# POSITION DESCRIPTION

**general counsel, Department of defense**

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| **OVERVIEW** |
| Senate Committee | Armed Services |
| Agency Mission | The mission of the Department of Defense is to provide the military forces needed to deter war and to protect the security of our country. |
| Position Overview | The DOD general counsel is the principal legal advisor to the secretary of Defense, has authority and responsibility for legal policy and determinations and provides legal services within the Department of Defense and its components. |
| Compensation | Level IV $158,500 (5 U.S.C. § 5315)[[1]](#endnote-1) |
| Position Reports to | Secretary of Defense |
| **RESPONSIBILITIES** |
| Management Scope | The DOD budget was approximately $718 billion for fiscal 2020. The DOD has more than 2.1 million active and reserve service members and 758,000 civilian personnel. |
| Primary Responsibilities | * Serves, by law, as the chief legal officer of the DOD (10 U.S.C. § 140).
* Provides advice to the secretary and deputy secretary of Defense regarding all legal matters and services performed within, or involving, the Department of Defense.
* Provides legal advice to OSD organizations and, as appropriate, other DOD Components.
* Coordinates on appeals from denial of requests under the Freedom of Information Act, as appropriate.
* Provides advice on standards of conduct involving personnel of OSD and, as appropriate, other DOD components.
* Develop the DOD legislative program and coordinates DOD positions on legislation and executive orders.
* Provides for the coordination of significant legal issues, including litigation involving the DOD and other matters before the Department of Justice in which DOD has an interest.
* Establishes DOD policy on general legal issues, determines the DOD positions on specific legal problems and resolves disagreements within the DOD on such matters.
* Performs such functions relating to the DOD security program (including surveillance over DOD personnel security programs) as the secretary or deputy secretary of Defense may assign.
* Acts as lead counsel for the department in all international negotiations conducted by OSD organizations.
* Maintains the central repository for all international agreements coordinated, negotiated, or concluded by DOD personnel.
* Serves as the director of the Defense Legal Services Agency (DLSA), a DOD agency that provides legal advice and services for the defense agencies, DOD field activities and other assigned organizations and as such:
	+ Organizes, directs and manages the DLSA and all assigned resources.
	+ Provides legal advice and services to the defense agencies, DOD field activities and other assigned organizations.
	+ Provides technical support and assistance for development of the DOD legislative program.
	+ Manages the departmental legislative comment programs.
	+ Provides a centralized legislative document reference and distribution point for the DOD and maintains the department's historical legislative files.
	+ Coordinates DOD policy for standards of conduct and administers the Standards of Conduct Program for the OSD and other assigned organizations.
	+ Administers the security clearance review program.
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| Strategic Goals and Priorities | [Depends on the policy priorities of the administration.] |
| **REQUIREMENTS AND COMPETENCIES** |
| Requirements | * Extensive legal experience in the public sector.
* Background in defense procurement law and/or national security law.
* Understanding of DOD installations and environments.
* Extensive management experience.
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| Competencies | * Deft leadership and diplomatic skills.
* Ability to resolve legal approaches to support policy established by the Secretary.
* Ability to work under high pressure.
* Ability to handle sensitive matters.
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| **PAST APPOINTEES** |
| Paul C. Ney Jr. (2018-2021) – Chief Deputy Attorney General, Tennessee Attorney General’s Office; Principal Deputy General Counsel, Department of the Navy; Deputy General Counsel for Legal Counsel; Department of Defense |
| Jennifer O’Connor (2016 to 2017) – Deputy General Counsel, Department of Defense; Deputy Assistant to the President; Deputy White House Counsel; Senior Counsel, Department of Health and Human Services; Counselor to the Commissioner of the Internal Revenue Service; Deputy Assistant Secretary for Policy, Department of Labor |
| Stephen Preston (2013 to 2015) – General Counsel, Central Intelligence Agency; General Counsel of the Navy; Various Positions in the Departments of Defense and Justice |

1. The Consolidated Appropriations Act, 2021 (Public Law 116-260, December 27 ,2020), contains a provision that continues the freeze on the payable pay rates for certain senior political officials through January 1, 2022. The compensation information is based on guidance from the Office of Personnel Management and can be accessed here. If you are selected for this position, please consult the agency’s HR representative for further guidance on compensation. [↑](#endnote-ref-1)