duty assignments  
3           and report to the Secretary of Defense when any de-  
4           partment provides substantially fewer than one-third of  
5           the positions on the Joint Staff and one-third of the  
6           total number of joint duty assignments;

7           “(13) develop doctrine for the joint employment of  
8           the armed forces;

9           “(14) perform net assessments to determine the  
10          capabilities of the armed forces to carry out military  
11          operations under unified command; and”.

12          (b) *CONSULTATION.*—Section 141 of such title is fur-  
13          ther amended by adding at the end the following new  
14          subsection:

15          “(e) In carrying out his functions under this chapter or  
16          any other provision of law, the Chairman shall consult, as  
17          appropriate, with the other members of the Joint Chiefs of  
18          Staff and the commanders of the unified and specified  
19          commands.”.

20          (c) *JOINT STAFF NET ASSESSMENT CAPABILITY.*—  
21          Section 143 of title 10, United States Code, is amended by  
22          adding at the end thereof the following new subsection:

23          “(f) The Chairman shall ensure that the Joint Staff is  
24          organized and staffed so as to provide the Chairman the nec-

1 *essary staff expertise to enable him to carry out section*  
2 *141(a)(14) of this title.”*

3 **SEC. 103. TRANSFERS OF STAFF PERSONNEL.**

4       (a) *TRANSFERS OF STAFFS TO CINC HEADQUAR-*  
5 *TERS.—The Secretary of Defense shall provide that person-*  
6 *nel assigned to the headquarters staffs of the military depart-*  
7 *ments and of the separate Armed Forces and personnel as-*  
8 *signed to the staffs of the commanders of subordinate forces of*  
9 *the unified and specified commands shall, to the maximum*  
10 *extent practicable, be transferred to the staffs of the com-*  
11 *manders of the unified and specified commands to reflect*  
12 *transfers of functions provided for or authorized by this*  
13 *Act. Such transfers shall be carried out as expeditiously as*  
14 *possible.*

15       (b) *LIMITATION ON TOTAL STAFF SIZE.—The total*  
16 *size of the headquarters staffs of the commanders of the uni-*  
17 *fied and specified commands, the military departments, the*  
18 *separate Armed Forces, and the commanders of subordinate*  
19 *forces of the unified and specified commands may not be*  
20 *greater after any such transfer of functions than it was before*  
21 *such transfer.*

22 **SEC. 104. INITIAL REVIEW OF UNIFIED COMMAND PLAN.**

23       (a) *MATTERS TO BE CONSIDERED—The first review*  
24 *of the structure of the unified and specified commands under*

1 *section 161(c) of title 10, United States Code, as added by*  
2 *section 101, shall include consideration of the following:*

3           (1) *Creation of a unified strategic command com-*  
4 *bining the missions, functions, and forces of the Stra-*  
5 *tegic Air Command, the strategic forces of the Navy,*  
6 *and other appropriate forces.*

7           (2) *Creation of a unified command for special*  
8 *operations missions.*

9           (3) *Revision of the geographic area that is the re-*  
10 *sponsibility of the Central Command, to include the*  
11 *ocean areas adjacent to Southwest Asia.*

12           (4) *Revision of the geographic area that is the re-*  
13 *sponsibility of the Southern Command, to include the*  
14 *ocean areas adjacent to Central America.*

15           (5) *Revision of the missions, functions, and re-*  
16 *sponsibilities of the Readiness Command and of the*  
17 *Central Command.*

18           (6) *Elimination of the United States Forces Ca-*  
19 *ribbean Command.*

20           (b) *DEADLINE.*—*The first report to the President under*  
21 *such section shall be made not later than one year after the*  
22 *date of the enactment of this Act.*

1 **SEC. 105. REPEAL OF CERTAIN LIMITATIONS ON DEFENSE**  
2 **MANAGEMENT.**

3 (a) **PROHIBITION AGAINST CONSOLIDATING FUNC-**  
4 **TIONS OF THE MILITARY TRANSPORTATION COM-**  
5 **MANDS.**—Section 1110 of the Department of Defense Au-  
6 thorization Act, 1983 (Public Law 97-252; 96 Stat. 747), is  
7 repealed.

8 (b) **PROHIBITION AGAINST ALTERING COMMAND**  
9 **STRUCTURE FOR MILITARY FORCES IN ALASKA.**—Section  
10 8106 of the Department of Defense Appropriations Act, 1986  
11 (as contained in section 101(b) of Public Law 99-190 (99  
12 Stat. 1221)), is repealed.

13 **SEC. 106. TRANSITION.**

14 (a) **GENERAL RULE.**—Except as otherwise provided in  
15 this section, this title and the amendments made by this title  
16 shall take effect on the date of the enactment of this Act.

17 (b) **ASSIGNMENT OF FORCES TO COMBATANT COM-**  
18 **MANDS.**—Section 162 of title 10, United States Code, as  
19 added by section 101, shall take effect at the end of the 90-  
20 day period beginning on the date of the enactment of this Act.

21 (c) **PROGRAM AND BUDGET PROPOSALS.**—Section  
22 165 (other than subsection (f)) of title 10, United States  
23 Code, as added by section 101, shall take effect with respect  
24 to program and budget proposals for fiscal year 1989.

25 (d) **SELECTION AND TENURE OF SUBORDINATE OF-**  
26 **FICERS.**—Section 166 of title 10, United States Code, as

1 *added by section 101, shall take effect at the end of the 90-*  
2 *day period beginning on the date of the enactment of this Act.*

3 (e) *COMBATANT COMMAND EVALUATION SYSTEM.—*  
4 *The uniform system of evaluating the overall capabilities of*  
5 *each unified and specified combatant command required to be*  
6 *established by paragraph (11) of section 141(c) of title 10,*  
7 *United States Code, as added by section 102(a), shall be*  
8 *established not later than the end of the one-year period be-*  
9 *ginning on the date of the enactment of this Act.*

## 10 **TITLE II—DEFENSE AGENCIES**

### 11 **SEC. 201. OVERSIGHT REQUIREMENTS WITH RESPECT TO** 12 **DEFENSE AGENCIES.**

13 (a) *IN GENERAL.—(1) Chapter 8 of title 10, United*  
14 *States Code, is amended—*

15 (A) *by redesignating section 191 as section 196;*

16 *and*

17 (B) *by inserting after the table of sections the fol-*  
18 *lowing new sections:*

19 **“§ 191. Authority to provide for common performance of**  
20 **supply or service activities**

21 *“Whenever the Secretary of Defense determines it will*  
22 *be more effective, economical, or efficient, the Secretary shall*  
23 *provide for the performance of a supply or service activity*  
24 *common to more than one military department by one agency*

1 *or such other organization as the Secretary considers appro-*  
2 *priate.*

3 ***“§ 192. Defense agencies: oversight by the Secretary of***

4 ***Defense***

5 *“(a) PERIODIC REVIEW.—Periodically (and not less*  
6 *often than every two years), the Secretary of Defense shall*  
7 *review the services and supplies provided by the defense agen-*  
8 *cies to ensure that the provision of those services and supplies*  
9 *by those agencies, rather than by the military departments, is*  
10 *a more effective, economical, or efficient manner of providing*  
11 *those services and supplies consistent with the requirements*  
12 *for combat readiness of the armed forces.*

13 *“(b) INFORMATION REQUIRED FOR REVIEW.—(1) In*  
14 *performing the review required by subsection (a), the Secre-*  
15 *tary shall obtain, as appropriate, the views of—*

16 *“(A) the directors of the defense agencies;*

17 *“(B) the Chairman of the Joint Chiefs of Staff;*

18 *“(C) the Secretaries of the military departments;*

19 *“(D) the Chief of Staff of the Army, the Chief of*  
20 *Staff of the Air Force, the Chief of Naval Operations,*  
21 *and the Commandant of the Marine Corps; and*

22 *“(E) the commanders of the unified and specified*  
23 *combatant commands.*

24 *“(2) Paragraph (1) shall apply to the National Security*  
25 *Agency as determined appropriate by the Secretary. The*

1 *Secretary shall establish procedures under which information*  
2 *required for review of the National Security Agency shall be*  
3 *obtained.*

