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APPROVED
DEC 26 1974

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: December 27

December 23, 1974

MEMORANDUM FOR: THE PRESIDENT
 FROM: KEN COLE
 SUBJECT: Enrolled Bill H.R. 14349
Additional Army Deputy Chief of Staff

Attached for your consideration is H.R. 14349, sponsored by Representatives Hebert and Bray, which increases from three to four the number of Deputy Chiefs of Staff of the Army. This legislation would result in the elevation to Deputy Chief of Staff of the officer heading up Army Research, Development and Acquisition.

OMB recommends approval and provides you with additional background information in its enrolled bill report (Tab A).

NSC, Max Friedersdorf and Phil Areeda recommend approval.

RECOMMENDATION

That you sign H.R. 14349 (Tab B).

*Posted in
Colorado
12/26
To Archivist
12/30*



APPROVED

DEC 26 1974



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEC 8 0 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 14349 - Additional Army Deputy
Chief of Staff
Sponsor - Rep. Hebert (D) Louisiana and
Rep. Bray (R) Indiana

Last Day for Action

December 27, 1974 - Friday

Purpose

Increases from three to four the number of Deputy Chiefs
of Staff of the Army.

Agency Recommendations

Office of Management and Budget	Approval
Department of Defense	Approval

Discussion

Existing law limits the number of Deputy Chiefs of Staff
the Army may have to three, as compared to five in the
case of the Air Force and six in comparable positions in
the Navy. H.R. 14349 would provide for four such positions
in the Army in order that the officer heading up Army Research,
Development, and Acquisition may occupy a position commensurate
with his responsibilities.

Michael H. Roemer
Assistant Director for
Legislative Reference

Enclosures



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEC 20 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 14349 - Additional Army Deputy
Chief of Staff
Sponsor - Rep. Hebert (D) Louisiana and
Rep. Bray (R) Indiana

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Office of Management and Budget	Approval
Department of Defense	Approval

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the Army may have to three, as compared to five in the
case of the Air Force and six in comparable positions in
the Navy. H.R. 14349 would provide for four such positions
in the Army in order that the officer heading up Army Research,
Development, and Acquisition may occupy a position commensurate
with his responsibilities.

(signed) Wilfred H. Rommel

Assistant Director for
Legislative Reference

Enclosures



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 812

Date: December 20, 1974

Time: 9:30 p.m.

FOR ACTION: NSC7S *Mr Boney ok*
Phil Areeda *-ok*
Max Friedersdorf *-ok*

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT:

Enrolled Bill H.R. 14349 - Additional Army Deputy
Chief of Staff

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President



DEPARTMENT OF THE ARMY
WASHINGTON, D.C. 20310

18 DEC 1974

Honorable Roy L. Ash
Director
Office of Management and Budget

Dear Mr. Ash:

The Secretary of Defense has delegated responsibility to the Department of the Army for reporting the views of the Department of Defense on enrolled enactment H. R. 14349, 93d Congress, "to amend section 3031 of title 10, United States Code, to increase the number of authorized Deputy Chiefs of Staff for the Army Staff."

The Department of the Army on behalf of the Department of Defense recommends approval of the enrolled enactment.

The purpose of the Act is stated in its title.

Section 3031 of title 10, United States Code, provides that the Army Staff may have only three Deputy Chiefs of Staff, which limits the Army in providing the Chief, Research, Development and Acquisition the stature of a Deputy Chief of Staff. By comparison, the Air Force is authorized five Deputy Chiefs of Staff, and the Navy is authorized six Deputy Chiefs of Naval Operations.

As a result of the recent reorganization of the Army Staff, the scope of responsibilities of the Chief, Research, Development and Acquisition has significantly increased. The stature of the responsible official in the Army for the important function of research, development, test, evaluation and acquisition of Army materiel should be equal to that of the other principal Staff members, i.e., the Deputy Chiefs of Staff.

