Department of Defense as he considers appropriate.

(g) MEETINGS OF JCS.—(1) The Chairman shall convene regular meetings of the Joint Chiefs of Staff.

(2) Subject to the authority, direction, and control of the President and the Secretary of Defense, the Chairman shall—
   (A) preside over the Joint Chiefs of Staff;
   (B) provide agenda for the meetings of the Joint Chiefs of Staff (including, as the Chairman considers appropriate, any subject for the agenda recommended by any other member of the Joint Chiefs of Staff);
   (C) assist the Joint Chiefs of Staff in carrying on their business as promptly as practicable; and
   (D) determine when issues under consideration by the Joint Chiefs of Staff shall be decided.


AMENDMENTS


1992—Subsec. (a)(2) to (6), Pub. L. 102–484 added pars. (2) and redesignated former pars. (2) to (5) as (3) to (6), respectively.

§ 152. Chairman: appointment; grade and rank

(a) APPOINTMENT; TERM OF OFFICE.—(1) There is a Chairman of the Joint Chiefs of Staff, appointed by the President, by and with the advice and consent of the Senate, from the officers of the regular components of the armed forces. The Chairman serves at the pleasure of the President for a term of two years, beginning on October 1 of odd-numbered years. Subject to paragraph (3), an officer serving as Chairman may be reappointed in the same manner for two additional terms. However, in time of war there is no limit on the number of reappointments.

(2) In the event of the death, retirement, resignation, or reassignment of the officer serving as Chairman before the end of the term for which the officer was appointed, an officer appointed to fill the vacancy shall serve as Chairman only for the remainder of the original term, but may be reappointed as provided in paragraph (1).

(3) An officer may not serve as Chairman or Vice Chairman of the Joint Chiefs of Staff if the combined period of service of such officer in such positions exceeds six years. However, the President may extend to eight years the combined period of service an officer may serve in such positions if he determines such action is in the national interest. The limitations of this paragraph do not apply in time of war.

(b) REQUIREMENT FOR APPOINTMENT.—(1) The President may appoint an officer as Chairman of the Joint Chiefs of Staff only if the officer has served as—
   (A) the Vice Chairman of the Joint Chiefs of Staff;
   (B) the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, or the Commandant of the Marine Corps; or
   (C) the commander of a unified or specified combatant command.

(2) The President may waive paragraph (1) in the case of an officer if the President determines such action is necessary in the national interest.

(c) GRADE AND RANK.—The Chairman, while so serving, holds the grade of general or, in the case of an officer of the Navy, admiral and outranks all other officers of the armed forces. However, he may not exercise military command over the Joint Chiefs of Staff or any of the armed forces.


AMENDMENTS

1987—Pub. L. 100–180 substituted “grade and rank” for “rank” in section catchline.

§ 153. Chairman: functions

(a) PLANNING; ADVICE; POLICY FORMULATION.—Subject to the authority, direction, and control of the President and the Secretary of Defense, the Chairman of the Joint Chiefs of Staff shall be responsible for the following:

(1) STRATEGIC DIRECTION.—Assisting the President and the Secretary of Defense in providing for the strategic direction of the armed forces.

(2) STRATEGIC PLANNING.—(A) Preparing strategic plans, including plans which conform with resource levels projected by the Secretary of Defense to be available for the period of time for which the plans are to be effective.

(B) Preparing joint logistic and mobility plans to support those strategic plans and recommending the assignment of logistic and mobility responsibilities to the armed forces in accordance with those logistic and mobility plans.

(C) Performing net assessments to determine the capabilities of the armed forces of the United States and its allies as compared with those of their potential adversaries.

(3) CONTINGENCY PLANNING; PREPAREDNESS.—(A) Providing for the preparation and review of contingency plans which conform to policy guidance from the President and the Secretary of Defense.

(B) Preparing joint logistic and mobility plans to support those contingency plans and recommending the assignment of logistic and mobility responsibilities to the armed forces in accordance with those logistic and mobility plans.

(C) Advising the Secretary on critical deficiencies and strengths in force capabilities (including manpower, logistic, and mobility support) identified during the preparation and review of contingency plans and assessing the effect of such deficiencies and strengths on meeting national security objectives and policy and on strategic plans.

