

109TH CONGRESS
1ST SESSION

S. 780

To amend title 10, United States Code, to establish the position of Deputy Secretary of Defense for Management, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 14, 2005

Mr. ENSIGN (for himself, Mr. AKAKA, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to establish the position of Deputy Secretary of Defense for Management, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEPUTY SECRETARY OF DEFENSE FOR MAN-**
4 **AGEMENT.**

5 (a) ESTABLISHMENT.—

6 (1) POSITION AND DUTIES.—

7 (A) Chapter 4 of title 10, United States
8 Code, is amended—

1 (i) in section 131(b), by striking para-
2 graph (1) and inserting the following new
3 paragraph:

4 “(1) Two Deputy Secretaries of Defense, as fol-
5 lows:

6 “(A) The Deputy Secretary of Defense.

7 “(B) The Deputy Secretary of Defense for
8 Management.”; and

9 (ii) by inserting after section 132 the
10 following new section 132a:

11 **“§ 132a. Deputy Secretary of Defense for Management**

12 “(a) ESTABLISHMENT.—(1) There is a Deputy Sec-
13 retary of Defense for Management, appointed from civilian
14 life by the President, by and with the advice and consent
15 of the Senate, from among persons who have—

16 “(A) extensive executive level leadership and
17 management experience in the private or public sec-
18 tor;

19 “(B) strong leadership skills;

20 “(C) a demonstrated ability to manage large
21 and complex organizations; and

22 “(D) a record of achieving positive operational
23 results.

24 “(2) A person may not be appointed as Deputy Sec-
25 retary of Defense for Management within 10 years after

1 relief from active duty as a commissioned officer of a reg-
2 ular component of an armed force.

3 “(3) The Deputy Secretary of Defense for Manage-
4 ment shall serve for a term of seven years, except that
5 the Deputy Secretary may be removed earlier if the Sec-
6 retary of Defense determines under subsection (h)(2) that
7 the Deputy Secretary’s performance has not been satisfac-
8 tory.

9 “(b) GENERAL AUTHORITY.—(1) The Deputy Sec-
10 retary of Defense for Management—

11 “(A) serves as the Chief Management Officer of
12 the Department of Defense;

13 “(B) is the principal adviser to the Secretary of
14 Defense on matters relating to the management of
15 the Department of Defense, including defense busi-
16 ness activities, to ensure departmentwide capability
17 to carry out the strategic plan of the Department of
18 Defense in support of national security objectives;
19 and

20 “(C) performs such additional duties and exer-
21 cises such other powers as the Secretary may pre-
22 scribe.

23 “(2) The Deputy Secretary of Defense for Manage-
24 ment takes precedence in the Department of Defense im-
25 mediately after the Deputy Secretary of Defense.

1 “(3)(A) The Deputy Secretary of Defense for Man-
2 agement shall act for, and exercise the powers of, the Sec-
3 retary of Defense when—

4 “(i) the Secretary is disabled or there is no Sec-
5 retary of Defense; and

6 “(ii) the Deputy Secretary of Defense is dis-
7 abled or there is no Deputy Secretary of Defense.

8 “(B) The Deputy Secretary of Defense for Manage-
9 ment shall act for, and exercise the powers of, the Deputy
10 Secretary of Defense when the Deputy Secretary is dis-
11 abled or there is no Deputy Secretary of Defense.

12 “(c) MANAGEMENT DUTIES.—To support the eco-
13 nomical, efficient, and effective execution of the national
14 defense objectives, policies, and plans of the Department
15 of Defense, the Deputy Secretary of Defense for Manage-
16 ment shall be responsible to the Secretary of Defense for
17 the development, approval, implementation, integration,
18 and oversight of policies, procedures, processes, and sys-
19 tems for the management of the Department of Defense
20 that relate to performance of the following functions:

21 “(1) Planning and budgeting, including per-
22 formance measurement.

23 “(2) Acquisition.

24 “(3) Logistics.

25 “(4) Facilities, installations, and environment.

1 “(5) Financial management.

2 “(6) Human resources and personnel.

3 “(7) Management of information resources, in-
4 cluding information technology, networks, and tele-
5 communications functions.

6 “(d) DEFENSE BUSINESS REFORM.—For the func-
7 tions specified in subsection (c), the Deputy Secretary of
8 Defense for Management shall—

9 “(1) develop and maintain a departmentwide
10 management strategic plan for business reform, and
11 identify key initiatives to be undertaken by the De-
12 partment and its components, together with related
13 resource needs;

14 “(2) establish performance goals and measures
15 for improving and evaluating overall economy, effi-
16 ciency, and effectiveness;

17 “(3) monitor and measure the progress of the
18 Department of Defense and its components in meet-
19 ing established performance goals for improving
20 economy, efficiency, and effectiveness; and

21 “(4) review and approve plans and budgets for
22 business reform, including any proposed changes to
23 policies, procedures, processes, and systems, to en-
24 sure the compatibility of those plans and budgets
25 with—

1 “(A) the overall strategic plan and budget
2 of the Department of Defense;

3 “(B) the strategic plan for business reform
4 of the Department of Defense; and

5 “(C) achievement of the integration of
6 business activities throughout the Department
7 of Defense.

8 “(e) DEFENSE BUSINESS SYSTEMS.—(1) In carrying
9 out the duties of the position under this section, the Dep-
10 ucy Secretary of Defense for Management shall oversee
11 the implementation of a defense business systems mod-
12 ernization program including the execution of any funds
13 appropriated for maintaining legacy systems and for mod-
14 ernizing defense business systems.

15 “(2) The Deputy Secretary of Defense for Manage-
16 ment shall—

17 “(A) oversee the development of, and shall re-
18 view and approve, all budget requests for defense
19 business systems, including the information to be
20 submitted to Congress under section 2222(h) of this
21 title; and

22 “(B) subject to the authority, direction, and
23 control of the Secretary of Defense, perform the re-
24 sponsibilities of the Secretary under section 2222 of
25 this title.

1 “(3) In this subsection, the terms ‘defense business
2 system’ and ‘defense business system modernization’ have
3 the meanings given to those terms in section 2222(j) of
4 this title.

5 “(f) RELATIONSHIP TO OTHER DEFENSE OFFI-
6 CIALS.—The Deputy Secretary of Defense for Manage-
7 ment exercises the authority of the Secretary of Defense
8 in the performance of the duties of the Deputy Secretary
9 under this section, subject to the authority, direction, and
10 control of the Secretary. The Secretaries of the military
11 departments and the heads of the other elements of the
12 Department of Defense are subject to the authority, direc-
13 tion, and control of the Deputy Secretary in the perform-
14 ance of their duties with respect to matters within the au-
15 thority of the Deputy Secretary, and the exercise of that
16 authority by the Deputy Secretary is binding on the mili-
17 tary departments and such other elements.

18 “(g) CONSULTATION WITH OTHER OFFICIALS.—In
19 carrying out the duties of the position under this section,
20 the Deputy Secretary of Defense for Management shall
21 consult on a continuing basis with the Deputy Secretary
22 of Defense, the Secretaries of the military departments,
23 and the Chairman of the Joint Chiefs of Staff—

1 “(1) to support economical, efficient, and effec-
2 tive performance of the missions of the Department
3 of Defense; and

4 “(2) to support each of those officials—

5 “(A) in the implementation of the national
6 defense strategy and the strategic plan of the
7 Department of Defense; and

8 “(B) in the administration of related pro-
9 grams, plans, operations, and activities.

10 “(h) PERFORMANCE AND EVALUATION.—(1) The
11 Deputy Secretary of Defense for Management shall enter
12 into an annual performance agreement with the Secretary
13 of Defense each year. The agreement shall set forth meas-
14 urable individual and organizational goals that are con-
15 sistent with the goals and measures established under sub-
16 section (d) of this section. The agreement shall be avail-
17 able for public disclosure.

18 “(2) The Secretary of Defense shall evaluate the per-
19 formance of the Deputy Secretary of Defense for Manage-
20 ment each year and shall determine as part of each such
21 evaluation whether the Deputy Secretary has made satis-
22 factory progress toward achieving the goals set out in the
23 performance agreement for that year under paragraph
24 (1).”.

1 (B) The table of sections at the beginning
 2 of such chapter is amended by inserting after
 3 the item relating to section 132 the following
 4 new item:

“132a. Deputy Secretary of Defense for Management.”.

5 (2) EXECUTIVE LEVEL II.—Section 5313 of
 6 title 5, United States Code, is amended by inserting
 7 after “Deputy Secretary of Defense” the following:

8 “Deputy Secretary of Defense for Manage-
 9 ment.”.

10 (b) MEMBERSHIP OF CERTAIN DEPARTMENT OF DE-
 11 FENSE MANAGEMENT COMMITTEES.—

12 (1) FINANCIAL MANAGEMENT MODERNIZATION
 13 EXECUTIVE COMMITTEE.—Section 185(a) of title 10,
 14 United States Code, is amended—

15 (A) in paragraph (2)—

16 (i) by redesignating subparagraphs
 17 (A), (B), (C), (D), and (E) as subpara-
 18 graphs (B), (C), (D), (E), and (F), respec-
 19 tively;

20 (ii) by inserting after “composed of
 21 the following:” the following new subpara-
 22 graph (A):

23 “(A) The Deputy Secretary of Defense for
 24 Management, who shall be the chairman of the com-
 25 mittee.”; and

1 (iii) in subparagraph (B), as redesignated by clause (i), by striking “, who shall
2 be the chairman of the committee”; and

3 (B) in paragraph (3), by inserting “the
4 Deputy Secretary of Defense for Management,”
5 after “the Deputy Secretary of Defense,”.
6

7 (2) DEFENSE BUSINESS SYSTEM MANAGEMENT
8 COMMITTEE.—Section 186 of such title is amended
9 by striking “Deputy Secretary of Defense” each
10 place it appears in subsections (a)(1) and (b) and in-
11 serting “Deputy Secretary of Defense for Manage-
12 ment”.

13 (c) ADJUSTMENTS TO DUTIES AND PRECEDENCE OF
14 OTHER OFFICIALS.—

15 (1) UNDER SECRETARY OF DEFENSE FOR POL-
16 ICY.—Section 134 of title 10, United States Code, is
17 amended—

18 (A) in subsection (b)(2), by striking “Sec-
19 retary of Defense—” and inserting “Secretary
20 of Defense and the Deputy Secretary of
21 Defense—”; and

22 (B) in subsection (c), by inserting “the
23 Deputy Secretary of Defense for Management,”
24 after “the Deputy Secretary of Defense,”.

1 (2) UNDER SECRETARY OF DEFENSE FOR AC-
2 QUISITION, TECHNOLOGY, AND LOGISTICS.—Section
3 133(e) of such title is amended—

4 (A) in paragraph (1), by striking “and the
5 Deputy Secretary of Defense” and inserting “,
6 the Deputy Secretary of Defense, and the Dep-
7 uty Secretary of Defense for Management”; and

8 (B) in paragraph (2), by inserting “the
9 Deputy Secretary of Defense for Management,”
10 after “the Deputy Secretary of Defense,”.

11 (3) DEPUTY UNDER SECRETARY OF DEFENSE
12 FOR LOGISTICS AND MATERIEL READINESS.—Sec-
13 tion 133b(c)(2) of such title is amended by inserting
14 “the Deputy Secretary of Defense for Management,”
15 after “the Deputy Secretary of Defense,”.

16 (4) DIRECTOR OF OPERATIONAL TEST AND
17 EVALUATION.—Section 139 of such title is amend-
18 ed—

19 (A) in subsection (b)—

20 (i) in paragraph (2), by striking “and
21 the Under Secretary of Defense for Acqui-
22 sition, Technology, and Logistics” and in-
23 serting “, the Deputy Secretary of De-
24 fense, the Deputy Secretary of Defense for
25 Management, the Under Secretary of De-

1 fense for Acquisition, Technology, and Lo-
2 gistics,”; and

3 (ii) in paragraph (5), by inserting “,
4 the Deputy Secretary of Defense, and the
5 Deputy Secretary of Defense for Manage-
6 ment” after “the Secretary of Defense”;
7 and

8 (B) in subsection (c), by striking “and the
9 Deputy Secretary of Defense” in the first sen-
10 tence and inserting “, the Deputy Secretary of
11 Defense, and the Deputy Secretary of Defense
12 for Management”.

○