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WITHDRAWAL SHEET

Ronald Reagan Library

Collection: ROBERTS, JOHN G.: Files

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File Folder: JGR/Blue Ribbon Commission on Defense Management
Box 12657-10017

Date: April 14, 1997

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	McFarlane to the President re NSDD Establishing a Blue Ribbon Commission on Defense Management (2 pp.) R 5/12/79 NLSF95-030	6/15/85	P1

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- F-1 National security classified information [(b)(1) of the FOIA].
- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-3 Release would violate a Federal statute [(b)(3) of the FOIA].
- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- F-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

THE WHITE HOUSE

Office of the Press Secretary
(Bethesda, Maryland)

For Immediate Release

July 15, 1985

STATEMENT BY THE PRINCIPAL DEPUTY PRESS SECRETARY

The President is today naming fourteen distinguished citizens as members of the Commission on Defense Management. These are leaders with a broad range of experience in government, industry, and national defense. They have observed the government procurement system and the defense establishment from different perspectives, and will provide a well-rounded assessment of defense management for the President.

David Packard was named by the President as Commission Chairman on June 17.

The President today at 2:05 pm signed the Executive Order establishing the Commission and outlining its purpose and objectives. The Commission will review the progress already made in improving management and procurement, and will take a broad look at how the Department of Defense does business, internally and with its contractors and the Congress. They will recommend further improvements where necessary in the defense acquisition process and in the organization of the Department of Defense. The President has directed that the Commission will send him a blueprint for action that will be helpful to him and to the Secretary of Defense in furthering defense management priorities for the next three years. The President has discussed the Commission's mandate with Secretary of Defense Weinberger, who fully supports the Commission's work.

The Commission is to report on the procurement section of its study by the end of this year. An interim report is due in March, and the final report will be sent to the President no later than June 30, 1986.

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THE WHITE HOUSE

Office of the Press Secretary
(Bethesda, Maryland)

For Immediate Release

July 15, 1985

The President today announced his intention to appoint the membership of the President's Blue Ribbon Commission on Defense Management. In addition to David Packard, who was previously announced to serve as Chairman, the President has selected the following individuals to serve as members of the Commission:

Ernest Arbuckle, of California
Dean Emeritus, Graduate School of Business, Stanford University

General Robert H. Barrow, of Louisiana
Former Commandant of the U.S. Marine Corps

Nicholas F. Brady, of New Jersey
Chairman, Dillon, Read and Company, Inc.

Louis Wellington Cabot, of Massachusetts
Chairman of the Board, Cabot Corporation

Frank C. Carlucci, of Virginia
Chairman and CEO, Sears World Trade, Inc.

William P. Clark, of California
Counsel, Rogers and Wells

General Paul Francis Gorman, of Virginia
Vice President, Burdeshaw and Associates

Carla Anderson Hills, of Washington, D.C.
Partner, Latham, Watkins and Hills

Admiral James Holloway, of Maryland
President, Council of American Flagship Operators

William James Perry, of California
Managing Director, Hambrecht and Quist

Charles J. Pilliad, Jr., of Ohio Director and Consultant,
Goodyear Tire and Rubber Company

General Brent Scowcroft, of Maryland
Vice Chairman, Kissinger Associates, Inc.

Herbert Stein, of Virginia
Senior Fellow, American Enterprise Institute

Robert James Woolsey, of Maryland
Partner, Shea and Gardner

THE WHITE HOUSE

WASHINGTON

July 23, 1985

MEMORANDUM FOR W. DENNIS THOMAS
ASSISTANT TO THE PRESIDENT

FROM: RICHARD A. HAUSER
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Executive Director of the President's
Blue Ribbon Commission on Defense
Management

This memorandum will confirm my prior oral advice to you concerning the proposal to compensate the Executive Director of the President's Blue Ribbon Commission on Defense Management at Executive Level II. As I have indicated, it is my opinion that such a scheme would not comply with applicable law.

The Blue Ribbon Commission is a Federal advisory committee expressly subject to the Federal Advisory Committee Act. Section 7(d)(1)(A) of that Act provides that "no member of any advisory committee or of the staff of any advisory committee shall receive compensation at a rate in excess of the rate specified for GS-18 of the General Schedule" (emphasis supplied).

Section 7(d)(2) of the Act provides an exception to this rule for an individual who is, or was immediately before joining the advisory committee, a full-time employee of the United States. Such an individual need not take a reduction in pay to serve on the advisory committee. This exception is not available in this case. The individual in question is not a full-time Federal employee. The various proposals to hire the individual at a rate of compensation exceeding GS-18 and then assign him to the advisory committee would not survive legal challenge. Such an effort would be a transparent attempt to circumvent the limitation of Section 7(d)(1)(A), and the exception in Section 7(d)(2) cannot be interpreted in such a fashion as to swallow the rule. That exception is clearly meant only for individuals already serving in the Federal Government, and not for those hired for no purpose other than to be detailed to the advisory committee.

In conclusion, the Executive Director may not be compensated at a rate exceeding GS-18. An individual may not be hired by the White House, the Department of Defense, or any other

agency at a rate exceeding GS-18, and then detailed to the Blue Ribbon Commission to serve as Executive Director at that higher rate.

RAH:JGR:aea 7/23/85

cc: FFFielding
RAHauser
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

July 23, 1985

MEMORANDUM FOR W. DENNIS THOMAS
ASSISTANT TO THE PRESIDENT

FROM: RICHARD A. HAUSER *Original signed by RAH*
DEPUTY COUNSEL TO THE PRESIDENT

SUBJECT: Executive Director of the President's
Blue Ribbon Commission on Defense
Management

This memorandum will confirm my prior oral advice to you concerning the proposal to compensate the Executive Director of the President's Blue Ribbon Commission on Defense Management at Executive Level II. As I have indicated, it is my opinion that such a scheme would not comply with applicable law.

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In conclusion, the Executive Director may not be compensated at a rate exceeding GS-18. An individual may not be hired by the White House, the Department of Defense, or any other

agency at a rate exceeding GS-18, and then detailed to the Blue Ribbon Commission to serve as Executive Director at that higher rate.

RAH:JGR:aea 7/23/85

cc: FFFielding

~~RA~~Hauser

✓JGRoberts

Subj

Chron

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

July 16, 1985

EXECUTIVE ORDER

- - - - -

PRESIDENT'S BLUE RIBBON COMMISSION ON DEFENSE MANAGEMENT

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. I), a Blue Ribbon Commission on Defense Management, it is hereby ordered as follows:

Section 1. Establishment. (a) There is established the President's Blue Ribbon Commission on Defense Management. The Commission shall be composed of no fewer than ten and no more than seventeen members appointed or designated by the President.

