AMENDMENT NO. 2157

Purpose: To establish nomination qualifications and precedence in the Department of Defense for the Under Secretary of Defense for Management.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 1197

To amend title 10, United States Code, to extend for 10 years the authority of the Secretary of Defense to appoint a military personnel management officer and for other purposes.

AMENDMENT intended to be proposed by Mr. Coburn

Viz:

1. Strike section 901 and insert the following:

2  SEC. 901. UNDER SECRETARY OF DEFENSE FOR MANAGEMENT.

3  (a) Conversion of Position of Deputy Chief Management Officer to Position of Under Secretary of Defense for Management.—

4  (1) In general.—Chapter 4 of title 10, United States Code, is amended—

5  (A) by redesignating section 137a as section 137b; and
(B) by inserting after section 137 the following new section 137a:

§ 137a. Under Secretary of Defense for Management

(a) APPOINTMENT.—(1) There is an Under Secretary of Defense for Management, appointed from civilian life by the President, by and with the advice and consent of the Senate.

(2) Any individual nominated for appointment to the position of Under Secretary of Defense for Management shall—

(A) have served in a senior executive level position with operational responsibilities in a public company or a Federal or State agency;

(B) have demonstrated experience driving strategic performance measures and leading the transformational efforts of a large, complex organization; and

(C) possess an educational background in business administration, public administration.

(b) RESPONSIBILITY FOR DISCHARGE OF CERTAIN.—(1) In addition to the responsibilities specified in subsection (c), the Under Secretary of Defense for Management is also the following:

(A) The Deputy Chief Management Officer of the Department of Defense.
"(B) The Performance Improvement Officer of the Department of Defense.

"(C) The Chief Information Officer of the Department of Defense.

"(2) In the capacity of Chief Information Officer of the Department of Defense, the Under Secretary of Defense for Management shall exercise authority, direction, and control over the Information Assurance Directorate of the National Security Agency.

"(c) GENERAL RESPONSIBILITIES.—The Under Secretary of Defense for Management is responsible, subject to the authority, direction, and control of the Secretary of Defense and the Deputy Secretary of Defense in the role of the Deputy Secretary as Chief Management Officer of the Department of Defense, for—

"(1) supervising the management of the business operations of the Department of Defense and adjudicating issues and conflicts in functional domain business policies;

"(2) establishing business strategic planning and performance management policies and the Department of Defense Strategic Management Plan;

"(3) establishing business information technology portfolio policies and overseeing investment
management of that portfolio for the Department of Defense; and

"(4) establishing end-to-end process and standards policies and the Business Enterprise Architecture.

"(d) PRECEDENCE.—The Under Secretary of Defense for Management takes precedence in the Department of Defense after the Deputy Secretary of Defense.”.

(2) CONFORMING REPEAL OF SUPERSEDED AUTHORITY.—Section 132a of such title is repealed.

(3) CONTINUATION OF OFFICE.—Notwithstanding subsection (a) of section 137a of title 10, United States Code (as amended by paragraph (1)), the individual serving in the position of Deputy Chief Management Officer of the Department of Defense as of the date of the enactment of this Act may serve as Under Secretary of Defense for Management under that section until a successor is appointed Under Secretary of Defense for Management as specified in that subsection.

(b) CLARIFICATION OF ORDER OF PRECEDENCE FOR THE PRINCIPAL DEPUTY UNDER SECRETARIES OF DEFENSE.—Subsection (d) of section 137b of such title, as redesignated by subsection (a)(1) of this section, is amended by striking “and the Deputy Chief Management
Officer of the Department of Defense” and inserting “the Under Secretary of Defense for Management, and the officials serving in the positions specified in section 131(b)(4) of this title”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Title 10, United States Code, is further amended as follows:

(A) In section 131(b)—

(i) in paragraph (2), by adding at the end the following new subparagraph:

“(F) The Under Secretary of Defense for Management.”;

(ii) by striking paragraph (3); and

(iii) by redesignating paragraphs (4) through (8) as paragraphs (3) through (7), respectively.

(B) In section 186—

(i) in subsection (a), by striking paragraph (2) and inserting the following new paragraph (2):

“(2) The Under Secretary of Defense for Management.”; and

(ii) in subsection (b), by striking “the Deputy Chief Management Officer of the Department of Defense” and inserting
“the Under Secretary of Defense for Management”.

(C) In section 2222, by striking “the Deputy Chief Management Officer of the Department of Defense” each place it appears in subsections (c)(2)(E), (d)(3), (f)(1)(D), (f)(1)(E), and (f)(2)(E) and inserting “the Under Secretary of Defense for Management”.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 4 of such title is amended—

(A) by striking the item relating to section 132a; and

(B) by striking the item relating to section 137a and inserting the following new items:


137b. Principal Deputy Under Secretaries of Defense.”.

(3) EXECUTIVE SCHEDULE MATTERS.—Section 5314 of title 5, United States Code, is amended by striking the item relating to the Deputy Chief Management Office of the Department of Defense and inserting the following new item:

“Under Secretary of Defense for Management.”.