

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.—There is 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—

(A) in identifying, assessing, and approving joint military requirements (including existing systems and equipment) to meet the national military strategy;

(B) in identifying the core mission area associated with each such requirement; and

(C) in ensuring the consideration of trade-offs among cost, schedule, and performance objectives for joint military requirements in consultation with the advisors specified in subsection (d);

(2) assist the Chairman in establishing and assigning priority levels for joint military requirements;

(3) assist the Chairman, in consultation with the advisors to the Council under subsection (d), in reviewing the estimated level of resources required in the fulfillment of each joint military requirement and in ensuring that such resource level is consistent with the level of priority assigned to such requirement;

(4) assist acquisition officials in identifying alternatives to any acquisition program that meet joint military requirements for the purposes of section 2366a(b), section 2366b(a)(4), and section 2433(e)(2) of this title; and

(5) assist the Chairman, in consultation with the commanders of the combatant commands and the Under Secretary of Defense for Acquisition, Technology, and Logistics, in establishing an objective for the overall period of time within which an initial operational capability should be delivered to meet each joint military requirement.

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

(A) the Vice 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;

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

(F) in addition, when directed by the chairman, the commander of any combatant com-

mand (or, as directed by that commander, the deputy commander of that command) when matters related to the area of responsibility or functions of that command will be under consideration by the Council.

(2) Members of the Council under subparagraphs (B), (C), (D), and (E) of paragraph (1) 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.

(d) ADVISORS.—(1) The following officials of the Department of Defense shall serve as advisors to the Council on matters within their authority and expertise:

(A) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

(B) The Under Secretary of Defense (Comptroller).

(C) The Under Secretary of Defense for Policy.

(D) The Director of Cost Assessment and Program Evaluation.

(E) The Director of Operational Test and Evaluation.

(F) Such other civilian officials of the Department of Defense as are designated by the Secretary of Defense for purposes of this subsection.

(2) The Council shall seek and consider input from the commanders of the combatant commands in carrying out its mission under paragraphs (1) and (2) of subsection (b) and in conducting periodic reviews in accordance with the requirements of subsection (e).

(e) ORGANIZATION.—The Joint Requirements Oversight Council shall conduct periodic reviews of joint military requirements within a core mission area of the Department of Defense. In any such review of a core mission area, the officer or official assigned to lead the review shall have a deputy from a different military department.

(f) 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.

(g) DEFINITIONS.—In this section:

(1) The term “joint military requirement” means a capability necessary to fulfill a gap in a core mission area of the Department of Defense.

(2) The term “core mission area” means a core mission area of the Department of Defense identified under the most recent quadrennial roles and missions review pursuant to section 118b of this title.

(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; Pub. L. 110–181, div. A, title IX, §942(a)–(d), Jan. 28, 2008, 122 Stat. 287, 288; Pub. L. 110–417, [div. A], title VIII, §813(d)(1), Oct. 14, 2008, 122 Stat. 4527; Pub. L. 111–23, title I, §§101(d)(1), 105(a), title II, §201(b), May 22, 2009, 123 Stat. 1709, 1717, 1719; Pub. L. 111–383, div. A, title VIII, §841, title X, §1075(b)(8), Jan. 7, 2011, 124 Stat. 4281, 4369.)

AMENDMENTS

2011—Subsec. (a). Pub. L. 111–383, §841(d), substituted “There is” for “The Secretary of Defense shall establish”.

Subsec. (b)(3). Pub. L. 111–383, §1075(b)(8), which directed substitution of “Program Evaluation” for “Performance Evaluation”, could not be executed because of the amendment by Pub. L. 111–383, §841(c)(2). See below.

Pub. L. 111–383, §841(c)(2), substituted “advisors to the Council under subsection (d)” for “Under Secretary of Defense (Comptroller), the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the Director of Cost Assessment and Performance Evaluation”.

Subsec. (c)(1)(A). Pub. L. 111–383, §841(a)(1), inserted “Vice” before “Chairman of the Joint Chiefs of Staff”.

Subsec. (c)(1)(F). Pub. L. 111–383, §841(b), added subpar. (F).

Subsec. (c)(2). Pub. L. 111–383, §841(a)(2), substituted “under subparagraphs (B), (C), (D), and (E) of paragraph (1)” for “, other than the Chairman of the Joint Chiefs of Staff,”.

Subsec. (c)(3). Pub. L. 111–383, §841(a)(3), struck out par. (3) which read as follows: “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.”

Subsec. (d)(1). Pub. L. 111–383, §841(c)(1), substituted “The following officials of the Department of Defense shall serve as advisors to the Council on matters within their authority and expertise:” for “The Under Secretary of Defense for Acquisition, Technology, and Logistics, the Under Secretary of Defense (Comptroller), and the Director of Cost Assessment and Program Evaluation shall serve as advisors to the Council on matters within their authority and expertise.” and added subpars. (A) to (F).

2009—Subsec. (b)(1)(C). Pub. L. 111–23, §201(b)(1), added subpar. (C).

Subsec. (b)(3). Pub. L. 111–23, §201(b)(2)(A), inserted “, in consultation with the Under Secretary of Defense (Comptroller), the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the Director of Cost Assessment and Performance Evaluation,” after “assist the Chairman”.