(b) The composition of the Commission shall include persons with extensive experience and national reputations in commerce and industry, as well as persons with broad experience in government and national defense.

(c) The President shall designate a Chairman from among the members of the Commission. The Chairman shall appoint a professional and administrative staff to support the Commission.

Sec. 2. Functions. (a) The Commission shall study the issues surrounding defense management and organization, and report its findings and recommendations to the President and simultaneously submit a copy of its report to the Secretary of Defense.

(b) The primary objective of the Commission shall be to study defense management policies and procedures, including the budget process, the procurement system, legislative oversight, and the organizational and operational arrangements, both formal and informal, among the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, the Unified and Specified Command system, the Military Departments, and the Congress. In particular, the Commission shall:

1. Review the adequacy of the defense acquisition process, including the adequacy of the defense industrial base, current law governing Federal and Department of Defense procurement activities, departmental directives and management procedures, and the execution of acquisition responsibilities within the Military Departments;

2. Review the adequacy of the current authority and control of the Secretary of Defense in the oversight of the Military Departments, and the efficiency of the decisionmaking apparatus of the Office of the Secretary of Defense;

3. Review the responsibilities of the Organization of the Joint Chiefs of Staff in providing for joint military advice and force development within a resource-constrained environment;

more

(OVER)

4. Review the adequacy of the Unified and Specified Command system in providing for the effective planning for and use of military forces;

5. Consider the value and continued role of intervening layers of command on the direction and control of military forces in peace and in war;

6. Review the procedures for developing and fielding military systems incorporating new technologies in a timely fashion;

7. Study and make recommendations concerning congressional oversight and investigative procedures relating to the Department of Defense; and

8. Recommend how to improve the effectiveness and stability of resources allocation for defense, including the legislative process.

(c) In formulating its recommendations to the President, the Commission shall consider the appropriate means for implementing its recommendations. The Commission shall first devote its attention to the procedures and activities of the Department of Defense associated with the procurement of military equipment and materiel. It shall report its conclusions and recommendations on the procurement section of this study by December 31, 1985. The final report, encompassing the balance of the issues reviewed by the Commission, shall be submitted not later than June 30, 1986, with an interim report to be submitted not later than March 31, 1986.

(d) The Commission shall be in place and operating as soon as possible. Shortly thereafter, the Commission shall brief the Assistant to the President for National Security Affairs and the Secretary of Defense on the Commission's plan of action.

(e) Where appropriate, implementation of the Commission's recommendations shall be considered in accordance with regular administrative procedures coordinated by the Office of Management and Budget, and involving the National Security Council, the Department of Defense, and other departments or agencies as required.

Sec. 3. Administration. (a) The heads of Executive agencies shall, to the extent permitted by law, provide the Commission such information as it may require for purposes of carrying out its functions.

(b) Members of the Commission shall serve without additional compensation for their work on the Commission. However, members appointed from among private citizens may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the government service (5 U.S.C. 5701-5707), to the extent funds are available.

(c) The Secretary of Defense shall provide the Commission with such administrative services, facilities, staff, and other support services as may be necessary. Any expenses of the Commission shall be paid from such funds as may be available to the Secretary of Defense.

Sec. 4. General. (a) Notwithstanding any other Executive order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, which are applicable to the Commission, shall be performed by the Secretary of Defense, in accordance with guidelines and procedures established by the Administrator of General Services.

(b) The Commission shall terminate 30 days after the submission of its final report.

RONALD REAGAN

THE WHITE HOUSE,

July 15, 1985.

#

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

ROUTE SLIP

TO John Roberts	Take necessary action ☐
	Approval or signature ☐
	Comment ☐
	Prepare reply ☐
	Discuss with me ☐
	For your information ☐
	See remarks below ☐
FROM John Cooney	DATE 6/27

REMARKS

I found your comments very helpful and agreed with the attempt to rewrite section 2. NSC responded that the wording there was virtually verbatim from the NSDD which authorized this entire process and that it was critical from their point of view to have this language as they proposed it, to preserve the peace treaty with Defense.

I have attempted a rewrite which incorporates your structural revisions but attempts to give NSC the language in 2(b), both in the long introduction and in the (admittedly duplicative) 8 subpoints, from the NSDD.

Would you please review my redraft and see if it is acceptable?

Charlie Kolb is going to handle the EO Friday in my absence. Please call him with your reactions or edits.

EXECUTIVE ORDER

- - - - -

PRESIDENT'S BLUE RIBBON COMMISSION ON DEFENSE MANAGEMENT

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. I), a Blue Ribbon Commission on Defense Management, it is hereby ordered as follows:

Section 1. Establishment. (a) There is established the President's Blue Ribbon Commission on Defense Management. The Commission shall be composed of no fewer than ten and no more than seventeen members appointed or designated by the President. The membership shall be bipartisan.

(b) The composition of the Commission shall include persons with extensive experience and national reputations in commerce and industry, as well as persons with broad experience in government and national defense.

(c) The President shall designate a Chairman from among the members of the Commission. The Chairman shall appoint a professional and administrative staff to support the Commission.

Sec. 2. Functions. (a) The Commission shall study the issues surrounding defense management and organization, and report its findings and recommendations to the President.

(b) The primary objective of the Commission shall be to study defense management policies and procedures, including the budget process, the procurement system, legislative oversight, and the organizational and operational arrangements, both formal and informal, among the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, the Unified and

specified Command System, the Military Departments, and the Congress. In particular, the Commission shall:

1. Review the adequacy of the defense acquisition process, including the adequacy of the defense industrial base, current law governing Federal and Department of Defense procurement activities, departmental directives and management procedures, and the execution of acquisition responsibilities within the Military Departments;

2. Review the adequacy of the current authority and control of the Secretary of Defense in the oversight of the Military Departments, and the efficiency of the decisionmaking apparatus of the Office of the Secretary of Defense;

3. Review the responsibilities of the Organization of the Joint Chiefs to Staff in providing for joint military advice and force development within a resource-constrained environment;

4. Review the adequacy of the Unified and Specified Command system in providing for the effective planning for and use of military forces;

5. Consider the value and continued role of intervening layers of command on the direction and control of military forces in peace and in war;

6. Review the procedures for developing and fielding military systems incorporating new technologies in a timely fashion;

7. Study and make recommendations concerning Congressional oversight and investigative procedures relating to the Department of Defense; and

8. Recommend how to improve the effectiveness and stability of resources allocation for defense, including the legislative process.

(c) In formulating its recommendations to the President, the Commission shall consider the appropriate means for implementing

its recommendations. The Commission shall first devote its attention to the procedures and activities of the Department of Defense associated with the procurement of military equipment and materiel. It shall report its conclusions and recommendations on the procurement section of this study by December 31, 1985. The final report, encompassing the balance of the issues reviewed by the Commission, shall be submitted no later than June 30, 1986, with an interim report to be submitted not later than March 31, 1986.

(d) The Commission shall be in place and operating as soon as possible. Shortly thereafter, the Commission shall brief the Assistant to the President for National Security Affairs and the Secretary of Defense on the Commission's plan of action.

(e) Where appropriate, implementation of the Commission's recommendations shall be considered in accordance with regular administrative procedures coordinated by the Office of Management and Budget, and involving the National Security Council, the Department of Defense, and other departments or agencies as required.

Sec. 3. Administration (a) The heads of Executive agencies shall, to the extent permitted by law, provide the Commission such information as it may require for purposes of carrying out its functions.

(b) Members of the Commission shall serve without additional compensation for their work on the Commission. However, members appointed from among private citizens may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the government service (5 U.S.C. 5701-5707), to the extent funds are available.

(c) The Secretary of Defense shall provide the Commission with such administrative services, facilities, staff and other

support services as may be necessary. Any expenses of the Commission shall be paid from such funds as may be available to the Secretary of Defense.

Sec. 4. General. (a) Notwithstanding any other Executive Order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, which are applicable to the Commission, shall be performed by the Secretary of Defense, in accordance with guidelines and procedures established by the Administrator of General Services.

(b) The Commission shall terminate 30 days after submission of its report, or on September 30, 1986, whichever date is earlier.

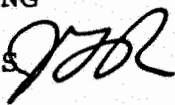
THE WHITE HOUSE,

THE WHITE HOUSE

WASHINGTON

June 25, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Proposed Executive Order Entitled
"Blue Ribbon Commission on Defense
Management"

Mike Horowitz has staffed for agency comment a draft Executive Order to implement NSDD 175, which called for a Blue Ribbon Commission on Defense Management. He has asked for comments by close of business today. You will recall that when this issue was first broached our main concerns were (1) the Commission not be given the function of communicating to the public what the Administration has done in the way of defense management reform, (2) the membership of the Commission not be restricted to the ill-defined category of the "non-defense business sector," and (3) potential conflicts problems. (See attached copy of your June 10 memorandum for David Chew.) The proposed Executive Order responds to the first two concerns; the third must await the submission of a list of prospective members.

The functions of the Commission do not include a public relations role, and the composition is described as including "people with extensive experience and national reputations in commerce and industry, as well as people with broad experience in government and national defense." Section 1(b). The description of the functions of the Commission is organizationally somewhat unusual. Section 2(a) states that the Commission will "study the issues surrounding defense management and organization...in accordance with the charter and objectives established in this section." Section 2(b) lists as the "charter" of the Commission more specific areas of review, and then lists eight even more specific, and largely redundant, "objectives." I think this is very confusing. A "charter" of a Federal advisory committee is a specific document required by law to be filed with the Administrator of GSA, including the detailed information specified in Section 9(c) of the Federal Advisory Committee Act, 5 U.S.C. App. 2 § 9(c). The term "charter" should not be loosely used in the Executive Order. I also do not understand how "objectives" differ from "functions." I would redraft section 2 simply to list the various responsibilities of the Commission as functions.

The remainder of the Executive Order states that the Commission should "be in place and operating as soon as possible," briefing the National Security Adviser and the Secretary of Defense on its plan of action. A report on procurement is due by December 31, 1985, an interim report on other issues by March 31, 1986, and a final report by June 30, 1986.

The attached memorandum for Horowitz suggests the restructuring of section 2 of the Order, and also asserts that we should formally review the proposed Order as we usually do, after receipt of agency comments. We have been provided a copy of the Order at this point in light of the planned July 1 signing, but we should make clear that by providing comments now we are not forfeiting our right to final review.

Attachments

THE WHITE HOUSE

WASHINGTON

June 10, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: FRED F. FIELDING ^{F³}/RAH
COUNSEL TO THE PRESIDENT

SUBJECT: NSDD and Draft Statement Regarding
Establishment of a Blue Ribbon
Commission on Defense Management

I have reviewed the memorandum for the President, draft National Security Decision Directive, draft Presidential remarks, and draft remarks by David Packard prepared in connection with the proposed establishment of a Blue Ribbon Commission on Defense Management.

The Commission is to be established by an Executive Order, which is not yet available. The Commission will be subject to the Federal Advisory Committee Act, 5 U.S.C. App. II. Most questions concerning compliance with that Act cannot be answered without reference to the Executive Order establishing the Commission. For example, the Act requires the membership of any Federal advisory committee to be "fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee," 5 U.S.C. App II § 5. An assessment of whether the membership of an advisory committee satisfies this requirement turns on careful analysis of the function of the committee as articulated in the Executive Order.

At this point I can state that an Executive Order can be developed to establish an advisory committee meeting the goals outlined in the National Security Decision Directive, with one important caveat. Both the directive and the draft remarks refer to one purpose of the Commission being "to present to the people" the progress that has been made in improving defense management. The Commission can certainly assess and evaluate management reforms that have been undertaken, and report its conclusions to the President. However, as I advised the President at last week's Issues Luncheon, for the Commission to be formally tasked with a public relations mission would subject the "independence" of the Commission to attack, as well as presenting serious problems under the Federal Advisory Committee Act and other statutes. Federal advisory committees are generally limited to advisory functions, 5 U.S.C. App. II § 9(b). The

President may, by specific directive, provide for additional functions, but no committee with such additional functions may operate for more than one year without specific congressional authorization and appropriation to pay its expenses. 31 U.S.C. § 1347. More relevant, a public relations function would present difficulties in calling this a "Blue Ribbon" group and in assessing the "balanced membership" requirement. I also think the Commission's credibility would be seriously impaired from the outset if its mission were described in part as being to inform the public of the great strides already made by the Administration in reforming defense management. It would be far preferable to describe the function as being to assess and evaluate progress made in management reform, and delete any references to presenting the facts to the public. The work of the Commission will of course reach the public, but this should not appear as a formal goal.

I am also concerned that the description of the prospective membership of the Commission is unnecessarily restrictive. The National Security Decision Directive states that the Commission "should consist mainly but not exclusively of people with extensive experience and national reputations in the non-defense business sector." I would change this to simply "should consist of people with extensive experience and national reputations in commerce and industry." It is difficult to define the "non-defense business sector." Hewlett-Packard certainly would not qualify. I assume the intent is to avoid the major defense contractors -- Northrup, TRW, etc. -- but the danger is that we would be excluding other corporations that are not thought of as major defense contractors but nonetheless have significant defense business, such as General Motors.

Appointees to the Commission will have to undergo the normal White House clearance procedures. I do not foresee any serious conflicts problems, in view of the broad mandate of the Commission, but will need to consider each prospective appointee individually. It appears that full-field investigations of prospective appointees will be necessary, since they will likely need access to classified material, and accordingly the goal of having the Commission begin its work by June 30 may be unrealistic.

FFF:JGR:aea 6/10/85
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 25, 1985

MEMORANDUM FOR MICHAEL HOROWITZ
COUNSEL TO THE DIRECTOR
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Executive Order Entitled
"Blue Ribbon Commission on Defense
Management"

You have asked for comments on the above-referenced proposed Executive Order by close of business today. In view of the short deadline, I am submitting the following without awaiting receipt of agency comments and formal staffing of the Executive Order for final clearance. This office must, however, review and clear the final version of the Executive Order, before it goes forward for Presidential action. *orig. signed by FFF*

The structure and organization of section 2 is confusing. I have no quarrel with the content of the description of the functions of the Commission, but do not think this description should be broken down into "functions," "charter," and "objectives." The term "charter" is a term of art under the Federal Advisory Committee Act, section 9(c), and should not be loosely used in the Executive Order. I see no difference between "objectives" and "functions" in section 2, and think it would be more straightforward simply to list the various "functions," "charter," and "objectives" of the Commission as functions under section 2. A proposed redraft of section 2 is attached; I believe it is "revenue neutral," i.e., it retains all of the functions of the Commission and simply reorganizes them in a more coherent fashion.

Attachment

FFF:JGR:aea 6/25/85
cc: FFFielding
JGRoberts
Subj
Chron

Section 2. Functions

(a) The Commission shall study the issues surrounding defense management and organization, including:

1. the adequacy of the defense acquisition process, including the adequacy of the defense industrial base, current law governing Federal and Department of Defense procurement activities, departmental directives and management procedures, and the execution of acquisition responsibilities within the Military Departments;
2. the adequacy of the current authority and control of the Secretary of Defense in the oversight of the Military Departments, and the efficiency of the decision-making apparatus of the Office of the Secretary of Defense;
3. the responsibilities of the Organization of the Joint Chiefs of Staff in providing for joint military advice and force development within a resource-constrained environment;
4. the adequacy of the Unified and Specified Command system in providing for the effective planning for and use of military forces;
5. the value and continued role of intervening layers of command on the direction and control of military forces in peace and in war;
6. the procedures for developing and fielding military systems incorporating new technologies in a timely fashion.
7. Congressional oversight and investigative procedures relating to the Department of Defense; and

8. the effectiveness and stability of resource allocation for defense, including the legislative process.

(b) The Commission shall report its findings and recommendations to the President. In formulating its recommendations to the President, the Commission should consider the appropriate means for implementing its recommendations. The Commission should first devote its attention to the procedures and activities of the Department associated with the procurement of military equipment and material. It should report its conclusions and recommendations on the Procurement section of this study by December 31, 1985. The final report encompassing the balance of those issues highlighted above should be submitted no later than June 30, 1986, with an interim report to be submitted not later than March 31, 1986.

(c) The Commission should be in place and operating as soon as possible. Shortly thereafter, the Commission should brief the Assistant to the President for National Security Affairs and the Secretary of Defense on the Commission's plan of action.

(d) Where appropriate, implementation of the Commission's recommendations shall be considered in accordance with regular administrative procedures coordinated by the Office of Management and Budget, and involving the National Security Council, the Department of Defense, and other departments or agencies as required.

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1 / 1 / 1Name of Correspondent: Mide Harouni☐ MI Mail Report

User Codes: (A) _____

(B) _____

(C) _____

Subject: Proposed executive order entitled "Blue Ribbon Commission on Defense Management"

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUTROLL</u>	ORIGINATOR	<u>85106124</u>			<u>1 / 1</u>
<u>CUAT 02+10</u>	Referral Note: <u>D</u>	<u>85106124</u>		<u>S</u>	<u>85106125</u>
	Referral Note:				<u>COB</u>
		<u>1 / 1</u>			<u>1 / 1</u>
	Referral Note:				<u>1 / 1</u>
		<u>1 / 1</u>			<u>1 / 1</u>
	Referral Note:				<u>1 / 1</u>
		<u>1 / 1</u>			<u>1 / 1</u>
	Referral Note:				<u>1 / 1</u>

ACTION CODES:

A - Appropriate Action
C - Comment/Recommendation
D - Draft Response
F - Furnish Fact Sheet
to be used as Enclosure

I - Info Copy Only/No Action Necessary
R - Direct Reply w/Copy
S - For Signature
X - Interim Reply

DISPOSITION CODES:

A - Answered
B - Non-Special Referral
C - Completed
S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.

Send all routing updates to Central Reference (Room 75, OEOb).

Always return completed correspondence record to Central Files.

Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

June 24, 1985

DISTRIBUTION

STATE
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JUSTICE

Enclosed is a proposed Executive order entitled "Blue Ribbon Commission on Defense Management."

In accordance with the provisions of Executive Order No. 11030, as amended, it was submitted to this office, along with the enclosed transmittal memorandum, by the National Security Council.

On behalf of the Director of the Office of Management and Budget, I would appreciate receiving any comments you may have concerning this proposal. The proposed order must be submitted to the President for signature no later than Monday, July 1, 1985. Accordingly, if you have any comments or objections they should be received no later than cob Tuesday, June 25, 1985.

Comments or inquiries may be submitted by telephone to Mr. John F. Cooney of this office (395-5600).