4 ***“§ 193. Combat support agencies: duties of the Chairman of***  
5 ***the Joint Chiefs of Staff***

6 *“(a) COMBAT READINESS.—(1) Periodically (and not*  
7 *less often than every two years), the Chairman of the Joint*  
8 *Chiefs of Staff shall submit to the Secretary of Defense a*  
9 *report on the combat support agencies. Each such report shall*  
10 *include—*

11 *“(A) a determination with respect to the respon-*  
12 *siveness and readiness of each such agency to support*  
13 *operating forces in the event of a war or threat to na-*  
14 *tional security; and*

15 *“(B) any recommendations that the Chairman*  
16 *considers appropriate.*

17 *“(2) In preparing each such report, the Chairman shall*  
18 *review the plans of each such agency with respect to its sup-*  
19 *port of operating forces in the event of a war or threat to*  
20 *national security. After consultation with the Secretaries of*  
21 *the military departments and the commanders of the unified*  
22 *and specified combatant commands, as appropriate, the*  
23 *Chairman may, in accordance with guidelines established by*  
24 *the Secretary of Defense, take steps to provide for any revi-*  
25 *sion of those plans that the Chairman considers appropriate.*

1       “(b) *PARTICIPATION IN JOINT TRAINING EXER-*  
2 *CISES.—The Chairman shall—*

3               “(1) *provide for the participation of the combat*  
4 *support agencies in joint training exercises to the*  
5 *extent necessary to ensure that those agencies are capa-*  
6 *ble of performing their support missions with respect to*  
7 *a war or threat to national security; and*

8               “(2) *assess the performance in joint training exer-*  
9 *cises of each such agency and, in accordance with*  
10 *guidelines established by the Secretary of Defense, take*  
11 *steps to provide for any change that the Chairman con-*  
12 *siders appropriate to improve that performance.*

13       “(c) *READINESS REPORTING SYSTEM.—The Chair-*  
14 *man shall develop, in consultation with the director of each*  
15 *combat support agency, a uniform system for reporting to the*  
16 *Secretary of Defense, the commanders of the unified and*  
17 *specified combatant commands, and the Secretaries of the*  
18 *military departments concerning the readiness of each such*  
19 *agency to perform with respect to a war or threat to national*  
20 *security.*

21       “(d) *REVIEW OF NATIONAL SECURITY AGENCY.—(1)*  
22 *This section shall apply to the National Security Agency, but*  
23 *only with respect to functions the Agency performs for the*  
24 *Department of Defense.*



*"193. Combat support agencies: duties of the Chairman of the Joint Chiefs of Staff.*

*"194. Combat support agency representatives: combatant command headquarters.*

*"195. Definition of combat support agency.*

*"196. Unauthorized use of Defense Intelligence Agency name, initials, or seal."*

1           **(b) DEFENSE AGENCY DEFINED.**—Section 101 of  
2 *such title is amended by adding at the end the following new*  
3 *paragraph:*

4                   *"(43) 'Defense agency' means an agency estab-*  
5 *lished by the Secretary of Defense under section 191 of*  
6 *this title (or under the second sentence of section*  
7 *125(d) of this title (as in effect before the date of the*  
8 *enactment of the Department of Defense Reorganiza-*  
9 *tion Act of 1986)) to perform a supply or service activ-*  
10 *ity common to more than one military department."*

11           **(c) CONFORMING AMENDMENT.**—Section 125 of *such*  
12 *title is amended by striking out the last sentence of subsection*  
13 *(d).*

14           **(d) TRANSITION PROVISIONS.**—

15                   **(1) SECRETARY OF DEFENSE REVIEW OF DE-**  
16 *FENSE AGENCIES.*—*The first review under section*  
17 *192 of title 10, United States Code (as added by sub-*  
18 *section (a)(1)), shall be completed not later than the*  
19 *end of the two-year period beginning on the date that*  
20 *the report required by section 202(f) is required to be*  
21 *submitted to Congress.*

22                   **(2) FUNCTIONS OF CHAIRMAN OF JOINT CHIEFS**  
23 *OF STAFF.*—*The first report under subsection (a) of*

1     *section 193 of such title (as added by subsection*  
2     *(a)(1)) shall be submitted, and subsections (b) and (c)*  
3     *of such section shall be implemented, not later than the*  
4     *end of the one-year period beginning on the date of the*  
5     *enactment of this Act. The Secretary of Defense shall*  
6     *provide an interim report on the implementation of*  
7     *such subsections (b) and (c) in the report of the Secre-*  
8     *tary submitted to Congress for 1987 under section*  
9     *133(c) of title 10, United States Code, and shall pro-*  
10    *vide a final report on such implementation in the*  
11    *report of the Secretary under such section submitted*  
12    *for 1988.*

13           (3) *APPLICATION TO NATIONAL SECURITY*  
14    *AGENCY.—The Secretary of Defense shall, before the*  
15    *end of the 120-day period beginning on the date of the*  
16    *enactment of this Act—*

17           (A) *establish the policies and procedures re-*  
18    *quired to be established by subsection (d)(2) of*  
19    *section 193 of such title (as added by subsection*  
20    *(a)(1)) with respect to the application of such sec-*  
21    *tion to the National Security Agency; and*

22           (B) *submit to Congress a report on such*  
23    *policies and procedures.*

1 **SEC. 202. REASSESSMENT OF DEFENSE AGENCIES.**

2 (a) **SECRETARY OF DEFENSE.**—(1) *The Secretary of*  
3 *Defense shall conduct a study of the functions and organiza-*  
4 *tional structure of the defense agencies. The study shall deter-*  
5 *mine the most appropriate means of providing the supplies*  
6 *and services now provided by those agencies, after consider-*  
7 *ing the matters set forth in subsection (d) and the reports*  
8 *submitted under subsection (b).*

9 (2) *To the extent that the most appropriate means of*  
10 *providing those supplies and services is determined under*  
11 *paragraph (1) to be the existing defense agency structure, the*  
12 *study shall analyze methods to improve the performance and*  
13 *responsiveness of the defense agencies with respect to the enti-*  
14 *ties to which they provide those supplies and services, par-*  
15 *ticularly with regard to the unified and specified combatant*  
16 *commands.*

17 (b) **SERVICE SECRETARIES AND CHAIRMAN OF THE**  
18 **JOINT CHIEFS OF STAFF.**—*The Chairman of the Joint*  
19 *Chiefs of Staff and the Secretaries of the military depart-*  
20 *ments shall each conduct a study of functions and organiza-*  
21 *tional structure of the defense agencies. The Chairman and*  
22 *Secretaries shall each submit a report to the Secretary of*  
23 *Defense on such study at a time specified by the Secretary.*  
24 *Each such report shall include a discussion of and recom-*  
25 *mendations concerning each matter set forth in subsection*  
26 *(d).*

1       (c) *NATIONAL SECURITY AGENCY.*—*This section shall*  
2 *apply to the National Security Agency as determined appro-*  
3 *priate by the Secretary. The Secretary shall establish proce-*  
4 *dures under which information required for review of the Na-*  
5 *tional Security Agency shall be obtained.*

6       (d) *MATTERS CONSIDERED.*—*The studies required by*  
7 *subsections (a) and (b) shall consider the following matters:*

8           (1) *Whether the existing allocation of functions*  
9 *to, and organizational structure of, the defense agencies*  
10 *meets the statutory requirement of providing more ef-*  
11 *fective, economical, or efficient provision of a supply or*  
12 *service activity common to more than one military de-*  
13 *partment and eliminating duplication in the provision*  
14 *of that supply or service activity.*

15           (2) *Alternative allocations of authority and func-*  
16 *tions assigned to the defense agencies, including—*

17                   (A) *various possible redistributions of re-*  
18 *sponsibilities among those agencies;*

19                   (B) *transfer of those functions to the military*  
20 *departments;*

21                   (C) *transfer of those functions to the Office*  
22 *of the Secretary of Defense;*

23                   (D) *transfer of those functions to the Chair-*  
24 *man of the Joint Chiefs of Staff, the commanders*  
25 *of the unified and specified combatant commands,*

1           or other joint entities of the Department of  
2           Defense;

3                   (E) creation of new defense agencies; and

4                   (F) other organizational changes in the  
5           Department of Defense designed to make the per-  
6           formance of those functions more effective, eco-  
7           nomical, or efficient.