(D) Establishing and maintaining, after consultation with the commanders of the unified and specified combatant commands, a uniform
§ 153

Title 31 for the next fiscal year. If the Chair -
ceived under paragraph (1) in any year, with the
under the current National Military Strategy.

is significant, the Secretary shall include with
that risk associated with executing the missions
man's assessment in such report in any year is
of the President submitted under section 1105 of
budget justification materials in support of the
gress with the Secretary's next transmission to
Secretary's comments thereon (if any), to Con -
ated with executing the missions called for
nitude of the strategic and military risks associ-
Department of Defense component of the budget
Chairman's assessment of the nature and mag -
the Secretary of Defense a report providing the
umbered year, the Chairman shall submit to
 specified combatant command.

(C) Submitting to the Secretary alternative
program recommendations and budget propos-
als, within projected resource levels and guidance provided by the Secretary, in order to
achieve greater conformance with the prior-
ities established in strategic plans and with the
priorities established for the requirements of
the unified and specified combatant command.

(E) Advising the Secretary on the extent to
which the major programs and policies of the
armed forces in the area of manpower conform
with strategic plans.

(F) Assessing military requirements for defense acquisition programs.

(5) Doctrine, Training, and Education.—(A) Developing doctrine for the joint employment
of the armed forces.

(B) Formulating policies for the joint training
of the armed forces.

(C) Formulating policies for coordinating
the military education and training of members of the armed forces.

(6) Other Matters.—(A) Providing for rep-
resentation of the United States on the Mili-
tary Staff Committee of the United Nations in
accordance with the Charter of the United Na-
tions.

(B) Performing such other duties as may be
prescribed by law or by the President or the
Secretary of Defense.

(b) Risks Under National Military Strate-
gy.—(1) Not later than January 1 of each odd-
numbered year, the Chairman shall submit to
the Secretary of Defense a report providing the
Chairman's assessment of the nature and mag-
nitude of the strategic and military risks associ-
ated with executing the missions called for
under the current National Military Strategy.

(2) The Secretary shall forward the report
received under paragraph (1) in any year, with the
Secretary's comments thereon (if any), to Con-
gress with the Secretary's next transmission to
Congress of the annual Department of Defense
budget justification materials in support of the
Department of Defense component of the budget
of the President submitted under section 1105 of
title 31 for the next fiscal year. If the Chair-
man's assessment in such report in any year is
that risk associated with executing the missions
called for under the National Military Strategy
is significant, the Secretary shall include with

the report as submitted to Congress the Sec-
detary's plan for mitigating that risk.

(c) Annual Report on Combatant Command
Requirements.—(1) At or about the time that
the budget is submitted to Congress for a fiscal
year under section 1105(a) of title 31, the Chair-
man shall submit to the congressional defense
committees a report on the requirements of the
combatant commands established under section
161 of this title.

(2) Each report under paragraph (1) shall con-
tain the following:

(A) A consolidation of the integrated prior-
ity lists of requirements of the combatant commands.

(B) The Chairman's views on the consoli-
dated lists.

(C) A description of the extent to which the most recent future-years defense program
(under section 221 of this title) addresses the
requirements on the consolidated lists.

(D) A description of the funding proposed in
the President's budget for the next fiscal year,
for the subsequent fiscal years covered by the
most recent future-years defense program,
to address each deficiency in readiness identi-
ﬁed during the joint readiness review con-
ducted under section 117 of this title for the
first quarter of the current fiscal year.

(d) Biennial Review of National Military
Strategy.—(1) Not later than February 15 of
each even-numbered year, the Chairman shall
submit to the Committee on Armed Services of
the Senate and the Committee on Armed Serv-
ices of the House of Representatives a report
containing the results of a comprehensive exam-
ination of the national military strategy. Each
such examination shall be conducted by the
Chairman in conjunction with the other mem-
bers of the Joint Chiefs of Staff and the com-
manders of the unified and specified commands.

(2) Each report on the examination of the
national military strategy under paragraph (1)
shall include the following:

(A) Delineation of a national military strat-
ey consistent with—

(i) the most recent National Security
Strategy prescribed by the President pursu-
ant to section 108 of the National Security
Act of 1947 (50 U.S.C. 404a);

(ii) the most recent annual report of the
Secretary of Defense submitted to the Presi-
dent and Congress pursuant to section 113 of
this title; and

(iii) the most recent Quadrennial Defense
Review conducted by the Secretary of De-
fense pursuant to section 118 of this title.

(B) A description of the strategic environ-
ment and the opportunities and challenges
that affect United States national interests
and United States national security.

(C) A description of the regional threats to
United States national interests and United
States national security.

(D) A description of the international
threats posed by terrorism, weapons of mass
destruction, and asymmetric challenges to
United States national security.

(E) Identification of United States national
military objectives and the relationship of
those objectives to the strategic environment, regional, and international threats.

(F) Identification of the strategy, underlying concepts, and component elements that contribute to the achievement of United States national military objectives.

(G) Assessment of the capabilities and adequacy of United States forces (including both active and reserve components) to successfully execute the national military strategy.

(H) Assessment of the capabilities, adequacy, and interoperability of regional allies of the United States and other friendly nations to support United States forces in combat operations and other operations for extended periods of time.

(3)(A) As part of the assessment under this subsection, the Chairman, in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the unified and specified commands, shall undertake an assessment of the nature and magnitude of the strategic and military risks associated with successfully executing the missions called for under the current National Military Strategy.

(B) In preparing the assessment of risk, the Chairman should make assumptions pertaining to the readiness of United States forces (in both active and reserve components), the length of conflict and the level of intensity of combat operations, and the levels of support from allies and other friendly nations.

(4) Before submitting a report under this subsection to the Committees on Armed Services of the Senate and House of Representatives, the Chairman shall provide the report to the Secretary of Defense. The Secretary’s assessment and comments thereon (if any) shall be included with the report. If the Chairman’s assessment in such report in any year is that the risk associated with executing the missions called for under the National Military Strategy is significant, the Secretary shall include with the report as submitted to those committees the Secretary’s plan for mitigating the risk.


AMENDMENTS

2003—Subsec. (b)(1). Pub. L. 108–136, §903(b), substituted “of each odd-numbered year” for “each year”. Subsec. (c), Pub. L. 108–136, §914(b)(2), in par. (1), substituted “congressional defense committees” for “committees of Congress named in paragraph (2)”, designated the second sentence of par. (1) as par. (2), and struck out former par. (2), substituted “Each report under paragraph (1)” for “The report”, and struck out former par. (2) which read as follows: “The committees of Congress referred to in paragraph (1) are the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives.”


2002—Pub. L. 107–314 inserted subsec. (a) heading and redesignated subsecs. (c) and (d) as (b) and (c), respectively.

2001—Subsec. (a). Pub. L. 107–107, §921(b)(1), struck out “(a) PLANNING; ADVICE; POLICY FORMULATION.—” before “Subject to the authority”.

Subsec. (b), Pub. L. 107–107, §921(b)(2), struck out heading and text of subsec. (b) which read as follows: “(b) REPORT ON ASSIGNMENT OF ROLES AND MISSIONS.—(1) Not less than once every three years, or upon the request of the President or the Secretary of Defense, the Chairman shall submit to the Secretary of Defense a report containing such recommendations for changes in the assignment of functions (or roles and missions) to the armed forces as the Chairman considers necessary to achieve maximum effectiveness of the armed forces. In preparing each such report, the Chairman shall consider (among other matters) the following: “(A) Changes in the nature of the threats faced by the United States. “(B) Unnecessary duplication of effort among the armed forces. “(C) Changes in technology that can be applied effectively to warfare. “(2) The Chairman shall include in each such report recommendations for such changes in policies, directives, regulations, and legislation as may be necessary to achieve the changes in the assignment of functions recommended by the Chairman.”

1999—Subsecs. (c), (d). Pub. L. 106–65 added subsecs. (c) and (d).

COMMON MEASUREMENT OF OPERATIONS TEMPO AND PERSONNEL TEMPO


“(a) MEANS FOR MEASUREMENT.—The Chairman of the Joint Chiefs of Staff shall, to the maximum extent practicable, develop (1) a common means of measuring the operations tempo (OPTEMPO) of each of the Armed Forces, and (2) a common means of measuring the personnel tempo (PERSTEMPO) of each of the Armed Forces. The Chairman shall consult with the other members of the Joint Chiefs of Staff in developing those common means of measurement.

“(b) PERSTEMPO MEASUREMENT.—The measurement of personnel tempo developed by the Chairman shall include a means of identifying the rate of deployment for individual members of the Armed Forces in addition to the rate of deployment for units.”

ANNUAL ASSESSMENT OF FORCE READINESS

Pub. L. 103–160, div. A, title III, §376, Nov. 30, 1993, 107 Stat. 1637, provided for an annual assessment of readiness and capability of the Armed Forces by the Chairman of the Joint Chiefs of Staff to be submitted to Congress not later than March 1 of each of 1994, 1995, and 1996 and for interim assessments between annual submissions in the event of a significant change in readiness or capability of the Armed Forces.

REPORT OF CHAIRMAN OF JOINT CHIEFS OF STAFF ON ROLES AND MISSIONS OF ARMED FORCES

Pub. L. 98–479, div. A, title IX, §901, Oct. 23, 1992, 106 Stat. 2469, provided for the Secretary of Defense to transmit to Congress a copy of the first report relating to the roles and missions of the Armed Forces that was submitted by the Chairman of the Joint Chiefs of Staff under subsec. (b) of this section after Jan. 1, 1992, and directed the Chairman to include in the report comments and recommendations.

TRANSITION PROVISIONS

Pub. L. 99–433, title II, §204(a), (b), Oct. 1, 1986, 100 Stat. 1011, provided dates for establishment of the uni-
form system of evaluating the preparedness of each unified and specified combatant command and for submission of the first report.

§ 154. Vice Chairman

(a) APPOINTMENT.—(1) There is a Vice Chairman of the Joint Chiefs of Staff, appointed by the President, by and with the advice and consent of the Senate, from the officers of the regular components of the armed forces.

(2) The Chairman and Vice Chairman may not be members of the same armed force. However, the President may waive the restriction in the preceding sentence for a limited period of time in order to provide for the orderly transition of officers appointed to serve in the positions of Chairman and Vice Chairman.

(3) The Vice Chairman serves at the pleasure of the President for a term of two years and may be reappointed in the same manner for additional terms. However, in time of war there is no limit on the number of reappointments.

(b) REQUIREMENT FOR APPOINTMENT.—(1) The President may appoint an officer as Vice Chairman of the Joint Chiefs of Staff only if the officer—

(A) has the joint specialty under section 661 of this title; and

(B) has completed a full tour of duty in a joint duty assignment (as defined in section 664(f) of this title) as a general or flag officer.

(2) The President may waive paragraph (1) in the case of an officer if the President determines such action is necessary in the national interest.

(c) DUTIES.—The Vice Chairman performs the duties prescribed for him as a member of the Joint Chiefs of Staff and such other duties as may be prescribed by the Chairman with the approval of the Secretary of Defense.

(d) FUNCTION AS ACTING CHAIRMAN.—When there is a vacancy in the office of Chairman or in the absence or disability of the Chairman, the Vice Chairman acts as Chairman and performs the duties of the Chairman until a successor is appointed or the absence or disability ceases.

(e) SUCCESSION AFTER CHAIRMAN AND VICE CHAIRMAN.—When there is a vacancy in the offices of both Chairman and Vice Chairman or in the absence or disability of both the Chairman and the Vice Chairman, or when there is a vacancy in one such office and in the absence or disability of the officer holding the other, the President shall designate a member of the Joint Chiefs of Staff to act as and perform the duties of the Chairman until a successor to the Chairman or Vice Chairman is appointed or the absence or disability of the Chairman or Vice Chairman ceases.

(f) GRADe AND RANK.—The Vice Chairman, while so serving, holds the grade of general or, in the case of an officer of the Navy, admiral and outranks all other officers of the armed forces except the Chairman. The Vice Chairman may not exercise military command over the Joint Chiefs of Staff or any of the armed forces.


§ 155. Joint Staff

(a) APPOINTMENT OF OFFICERS TO JOINT STAFF.—(1) There is a Joint Staff under the Chairman of the Joint Chiefs of Staff. The Joint Staff assists the Chairman and, subject to the authority, direction, and control of the Chairman, the other members of the Joint Chiefs of Staff in carrying out their responsibilities.

(2) Officers of the armed forces (other than the Coast Guard) assigned to serve on the Joint Staff shall be selected by the Chairman in approximately equal numbers from—

(A) the Army;

(B) the Navy and the Marine Corps; and

(C) the Air Force.

(3) Selection of officers of an armed force to serve on the Joint Staff shall be made by the Chairman from a list of officers submitted by the Secretary of the military department having jurisdiction over that armed force. Each officer whose name is submitted shall be among those officers considered to be the most outstanding officers of that armed force. The Chairman may specify the number of officers to be included on any such list.

(b) DIRECTOR.—The Chairman of the Joint Chiefs of Staff, after consultation with the other members of the Joint Chiefs of Staff and with the approval of the Secretary of Defense, may select an officer to serve as Director of the Joint Staff.

(c) MANAGEMENT OF JOINT STAFF.—The Chairman of the Joint Chiefs of Staff manages the Joint Staff and the Director of the Joint Staff. The Joint Staff shall perform such duties as the Chairman prescribes and shall perform such duties under such procedures as the Chairman prescribes.

(d) OPERATION OF JOINT STAFF.—The Secretary of Defense shall ensure that the Joint Staff is independently organized and operated so that