Sincerely,



Michael J. Horowitz
Counsel to the Director

Enclosure

cc: EO Records
General Counsel
GC Chron
John Cooney, GC
Bill Mathis, OFPP
Dave Sitrin, NS
WH Counsel's Office ✓

DO:GC:JCooney:tas:6/21/85

NATIONAL SECURITY COUNCIL

June 21, 1985

MEMORANDUM FOR MICHAEL HOROWITZ

FROM: WILLIAM F. MARTIN *WFM*
SUBJECT: Proposed Executive Order

In accordance with the provisions of National Security Decision Directive 175, we are forwarding herewith a draft Executive Order to establish a Blue Ribbon Commission on Defense Management.

Because this Order is necessary to initiate the legal and administrative operations related to the Commission, we would ask that the interagency and staff review be completed, and the Order available for the President's signature, no later than July 1st.

We appreciate your assistance in this matter.

Attachment

Tab A Draft Executive Order

EXECUTIVE ORDER

Blue Ribbon Commission on Defense Management

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish a Blue Ribbon Commission on Defense Management, it is hereby ordered as follows:

Section 1. Establishment

(a) There is established the President's Blue Ribbon Commission on Defense Management. The Commission shall be composed of no fewer than ten and no more than seventeen members appointed by the President. The membership shall be bipartisan.

(b) The composition of the Commission will include people with extensive experience and national reputations in commerce and industry, as well as people with broad experience in government and national defense.

(c) The President shall designate a chairman from among the members of the Commission, who shall appoint a professional and administrative staff to support the Commission.

Section 2. Functions

(a) The Commission shall study the issues surrounding defense management and organization, and report to the President its findings and recommendations thereon, in accordance with the charter and objectives established in this section.

(b) The charter of the Commission shall be to study defense management policies and procedures, including the budget process, the procurement system, legislative oversight, and the organizational and operational arrangements, both formal and informal, among the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, the Unified and Specified Command System, the Military Departments, and the Congress. Objectives of the Commission shall include but not be limited to the following:

1. To review the adequacy of the defense acquisition process, including the adequacy of the defense industrial base, current law governing Federal and Department of Defense procurement activities, departmental directives and management procedures, and the execution of acquisition responsibilities within the Military Departments.
2. To review the adequacy of the current authority and control of the Secretary of Defense in the oversight of the Military Departments, and the efficiency of the decision-making apparatus of the Office of the Secretary of Defense.
3. To review the responsibilities of the Organization of the Joint Chiefs of Staff in providing for joint military advice and force development within a resource-constrained environment.

4. To review the adequacy of the Unified and Specified Command system in providing for the effective planning for and use of military forces.
5. To consider the value and continued role of intervening layers of command on the direction and control of military forces in peace and in war.
6. To review the procedures for developing and fielding military systems incorporating new technologies in a timely fashion.
7. To study and make recommendations regarding Congressional oversight and investigative procedures relating to the Department of Defense.
8. To recommend proposals to improve the effectiveness and stability of resource allocation for defense, including the legislative process.

(c) The Commission should be in place and operating as soon as possible. Shortly thereafter, the Commission should brief the Assistant to the President for National Security Affairs and the Secretary of Defense on the Commission's plan of action.

(d) In formulating its recommendations to the President, the Commission should consider the appropriate means for implementing its recommendations. The Commission should first devote its attention to the procedures and activities of the Department associated with the procurement of military equipment and materiel. It should report its conclusions and recommendations on the Procurement section of this study by December 31, 1985. The final report encompassing the balance of those issues highlighted above should be submitted no later than June 30, 1986, with an interim report to be submitted not later than March 31, 1986.

(e) Where appropriate, implementation of the Commission's recommendations shall be considered in accordance with regular administrative procedures coordinated by the Office of Management and Budget, and involving the National Security Council, the Department of Defense, and other departments or agencies as required.

Section 3. Administration

(a) The heads of Executive agencies shall, to the extent permitted by law, provide the Commission such information as it may require for purposes of carrying out its functions.

(b) Members of the Commission shall serve without any additional compensation for their work on the Commission.

However, members appointed from among private citizens may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the government service (5 U.S.C. 5701-5707), to the extent funds are available therefor.

(c) The Secretary of Defense shall provide the Commission with such administrative services, facilities, staff and other support services as may be necessary. Any expenses of the Commission shall be paid from such funds as may be available to the Secretary of Defense.

Section 4. General

(a) Notwithstanding any other Executive Order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, which are applicable to the Commission, shall be performed by the Secretary of Defense, in accordance with guidelines and procedures established by the Administrator of General Services.

(b) The Commission shall terminate 30 days after submission of its report, or on September 30, 1986, whichever date is earlier.

THE WHITE HOUSE
WASHINGTON

TO:

FFF

6-11

FROM: John G. Roberts, Jr.
Associate Counsel
to the President



☐ FYI

☐ COMMENT

☐ ACTION

THE ATTACHED INCORPORATES
YOUR REVISIONS

THE WHITE HOUSE

WASHINGTON

June 10, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: NSDD and Draft Statement Regarding
Establishment of a Blue Ribbon
Commission on Defense Management

I have reviewed the memorandum for the President, draft National Security Decision Directive, draft Presidential remarks, and draft remarks by David Packard prepared in connection with the proposed establishment of a Blue Ribbon Commission on Defense Management.

The Commission is to be established by an Executive Order, which is not yet available. The Commission will be subject to the Federal Advisory Committee Act, 5 U.S.C. App. II. Most questions concerning compliance with that Act cannot be answered without reference to the Executive Order establishing the Commission. For example, the Act requires the membership of any Federal advisory committee to be "fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee," 5 U.S.C. App II § 5. An assessment of whether the membership of an advisory committee satisfies this requirement turns on careful analysis of the function of the committee as articulated in the Executive Order.

At this point I can state that an Executive Order can be developed to establish an advisory committee meeting the goals outlined in the National Security Decision Directive, with one important caveat. Both the directive and the draft remarks refer to one purpose of the Commission being "to present to the people" the progress that has been made in improving defense management. The Commission can certainly assess and evaluate management reforms that have been undertaken, and report its conclusions to the President. However, as I advised the President at last week's Issues Luncheon, for the Commission to be formally tasked with a public relations mission would subject the "independence" of the Commission to attack, as well as presenting serious problems under the Federal Advisory Committee Act and other statutes. Federal advisory committees are generally limited to advisory functions, 5 U.S.C. App. II § 9(b). The

President may, by specific directive, provide for additional functions, but no committee with such additional functions may operate for more than one year without specific congressional authorization and appropriation to pay its expenses. 31 U.S.C. § 1347. More relevant, a public relations function would present difficulties in calling this a "Blue Ribbon" group and in assessing the "balanced membership" requirement. I also think the Commission's credibility would be seriously impaired from the outset if its mission were described in part as being to inform the public of the great strides already made by the Administration in reforming defense management. It would be far preferable to describe the function as being to assess and evaluate progress made in management reform, and delete any references to presenting the facts to the public. The work of the Commission will of course reach the public, but this should not appear as a formal goal.