8           (3) The effect of the amendments made by section  
9           201 on ensuring the readiness and responsiveness of  
10          the defense agencies in the event of a war or threat to  
11          national security and any additional legislation that  
12          the Secretary considers necessary to ensure such readi-  
13          ness and responsiveness.

14          (4) Additional legislative or administrative ac-  
15          tions that the Secretary considers necessary to ensure  
16          effective oversight of defense agency resource manage-  
17          ment, personnel policies, and budget procedures and to  
18          clarify the chain of command.

19          (5) The findings of the report of March 1979 enti-  
20          tled "Report to the Secretary of Defense of the Defense  
21          Agency Review" and directed by Major General Theo-  
22          dore Antonelli, United States Army (Retired).

23          (e) CONSULTATION WITH APPROPRIATE OFFI-  
24          CIALS.—The Secretary, in carrying out the study required  
25          by subsection (a), shall consult with the directors of the de-

1 *fense agencies and such other officials as the Secretary con-*  
2 *siders appropriate.*

3 (f) *REPORT.*—*The Secretary of Defense shall submit to*  
4 *Congress a report that includes the following:*

5 (1) *A report on the study required by subsection*

6 *(a) that includes—*

7 (A) *a discussion of and recommendations*  
8 *concerning each matter set forth in subsection (d);*  
9 *and*

10 (B) *a discussion of the reports required by*  
11 *subsection (b).*

12 (2) *A copy of each report required by subsection*  
13 *(b) and the comments of the Secretary concerning each*  
14 *such report.*

15 (g) *DEADLINE FOR SUBMISSION.*—*The report re-*  
16 *quired by subsection (f) shall be submitted not later than the*  
17 *end of the one-year period beginning on the date of the enact-*  
18 *ment of this Act.*

19 **SEC. 203. REPORT ON IMPROVED APPLICATION OF COMPUTER**  
20 **SYSTEMS TO DEFENSE AGENCY FUNCTIONS.**

21 (a) *IN GENERAL.*—*The Secretary of Defense shall pre-*  
22 *pare a report describing a plan for the improved application*  
23 *of computer systems to defense agency functions and activi-*  
24 *ties, particularly with respect to the application of new auto-*  
25 *mated data processing equipment and systems to such activi-*

1 *ties and the replacement of existing equipment and systems*  
 2 *with new equipment and systems. The report shall set forth a*  
 3 *plan for the rapid replacement of existing automated data*  
 4 *processing equipment and systems when necessary for agency*  
 5 *functions.*

6 (b) *SUBMISSION OF REPORT.—The report required by*  
 7 *subsection (a) shall be submitted as part of the report of the*  
 8 *Secretary under section 202(f).*

9 **TITLE III—JOINT OFFICER PERSONNEL**

10 **POLICY**

11 **SEC. 301. JOINT OFFICER MANAGEMENT.**

12 (a) *ESTABLISHMENT OF JOINT SPECIALTY.—Part II*  
 13 *of subtitle A of title 10, United States Code, is amended by*  
 14 *inserting after chapter 37 the following new chapter:*

15 **“CHAPTER 38—JOINT OFFICER MANAGEMENT**

*“Sec.*

*“661. Joint specialty.*

*“662. Selection for senior military positions.*

*“663. Training and education.*

*“664. Length of joint duty assignments.*

*“665. Procedures for monitoring careers of joint officers.*

*“666. Reserve officers not on the active duty list.*

*“667. Annual report to Congress.*

*“668. Definitions.*

16 **“§ 661. Joint specialty**

17 (a) *ESTABLISHMENT.—The Secretary of Defense*  
 18 *shall establish an occupational category for officers of the*  
 19 *Army, Navy, Air Force, and Marine Corps on the active-*  
 20 *duty list who (in addition to their principal military occupa-*  
 21 *tional specialty) are particularly trained in and oriented*

1 *toward joint matters (as defined in section 668 of this title).*  
2 *Officers with that occupational category shall be identified or*  
3 *designated in such manner as the Secretary of Defense di-*  
4 *rects. For purposes of this chapter, that category is referred to*  
5 *as the 'joint specialty'.*

6       “(b) *NUMBERS AND SELECTION.*—

7               “(1) *NUMBER.*—*The number of officers with the*  
8 *joint specialty shall be determined by the Secretary.*  
9 *Such number shall be large enough to meet the require-*  
10 *ments of subsection (d).*

11               “(2) *SELECTION OF OFFICERS FOR JOINT SPE-*  
12 *CIALTY.*—*Officers shall be selected for the joint spe-*  
13 *cialty by the Secretary of Defense with the advice of*  
14 *the Chairman of the Joint Chiefs of Staff. The Secre-*  
15 *taries of the military departments shall nominate offi-*  
16 *cers for selection for the joint specialty. Nominations*  
17 *shall be made from among officers—*

18                       “(A) *who meet qualifications prescribed by*  
19 *the Secretary of Defense; and*

20                       “(B) *who—*

21                               “(i) *are senior captains or, in the case*  
22 *of the Navy, lieutenants; or*

23                               “(ii) *are serving in the grade of major*  
24 *or lieutenant commander or a higher grade.*

25       “(c) *TRAINING AND EXPERIENCE REQUIREMENTS.*—

1           “(1) *GENERAL RULE.*—An officer who is nomi-  
2           nated for the joint specialty may not be selected for the  
3           joint specialty until the officer—

4                   “(A) *successfully completes an appropriate*  
5                   *program at a joint professional military education*  
6                   *school; and*

7                   “(B) *after completing such program of edu-*  
8                   *cation, successfully completes a full tour of duty*  
9                   *in a joint duty assignment.*

10           “(2) *EXCEPTION FOR OFFICERS WITH CRITICAL*  
11           *SKILLS.*—An officer who has a critical occupational  
12           specialty involving combat operations (as designated by  
13           the Secretary of Defense) who is nominated for the  
14           joint specialty may be selected for the joint specialty  
15           after successful completion of a joint duty assignment  
16           of not less than two years and successful completion of  
17           a program under paragraph (1)(A). An officer selected  
18           for the joint specialty under this paragraph shall be re-  
19           quired to complete the generally applicable require-  
20           ments for selection under paragraph (1)(B) as soon as  
21           practicable after such officer’s selection.

22           “(d) *JOINT DUTY ASSIGNMENTS.*—

23                   “(1) *50 PERCENT REQUIREMENT.*—The Secre-  
24                   *tary of Defense shall ensure that approximately one-*  
25                   *half of the joint duty assignment positions in grades*

1       *above captain or, in the case of the Navy, lieutenant*  
2       *are filled at any time by officers who have (or have*  
3       *been nominated for) the joint specialty.*

4               “(2) *CRITICAL ASSIGNMENTS.*—*The Secretary of*  
5       *Defense shall designate not fewer than 1,000 joint duty*  
6       *assignment positions as critical joint duty assignment*  
7       *positions. Each such position shall be held only by of-*  
8       *ficers with the joint specialty.*

9               “(e) *CAREER GUIDELINES.*—*The Secretary, with the*  
10       *advice of the Chairman of the Joint Chiefs of Staff, shall*  
11       *establish career guidelines for officers with the joint special-*  
12       *ty. Such guidelines shall include guidelines for—*

13               “(1) *selection;*

14               “(2) *training;*

15               “(3) *military education;*

16               “(4) *types of duty assignments;*

17               “(5) *information and guidelines to be furnished*  
18       *by the Secretary of a military department under sec-*  
19       *tion 615 of this title for officer selection boards; and*

20               “(6) *such other matters as the Secretary considers*  
21       *appropriate.*

22       **“§ 662. Selection for senior military positions**

23               “(a) *POLICY FOR SELECTION FOR SENIOR POSI-*  
24       *TIONS.*—*The Secretary of Defense shall establish policies to*  
25       *ensure that, whenever practicable, the criteria set forth in*