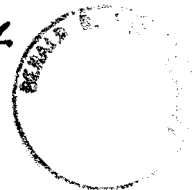
Approval of the enactment will cause no increase in the size of the Army Staff or grades of the principals. Therefore, the proposed legislation does not increase the Army's requirement for general officers, and consequently, there will be no budgetary increase caused by the passage of this bill.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

Sincerely,

Herman R. Staudt

Herman R. Staudt
Acting Secretary of the Army



136

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 812

Date: December 20, 1974

Time: 9:30 p.m.

FOR ACTION: NSC/S
Phil Areeda ✓
Max Friedersdorf

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT:

Enrolled Bill H.R. 14349 - Additional Army Deputy
Chief of Staff

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*Mr. Johnston
Phil Areeda
12/23*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks —
For the President

THE WHITE HOUSE
WASHINGTON
December 23, 1974

MEMORANDUM FOR: WARREN HENDRIKS
FROM: MAX L. FRIEDERSDORF *mf*
SUBJECT: Action Memorandum - Log No. 812
Enrolled Bill H. R. 14349 - Additional
Army Duputy Chief of Staff

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment

INCREASING THE AUTHORIZED NUMBER OF DEPUTY CHIEFS OF STAFF FOR THE ARMY STAFF

SEPTEMBER 19, 1974.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. FISHER, from the Committee on Armed Services,
submitted the following

REPORT

[To accompany H.R. 14349]

The Committee on Armed Services, to whom was referred the bill (H.R. 14349) to amend section 3031 of title 10, United States Code, relating to an increase in the number of authorized Deputy Chiefs of Staff for the Army staff, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

At present, the authorization contained in section 3031 of title 10, United States Code, provides that the Army staff may have only three Deputy Chiefs of Staff. The functional areas which currently occupy positions as Deputy Chiefs of Staff are personnel, operations and plans, and logistics. This legislative proposal, which would increase this number by one, would result in the elevation of the position in charge of research and development and material procurement to the status of Deputy Chief of Staff.

BACKGROUND

The Army staff has recently undergone a significant reorganization which has resulted in a 14% or 572 space reduction in its personnel, and a restructuring of responsibility. This realignment and streamlining included within it the accretion of the procurement function and other responsibilities to the position of Chief of Research and Development, already a critically important job. These additional responsibilities, plus the incumbent duties, made it managementally wise to invest this position with the status of a Deputy Chief of Staff, in keeping with the equal significance of this job with the other functional areas already so invested. If authorized, the position will become entitled the Deputy Chief of Staff for Research, Development and

Acquisition and allow a formalization of the contemplated command channels on which the reorganization was based. While this authorization formally recognizes the broad administrative authority invested in this functional area, it also places the occupant of this position in the statutory line of succession to the position of Chief of Staff.

The change this authorization will allow will result in no additional positions or need for increased rank in the positions involved. The job description for the current position of Chief of Research and Development calls for a Lieutenant General, and this is the rank required for the position of Deputy Chief of Staff for Research, Development and Acquisition. In fact, the reorganization from which this redesignation emanates resulted in the elimination of 2 three-star, and 5 two-star general positions in the Army staff.

For purposes of comparison, the Navy is authorized six Deputy Chiefs of Naval Operations and the Air Force five Deputy Chiefs of Staff.

FISCAL DATA

This legislation will not result in an increase in the budgetary requirements of the Department of Defense.

DEPARTMENTAL POSITION

The Department of Defense supports this legislation and the Office of Management and Budget interposes no objection.

COMMITTEE POSITION

The Committee on Armed Services on September 17, 1974, a quorum being present, unanimously endorsed enactment of the bill.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the House of Representatives, there is printed below in parallel columns the text of provisions of existing law which would be repealed or amended by the various provisions of the bill as reported.

EXISTING LAW

SECTION 3031 OF TITLE 10, UNITED STATES CODE

§ 3031. Composition: assignment and detail of members of Army and civilians

- (a) There is in the executive part of the Department of the Army an Army Staff consisting of—
- (1) the Chief of Staff;
 - (2) the Vice Chief of Staff;
 - (3) not more than three Deputy Chiefs of Staff, as prescribed by the Secretary of the Army;
 - (4) not more than five Assistant Chiefs of Staff, as prescribed by the Secretary;
 - (5) the officers named in sections 3036, 3039, and 3040 of this title;
 - (6) other members of the Army assigned or detailed to the Army Staff; and
 - (7) civilians in the Department of the Army assigned or detailed to the Army Staff.
- (b) Except as otherwise specially prescribed by law, the Army Staff shall be organized in such manner, and its members shall perform such duties and have such

THE BILL AS REPORTED

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3031 (a) of title 10, United States Code, is amended by striking out "three" in clause (3) and inserting in place thereof "four".

titles, as the Secretary may prescribe. A part of the Army Staff may be designated as the Army General Staff.

(c) Not more than 3,000 officers of the Army may be assigned or detailed to permanent duty in the executive part of the Department of the Army. Of this number not more than 1,000 may be detailed or assigned to duty on or with the Army General Staff. However, these limitations do not apply in time of war, or of national emergency declared by Congress, or whenever the President finds that it is in the national interest to increase the number of officers in the executive part of the Department or on or with the Army General Staff. The Secretary shall report quarterly to Congress the number of officers in the executive part of the Department of the Army and the number of commissioned officers on or with the Army General Staff, and the justification therefor.

(d) No commissioned officer who is assigned or detailed to duty in the executive part of the Department of the Army may serve for a tour of duty of more than four years. However, the Secretary may extend such a tour of duty if he makes a special finding that the extension is necessary in the public interest. No officer may be assigned or detailed to duty in the executive part of the Department of the Army within two years after relief from that duty, except upon a special finding by the Secretary that the assignment or detail is necessary in the public interest. This subsection does not apply in time of war, or of national emergency declared by Congress. Aug. 10, 1956, c. 1041, 70A Stat. 160.

H.R. 1366

4

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SUMMARY

PURPOSE OF THE BILL

To provide the Department of the Army the authority to increase the number of Deputy Chiefs of Staff from "three" to "four" on the Army staff. This action is a managerial alignment which simply elevates the status of the research and development and procurement function, without creating any new positions or requirements for increased rank.

FISCAL DATA

The enactment of this legislation will result in no increase in the budgetary requirements of the Department of Defense.

DEPARTMENTAL POSITION

The Department of Defense supports this legislation and the Office of Management and Budget interposes no objection.

COMMITTEE POSITION

The Committee on Armed Services on September 17, 1974, a quorum being present, unanimously endorsed enactment of the bill.

○

H.R. 1366

INCREASING THE AUTHORIZED NUMBER OF DEPUTY CHIEFS OF STAFF FOR THE ARMY STAFF

DECEMBER 12, 1974.—Ordered to be printed

Mr: NUNN, from the Committee on Armed Services,
submitted the following

REPORT

[To accompany H.R. 14349]

The Committee on Armed Services, to whom was referred the bill (H.R. 14349) to amend section 3031 of title 10, United States Code, to increase the number of authorized Deputy Chiefs of Staff for the Army Staff, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

This bill would amend section 3031 (a) (3) of title 10, United States Code to authorize four Deputy Chiefs of Staff for the Army Staff. At present, the authorization allows only three Deputy Chiefs of Staff. The three positions are Deputy Chief of Staff for Personnel, Deputy Chief of Staff for Operations and Plans, and Deputy Chief of Staff for Logistics. The additional position under this bill would be Deputy Chief of Staff for Research, Development, and Acquisition.

BACKGROUND OF THE BILL

Effective May 20, 1974, the Army Staff underwent a significant reorganization which resulted in a 14% (572 positions) reduction in personnel. Even more important, restructuring of responsibilities decreased both the fragmentation of responsibilities among Staff agencies and staff layering. One restructuring disestablished the Office of the Chief, Research and Development and consolidated the material acquisition functions under the Office of the Chief, Research, Development and Acquisition.

EFFECTS OF THE BILL

Additional responsibilities, plus the incumbent duties, make it managementally wise to invest the Office of the Chief of Research, Development, and Acquisition with the status of a Deputy Chief of Staff, in keeping the significance of this job equal to the other functional areas already so invested. This bill would put the Chief of Research, Development, and Acquisition on the same plane as the Deputy Chiefs of Staff for Personnel, Operations and Plans, and Logistics. It also places the occupant of this position in the statutory line of succession to the position of Chief of Staff.

This bill does not authorize additional positions or increased rank in the position involved. The current position of Chief of Research, Development, and Acquisition calls for a Lieutenant General, and this is also the rank for the position of Deputy Chief of Staff for Research, Development and Acquisition. In fact, the reorganization from which this redesignation emanates should result in the elimination of 2 three-star, and 5 two-star general positions in the Army staff.

THE POSITION OF DEPUTY CHIEF OF STAFF

In 1950 the "Army Organization Bill," codified in section 3031 (a) (3) of title 10, United States Code, set the maximum number of Deputy Chiefs of Staff in the Army at three. In 1948, a similar bill organizing the Navy had limited the Deputy Chiefs of Naval Operations to six (section 5086 (a), title 10). The Air Force organization bill, passed in 1951, limited the number of Deputy Chiefs of Staff for the Air Force to five (section 8031 (a) (3), title 10). No change in the authorized numbers of Deputy Chiefs of Staff/Naval Operations has been made in the ensuing years.

COMMITTEE POSITION

In favorably considering this bill to add one additional Deputy Chief of Staff for Research, Development and Acquisition, the Committee anticipates that the Army will use this opportunity to implement a recommendation submitted to Congress by the Commission on Government Procurement to improve major weapon systems acquisition management. The Commission on Government Procurement recommended that in major systems management the research and development function and the procurement function be brought under the same authority.

The existing split between research and development and procurement responsibilities increases the problem of coordination between the developer and the user and contributes to management layering. The reorganization of the Army Staff disestablished the Office of the Chief, Research and Development and established the Office of the Chief, Research, Development, and Acquisition. Raising this new position to the status of a Deputy Chief of Staff emphasizes the importance of unified systems acquisition management. This action to establish a high level, single authority should provide an organizational structure to enable required improvements in the acquisition process. The Committee realizes however, that organization and policy without effective implementation is insufficient, and it will closely monitor future progress toward improvements in the management of the acquisition process.

FISCAL DATA

The enactment of this legislation will result in no increase in the budgetary requirements of the Department of Defense.

DEPARTMENTAL POSITION

The Department of the Army, on behalf of the Department of Defense, supports this legislation and the Office of Management and Budget raises no objection, as shown by the following letter which is hereby made a part of this report.

DEPARTMENT OF THE ARMY,
Washington, D.C.

HON. JOHN C. STENNIS,
Chairman, Committee on Armed Services,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for comment on H.R. 14349, 93d Congress, a bill "To amend section 3031 of title 10, United States Code, to increase the number of authorized Deputy Chiefs of Staff for the Army Staff." The Department of the Army has been assigned responsibility for expressing the views of the Department of Defense on this bill.

The purpose of H.R. 14349 is stated in its title.

A primary objective of the study which was initiated by General Abrams in January 1974, and which subsequently resulted in the Army Staff reorganization of 20 May 1974, was to consolidate and clearly establish responsibilities in the key management areas for people, dollars, planning, materiel acquisition and logistics. This resulted in the placement of these primary areas for management of the Army's resources under the principal deputies to the Chief of Staff of the Army. These are the Comptroller of the Army (a statutory position), the Deputy Chief of Staff for Personnel, the Deputy Chief of Staff for Operations and Plans, the Deputy Chief of Staff for Logistics, and the proposed Deputy Chief of Staff for Research, Development and Acquisition (now Chief, Research, Development, and Acquisition).

At present, the authorization contained in section 3031 of title 10, United States Code, provides that the Army Staff may have only three Deputy Chiefs of Staff, which precludes providing the Chief, Research, Development and Acquisition the stature of a Deputy Chief of Staff. The reorganization of the Army Staff is considered a well thought out plan that the Army anticipates will last for an extended period. If a fourth Deputy Chief of Staff is approved, future statutory changes are not anticipated. By comparison, the Air Force is authorized five Deputy Chiefs of Staff, and the Navy is authorized six Deputy Chiefs of Naval Operations.

