



# Department of Defense

## DIRECTIVE

NUMBER 5142.01  
September 15, 2006

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DA&M

SUBJECT: Assistant Secretary of Defense for Legislative Affairs (ASD(LA))

- References:
- (a) Sections 113 and 138 of title 10, United States Code
  - (b) DoD Directive 5142.1, "Assistant Secretary of Defense (Legislative Affairs)," June 14, 2000 (hereby canceled)
  - (c) DoD Directive 5400.4, "Provision of Information to Congress" January 30, 1978
  - (d) DoD 5025.1-M, "DoD Directives System Procedures," current edition
  - (e) DoD Directive 8910.1, "Management and Control of Information Requirements," June 11, 1993

### 1. REISSUANCE AND PURPOSE

Under the authority vested in the Secretary of Defense by Reference (a), this Directive:

- 1.1. Reissues Reference (b) to update the responsibilities, functions, relationships, and authorities of the ASD(LA).
- 1.2. Authorizes the ASD(LA), as a Principal Staff Assistant (PSA) reporting directly to the Secretary of Defense, to promulgate DoD policy in DoD Instructions within the responsibilities, functions, and authorities assigned herein.
- 1.3. Provides guidance for centralized direction, integration, and control of DoD legislative affairs and liaison activities with the U.S. Congress.

### 2. APPLICABILITY AND SCOPE

2.1. This Directive applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components").

2.2. Nothing in this Directive should be construed as preventing the Inspector General of the Department of Defense from fulfilling his or her duties pursuant to the Inspector General Act of 1978 as amended.

### 3. DEFINITIONS

3.1. Legislative Liaison. Legislative liaison activities are the direct, daily, and personal contact on a continuing basis made by representatives of the Department of Defense with members and committees of the U.S. Congress and their staffs for the purpose of presenting, justifying, and defending the DoD, or a DoD Component's, legislative program.

3.2. Legislative Program. The legislative program comprehensively outlines and promotes the policies, strategies, and budget of the Department of Defense to the U.S. Congress.

3.3. Other Legislative Activities. Other legislative activities are congressionally-related functions performed by representatives of the Department of Defense that are primarily focused on the provision of routine information to the U.S. Congress and do not include presentation, justification, and defense of the DoD, or a DoD Component's, legislative program.

### 4. POLICY

It is DoD policy that:

4.1. The DoD legislative program, its goals, and priorities shall be properly and consistently coordinated and communicated to promote DoD policies, strategies, and budget to the U.S. Congress.

4.2. All legislative liaison activities shall be centrally directed and carefully coordinated with the ASD(LA) prior to execution.

4.3. The DoD legislative program shall be structured and managed consistent with the recurring provisions of the DoD Appropriations Act.

### 5. RESPONSIBILITIES AND FUNCTIONS

The ASD(LA) is the PSA and advisor to the Secretary of Defense for DoD relations with the members of the U.S. Congress. In this capacity, the ASD(LA) shall have as his or her principal duty the overall supervision of DoD legislative affairs and shall:

5.1. Develop an integrated DoD legislative strategy supporting the Administration's policy agenda and the DoD legislative program, priorities, and goals.

5.2. Develop policies, plans, and programs in support of an integrated DoD legislative strategy and the DoD legislative program.

5.3. Issue policy and procedural guidance to the OSD PSAs and Heads of DoD Components on the conduct of legislative liaison and other legislative activities, consistent with the DoD legislative program.

5.4. Oversee and coordinate legislative liaison functions, to include determining the adherence of actions of personnel performing legislative liaison to the DoD legislative program, priorities, and goals.

5.5. Develop policy for the establishment, performance, and relationships of and between OSD PSA and DoD Component legislative liaison positions and the Office of the ASD(LA).

5.6. Provide advice and assistance to the Secretary of Defense, the OSD PSAs, and Heads of DoD Components in the presentation of the DoD legislative program to the U.S. Congress for consideration.

5.7. Manage and direct, consistent with Reference (c) and the guidance of the Secretary of Defense, DoD participation in congressional hearings and investigations.

5.7.1. Direct the designation and appearance of DoD witnesses and provision of information at congressional hearings.

5.7.2. Direct and control the preparation of all congressional testimony and backup material for the Secretary and Deputy Secretary of Defense.

5.7.3. Provide support for publication of DoD's congressional hearing-related materials, with the exception of appropriation-related materials, in which witnesses from OSD appeared.

5.8. Coordinate and oversee the completion of responses to congressional inquiries and congressional reports.

5.9. Process and coordinate requests for DoD support of congressional travel.

5.10. Provide for DoD processing of personal security clearances for members of congressional staffs.

5.11. Perform such other duties as the Secretary of Defense may assign.

## 6. RELATIONSHIPS

6.1. In the performance of assigned responsibilities and functions, the ASD(LA) shall:

6.1.1. Report directly to the Secretary of Defense.

6.1.2. Function as the sole and exclusive provider of guidance pertaining to legislative liaison services within the Department of Defense, consistent with the DoD legislative program.

6.1.3. Exercise authority, direction, and control over such positions and organizations as may be established by the ASD(LA), consistent with applicable law, within resources provided by the Secretary of Defense.

6.1.4. Use existing systems, facilities, and services of the Department of Defense and other Federal Agencies, when possible, to avoid duplication and achieve maximum efficiency and economy.

6.1.5. Consistent with paragraph 4., coordinate and exchange information with, and oversee the legislative liaison activities of, OSD PSAs and the Heads of the DoD Components having collateral or related responsibilities and functions that require legislative liaison.

6.2. All other OSD officials and the Heads of the DoD Components shall coordinate with the ASD(LA) on matters related to the authorities, responsibilities, and functions assigned in this Directive; and shall further ensure that all component legislative liaison and other legislative activities are conducted consistent with policies and procedures established by the ASD(LA).

## 7. AUTHORITIES

The ASD(LA) is hereby delegated authority to:

7.1. Promulgate in DoD Instructions, DoD policy within the authorities and responsibilities assigned herein, including authority to identify collateral responsibilities of OSD officials and the Heads of the DoD Components. Such Instructions shall be fully coordinated in accordance with DoD 5025.1-M (Reference (d)). Further, in areas of assigned responsibilities and functions, the ASD(LA) has authority to issue DoD Instructions, DoD Publications, and one-time directive-type memorandums, consistent with Reference (d), that implement policy approved by the Secretary of Defense. Instructions to the Military Departments shall be issued through the Secretaries of those Departments or their designees. Instructions to the Combatant Commands normally shall be communicated through the Chairman of the Joint Chiefs of Staff.

7.2. Obtain reports and information, consistent with DoD Directive 8910.1 (Reference (e)), as necessary in carrying out assigned responsibilities and functions.

7.3. Communicate requirements directly with the Heads of the DoD Components, as necessary, to carry out assigned responsibilities and functions, including the transmission of requests for advice and assistance. Communications to the Military Departments shall be through the Secretaries of the Military Departments, their designees, or as otherwise provided in law or directed by the Secretary of Defense in other DoD issuances. Communications to the Commanders of the Combatant Commands normally shall be transmitted through the Chairman of the Joint Chiefs of Staff.

7.4. Communicate with other Government officials, representatives of the Legislative Branch, and members of the public, as appropriate, in carrying out assigned responsibilities and functions.

8. EFFECTIVE DATE

This Directive is effective immediately.



Gordon England