



GENERAL COUNSEL

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1600 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-1600

AUG 01 2002

The Honorable J. Dennis Hastert
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

The Department of Defense proposes the enclosed legislation to strengthen the management structure of the Office of the Secretary of Defense. This proposal is part of the departmental legislative program for the Second Session of the 107th Congress, and we urge its enactment.

This proposal would create the position of Assistant Secretary of Defense for Homeland Defense. If enacted, this proposal would establish a senior civilian officer in the Office of the Secretary of Defense with a principal focus on defense of the homeland. Given the substantially increased support of the Department of Defense for homeland security activities, including through the Military Departments and the new U.S. Northern Command, establishment of an additional Senate-confirmed Presidential appointee position is warranted.

The Office of Management and Budget advises that there is no objection, from the standpoint of the Administration's program, to the presentation of these initiatives for the consideration of the Congress.

Sincerely,

A handwritten signature in black ink, appearing to read "WJ Haynes II".

William J. Haynes II

Enclosure:
As Stated





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AUG 01 2002

The Honorable Richard B. Cheney
President of the Senate
Washington, D.C. 20510

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SEC. ____ . ADDITIONAL ASSISTANT SECRETARY OF DEFENSE.

1 (a) INCREASE IN NUMBER OF ASSISTANT SECRETARIES OF DEFENSE.—Section 138 of title
2 10, United States Code, is amended—

3 (1) in subsection (a), by striking “nine” and inserting “ten”, unless the number of
4 Assistant Secretaries of Defense authorized by such subsection (a) has been reduced to eight
5 under the provisions of section 901(c) of the National Defense Authorization Act for Fiscal Year
6 2002 (Public Law 107-107; 115 Stat. 1194), in which case such subsection (a) is amended by
7 striking “eight” and inserting “nine”; and

8 (2) in subsection (b), by striking paragraph (6).

9 (b) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is
10 amended, with regard to the item referring to the Assistant Secretaries of Defense, by striking
11 “(9)” and inserting “(10)”; unless the number of Assistant Secretaries of Defense authorized by
12 section 138(a) of title 10, United States Code, has been reduced to eight under the provisions of
13 section 901(c) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-
14 107; 115 Stat. 1194), in which case such item is amended by striking “8” and inserting “9”.

Section-by-Section Analysis

This provision increases the number of Assistant Secretaries of Defense by one. It would permit the Secretary of Defense to create a new Assistant Secretary of Defense for Homeland Defense, who would be responsible for supervising the Department’s homeland defense efforts. This provision also would repeal the requirement that a single Assistant Secretary be responsible for all of the Department’s combating terrorism responsibilities, including those involved in homeland defense.

This provision would allow the Secretary of Defense to consolidate the Department’s homeland defense missions, including those involving combating terrorism, under one senior Department of Defense official and would provide the Secretary with the flexibility he requires to respond to the heightened demands on the Department of Defense to support the President’s efforts to prevent and respond to acts of terrorism against the United States.