1 *subsection (b) are applied to the selection of an officer for*  
2 *recommendation to the President for—*

3           “(1) *appointment as Chairman of the Joint*  
4 *Chiefs of Staff or as a Chief of Service; or*

5           “(2) *assignment as the commander of a unified or*  
6 *specified combatant command.*

7           “(b) *CRITERIA.—The criteria referred to in subsection*  
8 *(a) are as follows:*

9           “(1) *JCS CHAIRMAN.—The criteria for selection*  
10 *of an officer for recommendation for appointment as*  
11 *Chairman of the Joint Chiefs of Staff are that the offi-*  
12 *cer have served as a Chief of Service or as the com-*  
13 *mander of a unified or specified combatant command.*

14           “(2) *CHIEF OF SERVICE.—The criteria for selec-*  
15 *tion of an officer for recommendation for appointment*  
16 *as a Chief of Service are that the officer have had sig-*  
17 *nificant experience in joint duty assignments and that*  
18 *such experience include at least one joint duty assign-*  
19 *ment as a general or flag officer.*

20           “(3) *CINC.—The criteria for selection of an offi-*  
21 *cer for recommendation for assignment as the com-*  
22 *mander of a unified or specified combatant command*  
23 *are that the officer—*

24           “(A) *have the joint specialty; and*

1                   “(B) have had at least one joint duty assign-  
2                   ment as a general or flag officer.

3           “(c) *CHIEF OF SERVICE DEFINED.*—*In this section,*  
4 *the term ‘Chief of Service’ means the Chief of Staff of the*  
5 *Army, the Chief of Naval Operations, the Chief of Staff of*  
6 *the Air Force, or the Commandant of the Marine Corps.*

7   “§ 663. *Training and education*

8           “(a) *CAPSTONE COURSE FOR NEW GENERAL AND*  
9 *FLAG OFFICERS.*—

10                   “(1) *REQUIREMENT.*—*Each officer selected for*  
11 *promotion to the grade of brigadier general or, in the*  
12 *case of the Navy, rear admiral (lower half) shall be re-*  
13 *quired, after such selection, to attend a military educa-*  
14 *tion course designed specifically to prepare new flag*  
15 *and general officers to work with the other armed*  
16 *forces.*

17                   “(2) *WAIVER AUTHORITY.*—*Subject to para-*  
18 *graph (3), the Secretary of Defense may waive para-*  
19 *graph (1)—*

20                           “(A) *in the case of an officer whose immedi-*  
21 *ately previous assignment was in a critical joint*  
22 *duty assignment and who is thoroughly familiar*  
23 *with joint warfare matters;*

24                           “(B) *when necessary for the good of the*  
25 *service;*

1           “(C) in the case of an officer whose proposed  
2           selection for promotion is based primarily upon  
3           scientific and technical qualifications for which  
4           joint requirements do not exist (as determined  
5           under regulations prescribed under section  
6           619(e)(4) of this title); and

7           “(D) in the case of a medical officer, dental  
8           officer, veterinary officer, medical service officer,  
9           nurse, biomedical science officer, chaplain, or  
10          judge advocate.

11          “(3) *LIMITATION ON WAIVER AUTHORITY.*—The  
12          authority of the Secretary of Defense to grant a waiver  
13          under paragraph (2) may only be delegated to the  
14          Deputy Secretary of Defense or an Assistant Secretary  
15          of Defense. Such a waiver may be granted only on a  
16          case-by-case basis in the case of an individual officer.

17          “(b) *JOINT MILITARY EDUCATION SCHOOLS.*—The  
18          Secretary of Defense shall periodically review and revise the  
19          curriculum of schools of the National Defense University  
20          (and of any other joint professional military education  
21          school) to enhance the education and training of officers in  
22          joint military matters. Such schools shall be required to  
23          maintain rigorous standards for the military education of of-  
24          ficers with the joint specialty.

1       “(c) *OTHER PROFESSIONAL MILITARY EDUCATION*  
2 *SCHOOLS.*—*The Secretary of Defense shall require that*  
3 *each Department of Defense school concerned with profes-*  
4 *sional military education periodically review and revise its*  
5 *curricula for senior and intermediate grade officers in order*  
6 *to strengthen the focus on—*

7               “(1) *joint military operations; and*

8               “(2) *preparing officers for joint duty assignments.*

9       “(d) *POST-TRAINING DUTY ASSIGNMENTS.*—*The*  
10 *Secretary shall ensure that—*

11               “(1) *unless waived by the Secretary in an indi-*  
12 *vidual case, each officer with the joint specialty who*  
13 *graduates from a joint professional military school*  
14 *shall be assigned to a joint duty assignment for that*  
15 *officer’s next duty assignment; and*

16               “(2) *a high proportion (which shall be significant-*  
17 *ly greater than 50 percent) of the other officers grad-*  
18 *uating from a joint professional military school also re-*  
19 *ceive assignments to a joint duty assignment as their*  
20 *next duty assignment.*

21       “(e) *OTHER REQUIREMENTS FOR SENIOR OFFI-*  
22 *CERS.*—*The Secretary shall take all other practicable meas-*  
23 *ures to improve the training and experience of officers serv-*  
24 *ing in senior joint duty assignments.*

1 ***“§ 664. Length of joint duty assignments***

2       “(a) *GENERAL RULE.—The length of a joint duty*  
3 *assignment—*

4               “(1) *for general and flag officers shall be not less*  
5 *than three years; and*

6               “(2) *for other officers shall be not less than three*  
7 *and one half years.*

8       “(b) *WAIVER AUTHORITY.—The Secretary of Defense*  
9 *may waive subsection (a) in any case, but the Secretary shall*  
10 *ensure that the average length of joint duty assignments*  
11 *meets the standards prescribed in that subsection.*

12       “(c) *CERTAIN OFFICERS WITH CRITICAL COMBAT*  
13 *OPERATIONS SKILLS.—Joint duty assignments of less than*  
14 *the period prescribed by subsection (a), but not less than two*  
15 *years, may be authorized for the purposes of section 661(c)(2)*  
16 *of this title. Any such assignment shall not be counted for the*  
17 *purposes of determining the average length of joint duty as-*  
18 *signments under subsection (b).*

19 ***“§ 665. Procedures for monitoring careers of joint officers***

20       “(a) *PROCEDURES.—(1) The Secretary of Defense,*  
21 *with the advice of the Chairman of the Joint Chiefs of Staff,*  
22 *shall establish procedures for overseeing the careers of—*

23               “(A) *officers with the joint specialty; and*

24               “(B) *other officers who serve in joint duty*  
25 *assignments.*

1       “(2) *Such oversight shall include monitoring of the im-*  
2 *plementation of the career guidelines established under sec-*  
3 *tion 661(e) of this title.*

4       “(b) *ADVICE OF CHAIRMAN OF JOINT CHIEFS OF*  
5 *STAFF.—The Chairman of the Joint Chiefs of Staff shall*  
6 *advise the Secretaries of the military departments with*  
7 *respect to duty assignments of—*

8               “(1) *officers with the joint specialty; and*

9               “(2) *other officers serving in joint duty*  
10 *assignments.*

11       “(c) *FUNCTION OF JOINT STAFF.—The Secretary*  
12 *shall take such action as necessary to enhance the capabili-*  
13 *ties of the Joint Staff so that it can—*

14               “(1) *monitor the promotions and career assign-*  
15 *ments of officers with the joint specialty and of other*  
16 *officers who have served in joint duty assignments; and*

17               “(2) *otherwise advise the Chairman on joint*  
18 *personnel matters.*

19       “§ 666. *Reserve officers not on the active duty list*

20       “*The Secretary of Defense shall establish personnel*  
21 *policies emphasizing training and experience in joint matters*  
22 *for reserve officers not on the active-duty list. Such policies*  
23 *shall, to the extent practicable for the reserves components, be*  
24 *similar to the policies provided by this chapter.*

1 **“§ 667. Annual report to Congress**

2       “(a) *IN GENERAL.*—*The Secretary of Defense shall in-*  
3 *clude in the annual report of the Secretary to Congress (in*  
4 *that portion of the report relating to management) the follow-*  
5 *ing information:*

6               “(1) *The number of officers qualifying for the*  
7 *joint specialty and their education and training.*

8               “(2) *The promotion rate for officers in the joint*  
9 *specialty compared with the promotion rates for officers*  
10 *in the same armed force and at the same competitive*  
11 *category, shown for all officers of the armed force and*  
12 *for officers serving on the headquarters staff of the*  
13 *military department concerned.*

14               “(3) *The promotion rates of other officers serving*  
15 *in joint duty assignments, compared in the same*  
16 *manner as specified in paragraph (2).*

17               “(4) *Promotion rates for officers below the zone,*  
18 *shown for officers with the joint specialty and other of-*  
19 *ficers who have served in joint duty assignments, com-*  
20 *pared in the same manner as specified in paragraph*  
21 *(2).*

22               “(5) *An analysis of assignments of officers after*  
23 *selection for the joint specialty.*

24               “(6) *The average length of tours of duty in joint*  
25 *duty assignments—*

1           “(A) for general and flag officers, shown sep-  
2 arately for assignments to the Joint Staff and  
3 other joint duty assignments; and

4           “(B) for other officers, shown separately for  
5 assignments to the Joint Staff and other joint  
6 duty assignments.

