

in the chain. The Administration agreed in 1983. Secretary of Defense Caspar Weinberger requested enactment of a provision specifying that the national military chain of command run from the President to the Secretary of Defense and through the JCS chairman to the unified and specified commanders. The 1983 committee bill, H.R. 3718, included this provision.

Earlier this year, however, the committee received a communication from Secretary Weinberger recommending that the national military chain of command not be specified in the law. Secretary Weinberger now believes that such a provision would "breach the principle of civilian control."

As an alternative, Secretary Weinberger suggested that the chain of command be streamlined by administrative action. He advised the committee that, if he were given the authority by statute, he would change Department of Defense directives to provide that the military chain of command below the President and Secretary of Defense be routed through the chairman of the Joint Chiefs of Staff.

H.R. 3622 incorporates the requisite provisions requested by the Administration concerning the military chain of command. It specifies that the "President or Secretary of Defense may direct that the national military chain of command runs to the commanders of the unified and specified combatant commands through the Chairman." Furthermore, the bill would require that the Secretary submit his plan to Congress within six months after enactment for modifying administrative directives to streamline the chain of command by specifying that it runs from the President to the Secretary of Defense through the JCS chairman to the unified and specified commanders.

Reporting Requirement

H.R. 3622 contains a requirement that the Secretary of Defense submit a report to Congress on a number of matters that hold promise for further improvements in the joint military structure. The report is required to address the following subjects: a joint staff speciality for officers; streamlining the national military chain of command; provision of a program and budget for each of the unified and specified commands; procedures under which the JCS chairman may recommend to the Secretary a fiscally-constrained force posture and a five-year defense program; procedures for periodic submission by the JCS chairman of recommendations for modifying the unified command structure as required.

DEPARTMENTAL VIEWS

The General Counsel of the Department of Defense, in response to a request for the department's views on H.R. 3622, provided the following comments: