



Department of Defense DIRECTIVE

NUMBER 5500.1

May 21, 1964

Certified Current as of November 21, 2003

GC, DoD

SUBJECT: Preparation and Processing of Legislation, Executive Orders, Proclamations, and Reports and Comments Thereon

References: (a) Bureau of the Budget Circular A-19
(b) Executive Order 11030
(c) DoD Directive 5500.1, subject as above, dated October 1, 1957
(canceled herein)

1. REISSUANCE

This Directive reissues reference (c) and amends it to require Secretary of Defense signature on letters transmitting Executive Orders or Proclamations to the Bureau of the Budget. Reference (c) is hereby superseded and canceled.

2. APPLICABILITY

The provisions of this Directive are applicable throughout the Department of Defense and cover preparation and processing of all legislation, Executive orders, and Proclamations of interest to the Department of Defense, with the exception of appropriation matters.

3. POLICY

3.1. A single coordinated position on behalf of the Department of Defense shall be expressed with respect to each legislative proposal, Executive order or Proclamation originating within the Department of Defense or submitted to the Department of Defense for comment.

3.2. No such proposals or comments may be submitted to the Bureau of the Budget or to the Congress except with the approval of the Office of the Secretary of Defense, made known in accordance with the procedures established pursuant to this Directive.

3.3. All letters submitting legislative proposals originating in the Department of Defense to the Bureau of the Budget or to the Congress shall be signed by the Secretary of Defense, unless other provision shall have been made authorizing signature by the Secretary of a Military Department or other designee.

3.4. All Executive orders or Proclamations originating in the Department of Defense will be transmitted to the Bureau of the Budget over the signature of the Secretary of Defense.

4. RESPONSIBILITIES

The General Counsel of the Department of Defense is responsible for all matters concerning or relating to legislation, Executive orders and Proclamations, other than liaison with the Congress. His responsibility includes: developing an over-all legislative program for the Department of Defense; coordinating the views of appropriate elements of the Department of Defense on all matters relating to legislation, Executive orders and Proclamations; determining the relationship of the DoD position on all such matters to that of the Executive Branch of the Government as a whole; and providing for the preparation of necessary reports to transmit the position of the Department of Defense on all such matters to the Congress and other interested persons. He may designate one of the Military Departments to act on behalf of the Department of Defense on such matters as he deems advisable and may, from time to time, issue instructions or memoranda supplementing this Directive.

5. RESOLUTION OF DIFFERENCES

At any time when an unresolved difference arises in the development of a report or recommendation on proposed legislation or any other matter covered by this Directive, the General Counsel will, in consultation with the Secretary of Defense, the Secretaries of the Military Departments, the Director of Defense Research and Engineering, the Assistant Secretaries of Defense, and the Assistants to the Secretary of Defense, as appropriate, develop the resolution of such difference or a recommendation to the Secretary of Defense for its resolution.

6. BUREAU OF THE BUDGET

Such Bureau of the Budget (BoB) circulars (reference (a)) as delineate the relationship of the Department of Defense to the BoB with respect to legislative matters and such Executive orders (reference (b)) as prescribe the rules to be followed in processing Executive orders and Proclamations shall be complied with by all officials, Military Departments, and other offices and agencies of the Department of Defense. This Directive provides the internal DoD policies and procedures necessary to supplement those orders.

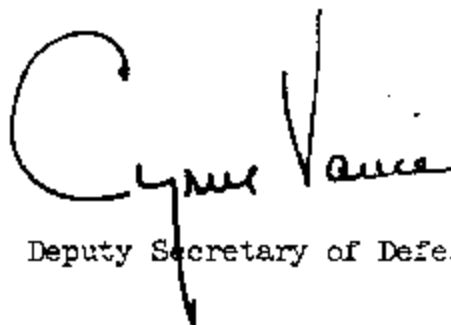
7. STATUTORY RELATIONSHIP

No provisions of this Directive or any supplement hereto or instruction hereunder issued by the General Counsel shall be construed to prevent a Secretary of a Military Department or a member of the Joint Chiefs of Staff from presenting to the Congress, on his own initiative, after first so informing the Secretary of Defense, any recommendation relating to the Department of Defense that he may deem proper.

8. IMPLEMENTATION AND EFFECTIVE DATE

8.1. Two (2) copies of implementing documents shall be forwarded to the General Counsel of the Department of Defense within sixty (60) days.

8.2. This Directive is effective immediately.


Deputy Secretary of Defense