



THE JOINT CHIEFS OF STAFF  
WASHINGTON, D.C. 20301

JCSM-440-75  
18 December 1975

MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: H.R. 10693, 94th Congress, a bill "To amend section 141 of title 10, United States Code, to require that the Secretaries of the military departments be kept fully and currently informed regarding all matters considered and acted upon by the Joint Chiefs of Staff"

1. Reference a memorandum by the Acting Director, Legislative Reference Service, Office of the General Counsel, Department of Defense, 5 December 1975, subject as above, which requested comments on a proposed report to the Chairman, Committee on Armed Services, House of Representatives. The proposed report concludes that the Department of Defense interposes no objection to H.R. 10693.
2. The proposed report has been reviewed. The Joint Chiefs of Staff believe that the draft DOD response should be amended as indicated in the Annex to reflect that DOD Directive 5100:1 adequately responds to the concerns which stimulated the proposed legislation.

For the Joint Chiefs of Staff:

ADRIAN ST JOHN  
Major General, USA  
Vice Director  
Joint Staff

Attachment



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ANNEX

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DRAFT

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Honorable Melvin Price  
Chairman, Committee on Armed Services  
House of Representatives  
Washington, D. C. 20515

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Dear Mr. Chairman:

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This is in response to your letter of November 17, 1975,  
requesting the DOD views on H.R. 10693, a bill "To amend  
section 141 of title 10, United States Code, to require that  
the Secretaries of the military departments be kept fully and  
currently informed regarding all matters considered and acted  
upon by the Joint Chiefs of Staff."

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Although the Secretaries of the Military Departments are not  
in the operational chain of command, the Department of Defense  
recognizes that they nevertheless need access to information in  
order to carry out their duties. Accordingly, language similar  
to that contained in H.R. 10693 has been prescribed by subpara-  
graph II.2.a.(2) of DOD Directive 5100.1 (December 31, 1958)  
as follows:

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"(2) The Joint Chiefs of Staff, as a group, are  
directly responsible to the Secretary of Defense for the  
functions assigned to them. Each member of the Joint Chiefs  
of Staff, other than the Chairman, is responsible for keeping  
the Secretary of his military department fully informed on  
matters considered or acted upon by the Joint Chiefs of  
Staff." (Emphasis supplied.)

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The Department of Defense fully supports the principle that  
each Service Chief should keep the Secretary of his Military  
Department fully and promptly informed on all matters considered  
by the Joint Chiefs of Staff. The Department of Defense considers  
the aforementioned directive sufficient to accomplish this purpose  
and believes the proposed legislation is unnecessary.

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Sincerely yours,

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Annex

