

The Chairman of the Joint Chiefs of Staff manages the Joint Staff and its Director on behalf of the Joint Chiefs of Staff. 10 U.S.C. §143(c) (1976). The Chairman presides over the Joint Chiefs of Staff, 10 U.S.C. §142(b) (1) (1976); and he communicates, at the direction of the President or the Secretary of Defense, orders to the commanders of the unified and specified combatant commands.

The purpose of the proposed legislation with respect to the Chairman is to make explicit his functions as a link between the Secretary of Defense and the unified and specified combatant commands. The Department of Defense Reorganization Act of 1958, Pub. L. No. 85-599, §5(b), 72 Stat. 514, 518, amended the National Security Act of 1947, ch. 343, §202, 61 Stat. 495, 500 (as amended 1949, 1950; current version of §202(j) at 10 U.S.C. §124 (1976)) to make explicit the pattern of establishment, composition, functions, administration, and support of the unified and specified commands in relation to the Military Departments, which assign the forces to these combatant commands. 10 U.S.C. §124(c) (1976) provides that these commands are responsible to the President as Commander in Chief, and to the Secretary of Defense, who is the "principal assistant to the President in all matters relating to the Department of Defense," 10 U.S.C. §133(b) (Supp. V 1981). The method of communicating with the combatant commands was not specified by statute. The practice has been for the Secretary of Defense to communicate with the combatant commands through the Chairman of the Joint Chiefs of Staff, and the proposed legislation would formalize this arrangement by making appropriate amendments to sections 124(c), 142(b), and 142(c) of title 10, United States Code.

The other portion of the legislative proposal is designed to make the Joint Staff a more effective instrumentality by easing or eliminating restrictions that reduce its efficiency. Thus, the bill would enhance continuity in the Staff by amending section 143(a) of title 10 and adding a section 143(e), to increase the maximum peacetime tour of duty on the Staff from three to four years. In addition, these amendments would provide that officers could be reassigned to the Joint Staff during peacetime two years after a previous tour of duty on the Staff. Currently, a minimum interval of three years between assignments on the Staff applies during peacetime, and the Secretary of Defense may make exceptions to this minimum interval for only up to 30 officers serving on the Staff at any one time.