

L. 107-314 by Pub. L. 108-136, div. C, title XXXI, §3141(e)(14), Nov. 24, 2003, 117 Stat. 1760; Pub. L. 108-375, div. A, title IX, §902(a)-(d), Oct. 28, 2004, 118 Stat. 2025; Pub. L. 109-364, div. A, title IX, §903, Oct. 17, 2006, 120 Stat. 2351.)

AMENDMENTS

2006—Subsec. (a)(5). Pub. L. 109-364 added par. (5).

2004—Subsec. (a). Pub. L. 108-375, §902(b), (d)(1), inserted heading and, in introductory provisions, struck out “Joint” before “Nuclear Weapons Council” and substituted “operated as a joint activity of the Department of Defense and the Department of Energy. The membership of the Council is comprised of the following officers of those departments:” for “composed of three members as follows:”.

Subsec. (a)(4). Pub. L. 108-375, §902(a), added par. (4).

Subsec. (b). Pub. L. 108-375, §902(d)(2), inserted heading.

Subsec. (c). Pub. L. 108-375, §902(d)(3), inserted heading.

Subsec. (c)(3)(B). Pub. L. 108-375, §902(c)(1), substituted “designated” for “appointed”.

Subsec. (d). Pub. L. 108-375, §902(d)(4), inserted heading.

Subsec. (e). Pub. L. 108-375, §902(c)(2), (d)(5), inserted heading and substituted “The Council shall” for “In addition to the responsibilities set forth in subsection (d), the Council shall also” in text.

Subsec. (f). Pub. L. 108-375, §902(c)(3), (d)(6), inserted heading and substituted “congressional defense committees” for “Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives” in introductory provisions.

2001—Subsec. (a)(1). Pub. L. 107-107 substituted “Under Secretary of Defense for Acquisition, Technology, and Logistics” for “Under Secretary of Defense for Acquisition and Technology”.

2000—Subsec. (a)(3). Pub. L. 106-398, §1 [div. C, title XXXI, §3152(a)(1)], added par. (3) and struck out former par. (3) which read as follows: “One senior representative of the Department of Energy designated by the Secretary of Energy.”

Subsec. (b)(2). Pub. L. 106-398, §1 [div. C, title XXXI, §3152(a)(2)], substituted “the Under Secretary for Nuclear Security of the Department of Energy” for “the representative designated under subsection (a)(3)”.

1999—Subsec. (b)(3). Pub. L. 106-65, §3163(a)(1), added par. (3).

Subsec. (c)(3). Pub. L. 106-65, §3163(a)(2), added par. (3).

Subsec. (f). Pub. L. 106-65, §1067(1), substituted “and the Committee on Armed Services” for “and the Committee on National Security” in introductory provisions.

Subsec. (f)(3) to (5). Pub. L. 106-65, §3163(c), added pars. (3) to (5).

1996—Subsec. (c)(2). Pub. L. 104-106, §904(b)(1), substituted “Nuclear and Chemical and Biological Defense Programs” for “Atomic Energy”.

Subsec. (e). Pub. L. 107-314, §4213(c)(2), formerly Pub. L. 104-201, §3159(c)(2), as renumbered by Pub. L. 108-136, added subsec. (e). Former subsec. (e) redesignated (f).

Pub. L. 104-106, §1502(a)(7), substituted “to the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on National Security and the Committee on Appropriations of the” for “to the Committees on Armed Services and Appropriations of the Senate and”.

Subsec. (f). Pub. L. 107-314, §4213(c)(1), formerly Pub. L. 104-201, §3159(c)(1), as renumbered by Pub. L. 108-136, redesignated subsec. (e) as (f).

1994—Subsecs. (a)(3), (b). Pub. L. 103-337, §3152(c), substituted “designated” for “appointed” wherever appearing.

Subsec. (d)(8) to (10). Pub. L. 103-337, §3152(a), added par. (8) and redesignated former pars. (8) and (9) as (9) and (10), respectively.

