

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 that appropriate trade-offs are made among life-cycle cost, schedule, and performance objectives, and procurement quantity objectives, in the establishment and approval of 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 the total cost of such resources 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 command (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; Pub. L. 112–239, div. A, title IX, §951(b), Jan. 2, 2013, 126 Stat. 1891.)

AMENDMENTS

2013—Subsec. (b)(1)(C). Pub. L. 112–239, §951(b)(1), substituted “in ensuring that appropriate trade-offs are made among life-cycle cost, schedule, and performance objectives, and procurement quantity objectives, in the establishment and approval of military requirements” for “in ensuring the consideration of trade-offs among cost, schedule, and performance objectives for joint military requirements”.

Subsec. (b)(3). Pub. L. 112–239, §951(b)(2), substituted “the total cost of such resources” for “such resource level”.

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

Pub. L. 104–106, div. A, title IX, §905(b), Feb. 10, 1996, 110 Stat. 404, 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 Depart-

ment 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 hu-

manitarian 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.

(4) The Center shall develop a repository of disaster risk indicators for the Asia-Pacific region.

(5) The Center shall perform such other missions as the Secretary of Defense may specify.

(c) JOINT OPERATION WITH EDUCATIONAL INSTITUTION AUTHORIZED.—The Secretary of Defense may enter into an agreement with appropriate officials of an institution of higher education to provide for joint operation of the Center. Any such agreement shall provide for the institution to furnish necessary administrative services for the Center, including administration and allocation of funds.

(d) ACCEPTANCE OF DONATIONS.—(1) Except as provided in paragraph (2), the Secretary of Defense may accept, on behalf of the Center, donations to be used to defray the costs of the Center or to enhance the operation of the Center. Such donations may be accepted from any agency of the Federal Government, any State or local government, any foreign government, any foundation or other charitable organization (including any that is organized or operates under the laws of a foreign country), or any other private source in the United States or a foreign country.

(2) The Secretary may not accept a donation under paragraph (1) if the acceptance of the donation would compromise or appear to compromise—

(A) the ability of the Department of Defense, any employee of the Department, or members of the armed forces, to carry out any responsibility or duty of the Department in a fair and objective manner; or

(B) the integrity of any program of the Department of Defense or of any person involved in such a program.

(3) The Secretary shall prescribe written guidance setting forth the criteria to be used in determining whether or not the acceptance of a foreign donation would have a result described in paragraph (2).

(4) Funds accepted by the Secretary under paragraph (1) as a donation on behalf of the Center shall be credited to appropriations available to the Department of Defense for the Center. Funds so credited shall be merged with the appropriations to which credited and shall be available for the Center for the same purposes and the same period as the appropriations with which merged.

(Added Pub. L. 105-85, div. A, title III, §382(a)(1), Nov. 18, 1997, 111 Stat. 1709.)

PAYMENTS FOR EDUCATION AND TRAINING OF PERSONNEL OF FOREIGN COUNTRIES

Pub. L. 107-248, title VIII, §8093, Oct. 23, 2002, 116 Stat. 1558, provided that: “During the current fiscal year and hereafter, under regulations prescribed by the Secretary of Defense, the Center of Excellence for Disaster