Appointees to the Commission will have to undergo the normal White House clearance procedures. I do not foresee any serious conflicts problems, in view of the broad mandate of the Commission, but will need to consider each prospective appointee individually.

FFF:JGR:aea 6/11/85
cc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE
WASHINGTON

June 10, 1985

MEMORANDUM FOR FRED F. FIELDING
RICHARD A. HAUSER

FROM: H. LAWRENCE GARRETT III
JOHN G. ROBERTS *JGR*

SUBJECT: NSDD and Draft Statement Regarding
Establishment of a Blue Ribbon
Commission on Defense Management

We have reviewed the materials on the proposed Blue Ribbon Commission. The Commission should not present serious problems, although we cannot opine on the details of compliance with the Federal Advisory Committee Act until we see an Executive Order, or with the conflicts laws until we see a list of prospective appointees. The attached memorandum to Chew makes these fairly elementary points.

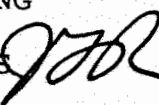
The memorandum also objects to something in the materials that is likely to present problems. Both in the NSDD and the draft remarks one function of the Commission is described as "presenting to the public" what the Administration has done so far. Such a self-conscious public relations role would be more than solely advisory, and would present a wide range of complications. The Commission can achieve the desired effect simply by being given the task of "assessing and evaluating" what has been done.

THE WHITE HOUSE

WASHINGTON

June 25, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Proposed Executive Order Entitled
"Blue Ribbon Commission on Defense
Management"

Mike Horowitz has staffed for agency comment a draft Executive Order to implement NSDD 175, which called for a Blue Ribbon Commission on Defense Management. He has asked for comments by close of business today. You will recall that when this issue was first broached our main concerns were (1) the Commission not be given the function of communicating to the public what the Administration has done in the way of defense management reform, (2) the membership of the Commission not be restricted to the ill-defined category of the "non-defense business sector," and (3) potential conflicts problems. (See attached copy of your June 10 memorandum for David Chew.) The proposed Executive Order responds to the first two concerns; the third must await the submission of a list of prospective members.

The functions of the Commission do not include a public relations role, and the composition is described as including "people with extensive experience and national reputations in commerce and industry, as well as people with broad experience in government and national defense." Section 1(b). The description of the functions of the Commission is organizationally somewhat unusual. Section 2(a) states that the Commission will "study the issues surrounding defense management and organization...in accordance with the charter and objectives established in this section." Section 2(b) lists as the "charter" of the Commission more specific areas of review, and then lists eight even more specific, and largely redundant, "objectives." I think this is very confusing. A "charter" of a Federal advisory committee is a specific document required by law to be filed with the Administrator of GSA, including the detailed information specified in Section 9(c) of the Federal Advisory Committee Act, 5 U.S.C. App. 2 § 9(c). The term "charter" should not be loosely used in the Executive Order. I also do not understand how "objectives" differ from "functions." I would redraft section 2 simply to list the various responsibilities of the Commission as functions.

The remainder of the Executive Order states that the Commission should "be in place and operating as soon as possible," briefing the National Security Adviser and the Secretary of Defense on its plan of action. A report on procurement is due by December 31, 1985, an interim report on other issues by March 31, 1986, and a final report by June 30, 1986.

The attached memorandum for Horowitz suggests the restructuring of section 2 of the Order, and also asserts that we should formally review the proposed Order as we usually do, after receipt of agency comments. We have been provided a copy of the Order at this point in light of the planned July 1 signing, but we should make clear that by providing comments now we are not forfeiting our right to final review.

Attachments

THE WHITE HOUSE

WASHINGTON

June 10, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: FRED F. FIELDING ^{F³}/RAH
COUNSEL TO THE PRESIDENT

SUBJECT: NSDD and Draft Statement Regarding
Establishment of a Blue Ribbon
Commission on Defense Management

I have reviewed the memorandum for the President, draft National Security Decision Directive, draft Presidential remarks, and draft remarks by David Packard prepared in connection with the proposed establishment of a Blue Ribbon Commission on Defense Management.

The Commission is to be established by an Executive Order, which is not yet available. The Commission will be subject to the Federal Advisory Committee Act, 5 U.S.C. App. II. Most questions concerning compliance with that Act cannot be answered without reference to the Executive Order establishing the Commission. For example, the Act requires the membership of any Federal advisory committee to be "fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee," 5 U.S.C. App II § 5. An assessment of whether the membership of an advisory committee satisfies this requirement turns on careful analysis of the function of the committee as articulated in the Executive Order.

At this point I can state that an Executive Order can be developed to establish an advisory committee meeting the goals outlined in the National Security Decision Directive, with one important caveat. Both the directive and the draft remarks refer to one purpose of the Commission being "to present to the people" the progress that has been made in improving defense management. The Commission can certainly assess and evaluate management reforms that have been undertaken, and report its conclusions to the President. However, as I advised the President at last week's Issues Luncheon, for the Commission to be formally tasked with a public relations mission would subject the "independence" of the Commission to attack, as well as presenting serious problems under the Federal Advisory Committee Act and other statutes. Federal advisory committees are generally limited to advisory functions, 5 U.S.C. App. II § 9(b). The

President may, by specific directive, provide for additional functions, but no committee with such additional functions may operate for more than one year without specific congressional authorization and appropriation to pay its expenses. 31 U.S.C. § 1347. More relevant, a public relations function would present difficulties in calling this a "Blue Ribbon" group and in assessing the "balanced membership" requirement. I also think the Commission's credibility would be seriously impaired from the outset if its mission were described in part as being to inform the public of the great strides already made by the Administration in reforming defense management. It would be far preferable to describe the function as being to assess and evaluate progress made in management reform, and delete any references to presenting the facts to the public. The work of the Commission will of course reach the public, but this should not appear as a formal goal.

