



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

FEB 15 2014

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND
READINESS
GENERAL COUNSEL FOR THE DEPARTMENT OF DEFENSE

SUBJECT: Temporary Waiver of National Defense Authorization Act Requirement that Chief
Prosecutor and Chief Defense Counsel Have the Same Grade

Section 1037 of the National Defense Authorization Act for FY 2014 requires that the
Chief Prosecutor and Chief Defense Counsel have the same grade, but authorizes the Secretary
of Defense to waive that requirement in certain circumstances. I hereby temporarily waive this
requirement for an initial period of 180 days, based on my determination that it is not currently
feasible to place qualified officers of the same grade in the billets or that compliance with the
requirement at this time would cause significant disruption to ongoing proceedings.

*Donk
Haezel*