

functions, powers, and duties vested by law in the Department of Defense or in an officer, official, or agency of the Department of Defense.

The House amendment contained no similar provision.

The House recedes.

#### SEC. 104. OFFICE OF THE SECRETARY OF DEFENSE

The Senate amendment contained a provision (section 105) that would establish in law the Office of the Secretary of Defense, specify its function and composition, and reenact section 718 and section 136(d) of title 10 as part of this provision.

House amendment contained no similar provision.

The House recedes with two amendments. First, the function of the Office of the Secretary of Defense would be broadened from "to assist the Secretary of Defense in carrying out his duties and responsibilities" to include "and to carry out such other duties as may be prescribed by law" The conferees determined that including the additional phrase reflects more accurately the function of the Office of the Secretary of Defense, especially in light of the broad responsibilities assigned to the Inspector General of the Department of Defense by the Inspector General Act of 1978 (5 U.S.C. App. 3).

The second amendment relates to existing section 718 of title 10 which reads:

Officers of the armed forces may be detailed for duty as assistants or personal aides to the Secretary of Defense.

However, the Secretary may not establish a military staff other than that [the Joint Chiefs of Staff] established by section 141(a) of this title.

The conferees determined that both sentences of section 718 were ambiguous. To provide necessary clarification, the conferees agreed that section 131(c) of title 10 (as added by section 104 of the conference substitute amendment) should specify that military officers may be assigned or detailed to permanent duty in the Office of the Secretary of Defense and that the Secretary may not establish a military staff in the Office of the Secretary of Defense.

#### SEC. 105. UNDER SECRETARY FOR POLICY AND DIRECTOR OF DEFENSE RESEARCH AND ENGINEERING

The Senate amendment contained a provision (section 106) that would repeal the current prohibition against a person being appointed Under Secretary of Defense for Policy within 10 years after his relief from active duty as a commissioned officer of a regular component of an Armed Force.

The House amendment contained no similar provision.

The Senate recedes. The conferees determined that such a prohibition was an appropriate civilian control mechanism for this important policymaking position. In a related action, the conferees determined to specify a duty for the Under Secretary of Defense for Policy to assist the Secretary of Defense in preparing written policy guidance for the preparation and review of contingency plans and in reviewing such plans. This action by the conference committee reflected continuing concern over the absence of effec-