

which was formerly classified principally to chapter 15 (§ 401 et seq.) of Title 50, War and National Defense, prior to editorial reclassification in chapter 44 (§ 3001 et seq.) of Title 50. Section 108 of the Act is now classified to section 3043 of Title 50. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2013—Subsec. (a)(3)(F). Pub. L. 112-239, § 845(b), added subpar. (F).

Subsec. (a)(4)(F), (G). Pub. L. 112-239, § 951(a), added subpars. (F) and (G) and struck out former subpar. (F) which read as follows: “Assessing military requirements for defense acquisition programs.”

Subsec. (a)(5). Pub. L. 113-66, § 905(b), which directed substitution of “JOINT FORCE DEVELOPMENT ACTIVITIES” for “DOCTRINE, TRAINING, AND EDUCATION” in heading, was executed by making the substitution for “DOCTRINE, TRAINING, AND EDUCATION” to reflect the probable intent of Congress.

Subsec. (a)(5)(B). Pub. L. 113-66, § 905(a)(1), inserted “and technical standards, and executing actions,” after “policies”.

Subsec. (a)(5)(C). Pub. L. 113-66, § 905(a)(2), struck out “and training” after “education”.

Subsec. (a)(5)(D), (E). Pub. L. 113-66, § 905(a)(3), added subpars. (D) and (E).

Subsec. (b). Pub. L. 112-239, § 952(a), amended subsec. (b) generally. Prior to amendment, subsec. (b) related to risks under National Military Strategy.

Subsec. (d). Pub. L. 112-239, § 952(b), struck out subsec. (d) which related to biennial review of National Military Strategy.

2011—Subsec. (a)(3)(C) to (E). Pub. L. 112-81, § 820(b)(1), added subpar. (C) and redesignated former subpars. (C) and (D) as (D) and (E), respectively.

Subsec. (a)(4)(E). Pub. L. 112-81, § 820(b)(2), inserted “and contractor support” after “area of manpower”.

Subsec. (b)(1). Pub. L. 112-81, § 941(1), substituted “assessment of—” for “assessment of the nature and magnitude of the strategic and military risks associated with executing the missions called for under the current National Military Strategy.” and added subpars. (A) and (B).

Subsec. (b)(2). Pub. L. 112-81, § 941(2), inserted “or that critical deficiencies in force capabilities exist for a contingency plan,” after “National Military Strategy is significant,” and “or deficiency” before period at end.

Subsec. (d)(2)(I). Pub. L. 112-81, § 820(b)(3)(A), added subpar. (I).

Subsec. (d)(3)(B). Pub. L. 112-81, § 820(b)(3)(B), substituted “the levels of support from allies and other friendly nations, and the levels of contractor support” for “and the levels of support from allies and other friendly nations”.

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, § 1043(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), in 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.”

Subsec. (d). Pub. L. 108-136, § 903(a), added subsec. (d).
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.”

2000—Subsec. (d)(1). Pub. L. 106-398, § 1 [[div. A], title IX, § 905(b)], substituted “At or about the time that the budget is submitted to Congress for a fiscal year under section 1105(a) of title 31,” for “Not later than August 15 of each year,” in introductory provisions.

Subsec. (d)(1)(C), (D). Pub. L. 106-398, § 1 [[div. A], title IX, § 905(a)], added subpars. (C) and (D).

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

COMMON MEASUREMENT OF OPERATIONS TEMPO AND PERSONNEL TEMPO

Pub. L. 105-85, div. A, title III, § 326, Nov. 18, 1997, 111 Stat. 1679, provided that:

“(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. 102-484, 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 uniform 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 two 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.

(Added Pub. L. 99-433, title II, §201, Oct. 1, 1986, 100 Stat. 1008; amended Pub. L. 100-456, div. A, title V, §519(a)(1), Sept. 29, 1988, 102 Stat. 1972; Pub. L. 102-484, div. A, title IX, §911(b)(1), Oct. 23, 1992, 106 Stat. 2473.)

AMENDMENTS

1992—Subsec. (c). Pub. L. 102-484, §911(b)(1)(A), substituted “the duties prescribed for him as a member of the Joint Chiefs of Staff and such other” for “such”.

Subsecs. (f), (g). Pub. L. 102-484, §911(b)(1)(B), (C), redesignated subsec. (g) as (f) and struck out former subsec. (f) which read as follows: “PARTICIPATION IN JCS

MEETINGS.—The Vice Chairman may participate in all meetings of the Joint Chiefs of Staff, but may not vote on a matter before the Joint Chiefs of Staff except when acting as Chairman.”

1988—Subsec. (b)(1)(B). Pub. L. 100-456 substituted “completed a full tour of duty in a joint duty assignment (as defined in section 664(f) of this title)” for “served in at least one joint duty assignment (as defined under section 668(b) of this title)”.

EXTENSION OF TERM OF OFFICE OF VICE CHAIRMAN OF JOINT CHIEFS OF STAFF

Pub. L. 100-526, title I, §107, Oct. 24, 1988, 102 Stat. 2625, authorized President to extend until June 1, 1989, term of office of officer serving as Vice Chairman of Joint Chiefs of Staff for term which began on Feb. 6, 1987.

WAIVER OF QUALIFICATIONS FOR APPOINTMENT AS VICE CHAIRMAN OF JOINT CHIEFS OF STAFF

Pub. L. 99-433, title II, §204(c), Oct. 1, 1986, 100 Stat. 1011, authorized President, until Oct. 1, 1990, to waive certain requirements otherwise applicable for appointment of an officer as Vice Chairman of Joint Chiefs of Staff.

§ 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 the Joint Staff supports the Chairman of the Joint Chiefs of Staff in meeting the congressional purpose set forth in the last clause of section 2 of the National Security Act of 1947 (50 U.S.C. 401)¹ to provide—

¹ See References in Text note below.