7           “(7) In any case in which the information under  
8 paragraphs (2) through (6) shows a significant imbal-  
9 ance between officers serving in joint duty assignments  
10 and other officers, a description of what action has  
11 been taken (or is planned to be taken) by the Secretary  
12 to correct the imbalance.

13           “(8) Any other information or comparative data  
14 that shows performance of the Department of Defense  
15 and the performance of each military department in  
16 carrying out this chapter and section 626a of this title.

17           “(b) *ANNUAL REPORT OF THE SECRETARY DE-*  
18 *FINED.*—In this section, the term ‘annual report of the Sec-  
19 retary’ means the annual report of the Secretary of Defense  
20 required by section 133(c) of this title.

21           “§ 668. *Definitions*

22           “(a) *JOINT MATTERS.*—In this chapter, the term ‘joint  
23 matters’ means matters relating to the integrated employment  
24 of land, sea, and air forces, including matters relating to—

25           “(1) national military strategy;

1           “(2) long-range and contingency planning; and  
2           “(3) command and control of combat operations  
3           under unified command.

4           “(b) *JOINT DUTY ASSIGNMENT.*—

5           “(1) *IN GENERAL*—The Secretary of Defense  
6           shall by regulation define the term ‘joint duty assign-  
7           ment’ for the purposes of this chapter. That definition  
8           shall be limited to assignments in which the officer  
9           gains significant experience in joint matters and shall  
10          exclude—

11           “(A) assignments for joint training or joint  
12          education; and

13           “(B) assignments within an officer’s own  
14          military department.

15          “(2) *PUBLICATION.*—The Secretary shall publish  
16          a list showing—

17           “(A) the positions that are joint duty assign-  
18          ment positions under such regulation and the  
19          number of such positions; and

          “(B) of the positions listed under subpara-  
          (A), those that are critical joint duty as-  
          sessment positions and the number of such  
          positions.”.

24           *AMENDMENTS.*—The tables of chapters  
25           subtitles A, and at the beginning of part II

1 *of subtitle A, of title 10, United States Code, are amended by*  
 2 *inserting after the item relating to chapter 37 the following*  
 3 *new item:*

“38. *Joint Officer Management*..... 661”.

4 **SEC. 302. PROMOTION POLICY FOR JOINT SERVICE OFFICERS.**

5 (a) *COMPOSITION OF SELECTION BOARDS.*—Section  
 6 612 of title 10, United States Code, is amended by adding at  
 7 the end the following new subsection:

8 “(c) *Each selection board that will consider officers who*  
 9 *have served in joint duty assignments shall include at least*  
 10 *one officer designated by the Chairman of the Joint Chiefs of*  
 11 *Staff who is currently serving in a joint duty assignment.*  
 12 *The Secretary of Defense may waive the preceding sentence*  
 13 *in the case of any selection board of the Marine Corps.”.*

14 (b) *REVIEW OF PROMOTION LISTS BY CHAIRMAN OF*  
 15 *JCS.*—Section 618 of such title is amended—

16 (1) *by redesignating subsections (b), (c), (d), and*  
 17 *(e) as subsections (c), (d), (e), and (f), respectively;*  
 18 *and*

19 (2) *by inserting after subsection (a) the following*  
 20 *new subsection (b):*

21 “(b)(1) *After completing the requirements of subsection*  
 22 *(a), the Secretary concerned shall submit the report to the*  
 23 *Chairman of the Joint Chiefs of Staff.*

24 “(2) *The Chairman shall review the report in accord-*  
 25 *ance with guidelines prescribed by the Secretary of Defense.*

1 *After reviewing the report of a selection board, the Chairman*  
2 *may recommend for promotion officers who—*

3           “(A) *were considered by the board and not recom-*  
4 *mended for promotion; and*

5           “(B) *have served or are serving in joint duty*  
6 *assignments.*

7           “(3) *The number of such officers that the Chairman*  
8 *recommends for promotion in any competitive category con-*  
9 *sidered by the board may not exceed 10 percent of the number*  
10 *of officers that the board was authorized to recommend for*  
11 *promotion in that competitive category (but in any case the*  
12 *Chairman may recommend one such officer).*

13           “(4) *After reviewing the report of a selection board, the*  
14 *Chairman shall return the report to the Secretary concerned*  
15 *with the names of officers (if any) who were not recommend-*  
16 *ed for promotion by the selection board and who the Chair-*  
17 *man recommends for promotion under paragraph (2). Except*  
18 *as provided under paragraph (5), each such name shall be*  
19 *added to the report of the selection board.*

20           “(5) *If the Chairman recommends officers for promotion*  
21 *under paragraph (2), and if (after consulting with the Chair-*  
22 *man) the Secretary concerned disagrees with any such rec-*  
23 *ommendation of the Chairman, the Secretary—*

24           “(A) *may return the report, together with the*  
25 *Chairman’s recommendations and comments, to the se-*

1       lection board for further proceedings in accordance  
2       with subsection (a);

3               “(B) may convene a special selection board in the  
4       manner provided for under section 628 of this title for  
5       consideration of any such officer on his record; or

6               “(C) may take other appropriate action to satisfy  
7       the concerns of the Chairman.

8               “(6) If, after completion of all actions taken under para-  
9       graph (5), the Secretary concerned and the Chairman  
10       remain in disagreement with respect to the selection for pro-  
11       motion of an officer, the Secretary concerned shall indicate  
12       such disagreement, and the reasons for such disagreement, as  
13       part of his transmittal of the report of the selection board to  
14       the Secretary of Defense under subsection (c). Such trans-  
15       mittal shall include the name of each officer recommended by  
16       the Chairman.”; and

17               (3) by adding at the end of paragraph (1) of sub-  
18       section (c) (as redesignated by paragraph (1)) the fol-  
19       lowing new sentences: “If the Secretary concerned and  
20       the Chairman of the Joint Chiefs of Staff disagree  
21       with respect to a recommendation for promotion by the  
22       Chairman under subsection (b), the Secretary of De-  
23       fense shall, before transmitting the report to the Presi-  
24       dent, decide the matter by directing that the name of  
25       an officer recommended for promotion by the Chair-

1        *man be added to, or not be added to, the report of the*  
2        *selection board for officers recommended for promotion.*  
3        *After final action by the Secretary of Defense, the*  
4        *report of the selection board, as modified in accordance*  
5        *with subsection (b) and the decisions of the Secretary*  
6        *of Defense, shall be considered for all purposes to be*  
7        *the report of the selection board.”.*

8        **(c) PROMOTION POLICIES FOR JOINT SERVICE**  
9        **OFFICERS.—**

10            **(1) RELATIVE PROMOTION RATES.—***Chapter 36*  
11        *of such title is amended by inserting after section 626*  
12        *end the following new section:*

13        **“§ 626a. Promotion policy for joint service officers**

14            *“The Secretary of Defense shall establish policies to*  
15        *ensure that, whenever practicable, selection of officers on the*  
16        *active-duty list for promotion under this chapter is carried*  
17        *out in a manner consistent with the following policies:*

18            **“(1) JOINT STAFF OFFICERS.—***Officers who are*  
19        *-serving on, or have served on, the Joint Staff shall, as*  
20        *a group, be promoted at a rate not less than the rate for*  
21        *officers of the same armed force in the same grade and*  
22        *competitive category who are serving or have served on*  
23        *the headquarters staff of their armed force.*

24            **“(2) JOINT SPECIALTY OFFICERS.—***Officers*  
25        *with the joint specialty under chapter 38 of this title*

1 shall, as a group, be promoted at a rate not less than  
 2 the rate for officers of the same armed force in the  
 3 same grade and competitive category who are serving  
 4 or have served on the headquarters staff of their armed  
 5 force.

6 “(3) *OTHER JOINT ASSIGNMENT OFFICERS.*—  
 7 Officers who are serving in, or have served in, joint as-  
 8 signments (other than officers covered by paragraphs  
 9 (1) and (2)) shall, as a group, be promoted at a rate  
 10 determined by the Secretary of Defense between—

11 “(A) the rate for all officers of that armed  
 12 force in the same grade and competitive category;  
 13 and

14 “(B) the rate for officers of the same armed  
 15 force in the same grade and competitive category  
 16 who are serving or have served on the headquar-  
 17 ters staffs of the military departments.”

18 (2) *CLERICAL AMENDMENT.*—The table of sec-  
 19 tions at the beginning of subchapter II of such chapter  
 20 is amended by adding at the end the following new  
 21 item:

“626a. Promotion policy for joint service officers.”

22 **SEC. 303. JOINT DUTY ASSIGNMENT AS PREREQUISITE FOR PRO-**  
 23 **MOTION TO GENERAL OR FLAG OFFICER RANK.**

24 Section 619 of title 10, United States Code, is amended  
 25 by adding at the end the following new subsection:

1       “(e)(1) *An officer may not be selected for promotion to*  
2 *the grade of brigadier general or, in the case of the Navy,*  
3 *rear admiral (lower half) unless the officer has served in a*  
4 *joint duty assignment.*

5       “(2) *Subject to paragraph (3), the Secretary of Defense*  
6 *may waive paragraph (1)—*

7             “(A) *when necessary for the good of the service;*

8             “(B) *in the case of an officer whose proposed se-*  
9 *lection for promotion is based primarily upon scientific*  
10 *and technical qualifications for which joint require-*  
11 *ments do not exist;*

12            “(C) *in the case of a medical officer, dental offi-*  
13 *cer, veterinary officer, medical service officer, nurse,*  
14 *biomedical science officer, chaplain, or judge advocate;*  
15 *and*

16            “(D) *until January 1, 1992, in the case of an of-*  
17 *ficer who the Secretary determines served before the*  
18 *date of the enactment of this subsection in an assign-*  
19 *ment (other than a joint duty assignment) that involved*  
20 *significant experience in joint matters.*

21       “(3)(A) *A waiver may be granted under paragraph (2)*  
22 *only on a case-by-case basis in the case of an individual*  
23 *officer.*

24       “(B) *In the case of a waiver under paragraph (2)(A),*  
25 *the Secretary shall provide that the first duty assignment as*

1 *a general or flag officer of an officer for whom the waiver is*  
2 *granted shall be in a joint duty assignment.*

3 *“(C) The authority of the Secretary of Defense to grant*  
4 *a waiver under paragraph (2)(B) or (2)(C) may only be dele-*  
5 *gated to the Deputy Secretary of Defense or an Assistant*  
6 *Secretary of Defense.*

7 *“(4) The Secretary of Defense shall prescribe regula-*  
8 *tions to carry out this subsection. Such regulations shall spe-*  
9 *cifically identify those categories of officers for which selec-*  
10 *tion for promotion to brigadier general is based primarily*  
11 *upon scientific and technical qualifications for which joint*  
12 *requirements do not exist.”.*

13 **SEC. 304. ANNUAL REPORT ON IMPLEMENTATION.**

14 *The Secretary of Defense shall include in the annual*  
15 *report of the Secretary to Congress under section 133(c) of*  
16 *title 10, United States Code, for each year from 1987*  
17 *through 1991 (in that portion of the report relating to man-*  
18 *agement) a detailed report on the implementation of this title*  
19 *and the amendments made by this title.*

20 **SEC. 305. TRANSITION.**

21 *(a) JOINT SPECIALTY.—*

22 *(1) INITIAL SELECTIONS.—The Secretary of De-*  
23 *fense shall make the initial selections of officers for the*  
24 *joint specialty under chapter 38 of title 10, United*

1       *States Code, as added by section 301, from among of-*  
2       *icers in such grades as the Secretary determines.*

3               (2) *SPECIAL RULES.—In making such selections,*  
4       *the Secretary—*

5                       (A) *may waive the requirement of either sub-*  
6                       *paragraph (A) or (B) (but not both) of section*  
7                       *661(c)(1) of title 10, United States Code, as*  
8                       *added by section 301, in the case of officers in a*  
9                       *grade above captain or, in the case of the Navy,*  
10                      *lieutenant and below the grade of brigadier gener-*  
11                      *al or rear admiral (lower half); and*

12                      (B) *may waive the requirements of both sub-*  
13                      *paragraphs (A) and (B) of such sentence in the*  
14                      *case of general and flag officers who have served*  
15                      *in joint duty assignments.*

16               (3) *SUNSET.—The authority provided by this sec-*  
17       *tion shall expire two years after the date of the enact-*  
18       *ment of this Act.*

19       (b) *JOINT DUTY ASSIGNMENTS.—(1) Section 661(d)*  
20       *of title 10, United States Code, as added by section 301,*  
21       *shall be implemented as rapidly as possible and not later*  
22       *than two years after the date of the enactment of this Act.*

23               (2) *The list of positions that are joint duty assignments*  
24       *required to be published by section 668(b)(2) of such title*

1 *shall be published not later than the end of the six-month*  
2 *period beginning on the date of the enactment of this Act.*

3       (c) *CAREER GUIDELINES.*—*The career guidelines re-*  
4 *quired to be established by section 661(e) of such title, the*  
5 *procedures required to be established by section 665(a) of*  
6 *such title, and the personnel policies required to be estab-*  
7 *lished by section 666 of such title shall be established not*  
8 *later than the end of the six-month period beginning on the*  
9 *date of the enactment of this Act. The provisions of section*  
10 *665(c) of such title shall be implemented not later than the*  
11 *end of such period.*

12       (d) *TRAINING AND EDUCATION.*—

13           (1) *CAPSTONE COURSE.*—*Subsection (a) of sec-*  
14 *tion 663 of such title, as added by subsection (a), shall*  
15 *apply with respect to officers selected in reports of offi-*  
16 *cer selection boards submitted to the Secretary con-*  
17 *cerned after the end of the 120-day period beginning*  
18 *on the date of the enactment of this Act.*

19           (2) *REVIEW OF MILITARY EDUCATION*  
20 *SCHOOLS.*—*(A) The first review under subsections (b)*  
21 *and (c) of such section shall be completed not later*  
22 *than 120 days after the date of the enactment of this*  
23 *Act. The Secretary of Defense shall submit to Con-*  
24 *gress a report on the results of the review at each De-*

1        *partment of Defense school not later than 60 days*  
2        *thereafter.*

3            *(B) Such subsections shall be implemented so that*  
4        *the revised curricula take effect with respect to courses*  
5        *beginning after August 1987.*

6        *(e) PROMOTION POLICY.—(1) The amendments made*  
7        *by subsections (a) and (b) of section 302 shall take effect*  
8        *with respect to selection boards convened under section*  
9        *611(a) of title 10, United States Code, after the end of the*  
10       *120-day period beginning on the date of the enactment of this*  
11       *Act.*

12       *(2) Section 626a of title 10, United States Code, as*  
13       *added by section 302(c), shall take effect with respect to selec-*  
14       *tion boards convened under section 611(a) of title 10, United*  
15       *States Code, after the end of the 180-day period beginning on*  
16       *the date of the enactment of this Act.*

