

Pub. L. 107-314, div. A, title IV, § 401, Dec. 2, 2002, 116 Stat. 2524.

Pub. L. 107-107, div. A, title IV, § 401, Dec. 28, 2001, 115 Stat. 1069.

Pub. L. 106-398, § 1 [[div. A], title IV, § 401], Oct. 30, 2000, 114 Stat. 1654, 1654A-92.

Pub. L. 106-65, div. A, title IV, § 401, Oct. 5, 1999, 113 Stat. 585.

Pub. L. 105-261, div. A, title IV, § 401, Oct. 17, 1998, 112 Stat. 1995.

Pub. L. 105-85, div. A, title IV, § 401, Nov. 18, 1997, 111 Stat. 1719.

Pub. L. 104-201, div. A, title IV, § 401, Sept. 23, 1996, 110 Stat. 2503.

Pub. L. 104-106, div. A, title IV, § 401(a), Feb. 10, 1996, 110 Stat. 285.

Pub. L. 103-337, div. A, title IV, § 401, Oct. 5, 1994, 108 Stat. 2743.

Pub. L. 103-160, div. A, title IV, §§ 401, 403, Nov. 30, 1993, 107 Stat. 1639, 1640.

Pub. L. 102-484, div. A, title IV, §§ 401, 402, Oct. 23, 1992, 106 Stat. 2397.

Pub. L. 102-190, div. A, title IV, § 401, title VI, § 664, Dec. 5, 1991, 105 Stat. 1349, 1399.

Pub. L. 101-510, div. A, title IV, §§ 401, 402, Nov. 5, 1990, 104 Stat. 1543, 1544; Pub. L. 102-25, title II, §§ 201(a), 202, 205(a), Apr. 6, 1991, 105 Stat. 79, 80; Pub. L. 104-106, div. A, title XV, § 1502(c)(4)(A), Feb. 10, 1996, 110 Stat. 507.

Pub. L. 101-189, div. A, title IV, § 401, Nov. 29, 1989, 103 Stat. 1431, as amended by Pub. L. 101-510, div. A, title IV, § 401(d), Nov. 5, 1990, 104 Stat. 1544.

Pub. L. 100-456, div. A, title IV, § 401, Sept. 29, 1988, 102 Stat. 1963.

Pub. L. 100-180, div. A, title IV, § 401, Dec. 4, 1987, 101 Stat. 1081.

Pub. L. 99-661, div. A, title IV, § 401, Nov. 14, 1986, 100 Stat. 3859.

Pub. L. 99-145, title IV, § 401, Nov. 8, 1985, 99 Stat. 618.

Pub. L. 98-525, title IV, § 401, Oct. 19, 1984, 98 Stat. 2516.

Pub. L. 98-94, title IV, § 401, Sept. 24, 1983, 97 Stat. 629.

Pub. L. 97-252, title IV, § 401, Sept. 8, 1982, 96 Stat. 725.

Pub. L. 97-86, title IV, § 401, Dec. 1, 1981, 95 Stat. 1104, as amended by Pub. L. 97-252, title IX, § 903, Sept. 8, 1982, 96 Stat. 729.

Pub. L. 96-342, title III, § 301, Sept. 8, 1980, 94 Stat. 1082, as amended by Pub. L. 97-39, title III, § 301, Aug. 14, 1981, 95 Stat. 940.

Pub. L. 96-107, title III, § 301, Nov. 9, 1979, 93 Stat. 806.

Pub. L. 95-485, title III, § 301, Oct. 20, 1978, 92 Stat. 1613.

Pub. L. 95-79, title III, § 301, July 30, 1977, 91 Stat. 326.

Pub. L. 94-361, title III, § 301, July 14, 1976, 90 Stat. 924.

Pub. L. 94-106, title III, § 301, Oct. 7, 1975, 89 Stat. 532.

Pub. L. 93-365, title III, § 301, Aug. 5, 1974, 88 Stat. 401.

Pub. L. 93-155, title III, § 301, Nov. 16, 1973, 87 Stat. 607.

Pub. L. 92-436, title III, § 301, Sept. 26, 1972, 86 Stat. 735.

#### MINIMUM NUMBER OF NAVY HEALTH PROFESSIONS OFFICERS

Section 718(b) of Pub. L. 102-190 provided that, of the total number of officers authorized to be serving on active duty in Navy on last day of a fiscal year, 12,510 were to be available only for assignment to duties in health profession specialties, prior to repeal by Pub. L. 104-106, div. A, title V, § 564(d)(2), Feb. 10, 1996, 110 Stat. 327.