Subsec. (e). Pub. L. 103-337, §3152(b), added subsec. (e).

1993—Subsec. (a)(1). Pub. L. 103-160 substituted “Under Secretary of Defense for Acquisition and Technology” for “Under Secretary of Defense for Acquisition”.

1992—Subsec. (a)(1). Pub. L. 102-484 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “The Director of Defense Research and Engineering.”

1988—Subsec. (e). Pub. L. 100-456 struck out subsec. (e) which read as follows: “The Council shall submit to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives a report on the actions that have been taken by the Department of Defense and the Department of Energy to implement the recommendations of the President’s Blue Ribbon Task Group on Nuclear Weapons Program Management. The Council shall include in such report its recommendation on the role and composition of the staff on the Council. The Council shall submit such report to the Committees not later than March 1, 1987.”

1987—Subsec. (e). Pub. L. 100-180 realigned margins of subsec. (e).

CHAIRMAN OF JCS TO SERVE ON COUNCIL IF THERE IS NO VICE CHAIRMAN OF JCS

Pub. L. 99-661, div. C, title I, §3137(b), Nov. 14, 1986, 100 Stat. 4066, provided that, if on Nov. 14, 1986, the position of Vice Chairman of the Joint Chiefs of Staff had not been established by law, the Chairman of the Joint Chiefs of Staff would be a member of the Nuclear Weapons Council established by section 179 of this title, and would remain a member of such Council until an individual had been appointed Vice Chairman of the Joint Chiefs of Staff.

§ 180. Service academy athletic programs: review board

(a) INDEPENDENT REVIEW BOARD.—The Secretary of Defense shall appoint a board to review the administration of the athletics programs of the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy.

(b) COMPOSITION OF BOARD.—The Secretary shall appoint the members of the board from among distinguished administrators of institutions of higher education, members of Congress, members of the Boards of Visitors of the academies, and other experts in collegiate athletics programs. The Superintendents of the three academies shall be members of the board. The Secretary shall designate one member of the board, other than a Superintendent of an academy, as Chairman.

(c) DUTIES.—The board shall, on an annual basis—

(1) review all aspects of the athletics programs of the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy, including—

(A) the policies relating to the administration of such programs;

(B) the appropriateness of the balance between the emphasis placed by each academy on athletics and the emphasis placed by such academy on academic pursuits; and

(C) the extent to which all athletes in all sports are treated equitably under the athletics program of each academy; and

(2) determine ways in which the administration of the athletics programs at the academies can serve as models for the administration of athletics programs at civilian institutions of higher education.

(d) ADMINISTRATIVE PROVISIONS.—(1) Each member of the board who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for Executive Schedule Level IV under section 5315 of title 5, for each day (including travel time) during which such member is engaged in the performance of the duties of the board. Members of the board who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) The members of the board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, while away from their homes or regular places of business in the performance of services for the board.

(Added Pub. L. 102-190, div. A, title V, §513(a), Dec. 5, 1991, 105 Stat. 1360; amended Pub. L. 106-65, div. A, title X, §1066(a)(2), Oct. 5, 1999, 113 Stat. 770; Pub. L. 106-398, §1 [[div. A], title X, §1087(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-290.)

AMENDMENTS

2000—Subsec. (d). Pub. L. 106-398 substituted “section 5315” for “section 5376”.

1999—Subsec. (d)(1). Pub. L. 106-65 substituted “Executive Schedule Level IV under section 5376 of title 5” for “grade GS-18 of the General Schedule under section 5332 of title 5”.

§ 181. Joint Requirements Oversight Council

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Joint Requirements Oversight Council in the Department of Defense.

