

would be consistent with section 3033 dealing with the Chief of Staff of the Army. Notable among the proposed changes is the second sentence of subsection (b) of section 5033, which would provide that, in the performance of his duties within the Department of the Navy, the Chief of Naval Operations would take precedence above all other officers of the naval service. This provision would mean that the Chief of Naval Operations would take precedence over the Commandant of the Marine Corps with respect to duties within the Department of the Navy. However, with respect to duties as members of the Joint Chiefs of Staff, these two officers would rank according to their dates of appointment to those offices as provided in section 743 of title 10 (as amended by subsection (b) of section 111 of this bill).

In addition, subsection (d) of section 5081—the current section dealing with the Chief of Naval Operations—would not be retained. That subsection designates the Chief of Naval Operations as the principal naval adviser to the President and to the Secretary of the Navy on the conduct of war. This anachronistic designation predates the creation of the Joint Chiefs of Staff and should be repealed.

In addition, sections 5082 (Chief of Naval Operations: coordinating duties) and 5084 (Chief of Naval Operations: quarters) would be struck from the law. Section 5082 makes inappropriate references to the coordination of military operations which is not a duty of the Chief of Naval Operations. Section 5084 provides that the Chief of Naval Operations may be assigned the public quarters at the United States Naval Observatory. As these quarters are now assigned to the Vice President, this section should be repealed.

Section 5034 would specify without amendment the retirement of the Chief of Naval Operations now provided in section 5083.

Section 5035 would specify the appointment and powers and duties of the Vice Chief of Naval Operations and the succession to the duties of the Chief of Naval Operations. This section would be consistent with section 3035 dealing with the Vice Chief of Staff of the Army.

Section 5036 would specify the detail and duties of the Deputy Chiefs of Naval Operations. The only amendment to current section 5086 dealing with these officers would be a reduction from six to four in the authorized number of Deputy Chiefs of Naval Operations. This bill would authorize not more than four Deputy Chiefs of Staff in each Service.

Section 5037 would specify the detail and duties of the Assistant Chiefs of Naval Operations. Currently, the number of Assistant Chiefs of Naval Operations is not limited. Section 5037 would specify that there may not be more than three Assistant Chiefs of Naval Operations. This bill would authorize not more than three Assistant Chiefs of Staff in each Service. Section 5037 would also provide that the duties of the Assistant Chiefs of Naval Operations shall be prescribed by the Secretary of the Navy instead of the Chief of Naval Operations.

Subsection (b) of section 302 of this bill would provide conforming amendments. Subsection (c) would specify the effective date for the personnel limitations specified in section 5031(d) for the Office of the Chief of Naval Operations.