I am also concerned that the description of the prospective membership of the Commission is unnecessarily restrictive. The National Security Decision Directive states that the Commission "should consist mainly but not exclusively of people with extensive experience and national reputations in the non-defense business sector." I would change this to simply "should consist of people with extensive experience and national reputations in commerce and industry." It is difficult to define the "non-defense business sector." Hewlett-Packard certainly would not qualify. I assume the intent is to avoid the major defense contractors -- Northrup, TRW, etc. -- but the danger is that we would be excluding other corporations that are not thought of as major defense contractors but nonetheless have significant defense business, such as General Motors.

Appointees to the Commission will have to undergo the normal White House clearance procedures. I do not foresee any serious conflicts problems, in view of the broad mandate of the Commission, but will need to consider each prospective appointee individually. It appears that full-field investigations of prospective appointees will be necessary, since they will likely need access to classified material, and accordingly the goal of having the Commission begin its work by June 30 may be unrealistic.

FFF:JGR:aea 6/10/85
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

June 25, 1985

MEMORANDUM FOR MICHAEL HOROWITZ
COUNSEL TO THE DIRECTOR
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Executive Order Entitled
"Blue Ribbon Commission on Defense
Management"

You have asked for comments on the above-referenced proposed Executive Order by close of business today. In view of the short deadline, I am submitting the following without awaiting receipt of agency comments and formal staffing of the Executive Order for final clearance. This office must, however, review and clear the final version of the Executive Order, before it goes forward for Presidential action.

The structure and organization of section 2 is confusing. I have no quarrel with the content of the description of the functions of the Commission, but do not think this description should be broken down into "functions," "charter," and "objectives." The term "charter" is a term of art under the Federal Advisory Committee Act, section 9(c), and should not be loosely used in the Executive Order. I see no difference between "objectives" and "functions" in section 2, and think it would be more straightforward simply to list the various "functions," "charter," and "objectives" of the Commission as functions under section 2. A proposed redraft of section 2 is attached; I believe it is "revenue neutral," i.e., it retains all of the functions of the Commission and simply reorganizes them in a more coherent fashion.

Attachment

FFF:JGR:aea 6/25/85

cc: FFFielding
JGRoberts
Subj
Chron

Section 2. Functions

(a) The Commission shall study the issues surrounding defense management and organization, including:

1. the adequacy of the defense acquisition process, including the adequacy of the defense industrial base, current law governing Federal and Department of Defense procurement activities, departmental directives and management procedures, and the execution of acquisition responsibilities within the Military Departments;

2. the adequacy of the current authority and control of the Secretary of Defense in the oversight of the Military Departments, and the efficiency of the decision-making apparatus of the Office of the Secretary of Defense;

3. the responsibilities of the Organization of the Joint Chiefs of Staff in providing for joint military advice and force development within a resource-constrained environment;

4. the adequacy of the Unified and Specified Command system in providing for the effective planning for and use of military forces;

5. the value and continued role of intervening layers of command on the direction and control of military forces in peace and in war;

6. the procedures for developing and fielding military systems incorporating new technologies in a timely fashion.

7. Congressional oversight and investigative procedures relating to the Department of Defense; and

8. the effectiveness and stability of resource allocation for defense, including the legislative process.

(b) The Commission shall report its findings and recommendations to the President. In formulating its recommendations to the President, the Commission should consider the appropriate means for implementing its recommendations. The Commission should first devote its attention to the procedures and activities of the Department associated with the procurement of military equipment and material. It should report its conclusions and recommendations on the Procurement section of this study by December 31, 1985. The final report encompassing the balance of those issues highlighted above should be submitted no later than June 30, 1986, with an interim report to be submitted not later than March 31, 1986.

(c) The Commission should be in place and operating as soon as possible. Shortly thereafter, the Commission should brief the Assistant to the President for National Security Affairs and the Secretary of Defense on the Commission's plan of action.

(d) Where appropriate, implementation of the Commission's recommendations shall be considered in accordance with regular administrative procedures coordinated by the Office of Management and Budget, and involving the National Security Council, the Department of Defense, and other departments or agencies as required.

6/20/85

THE WHITE HOUSE
WASHINGTON

TO: JBR

FROM: Richard A. Hauser *RSJ*
Deputy Counsel to the President

FYI: _____

COMMENT: ☒ _____

ACTION: _____

NSC has asked for our
views (informally) on the
attached draft E.O. which
is about ready to be
circulated by OMB.

names from
McFarlane
Weninger
Peckard

will be narrowed
to 25 then to Tuttle.

Will need TS clearance

EXECUTIVE ORDER

Blue Ribbon Commission on Defense Management

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish a Blue Ribbon Commission on Defense Management, it is hereby ordered as follows:

Section 1. Establishment

(a) There is established the President's Blue Ribbon Commission on Defense Management. The Commission shall be composed of no fewer than ten and no more than seventeen members appointed by the President. The membership shall be bipartisan.

(b) The composition of the Commission will include people with extensive experience and national reputations in commerce and industry, as well as people with broad experience in government and national defense.

(c) The President shall designate a chairman from among the members of the Commission, who shall appoint a professional and administrative staff to support the Commission.

Section 2. Functions

(a) The Commission shall study the issues surrounding defense management and organization, and report its findings ^{to the President} and recommendations thereon, in accordance with the charter and objectives established in this section.

(b) The charter of the Commission shall be to study defense management policies and procedures, including the budget process, the procurement system, legislative oversight, and the organizational and operational arrangements, both formal and informal, among the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, the Unified and Specified Command System, the Military Departments, and the Congress. Objectives of the Commission shall include but not be limited to the following:

1. To review the adequacy of the defense acquisition process, including the adequacy of the defense industrial base, current law governing Federal and Department of Defense procurement activities, departmental directives and management procedures, and the execution of acquisition responsibilities within the Military Departments.
2. To review the adequacy of the current authority and control of the Secretary of Defense in the oversight of the Military Departments, and the efficiency of the decision-making apparatus of the Office of the Secretary of Defense.
3. To review the responsibilities of the Organization of the Joint Chiefs of Staff in providing for joint military advice and force development within a resource-constrained environment.

4. To review the adequacy of the Unified and Specified Command system in providing for the effective planning for and use of military forces.
5. To consider the value and continued role of intervening layers of command on the direction and control of military forces in peace and in war.
6. To review the procedures for developing and fielding military systems incorporating new technologies in a timely fashion.
7. To study and make recommendations regarding Congressional oversight and investigative procedures relating to the Department of Defense.
8. To recommend proposals to improve the effectiveness and stability of resource allocation for defense, including the legislative process.