#### LIMITATIONS ON REDUCTIONS IN MEDICAL PERSONNEL

Section 711 of Pub. L. 101-510, as amended by Pub. L. 102-190, div. A, title VII, § 718(a), Dec. 5, 1991, 105 Stat. 1404, prohibited Secretary of Defense from reducing number of medical personnel of Department of Defense below baseline number unless Secretary certified to Congress that number of such personnel being reduced was excess to current and projected needs of military departments, and such reduction would not result in increase in cost of health care services provided under Ci-

vilian Health and Medical Program of the Uniformed Services, and, in case of military medical personnel, included in certification information on strength levels for individual category of medical personnel involved in reduction as of Sept. 30, 1989, projected requirements of Department over 5-fiscal year period following fiscal year in which certification was submitted for medical personnel in category of medical personnel involved, and strength level recommended for each component of Armed Forces for most recent fiscal year for which Secretary submitted recommendations pursuant to section 115a(g)(1) of this title for personnel in category of medical personnel involved, prior to repeal by Pub. L. 104-106, div. A, title V, § 564(d)(1), Feb. 10, 1996, 110 Stat. 327. See section 129c of this title.

#### OPERATION DESERT SHIELD INCREASE IN END STRENGTHS OF ACTIVE DUTY PERSONNEL; AUTHORITY; CERTIFICATION

Section 1117 of Pub. L. 101-510, authorized Secretary of Defense, after determining that operational requirements of Operation Desert Shield so require, to increase the end strengths of active duty personnel for fiscal year 1991 by an amount not greater than 0.5 percent of the total end strengths authorized by section 401 of Pub. L. 101-510, set out above, and required certification by Secretary to Committees on Armed Services of Senate and House of Representatives of necessity of such increase, prior to repeal by Pub. L. 102-25, title II, § 204, Apr. 6, 1991, 105 Stat. 80.

#### § 115a. Annual defense manpower requirements report

(a) The Secretary of Defense shall submit to Congress an annual defense manpower requirements report. The report, which shall be in writing, shall be submitted each year not later than 45 days after the date on which the President submits to Congress the budget for the next fiscal year under section 1105 of title 31. The report shall contain the Secretary's recommendations for—

(1) the annual active-duty end-strength level for each component of the armed forces for the next fiscal year;

(2) the annual civilian personnel requirements level for each component of the Department of Defense for the next fiscal year and the civilian end-strength level for the prior fiscal year; and

(3) the projected number of contractor personnel full-time equivalents required to provide contract services (as that term is defined in section 235 of this title) for each component of the Department of Defense for the next fiscal year and the contractor personnel full-time equivalents that provided contract services for each component of the Department of Defense for the prior fiscal year as reported in the inventory of contracts for services required by section 2330a(c) of this title.

(b)(1) The Secretary shall include in each report under subsection (a) justification for the strength levels recommended and an explanation of the relationship between the personnel strength levels recommended for that fiscal year and the national security policies of the United States in effect at the time.

(2) The justification and explanation shall specify in detail for all major military force units (including each land force division, carrier and other major combatant vessel, air wing, and other comparable unit) the following:

- (A) Unit mission and capability.
- (B) Strategy which the unit supports.

(3) The justification and explanation shall also specify in detail the manpower required to perform the medical missions of each of the armed forces and of the Department of Defense.

(c) The Secretary shall include in each report under subsection (a) a detailed discussion of the following:

(1) The manpower required for support and overhead functions within the armed forces and the Department of Defense.

(2) The relationship of the manpower required for support and overhead functions to the primary combat missions and support policies.

(3) The manpower required to be stationed or assigned to duty in foreign countries and aboard vessels located outside the territorial limits of the United States, its territories, and possessions.

(d) The Secretary shall also include in each such report, with respect to each armed force under the jurisdiction of the Secretary of a military department, the following:

(1) The number of positions that require warrant officers or commissioned officers serving on active duty in each of the officer grades during the current fiscal year and the estimated number of such positions for each of the next five fiscal years.

(2) The estimated number of officers that will be serving on active duty in each grade on the last day of the current fiscal year and the estimated numbers of officers that will be needed on active duty on the last day of each of the next five fiscal years.

(3) An estimate and analysis for the current fiscal year and for each of the next five fiscal years of gains to and losses from the number of members on active duty in each officer grade, including a tabulation of—

- (A) retirements displayed by year of active commissioned service;
- (B) discharges;
- (C) other separations;
- (D) deaths;
- (E) promotions; and
- (F) reserve and regular officers ordered to active duty.

