

The third additional duty for the Secretary of Defense that would be prescribed by section 103 of this bill (in a new subsection (h) of section 133) is a requirement that he keep the Secretaries of the Military Departments informed on military operations and activities of the Department of Defense that directly affect their responsibilities. While the Secretaries of the Military Department have no role in operational matters, areas for which they have responsibility can be affected by military operations. For this reason, the Committee believes that the Secretary of Defense should be specifically required to keep the Secretaries of the Military Departments informed whenever their responsibilities would be affected.

SEC. 104. REDESIGNATION OF SECTIONS

Section 104 of this bill would amend chapter 4 of title 10 by redesignating 16 current sections of the chapter. These redesignations would provide a more appropriate format and organization for chapter 4.

SEC. 105. OFFICE OF THE SECRETARY OF DEFENSE

The Office of the Secretary of Defense is not currently established in statute. Section 105 of this bill would amend chapter 4 of title 10 to add a new section 134 establishing the Office of the Secretary of Defense and specifying its composition.

Subsections (c) and (d), which currently are section 718 and subsection (d) of section 136, respectively, of title 10, would be reenacted in section 134. Subsection (c) would continue to authorize the assignment of military officers as assistants or personal aides to the Secretary of Defense, but it would also continue to prohibit the Secretary from establishing a military staff other than the JCS, assisted by the Joint Staff. Subsection (d) would continue to require the personnel of the Military Departments to cooperate fully with the personnel of the Office of the Secretary of Defense to achieve efficient administration of DoD and to carry out effectively the authority, direction, and control of the Secretary of Defense.

SEC. 106. UNDER SECRETARIES OF DEFENSE

Section 106 of this bill would make only one significant change to section 136 (as redesignated) of title 10 dealing with the Under Secretaries of Defense. That change would be the repeal of the current restriction that a person may not be appointed Under Secretary of Defense for Policy within 10 years after relief from active duty as a commissioned officer. This restriction, which is designed to enhance civilian control of the military, was continued when the second Deputy Secretary of Defense position was previously converted into the Under Secretary of Defense for Policy. Given the absence of a significant role for the Under Secretary of Defense for Policy in preserving civilian control, the Committee sees no need for this restriction to be continued.

While this bill does not alter the number, titles, or duties of the currently authorized Under Secretaries of Defense, the Committee has approved in principle the creation of an Under Secretary of Defense for Acquisition. An amendment to create this new position