(c) The Commission should be in place and operating as soon as possible. Shortly thereafter, the Commission should brief the Assistant to the President for National Security Affairs and the Secretary of Defense on the Commission's plan of action.

(d) In formulating its recommendations to the President, the Commission should consider the appropriate means for implementing its recommendations. The Commission should first devote its attention to the procedures and activities of the Department associated with the procurement of military equipment and materiel. It should report its conclusions and recommendations on the Procurement section of this study by December 31, 1985. The final report encompassing the balance of those issues highlighted above should be submitted no later than June 30, 1986, with an interim report to be submitted not later than March 31, 1986.

(e) Where appropriate, implementation of the Commission's recommendations shall be considered in accordance with regular administrative procedures coordinated by the Office of Management and Budget, and involving the National Security Council, the Department of Defense, and other departments or agencies as required.

Section 3. Administration

(a) The heads of Executive agencies shall, to the extent permitted by law, provide the Commission such information as it may require for purposes of carrying out its functions.

(b) Members of the Commission shall serve without any additional compensation for their work on the Commission.

However, members appointed from among private citizens may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the government service (5 U.S.C. 5701-5707), to the extent funds are available therefor.

(c) The Secretary of Defense shall provide the Commission with such administrative services, facilities, staff and other support services as may be necessary. Any expenses of the Commission shall be paid from such funds as may be available to the Secretary of Defense.

Section 4. General

(a) Notwithstanding any other Executive Order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, which are applicable to the Commission, shall be performed by the Secretary of Defense, in accordance with guidelines and procedures established by the Administrator of General Services.

(b) The Commission shall terminate 30 days after submission of its report, or on September 30, 1986, whichever date is earlier.

~~CONFIDENTIAL~~

THE WHITE HOUSE Received SS

WASHINGTON

1985 JUN 15 PM 1:14
June 15, 1985ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ROBERT C. McFARLANE *RCM*

SUBJECT: NSDD Establishing a Blue Ribbon Commission on
Defense Management

Issue

Whether to approve the NSDD at Tab A to establish a broad-based Blue Ribbon Commission on Defense Management.

Facts

The charter for a Presidential Commission on Defense Management was approved in your meeting with Secretary Weinberger on June 4th.

Discussion

The NSDD reflects the full range of acquisition, management, and organizational issues we will face during the next few years, many of which are being pushed by Congress. It establishes the Commission's charter, and lays out milestones to be achieved in the course of making its final recommendations.

While we are not endorsing or planning for a major reorganization of the Joint Chiefs of Staff or the Department of Defense, the NSDD is structured to ensure that you will receive an assessment of such proposals and recommendations on how to proceed. In addition, the NSDD requires the Commission to put its Acquisition report, which will cover some of our most immediate problems, on a "fast-track." The Acquisition section is to be completed by December, where the complete report is not required until June 1986.

An Executive Order to implement this directive is being drafted for your consideration next week.

Recommendation

OK

NO

RCM That you approve the NSDD at Tab A.

~~CONFIDENTIAL~~

Declassify on: OADR

DECLASSIFIED

NLS F95-030 #177

BY *smf* NARA, DATE 5/12/97

Attachment

Tab A NSDD for signature

Prepared by:
Michael Donley

~~CONFIDENTIAL~~

THE WHITE HOUSE
WASHINGTON

National Security Decision
Directive Number 175

ESTABLISHMENT OF A BLUE RIBBON COMMISSION
ON DEFENSE MANAGEMENT

During the last four years we have made great progress in rebuilding our national defense and in confronting the many challenges involved in managing this buildup. We have much to be proud of.

Now the time has come not only to reflect and ensure that the people know of our accomplishments, but also to prepare for the future. Particularly in the context of the resource constrained environment we face, we must do all we can to consolidate our gains and sustain our efforts to reinvigorate the defense program.

Pursuant to the advice of the Secretary of Defense, and in consultation with Members of Congress, I have decided to establish a Blue Ribbon Commission on Defense Management. The purpose of this Commission is to review the progress already made in improving the management, organization, acquisition, and decision-making procedures of the Department of Defense, and to propose such further changes as may be appropriate.

The charter of the Commission shall be to study defense management policies and procedures, including the budget process, the procurement system, legislative oversight, and the organizational and operational arrangements, both formal and informal, among the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, the Unified and Specified Command System, the Military Departments, and the Congress.

Objectives of the Commission shall include but not be limited to the following:

1. To review the adequacy of the defense acquisition process, including the adequacy of the defense industrial base, current law governing Federal and Department of Defense procurement activities, departmental directives and management procedures, and the execution of acquisition responsibilities within the Military Departments.

2. To review the adequacy of the current authority and control of the Secretary of Defense in the oversight of the Military Departments, and the efficiency of the decision-making apparatus of the Office of the Secretary of Defense.
3. To review the responsibilities of the Organization of the Joint Chiefs of Staff in providing for joint military advice and force development within a resource-constrained environment.
4. To review the adequacy of the Unified and Specified Command system in providing for the effective planning for and use of military forces.
5. To consider the value and continued role of intervening layers of command on the direction and control of military forces in peace and in war.
6. To review the procedures for developing and fielding military systems incorporating new technologies in a timely fashion.
7. To study and make recommendations regarding Congressional oversight and investigative procedures relating to the Department of Defense.
8. To recommend proposals to improve the effectiveness and stability of resource allocation for defense, including the legislative process.

In formulating its recommendations to the President, the Commission should consider the appropriate means for implementing its recommendations. The Commission should first devote its attention to the procedures and activities of the Department associated with the procurement of military equipment and materiel. It should report its conclusions and recommendations on the Procurement section of this study by December 31, 1985. The final report encompassing the balance of those issues highlighted above should be submitted no later than June 30, 1986, with an interim report to be submitted not later than March 31, 1986.

The Commission will be bipartisan in nature and should consist mainly but not exclusively of people with extensive experience and national reputations in commerce and industry, as well as people with broad experience in government and national defense. The Department of Defense will be responsible for administrative support to the Commission.

The Assistant to the President for National Security Affairs, in coordination with the Secretary of Defense, should prepare an Executive Order implementing this directive, and a list of recommended Commissioners. The Commission should be in place and operating as soon as possible. Shortly thereafter, the Commission should brief the Assistant to the President for National Security Affairs and the Secretary of Defense on the Commission's plan of action.

Ronald Reagan