(e)(1) In each such report, the Secretary shall also include recommendations for the end-strength levels for medical personnel for each component of the armed forces as of the end of the next fiscal year.

(2) For purposes of this subsection, the term “medical personnel” includes—

(A) in the case of the Army, members of the Medical Corps, Dental Corps, Nurse Corps, Medical Service Corps, Veterinary Corps, and Army Medical Specialist Corps;

(B) in the case of the Navy, members of the Medical Corps, Dental Corps, Nurse Corps, and Medical Service Corps;

(C) in the case of the Air Force, members designated as medical officers, dental officers, Air Force nurses, medical service officers, and biomedical science officers;

(D) enlisted members engaged in or supporting medically related activities; and

(E) such other personnel as the Secretary considers appropriate.

(f) The Secretary shall also include in each such report the following information with respect to personnel assigned to or supporting major Department of Defense headquarters activities:

(1) The military end strength and civilian full-time equivalents assigned to major Department of Defense headquarters activities for the preceding fiscal year and estimates of such numbers for the current fiscal year and subsequent fiscal years.

(2) A summary of the replacement during the preceding fiscal year of contract workyears providing support to major Department of Defense headquarters activities with military end strength or civilian full-time equivalents, including an estimate of the number of contract workyears associated with the replacement of contracts performing inherently governmental or exempt functions.

(3) The plan for the continued review of contract personnel supporting major Department of Defense headquarters activities for possible conversion to military or civilian performance in accordance with section 2463 of this title.

(4) The amount of any adjustment in the limitation on personnel made by the Secretary of Defense or the Secretary of a military department, and, for each adjustment made pursuant to section 1111(b)(2) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. 143 note), the purpose of the adjustment.

[(g) Redesignated (e)]

(h) In each such report, the Secretary shall include a separate report on the Army and Air Force military technician programs. The report shall include a presentation, shown by reserve component and shown both as of the end of the preceding fiscal year and for the next fiscal year, of the following (displayed in the aggregate and separately for military technicians (dual status) and non-dual status military technicians):

(1) The number of military technicians required to be employed (as specified in accordance with Department of Defense procedures), the number authorized to be employed under Department of Defense personnel procedures, and the number actually employed.

(2) Within each of the numbers under paragraph (1)—

(A) the number applicable to a reserve component management headquarter organization; and

(B) the number applicable to high-priority units and organizations (as specified in section 10216(a) of this title).

(Added Pub. L. 101-510, div. A, title XIV, §1483(a), Nov. 5, 1990, 104 Stat. 1711; amended Pub. L. 102-190, div. A, title X, §1061(a)(1), Dec. 5, 1991, 105 Stat. 1472; Pub. L. 104-106, div. A, title V, §513(e), title X, §1061(d), Feb. 10, 1996, 110 Stat. 307, 442; Pub. L. 105-85, div. A, title V, §522(i)(2), Nov. 18, 1997, 111 Stat. 1736; Pub. L. 105-261, div. A, title IV, §403, Oct. 17, 1998, 112 Stat. 1996; Pub. L. 111-84, div. A, title XI, §1109(b)(1)-(2)(B)(i), Oct. 28, 2009, 123 Stat. 2492,

2493; Pub. L. 112-81, div. A, title IX, §934, Dec. 31, 2011, 125 Stat. 1544.)

#### REFERENCES IN TEXT

Section 1111(b)(2) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, referred to in subsec. (f)(4), is section 1111(b)(2) of Pub. L. 110-417, which is set out as a note under section 143 of this title.

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 115(b)(1)(D), (3), (c)(2) of this title, prior to repeal by Pub. L. 101-510, §1483(a).

#### AMENDMENTS

2011—Subsec. (a)(2), (3). Pub. L. 112-81 added pars. (2) and (3) and struck out former par. (2) which read as follows: “the annual civilian personnel end-strength level for each component of the Department of Defense for the next fiscal year.”

2009—Pub. L. 111-84, §1109(b)(2)(B)(i), inserted “defense” before “manpower” in section catchline.

Subsec. (a). Pub. L. 111-84, §1109(b)(2)(A), inserted “defense” before “manpower requirements report” in introductory provisions.

Subsec. (f). Pub. L. 111-84, §1109(b)(1), added subsec. (f).

1998—Subsec. (a). Pub. L. 105-261, in introductory provisions, struck out “, not later than February 15 of each fiscal year,” after “submit to Congress” and substituted “The report, which shall be in writing, shall be submitted each year not later than 45 days after the date on which the President submits to Congress the budget for the next fiscal year under section 1105 of title 31. The report” for “The report shall be in writing and”.