## 17            **TITLE IV—MILITARY DEPARTMENT**

### 18                    **ORGANIZATION**

19       **SEC. 401. REORGANIZATION OF MILITARY DEPARTMENTS BY**  
20                    **THE SECRETARY OF DEFENSE.**

21       *(a) IN GENERAL.—The Secretary of Defense shall re-*  
22       *organize the executive part of the military departments in*  
23       *accordance with the provisions of this title.*

1       **(b) REORGANIZATION POLICIES.**—*In carrying out the*  
2 *reorganization required by subsection (a), the Secretary of*  
3 *Defense shall implement the following policies:*

4           (1) *Each military department shall have a single*  
5 *integrated staff for the executive part of the department,*  
6 *rather than separate civilian secretariat and military*  
7 *staffs.*

8           (2) *Commissioned officers serving on the new*  
9 *military department staff shall not constitute or be or-*  
10 *ganized as a separate component within the staff (other*  
11 *than the personal staff of a Service Chief).*

12           (3) *The functional assignments of the assistant*  
13 *secretaries of the military departments shall be as uni-*  
14 *form as possible across the military departments. In*  
15 *implementing this policy, the Secretary shall limit ex-*  
16 *ceptions to the greatest extent possible.*

17           (4) *Senior civilian officials on the department*  
18 *staff who are political appointees shall not be placed in*  
19 *a position subordinate to a military officer.*

20           (5) *The size of the department staffs shall be sub-*  
21 *stantially reduced from the combined size of the prior*  
22 *secretariat and military staffs, with functions to be*  
23 *shifted to appropriate joint staffs or to subordinate*  
24 *commands outside the seat of government.*

1           (6) *The military staff functions relating to the re-*  
2           *serve components shall not be abolished or consolidated*  
3           *with other elements of the military department staff.*

4           (7) *The position of Administrative Assistant in*  
5           *the Department of the Army provided for under section*  
6           *3016 of title 10, United States Code, shall not be abol-*  
7           *ished and the other military departments may be au-*  
8           *thorized to have a similar position.*

9           (c) **LIMITATION ON FUTURE ADMINISTRATIVE REOR-**  
10          **GANIZATION OF THE MILITARY DEPARTMENTS.**—*After the*  
11          *reorganization required by this section is implemented, no*  
12          *reorganization may be made within the Department of De-*  
13          *fense that would be inconsistent with the policies set forth in*  
14          *subsection (b).*

15          (d) **SUPERVISORY CONTROL OF MILITARY PERSON-**  
16          **NEL.**—*Nothing in this title limits the authority of a Service*  
17          *Chief, under the authority, direction, and control of the Sec-*  
18          *retary concerned, to exercise supervisory control over mem-*  
19          *bers of the Armed Forces under his jurisdiction, especially*  
20          *with respect to personnel matters, in the manner exercised by*  
21          *the Service Chief before the enactment of this Act.*

22          **SEC. 402. EXECUTIVE PART OF MILITARY DEPARTMENTS.**

23          (a) **IN GENERAL.**—*The executive part of each of the*  
24          *military departments is composed of the following:*

25                  (1) *The Secretary of the military department.*

1           (2) *The Under Secretary.*

2           (3) *The Assistant Secretaries.*

3           (4) *The general counsel.*

4           (5) *The Chief of Staff and, in the case of the De-*  
5 *partment of the Navy, the Chief of Naval Operations*  
6 *and the Commandant of the Marine Corps.*

7           (6) *The Vice Chief of Staff or, in the case of the*  
8 *Department of the Navy, the Vice Chief of Naval Op-*  
9 *erations and the Assistant Commandant of the Marine*  
10 *Corps.*

11          (7) *Deputy Chiefs of Staff and, in the case of the*  
12 *Department of the Navy, Deputy Chiefs of Naval*  
13 *Operations.*

14          (8) *The Administrative Assistant, in the case of*  
15 *the Department of the Army and any other military*  
16 *department with a similar position.*

17          (9) *Other offices or positions provided by law to*  
18 *be in the executive part of the military department.*

19          (10) *Civilian personnel in the military depart-*  
20 *ment assigned or detailed to the executive part of the*  
21 *military department.*

22          (11) *Other members of the Armed Forces assigned*  
23 *or detailed to the executive part of the military*  
24 *department.*

25        **(b) ASSISTANT SECRETARIES.—**

1           (1) *FUNCTIONS.*—*The Assistant Secretaries of*  
2           *the military departments shall be assigned the follow-*  
3           *ing areas of responsibility by the Secretary of Defense:*

4                     (A) *Manpower functions.*

5                     (B) *Reserve affairs functions.*

6                     (C) *Financial management and comptroller*  
7           *functions.*

8                     (D) *Research and development functions.*

9                     (E) *Acquisition functions.*

10                    (F) *Logistics functions.*

11                    (G) *Installations functions.*

12                    (H) *In the case of the Department of the*  
13           *Army, civil works functions.*

14           (2) *NUMBER.*—*There shall be four Assistant Sec-*  
15           *retaries in each military department, plus an addition-*  
16           *al Assistant Secretary in the Department of the Army*  
17           *for civil works functions.*

18           (c) *PERSONAL STAFFS OF SERVICE SECRETARIES*  
19           *AND SERVICE CHIEFS.*—*The Secretary of each military*  
20           *department and each Service Chief may each have a personal*  
21           *staff of not more than 30 persons. The Administrative Assist-*  
22           *ant, and the staff of the Administrative Assistant, of a mili-*  
23           *tary department shall not be counted as part of the personal*  
24           *staff of the Secretary of the military department under this*  
25           *subsection.*

1           (d) *LIMITATION ON SIZE OF MILITARY DEPARTMENT*  
2 *STAFF.*—*The total number of persons assigned or detailed to*  
3 *the department staff or staffs of a military department may*  
4 *not exceed 85 percent of the total number of persons on the*  
5 *service secretariat and headquarters staff or staffs of that*  
6 *military department before the reorganization of that depart-*  
7 *ment under this Act. The Secretary of Defense shall ensure*  
8 *that the reduction of the number of persons on staffs of mili-*  
9 *tary headquarters results in a reduction in the number of*  
10 *persons that are assigned to duty in the Washington, D.C.,*  
11 *area.*

12 **SEC. 403. LIMITATION OF DEPARTMENT STAFF FUNCTIONS.**

13           (a) *JOINT STAFF.*—*The Secretary of Defense, in carry-*  
14 *ing out the reorganization required by this title, shall provide*  
15 *that operation and planning responsibilities that are dupli-*  
16 *cated by the staff of the Joint Chiefs of Staff shall be shifted*  
17 *to that staff.*

18           (b) *DECENTRALIZATION OF NON-HEADQUARTERS*  
19 *FUNCTIONS.*—*The Secretary of Defense, in carrying out the*  
20 *reorganization required by this title, and the Secretaries of*  
21 *the military departments shall provide that functions that*  
22 *may be performed by subordinate commands outside of the*  
23 *Washington, D.C., area shall be reassigned to those*  
24 *commands.*

1 **SEC. 404. RESPONSIBILITIES OF SERVICE SECRETARIES.**

2 (a) *INTELLIGENCE ACTIVITIES.*—Subject to the au-  
3 thority, direction, and control of the Secretary of Defense, the  
4 Secretary of a military department is responsible to the Sec-  
5 retary of Defense for the effective supervision and control of  
6 the intelligence activities of that military department.

7 (b) *OPERATIONAL READINESS.*—The Secretary of a  
8 military department, in organizing, training, and equipping  
9 forces under the jurisdiction of the Secretary, shall ensure  
10 the operational readiness of such forces.

11 **SEC. 405. IMPLEMENTATION AND REPORT.**

12 (a) *IMPLEMENTATION.*—The Secretary of Defense  
13 shall complete implementation of this title not later than Sep-  
14 tember 30, 1987.

15 (b) *REPORT.*—The Secretary shall submit to Congress  
16 a report on such implementation. The report shall be submit-  
17 ted not later than 30 days after the date provided under sub-  
18 section (a). The report shall include a draft of legislation to  
19 make conforming changes to title 10, United States Code,  
20 and other appropriate provision of law to reflect the reorgani-  
21 zation carried out pursuant to section 401 and the effect of  
22 the other provisions of this title.