Subsec. (b)(5). Pub. L. 111–23, §201(b)(2)(B)–(4), added par. (5).

Subsec. (d). Pub. L. 111–23, §105(a), designated existing provisions as par. (1) and added par. (2).

Pub. L. 111–23, §101(d)(1), substituted “Director of Cost Assessment and Program Evaluation” for “Director of the Office of Program Analysis and Evaluation”.

2008—Subsec. (b). Pub. L. 110–181, §942(a), amended subsec. (b) generally. Prior to amendment, subsec. (b) related to mission of Joint Requirements Oversight Council.

Subsec. (b)(4). Pub. L. 110–417 substituted “section 2366a(b), section 2366b(a)(4),” for “section 2366a(a)(4), section 2366b(b),”.

Subsec. (d). Pub. L. 110–181, §942(b)(2), added subsec. (d). Former subsec. (d) redesignated (f).

Subsec. (e). Pub. L. 110–181, §942(c), added subsec. (e). Subsec. (f). Pub. L. 110–181, §942(b)(1), redesignated subsec. (d) as (f).

Subsec. (g). Pub. L. 110–181, §942(d), added subsec. (g).
 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.”

INPUT FROM COMMANDERS OF COMBATANT COMMANDS

Pub. L. 111–23, title I, §105(b), May 22, 2009, 123 Stat. 1718, provided that: “The Joint Requirements Oversight Council in the Department of Defense shall seek and consider input from the commanders of combatant commands, in accordance with section 181(d) of title 10, United States Code (as amended by subsection (a)). Such input may include, but is not limited to, an assessment of the following:

“(1) Any current or projected missions or threats in the theater of operations of the commander of a combatant command that would inform the assessment of a new joint military requirement.

“(2) The necessity and sufficiency of a proposed joint military requirement in terms of current and projected missions or threats.

“(3) The relative priority of a proposed joint military requirement in comparison with other joint military requirements within the theater of operations of the commander of a combatant command.

“(4) The ability of partner nations in the theater of operations of the commander of a combatant command to assist in meeting the joint military requirement or the benefit, if any, of a partner nation assisting in development or use of technologies developed to meet the joint military requirement.”

REVIEW OF JOINT MILITARY REQUIREMENTS

Pub. L. 111–23, title II, §201(c), May 22, 2009, 123 Stat. 1720, provided that: “The Secretary of Defense shall ensure that each new joint military requirement recommended by the Joint Requirements Oversight Council is reviewed to ensure that the Joint Requirements Oversight Council has, in making such recommendation—

“(1) taken appropriate action to seek and consider input from the commanders of the combatant commands, in accordance with the requirements of section 181(d) of title 10, United States Code (as amended by section 105(a) of this Act);

“(2) engaged in consideration of trade-offs among cost, schedule, and performance objectives in accordance with the requirements of section 181(b)(1)(C) of title 10, United States Code (as added by subsection (b)); and

“(3) engaged in consideration of issues of joint portfolio management, including alternative material and non-material solutions, as provided in Department of Defense instructions for the development of joint military requirements.”

STUDY GUIDANCE FOR ANALYSES OF ALTERNATIVES

Pub. L. 111–23, title II, §201(d), May 22, 2009, 123 Stat. 1720, provided that: “The Director of Cost Assessment and Program Evaluation shall take the lead in the development of study guidance for an analysis of alternatives for each joint military requirement for which

the Chairman of the Joint Requirements Oversight Council is the validation authority. In developing the guidance, the Director shall solicit the advice of appropriate officials within the Department of Defense and ensure that the guidance requires, at a minimum—

“(1) full consideration of possible trade-offs among cost, schedule, and performance objectives for each alternative considered; and

“(2) an assessment of whether or not the joint military requirement can be met in a manner that is consistent with the cost and schedule objectives recommended by the Joint Requirements Oversight Council.”

DEADLINES FOR INCLUSION OF CORE MISSION REFERENCES IN DOCUMENTS

Pub. L. 110–181, div. A, title IX, §942(f), Jan. 28, 2008, 122 Stat. 288, provided that: “Effective June 1, 2009, all joint military requirements documents of the Joint Requirements Oversight Council produced to carry out its mission under section 181(b)(1) of title 10, United States Code, shall reference the core mission areas organized and defined under section 118b of such title. Not later than October 1, 2009, all such documents produced before June 1, 2009, shall reference such structure.”

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 Joints 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 Management and Humanitarian Assistance (in this section referred to as the “Center”).

(b) MISSIONS.—(1) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require international disaster management and humanitarian assistance and operations that require coordination between the Department of Defense and other agencies.

(2) The Center shall be used to make available high-quality disaster management and humanitarian assistance in response to disasters.

(3) The Center shall be used to provide and facilitate education, training, interagency coordination, and research on the following additional matters:

(A) Management of the consequences of nuclear, biological, and chemical events.

(B) Management of the consequences of terrorism.

(C) Appropriate roles for the reserve components in the management of such consequences and in disaster management and humanitarian assistance in response to natural disasters.

(D) Meeting requirements for information in connection with regional and global disasters, including the use of advanced communications technology as a virtual library.

(E) Tropical medicine, particularly in relation to the medical readiness requirements of the Department of Defense.