1997—Subsec. (h). Pub. L. 105-85, §522(i)(2)(A), inserted “(displayed in the aggregate and separately for military technicians (dual status) and non-dual status military technicians)” after “of the following” in introductory provisions.

Subsec. (h)(3). Pub. L. 105-85, §522(i)(2)(B), struck out par. (3) which read as follows: “Within each of the numbers under paragraph (1), the numbers of military technicians who are not themselves members of a reserve component (so-called ‘single-status’ technicians), with a further display of such numbers as specified in paragraph (2).”

1996—Subsec. (b)(2)(C). Pub. L. 104-106, §1061(d)(1), struck out subpar. (C) which read as follows: “Area of deployment and illustrative areas of potential deployment, including a description of any United States commitment to defend such areas.”

Subsec. (d). Pub. L. 104-106, §1061(d)(3), redesignated subsec. (e) as (d) and struck out pars. (4) and (5) which read as follows:

“(4) An analysis of the distribution of each of the following categories of officers serving on active duty on the last day of the preceding fiscal year by grade in which serving and years of active commissioned service:

“(A) Regular officers.

“(B) Reserve officers on the active-duty list.

“(C) Reserve officers described in clauses (B) and (C) of section 523(b)(1) of this title.

“(D) Officers other than those specified in subparagraphs (A), (B), and (C) serving in a temporary grade.

“(5) An analysis of the number of officers and enlisted members serving on active duty for training as of the last day of the preceding fiscal year under orders specifying an aggregate period in excess of 180 days and an estimate for the current fiscal year of the number that will be ordered to such duty, tabulated by—

“(A) recruit and specialized training;

“(B) flight training;

“(C) professional training in military and civilian institutions; and

“(D) officer acquisition training.”

Pub. L. 104-106, §1061(d)(2), struck out subsec. (d) which read as follows: “In each such report, the Secretary shall also—

“(1) identify, define, and group by mission and by region the types of military bases, installations, and facilities;

“(2) provide an explanation and justification of the relationship between this base structure and the proposed military force structure; and

“(3) provide a comprehensive identification of base operating support costs and an evaluation of possible alternatives to reduce those costs.”

Subsec. (e). Pub. L. 104-106, §1061(d)(5), redesignated subsec. (g) as (e). Former subsec. (e) redesignated (d).

Subsec. (f). Pub. L. 104-106, §1061(d)(4), struck out subsec. (f) which read as follows: “In each such report, the Secretary shall also include recommendations for the average student load for each category of training for each component of the armed forces for the next three fiscal years. The Secretary shall include in the report justification for, and explanation of, the average student loads recommended.”

Subsec. (g). Pub. L. 104-106, §1061(d)(5), redesignated subsec. (g) as (e).

Subsec. (h). Pub. L. 104-106, §513(e), added subsec. (h). 1991—Subsec. (d)(3). Pub. L. 102-190 inserted “provide” before “a comprehensive”.

#### ASSESSMENT OF STRUCTURE AND MIX OF ACTIVE AND RESERVE FORCES

Section 402 of Pub. L. 102-190, as amended by Pub. L. 102-484, div. A, title V, §513(b), Oct. 23, 1992, 106 Stat. 2406, required Secretary of Defense to submit to Congress a report containing an assessment of alternatives relating to structure and mix of active and reserve forces appropriate for carrying out assigned missions in mid- to late-1990s and an evaluation and recommendations of Secretary and Chairman of Joint Chiefs of Staff as to mix or mixes of reserve and active forces considered acceptable to carry out expected future missions, and further provided for matters to be included in report and evaluation, commencement of assessment, submission of interim and final reports, and funding for assessment.

#### § 115b. Biennial strategic workforce plan

(a) BIENNIAL PLAN REQUIRED.—(1) The Secretary of Defense shall submit to the congressional defense committees in every even-numbered year a strategic workforce plan to shape and improve the civilian employee workforce of the Department of Defense.

(2) The Under Secretary of Defense for Personnel and Readiness shall have overall responsibility for developing and implementing the strategic workforce plan, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(b) CONTENTS.—Each strategic workforce plan under subsection (a) shall include, at a minimum, the following:

(1) An assessment of—

(A) the critical skills and competencies that will be needed in the future within the civilian employee workforce by the Department of Defense to support national security requirements and effectively manage the Department during the five-year period corresponding to the current future-years defense program under section 221 of this title;

(B) the appropriate mix of military, civilian, and contractor personnel capabilities, as determined under the total force management policies and procedures established under section 129a of this title;