23 **SEC. 406. DEFINITION.**

24 For purposes of this title, the term “Service Chief”  
25 means any of the following:

26 (1) *The Chief of Staff of the Army.*

1           (2) *The Chief of Naval Operations.*

2           (3) *The Chief of Staff of the Air Force.*

3           (4) *The Commandant of the Marine Corps.*

4                           **TITLE V—MISCELLANEOUS**

5   **SEC. 501. ANNUAL REPORT ON NATIONAL SECURITY STRATEGY.**

6           (a) *REPORT REQUIREMENT.*—*The President shall*  
7 *submit to the Committees on Armed Services and Foreign*  
8 *Relations of the Senate and the Committees on Armed Serv-*  
9 *ices and Foreign Affairs of the House of Representatives each*  
10 *year a comprehensive written report on the national security*  
11 *strategy of the United States. The President shall submit*  
12 *such report on the same date each year on which he submits*  
13 *the budget to Congress pursuant to section 1105 of title 31,*  
14 *United States Code.*

15           (b) *CONTENTS OF REPORT.*—*The report referred to in*  
16 *subsection (a) shall include—*

17                   (1) *a comprehensive discussion of the vital inter-*  
18 *ests, goals, and objectives of the United States through-*  
19 *out the world;*

20                   (2) *a coordinated and comprehensive description*  
21 *of the foreign policy, worldwide commitments, and na-*  
22 *tional defense capabilities of the United States neces-*  
23 *sary to deter aggression and to implement the national*  
24 *security strategy of the United States;*



1 *management structure of the Office, including each of the*  
2 *matters specified in subsection (c).*

3       **(b) SERVICE SECRETARIES AND CHAIRMAN OF THE**  
4 **JOINT CHIEFS OF STAFF.**—*The Chairman of the Joint*  
5 *Chiefs of Staff and the Secretaries of the military depart-*  
6 *ments shall each conduct a study of the functions and organi-*  
7 *zation of the Office of the Secretary of Defense. The Chair-*  
8 *man and Secretaries shall each submit a report to the Secre-*  
9 *tary of Defense on such study at a time specified by the Sec-*  
10 *retary. Each such report shall include a discussion of and*  
11 *recommendations concerning each matter specified in subsec-*  
12 *tion (c).*

13       **(c) MATTERS TO BE INCLUDED.**—*The studies re-*  
14 *quired by subsections (a) and (b) shall include consideration*  
15 *of the following:*

16               **(1)** *Whether the present allocation of functions to,*  
17 *and the organizational structure of, the Office consti-*  
18 *tutes the most effective, efficient, and economical allo-*  
19 *cation and structure.*

20               **(2)** *Whether the present organization of the Office*  
21 *is the most effective and efficient for the functions of*  
22 *policy initiation, development, and articulation.*

23               **(3)** *Whether the present organization of the Office*  
24 *best ensures that military strategy and military plan-*

1        *ning are dictated by considerations of national policy*  
2        *and strategy.*

3            (4) *Whether effective civilian control of the De-*  
4        *partment of Defense is best provided by the present*  
5        *structure of the Office, including civilian control of—*

6            (A) *policy planning;*

7            (B) *force planning;*

8            (C) *program development;*

9            (D) *budget development;*

10          (E) *program execution; and*

11          (F) *program review.*

12            (5) *Means to improve and strengthen the evalua-*  
13        *tion function, with particular reference to the findings*  
14        *and recommendations set forth in the final report of the*  
15        *Defense Organization Project of the Georgetown Uni-*  
16        *versity Center for Strategic and International Studies,*  
17        *entitled "Toward A More Effective Defense" and pub-*  
18        *lished in February 1985.*

19            (6) *Means to improve and strengthen the oversight*  
20        *function within each element of the Office.*

21            (7) *Factors inhibiting efficient and effective exe-*  
22        *cution of the functions of the Office, including factors*  
23        *relating to—*

1           (A) *duplication of functions (both within the*  
2           *Office and between the Office and other elements*  
3           *of the Department);*

4           (B) *insufficient information; and*

5           (C) *insufficient resources (including person-*  
6           *nel).*

7           (8) *Alternative allocations of authorities and func-*  
8           *tions of the Office and other reorganization proposals*  
9           *for the Office, including the desirability of—*

10          (A) *establishing the Office by law;*

11          (B) *establishing Under Secretaries of De-*  
12          *fense for mission-oriented areas of responsibility;*

13          (C) *establishing the Secretaries of the mili-*  
14          *tary departments as Undersecretaries of Defense;*

15          (D) *eliminating functional descriptions or*  
16          *designations of Assistant Secretaries of Defense*  
17          *by law;*

18          (E) *revising the planning, programming,*  
19          *and budgeting system to strengthen policy and*  
20          *strategy direction;*

21          (F) *decentralizing functions of the Office;*

22          (G) *reducing the number of officials report-*  
23          *ing directly to the Secretary of Defense; and*

24          (H) *changing the number of military and ci-*  
25          *vilian personnel in the Office.*

1       (d) *ANALYSIS OF CIVILIAN CONTROL.*—*The Secre-*  
2 *tary of Defense, in considering under subsection (c)(4)*  
3 *whether effective civilian control of the Department of De-*  
4 *fense is best provided by the current structure of the Office,*  
5 *shall examine the functions performed in the Office by mem-*  
6 *bers of the Armed Forces on active duty and the functions*  
7 *performed by members in a retired status serving in civilian*  
8 *positions. Such examination shall include determination*  
9 *of—*

10           (1) *the number of positions in the Office in*  
11 *grades GS-9 (or the military equivalent) and above*  
12 *held by members of the Armed Forces on active duty,*  
13 *shown for each pay grade by number and as a percent-*  
14 *age of the total number of positions in the Office in the*  
15 *pay grade concerned; and*

16           (2) *the number of such positions held by members*  
17 *of the Armed Forces in a retired status, shown in the*  
18 *same manner as provided under paragraph (1).*

19       (e) *CONSULTATION WITH OTHER APPROPRIATE OF-*  
20 *FICIALS.*—*The Secretary of Defense, in carrying out the*  
21 *study required by subsection (a), shall consult with and*  
22 *obtain the views of the Under Secretaries and Assistant Sec-*  
23 *retaries of Defense, the directors of the defense agencies, and*  
24 *such other officials as the Secretary considers appropriate.*

1           (f) *INDEPENDENT CONTRACTOR STUDY.*—The Secre-  
2 tary shall provide for an independent study to be carried out  
3 by a contractor to consider the same matters considered in the  
4 study of the Secretary under subsection (a). The Secretary  
5 shall ensure that the contractor has full access to such infor-  
6 mation as the contractor requires and that the contractor oth-  
7 erwise receives full cooperation from all Department of De-  
8 fense officials and entities.

9           (g) *REPORT TO CONGRESS.*—(1) The Secretary of De-  
10 fense shall submit to Congress a report on the Secretary's  
11 study under subsection (a). The report shall include—

12                 (A) the findings and conclusions of the Secretary  
13 with respect to each of the matters set forth in subsec-  
14 tion (c);

15                 (B) the findings and statistical determinations re-  
16 quired under subsection (d); and

17                 (C) any recommendations of the Secretary for or-  
18 ganizational changes in the Office of the Secretary of  
19 Defense and a description for the means for implement-  
20 ing each such recommendation.

21           (2) The Secretary shall include with the report a copy of  
22 each report to the Secretary under subsection (b) and a copy  
23 of the report of the independent contractor under subsection  
24 (e), together with such comments on each such report as the  
25 Secretary considers appropriate.

1. (3) *The report under this subsection shall be submitted*
- 2 *not later than one year after the date of the enactment of this*
- 3 *Act.*

Union Calendar No. 417

99<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4370

[Report No. 99-700]

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## A BILL

To amend title 10, United States Code, to reorganize  
the Department of Defense.

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JULY 21, 1986

Reported with an amendment, committed to the Committee  
of the Whole House on the State of the Union, and  
ordered to be printed