

DOCUMENT 1

From: (b)(6) USSC STRATCOM J006 (US)
Sent: Tuesday, December 19, 2017 12:19 PM
To: Richard, Charles A VADM USN STRATCOM JOCD (US) (b)(6) USSC

(b)(6) USSC

Subject: Delegation of Authority

~~SECRET~~

VADM Richard,

In response to the question about delegation of nuclear release authority, I provide the following answer and some background on succession to and authentication of the person exercising the powers of the Office of the President.

(b)(1) Sec 1.4(a) / (b)(5)-Attorney Client Privilege USSC

(U) Section 19 of Title 3, U.S. Code, lays out the line of succession in the event there is neither a President nor a Vice President to execute the powers of the Office of the President by reason of death, resignation, removal, inability, or failure to qualify.

(b)(1) Sec 1.4(a) / (b)(5)-Attorney Client Privilege USSC

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(U) While Congress is not directly involved in the C2 of nuclear forces, they have taken some actions with respect to nuclear weapons in addition to authorizing their development and procurement by the US Government.

(U) In Section 2121 of Title 42, Congress has granted the President the authority to direct the Department of Energy to transfer nuclear or atomic weapons to the Department of Defense "for such use as he deems necessary in the interest of national defense."

(b)(5)-Attorney Client Privilege USSC

(U) Standing by for follow up questions, sir.

v/r

(b)(6) USSC

Staff Judge Advocate

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