(b) MISSION.—In addition to other matters assigned to it by the President or Secretary of Defense, the Joint Requirements Oversight Council shall—

(1) assist the Chairman of the Joint Chiefs of Staff in identifying and assessing the priority of joint military requirements (including existing systems and equipment) to meet the national military strategy;

(2) assist the Chairman in considering alternatives to any acquisition program that has been identified to meet military requirements by evaluating the cost, schedule, and performance criteria of the program and of the identified alternatives; and

(3) as part of its mission to assist the Chairman in assigning joint priority among existing and future programs meeting valid requirements, ensure that the assignment of such priorities conforms to and reflects resource levels projected by the Secretary of Defense through defense planning guidance.

(c) COMPOSITION.—(1) The Joint Requirements Oversight Council is composed of—

(A) the Chairman of the Joint Chiefs of Staff, who is the chairman of the Council;

(B) an Army officer in the grade of general;

(C) a Navy officer in the grade of admiral;

(D) an Air Force officer in the grade of general; and

(E) a Marine Corps officer in the grade of general.

(2) Members of the Council, other than the Chairman of the Joint Chiefs of Staff, shall be selected by the Chairman of the Joint Chiefs of Staff, after consultation with the Secretary of Defense, from officers in the grade of general or admiral, as the case may be, who are recommended for such selection by the Secretary of the military department concerned.

(3) The functions of the Chairman of the Joint Chiefs of Staff as chairman of the Council may only be delegated to the Vice Chairman of the Joint Chiefs of Staff.

(d) AVAILABILITY OF OVERSIGHT INFORMATION TO CONGRESSIONAL DEFENSE COMMITTEES.—(1) The Secretary of Defense shall ensure that, in the case of a recommendation by the Chairman to the Secretary that is approved by the Secretary, oversight information with respect to such recommendation that is produced as a result of the activities of the Joint Requirements Oversight Council is made available in a timely fashion to the congressional defense committees.

(2) In this subsection, the term “oversight information” means information and materials comprising analysis and justification that are prepared to support a recommendation that is made to, and approved by, the Secretary of Defense.

(Added Pub. L. 104-106, div. A, title IX, §905(a)(1), Feb. 10, 1996, 110 Stat. 403; amended Pub. L. 104-201, div. A, title IX, §908, Sept. 23, 1996, 110 Stat. 2621; Pub. L. 106-65, div. A, title X, §1067(1), Oct. 5, 1999, 113 Stat. 774; Pub. L. 108-136, div. A, title X, §1043(b)(3), Nov. 24, 2003, 117 Stat. 1610.)

AMENDMENTS

2003—Subsec. (d)(2). Pub. L. 108-136 substituted “subsection, the term ‘oversight’ for ‘subsection:’, struck out ‘(A) The term ‘oversight’ before ‘information’ means’”, and struck out subpar. (B) which read as follows: “The term ‘congressional defense committees’ means—

“(i) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

“(ii) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.”

1999—Subsec. (d)(2)(B)(ii). Pub. L. 106-65 substituted “Committee on Armed Services” for “Committee on National Security”.

1996—Subsec. (d). Pub. L. 104-201 added subsec. (d).

EFFECTIVE DATE

Section 905(b) of Pub. L. 104-106 provided that: “The amendments made by this section [enacting this section] shall take effect on January 31, 1997.”

REPORTS ON JOINT REQUIREMENTS OVERSIGHT COUNCIL REFORM INITIATIVE

Pub. L. 106-398, §1 [[div. A], title IX, §916], Oct. 30, 2000, 114 Stat. 1654, 1654A-231, as amended by Pub. L. 107-107, div. A, title IX, §923, Dec. 28, 2001, 115 Stat. 1199, directed the Chairman of the Joint Chiefs of Staff to submit reports to committees of Congress not later than Mar. 1, 2001, Sept. 1, 2001, Mar. 1, 2002, and Mar. 1, 2003, on the progress made on the initiative of the Chairman to reform and refocus the Joint Requirements Oversight Council.

§ 182. Center for Excellence in Disaster Management and Humanitarian Assistance

(a) ESTABLISHMENT.—The Secretary of Defense may operate a Center for Excellence in Disaster