The predecessor position, the Chief of Research and Development, was established on 10 October 1955 as a lieutenant general billet. As a result of our reorganization, the scope of responsibilities of the position have significantly increased. In this regard, Chief, Research, Development and Acquisition is responsible to the Chief of Staff of the Army for all resources associated with the research, development, test and evaluation, and procurement of the Army's aircraft ammu-

nition, missiles, weapons, and tracked combat vehicles and other procurement. As you are aware, materiel acquisition is one of the most important and visible managerial efforts for the Army and the Department of Defense and is an area properly subjected to continuing examination by the Congress and by the public. The stature of the responsible official in the Army for this important function should be equal to that of the other principal Staff members, i.e., the Deputy Chiefs of Staff.

The proposed redesignation is basically an administrative/managerial type action and will cause no increase in the size of the Army Staff or grades of the principals. Therefore, the proposed legislation does not increase the Army's requirement for lieutenant generals, and consequently there will be no budgetary increase caused by the passage of this bill.

The Department of the Army, on behalf of the Department of Defense, favors passage of this bill.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this report for the consideration of the Committee.

Sincerely,

HOWARD H. CALLAWAY,
Secretary of the Army.

CHANGES IN EXISTING LAW

In compliance with paragraph 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law proposed to be made by the bill are shown as follows: Existing law to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman.

UNITED STATES CODE, TITLE 10—ARMED FORCES

* * * * *

CHAPTER 305.—THE ARMY STAFF

* * * * *

§ 3031. Composition: assignment and detail of members of Army and civilians

(a) There is in the executive part of the Department of the Army an Army Staff consisting of—

(1) the Chief of Staff;

(2) the Vice Chief of Staff;

(3) not more than [three] *four* Deputy Chiefs of Staff, as prescribed by the Secretary of the Army;

(4) not more than five Assistant Chiefs of Staff, as prescribed by the Secretary;

(5) the officers named in sections 3036, 3039, and 3040 of this title;

(6) other members of the Army assigned or detailed to the Army Staff; and

(7) civilians in the Department of the Army assigned or detailed to the Army Staff.

(b) Except as otherwise specifically prescribed by law, the Army Staff shall be organized in such manner, and its members shall perform such duties and have such titles, as the Secretary may prescribe. A part of the Army Staff may be designated as the Army General Staff.

(c) Not more than 3,000 officers of the Army may be assigned or detailed to permanent duty in the executive part of the Department of the Army. Of this number not more than 1,000 may be detailed or assigned to duty on or with the Army General Staff. However, these limitations do not apply in time of war, or of national emergency declared by Congress, or whenever the President finds that it is in the national interest to increase the number of officers in the executive part of the Department or on or with the Army General Staff. The Secretary shall report quarterly to Congress the number of officers in the executive part of the Department of the Army and the number of commissioned officers on or with the Army General Staff, and the justification therefor.

(d) No commissioned officer who is assigned or detailed to duty in the executive part of the Department of the Army may serve for a tour of duty of more than four years. However, the Secretary may extend such a tour of duty if he makes a special finding that the extension is necessary in the public interest. No officer may be assigned or detailed to duty in the executive part of the Department of the Army within two years after relief from that duty, except upon a special finding by the Secretary that the assignment or detail is necessary in the public interest. This subsection does not apply in time of war, or of national emergency declared by Congress.

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Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

To amend section 3031 of title 10, United States Code, to increase the number of authorized Deputy Chiefs of Staff for the Army Staff.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3031 (a) of title 10, United States Code, is amended by striking out "three" in clause (3) and inserting in place thereof "four".

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

December 16, 1974

Dear Mr. Director:

The following bills were received at the White House on December 16th:

✓ S.J. Res. 263	✓ H.R. 1439
✓ H.R. 1355	✓ H.R. 1907
✓ H.R. 5056	✓ H.R. 1918
✓ H.R. 7072	✓ H.R. 15006
✓ H.R. 7077	✓ H.R. 16428
✓ H.R. 11013	

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.