



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

APR 21 2023

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP
COMMANDERS OF THE COMBATANT COMMANDS
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Designation of Principal Staff Assistant for Law Enforcement

The DoD is committed to executing its Law Enforcement (LE) responsibilities in accordance with all laws, regulations, and directives in a way that ensures fairness, equal treatment, transparency, and accountability while protecting the DoD workforce, LE officers, and others whom we have a duty to protect.

For the purposes of the assignment of responsibilities to the Principal Staff Assistant (PSA) for LE below, the term LE is defined as those activities that deal with enforcing laws, maintaining public order, and managing public safety. Primary LE duties include the prevention and detection of violation, and the apprehension, detention, and arrest of individuals suspected of violation of Federal criminal law or the Uniform Code of Military Justice and activities typically performed by LE officers. LE activities include those activities related to the organization, training, and equipping of LE personnel. The responsibilities assigned to the PSA for LE do not include activities within the statutory duties and responsibilities of the Inspector General of the DoD (IG DoD).

To ensure the proper oversight and governance of DoD LE, effective immediately, I hereby designate the Under Secretary of Defense for Intelligence and Security (USD(I&S)) as the PSA for LE. As the PSA for LE, the USD(I&S) will not encroach on the statutory independence, authority, and responsibilities of the IG DoD, including to "develop policy, monitor and evaluate program performance, and provide guidance with respect to all Department activities related to criminal investigations programs" and to direct, control, and independently operate the Defense Criminal Investigative Service. Subject to those restrictions, the USD(I&S), as the PSA for LE, will have the following responsibilities:

- Oversee the development, implementation, and integration of DoD LE policy (giving due deference to IG DoD's responsibilities with regard to policy for criminal investigation programs), mission objectives and training requirements, operating guidance, and resourcing for DoD LE activities in compliance with applicable laws, regulations, and directives including Executive Order 14074 "Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety," May 25, 2022.
- Serve as the Secretary of Defense's representative for national-level LE forums and engage with the U.S. Attorney General on matters related to DoD LE, in coordination with the General Counsel of the DoD.



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- Serve as the Secretary of Defense's advocate and integrator for increased visibility, standardization, and governance of LE policy and practices including training policy across all Office of the Secretary of Defense and DoD Components with LE responsibilities.
- In coordination with the USD (Comptroller), Director of Cost Assessment and Program Evaluation, and other appropriate DoD senior leaders, serve as the advocate for LE resourcing and identify, assess and prioritize LE challenges, compliance issues, budget efficiencies, and equipment acquisition and accountability.
- Develop requirements for the collection, streamlining, and sharing of LE data across the DoD LE enterprise and serve as the DoD focal point for LE partners within and outside the DoD to facilitate data analytics.
- In coordination with the relevant PSAs and DoD Component heads employing LE personnel, develop DoD standards for LE classification of position descriptions, pay, benefits, and training for such personnel.
- In coordination with the Chairman of the Joint Chiefs of Staff, Secretaries of the Military Departments, Commanders of the Combatant Commands, and other senior DoD leaders as appropriate, oversee the provision of LE support to operational military forces.

I direct the USD(I&S), within 90 days, to establish a governance forum for LE to advise and socialize DoD LE matters and serve as a supporting tier of governance to the Deputy's Management Action Group and the Deputy's Workforce Council pursuant to DoD Directive 5105.79, "DoD Senior Governance Framework." The USD(I&S) will identify resource requirements to execute the full range of responsibilities as the PSA for LE for consideration in the Fiscal Year 2025 program and budget review. Additionally, I direct the USD(I&S), General Counsel of the DoD, and Director of Administration and Management, in coordination with the IG DoD, within 60 days, to review and provide a recommendation on the proper alignment or reassignment of LE related issuances for my approval.

A handwritten signature in black ink, reading "Kenneth A. Hicken". The signature is written in a cursive style with a large, sweeping initial 'K'.