

. . . The position of a four-star Vice Chairman should be established by law as a sixth member of the JCS. The Vice Chairman should assist the Chairman by representing the interests of the CINCs, co-chairing the Joint Requirements Management Board and performing such other duties as the Chairman may prescribe.

The Secretary of Defense, subject to the direction of the President, should determine the procedures under which an Acting Chairman is designated to serve in the absence of the Chairman of the JCS. Such procedures should remain flexible and responsive to changing circumstances.

The specific language of the President's Blue Ribbon Commission was offered as an amendment to the provisions of the bill governing the Vice Chairman and was rejected by the Committee. It is, therefore, inaccurate to state that, on this issue, the bill is consistent with the Packard Commission's recommendations.

In that respect, it must be emphasized that the President's Blue Ribbon Commission places a great deal of weight on the importance of the Joint Requirements Management Board as a central element in the effort to increase procurement efficiency and control costs in DoD. The bill's failure to conform to the Commission's recommendation on the role of the Vice Chairman, therefore, appears seriously to impair, even before their consideration, a number of the Commission's most important recommendations.

SWEEPING REPLACEMENT OF THE STATUTES GOVERNING THE MILITARY DEPARTMENTS

The extent of the change to the statutes covering the Department of Defense in general and the Office of the Secretary of Defense in particular is comparatively minor because of the Committee's firm rejection of the staff proposals for a substantial reorganization to provide for a mission orientation.

At the same time, however, the changes in Title I, Section 101, of the bill remove the current power given to the Secretary of Defense to transfer, reassign, consolidate, or abolish any DoD function, power, or duty vested by law in DoD or in a DoD officer, official, or agency. Although the Report notes the possible unconstitutionality of the one-house veto and makes a general judgment that the authority "cannot be justified," it is important to recall that the provision was originally enacted into law after deliberate, careful, and calculated consideration, both in 1949 and 1958. Its repeal may in fact make good sense, but its consequences should be considered carefully.

The sweeping rewrite of the statutes governing the military departments—Army, Navy, and Air Force—is a different and far more serious matter. The bill and Report make massive changes to the authorities and responsibilities of the Service Secretaries and the Service Chiefs, justified by the intention to strengthen and clarify the authorities of the Secretaries of the Military Departments and to make the applicable statutes consistent.

To accomplish that, the statutes governing the Department of the Army were used as the model and, as the Report indicates, applied to the Department of the Air Force and the Department of