

RESPONSIBILITY FOR POLICY ON CIVILIAN CASUALTY  
MATTERS

Pub. L. 115-232, div. A, title IX, §936, Aug. 13, 2018, 132 Stat. 1939, provided that:

“(a) DESIGNATION OF SENIOR CIVILIAN OFFICIAL.—Not later than 90 days after the date of the enactment of this Act [Aug. 13, 2018], the Under Secretary of Defense for Policy shall designate a senior civilian official of the Department of Defense within the Office of the Secretary of Defense at or above the level of Assistant Secretary of Defense to develop, coordinate, and oversee compliance with the policy of the Department relating to civilian casualties resulting from United States military operations.

“(b) RESPONSIBILITIES.—The senior civilian official designated under subsection (a) shall ensure that the policy referred to in that subsection provides for—

“(1) uniform processes and standards across the combatant commands for accurately recording kinetic strikes by the United States military;

“(2) the development and dissemination of best practices for reducing the likelihood of civilian casualties from United States military operations;

“(3) the development of publicly available means, including an Internet-based mechanism, for the submittal to the United States Government of allegations of civilian casualties resulting from United States military operations;

“(4) uniform processes and standards across the combatant commands for reviewing and investigating allegations of civilian casualties resulting from United States military operations, including the consideration of relevant information from all available sources;

“(5) uniform processes and standards across the combatant commands for—

“(A) acknowledging the responsibility of the United States military for civilian casualties resulting from United States military operations; and

“(B) offering ex gratia payments to civilians who have been injured, or to the families of civilians killed, as a result of United States military operations, as determined to be necessary by the designated senior civilian official;

“(6) regular engagement with relevant intergovernmental and nongovernmental organizations;

“(7) public affairs guidance with respect to matters relating to civilian casualties alleged or confirmed to have resulted from United States military operations; and

“(8) such other matters with respect to civilian casualties resulting from United States military operations as the designated senior civilian official considers appropriate.

“(c) REPORT.—Not later than 180 days after the date of the enactment of this Act [Aug. 18, 2018], the senior civilian official designated under subsection (a) shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report that describes—

“(1) the policy developed by the senior civilian official under that subsection; and

“(2) the efforts of the Department to implement such policy.”

**[§ 134a. Repealed. Pub. L. 111-383, div. A, title IX, § 901(b)(1), Jan. 7, 2011, 124 Stat. 4317]**

Section, added Pub. L. 102-190, div. A, title IX, §901(a)(1), Dec. 5, 1991, 105 Stat. 1450; amended Pub. L. 104-106, div. A, title IX, §903(c)(2), Feb. 10, 1996, 110 Stat. 402; Pub. L. 104-201, div. A, title IX, §901, Sept. 23, 1996, 110 Stat. 2617; Pub. L. 111-84, div. A, title IX, §906(c)(1)(B), (2)(B), Oct. 28, 2009, 123 Stat. 2427, established the position of Principal Deputy Under Secretary of Defense for Policy.

PRIOR PROVISIONS

A prior section 134a was renumbered section 133 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 2011, see section 901(p) of Pub. L. 111-383, set out as an Effective Date of 2011 Amendment note under section 131 of this title.

**[§ 134b. Repealed. Pub. L. 111-84, div. A, title IX, § 905(a)(1), Oct. 28, 2009, 123 Stat. 2425]**

Section, added Pub. L. 105-261, div. A, title XV, §1521(b)(1), Oct. 17, 1998, 112 Stat. 2178, related to the Deputy Under Secretary of Defense for Technology Security Policy.

**§ 135. Under Secretary of Defense (Comptroller)**

(a)(1) There is an Under Secretary of Defense (Comptroller), appointed from civilian life by the President, by and with the advice and consent of the Senate. A person may not be appointed as Under Secretary within seven years after relief from active duty as a commissioned officer of a regular component of the armed forces.

(2) The Under Secretary of Defense (Comptroller) shall be appointed from among persons who have significant budget, financial management, or audit experience in complex organizations.

(b) The Under Secretary of Defense (Comptroller) is the agency Chief Financial Officer of the Department of Defense for the purposes of chapter 9 of title 31. The Under Secretary of Defense (Comptroller) shall perform the duties assigned to the Under Secretary in section 2222 of this title and such additional duties and exercise such powers as the Secretary of Defense may prescribe.

(c) The Under Secretary of Defense (Comptroller) shall advise and assist the Secretary of Defense—

(1) in performing such budgetary and fiscal functions and duties, and in exercising such budgetary and fiscal powers, as are needed to carry out the powers of the Secretary;

(2) in supervising and directing the preparation of budget estimates of the Department of Defense;

(3) in establishing and supervising the execution of principles, policies, and procedures to be followed in connection with organizational and administrative matters relating to—

(A) the preparation and execution of budgets;

(B) fiscal, cost, operating, and capital property accounting; and

(C) progress and statistical reporting;

(4) in establishing and supervising the execution of policies and procedures relating to the expenditure and collection of funds administered by the Department of Defense; and

(5) in establishing uniform terminologies, classifications, and procedures concerning matters covered by paragraphs (1) through (4).

(d) In addition to any duties under subsection (c), the Under Secretary of Defense (Comptroller) shall, subject to the authority, direction, and control of the Secretary of Defense, do the following:

(1) Provide guidance and instruction on annual performance plans and evaluations to the following:

(A) The Assistant Secretaries of the military departments for financial management.