

tance and responsibility, may be recommended to the President for assignment to that position, only—

(A) with the concurrence of the commander of such command; and

(B) in accordance with procedures established by the Secretary of Defense.

(3) The Secretary of Defense may waive the requirement under paragraph (2) for the concurrence of the commander of a combatant command with regard to the assignment (or recommendation for assignment) of a particular officer to serve on the staff of the combatant command if the Secretary of Defense determines that such action is in the national interest.

(g) **AUTHORITY TO SUSPEND SUBORDINATES.**—In accordance with procedures established by the Secretary of Defense, the commander of a combatant command may suspend from duty and recommend the reassignment of any officer assigned to such combatant command.

(h) **SUPPORT TO CHAIRMAN OF THE JOINT CHIEFS OF STAFF.**—The commander of a combatant command shall provide such information to the Chairman of the Joint Chiefs of Staff as may be necessary for the Chairman to perform the duties of the Chairman under section 153 of this title.

(Added Pub. L. 99-433, title II, §211(a), Oct. 1, 1986, 100 Stat. 1013; amended Pub. L. 100-456, div. A, title V, §519(a)(2), Sept. 29, 1988, 102 Stat. 1972; Pub. L. 110-181, div. A, title XVIII, §1824(b), Jan. 28, 2008, 122 Stat. 501; Pub. L. 114-328, div. A, title V, §516, title IX, §921(e), Dec. 23, 2016, 130 Stat. 2113, 2354; Pub. L. 115-91, div. A, title X, §1081(a)(10), Dec. 12, 2017, 131 Stat. 1594.)

AMENDMENTS

2017—Subsec. (a)(1)(B). Pub. L. 115-91 substituted “section 664(d)” for “section 664(f)”.

2016—Subsec. (b)(3). Pub. L. 114-328, §921(e)(1), added par. (3).

Subsec. (e)(4). Pub. L. 114-328, §516, substituted “a reserve component of the armed forces” for “the National Guard” and “a reserve component officer” for “a National Guard officer”.

Subsec. (h). Pub. L. 114-328, §921(e)(2), added subsec. (h).

2008—Subsec. (e)(4). Pub. L. 110-181 added par. (4).

1988—Subsec. (a)(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)”.

EFFECTIVE DATE

Pub. L. 99-433, title II, §214(c), Oct. 1, 1986, 100 Stat. 1019, provided that: “Subsections (e), (f), and (g) of section 164 of title 10, United States Code (as added by section 211 of this Act), shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act [Oct. 1, 1986], or on such earlier date as may be prescribed by the Secretary of Defense.”

CONSIDERATION OF RESERVE COMPONENT OFFICERS FOR APPOINTMENT TO CERTAIN COMMAND POSITIONS

Pub. L. 112-81, div. A, title V, §518, Dec. 31, 2011, 125 Stat. 1397, provided that: “Whenever officers of the Armed Forces are considered for appointment to the position of Commander, Army North Command or Commander, Air Force North Command, fully qualified officers of the National Guard and the Reserves shall be considered for appointment to such position.”

SENSE OF CONGRESS

Pub. L. 110-181, div. A, title XVIII, §1824(a), Jan. 28, 2008, 122 Stat. 501, provided that: “It is the sense of Congress that, whenever officers of the Armed Forces are considered for promotion to the grade of lieutenant general, or vice admiral in the case of the Navy, on the active duty list, officers in the reserve components of the Armed Forces who are eligible for promotion to such grade should be considered for promotion to such grade.”

WAIVER OF QUALIFICATIONS FOR ASSIGNMENT AS COMBATANT COMMANDER

Pub. L. 99-433, title II, §214(b), Oct. 1, 1986, 100 Stat. 1018, authorized President, until Oct. 1, 1990, to waive, on a case-by-case basis, certain requirements provided for in subsec. (a) of this section relating to assignment of commanders of combatant commands.

§ 165. Combatant commands: administration and support

(a) **IN GENERAL.**—The Secretary of Defense, with the advice and assistance of the Chairman of the Joint Chiefs of Staff, shall provide for the administration and support of forces assigned to each combatant command.

(b) **RESPONSIBILITY OF SECRETARIES OF MILITARY DEPARTMENTS.**—Subject to the authority, direction, and control of the Secretary of Defense and subject to the authority of commanders of the combatant commands under section 164(c) of this title, the Secretary of a military department is responsible for the administration and support of forces assigned by him to a combatant command.

(c) **ASSIGNMENT OF RESPONSIBILITY TO OTHER COMPONENTS OF DOD.**—After consultation with the Secretaries of the military departments, the Secretary of Defense may assign the responsibility (or any part of the responsibility) for the administration and support of forces assigned to the combatant commands to other components of the Department of Defense (including Defense Agencies and combatant commands). A component assigned such a responsibility shall discharge that responsibility subject to the authority, direction, and control of the Secretary of Defense and subject to the authority of commanders of the combatant commands under section 164(c) of this title.

(Added Pub. L. 99-433, title II, §211(a), Oct. 1, 1986, 100 Stat. 1016.)

§ 166. Combatant commands: budget proposals

(a) **COMBATANT COMMAND BUDGETS.**—The Secretary of Defense shall include in the annual budget of the Department of Defense submitted to Congress a separate budget proposal for such activities of each of the unified and specified combatant commands as may be determined under subsection (b).

(b) **CONTENT OF PROPOSALS.**—A budget proposal under subsection (a) for funding of activities of a combatant command shall include funding proposals for such activities of the combatant command as the Secretary (after consultation with the Chairman of the Joint Chiefs of Staff) determines to be appropriate for inclusion. Activities of a combatant command for which funding may be requested in such a proposal include the following: