

104-106, div. A, title IV, §416, Feb. 10, 1996, 110 Stat. 289; Pub. L. 108-375, div. A, title IV, §416(e), Oct. 28, 2004, 118 Stat. 1868; Pub. L. 110-181, div. A, title XII, §1201, Jan. 28, 2008, 122 Stat. 363; Pub. L. 110-417, [div. A], title XII, §1202(a), Oct. 14, 2008, 122 Stat. 4622, related to military-to-military contacts and comparable activities.

UPDATE OF POLICY GUIDANCE ON AUTHORITY FOR ASSIGNMENT OF CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE AS ADVISORS TO FOREIGN MINISTRIES OF DEFENSE AND REGIONAL ORGANIZATIONS

Pub. L. 113-291, div. A, title X, §1047(b), Dec. 19, 2014, 128 Stat. 3495, required the Under Secretary of Defense for Policy to issue an update of the policy of the Department of Defense for assignment of civilian employees of the Department as advisors to foreign ministries of defense and regional organizations under the authority in section 1081 of Pub. L. 112-81, formerly set out as a note under this section.

Pub. L. 113-66, div. A, title X, §1094(a)(2), Dec. 26, 2013, 127 Stat. 878, required the Under Secretary of Defense for Policy to issue an update of the policy of the Department of Defense for assignment of civilian employees of the Department as advisors to foreign ministries of defense under the authority in section 1081 of Pub. L. 112-81, formerly set out as a note under this section.

DEFENSE INSTITUTION CAPACITY BUILDING PROGRAM

Pub. L. 112-81, div. A, title X, §1081, Dec. 31, 2011, 125 Stat. 1599, as amended by Pub. L. 113-66, div. A, title X, §1094(a)(1), (3)-(5), Dec. 26, 2013, 127 Stat. 878; Pub. L. 113-291, div. A, title X, §1047(a), (c), Dec. 19, 2014, 128 Stat. 3494, 3495; Pub. L. 114-92, div. A, title X, §1055(a)-(d)(1), Nov. 25, 2015, 129 Stat. 982, 983, which related to the Defense Institution Capacity Building Program, was repealed by Pub. L. 114-328, div. A, title XII, §1241(c)(3), Dec. 23, 2016, 130 Stat. 2500.

AUTHORITY FOR NON-RECIPROCAL EXCHANGES OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES

Pub. L. 111-84, div. A, title XII, §1207, Oct. 28, 2009, 123 Stat. 2514, as amended by Pub. L. 112-239, div. A, title XII, §1202, Jan. 2, 2013, 126 Stat. 1980; Pub. L. 114-92, div. A, title XII, §1204, Nov. 25, 2015, 129 Stat. 1039, which related to authority for non-reciprocal exchanges of defense personnel between the United States and foreign countries, was repealed by Pub. L. 114-328, div. A, title XII, §1242(c)(2), Dec. 23, 2016, 130 Stat. 2513.

AGREEMENTS FOR EXCHANGE OF DEFENSE PERSONNEL BETWEEN UNITED STATES AND FOREIGN COUNTRIES

Pub. L. 104-201, div. A, title X, §1082, Sept. 23, 1996, 110 Stat. 2672, which related to agreements for exchange of defense personnel between the United States and foreign countries, was repealed by Pub. L. 114-328, div. A, title XII, §1242(c)(1), Dec. 23, 2016, 130 Stat. 2513. See section 311 of this title.

**CHAPTER 7—BOARDS, COUNCILS, AND COMMITTEES**

Sec.  
171. Armed Forces Policy Council.  
171a. Council on Oversight of the National Leadership Command, Control, and Communications System.  
172. Explosive safety board.  
173. Advisory personnel.  
174. Advisory personnel: research and development.  
175. Reserve Forces Policy Board.  
176. Armed Forces Institute of Pathology.  
177. American Registry of Pathology.  
178. The Henry M. Jackson Foundation for the Advancement of Military Medicine.  
179. Nuclear Weapons Council.  
180. Service academy athletic programs: review board.

Sec.  
181. Joint Requirements Oversight Council.  
182. Center for Excellence in Disaster Management and Humanitarian Assistance.  
183. Department of Defense Board of Actuaries.  
183a. Military Aviation and Installation Assurance Siting Clearinghouse for review of mission obstructions.<sup>1</sup>  
[184 to 186. Renumbered or Repealed.]  
187. Strategic Materials Protection Board.  
188. Interagency Council on the Strategic Capability of the National Laboratories.  
189. Communications Security Review and Advisory Board.  
190. Defense Cost Accounting Standards Board.

AMENDMENTS

2017—Pub. L. 115-91, div. A, title III, §§311(b)(4), 341(b)(2), Dec. 12, 2017, 131 Stat. 1348, 1361, substituted “Explosive safety board” for “Ammunition storage board” in item 172 and added item 183a.

2016—Pub. L. 114-328, div. A, title VIII, §820(b)(2), title IX, §904(b), title XII, §1241(o)(3), Dec. 23, 2016, 130 Stat. 2276, 2345, 2512, struck out items 184 “Regional Centers for Security Studies” and 185 “Financial Management Modernization Executive Committee” and, effective Oct. 1, 2018, added item 190.

2014—Pub. L. 113-291, div. A, title IX, §901(l)(2), title X, §1071(f)(3), Dec. 19, 2014, 128 Stat. 3468, 3510, struck out item 186 “Defense Business System Management Committee” and inserted period at end of item 189.

2013—Pub. L. 113-66, div. A, title II, §261(b), title X, §1052(a)(2), Dec. 26, 2013, 127 Stat. 725, 861, added items 171a and 189.

Pub. L. 112-239, div. A, title X, §1040(b), Jan. 2, 2013, 126 Stat. 1930, added item 188.

2008—Pub. L. 110-417, [div. A], title X, §1061(a)(3), Oct. 14, 2008, 122 Stat. 4612, inserted period at end of item 183.

Pub. L. 110-181, div. A, title IX, §906(a)(2), Jan. 28, 2008, 122 Stat. 277, added item 183.

2006—Pub. L. 109-364, div. A, title VIII, §843(b), title IX, §904(a)(2), Oct. 17, 2006, 120 Stat. 2339, 2353, substituted “Regional Centers for Security Studies” for “Department of Defense regional centers for security studies” in item 184 and added item 187.

2004—Pub. L. 108-375, div. A, title III, §332(b)(2), Oct. 28, 2004, 118 Stat. 1855, added item 186.

2002—Pub. L. 107-314, div. A, title X, §1041(a)(1)(B), Dec. 2, 2002, 116 Stat. 2645, struck out item 183 “Advisory committees: annual justification required”.

2001—Pub. L. 107-107, div. A, title X, §1009(a)(2), Dec. 28, 2001, 115 Stat. 1208, added item 185.

2000—Pub. L. 106-398, §1 [[div. A], title IX, §912(a)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-229, added item 184.

1997—Pub. L. 105-85, div. A, title III, §382(a)(2), title IX, §904(b), Nov. 18, 1997, 111 Stat. 1711, 1855, added items 182 and 183.

1996—Pub. L. 104-106, div. A, title IX, §905(a)(2), Feb. 10, 1996, 110 Stat. 404, added item 181.

1991—Pub. L. 102-190, div. A, title V, §513(b), Dec. 5, 1991, 105 Stat. 1361, added item 180.

1986—Pub. L. 99-661, div. C, title I, §3137(a)(2), Nov. 14, 1986, 100 Stat. 4066, added item 179.

1983—Pub. L. 98-132, §2(a)(2), Oct. 17, 1983, 97 Stat. 849, inserted “The Henry M. Jackson” before “Foundation” in item 178.

Pub. L. 98-36, §2(b), May 27, 1983, 97 Stat. 201, added item 178.

1976—Pub. L. 94-361, title VIII, §811(c), July 14, 1976, 90 Stat. 936, added items 176 and 177.

**§ 171. Armed Forces Policy Council**

(a) There is in the Department of Defense an Armed Forces Policy Council consisting of—

(1) the Secretary of Defense, as Chairman, with the power of decision;

<sup>1</sup> So in original. Does not conform to section catchline.

- (2) the Deputy Secretary of Defense;
- (3) the Under Secretary of Defense for Acquisition, Technology, and Logistics;
- (4) the Secretary of the Army;
- (5) the Secretary of the Navy;
- (6) the Secretary of the Air Force;
- (7) the Under Secretary of Defense for Policy;
- (8) the Deputy Under Secretary of Defense for Acquisition and Technology;
- (9) the Chairman of the Joint Chiefs of Staff;
- (10) the Chief of Staff of the Army;
- (11) the Chief of Naval Operations;
- (12) the Chief of Staff of the Air Force; and
- (13) the Commandant of the Marine Corps.

(b) The Armed Forces Policy Council shall advise the Secretary of Defense on matters of broad policy relating to the armed forces and shall consider and report on such other matters as the Secretary of Defense may direct.

(Aug. 10, 1956, ch. 1041, 70A Stat. 8; Pub. L. 85-599, §9(c), Aug. 6, 1958, 72 Stat. 521; Pub. L. 92-596, §5, Oct. 27, 1972, 86 Stat. 1318; Pub. L. 95-140, §3(b), Oct. 21, 1977, 91 Stat. 1173; Pub. L. 98-94, title XII, §1213, Sept. 24, 1983, 97 Stat. 687; Pub. L. 99-500, §101(c) [title X, §903(e)], Oct. 18, 1986, 100 Stat. 1783-82, 1783-133, and Pub. L. 99-591, §101(c) [title X, §903(e)], Oct. 30, 1986, 100 Stat. 3341-82, 3341-133; Pub. L. 99-661, div. A, title IX, formerly title IV, §903(e), Nov. 14, 1986, 100 Stat. 3912, renumbered title IX, Pub. L. 100-26, §3(5), Apr. 21, 1987, 101 Stat. 273; Pub. L. 103-160, div. A, title IX, §904(d)(1), (3), Nov. 30, 1993, 107 Stat. 1728; Pub. L. 107-107, div. A, title X, §1048(b)(2), Dec. 28, 2001, 115 Stat. 1225.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
171(a) .....	5:171e (less last sentence).	July 26, 1947, ch. 343, §210; restated Aug. 10, 1949, ch. 412, §7(a), 63 Stat. 581.
171(b) .....	5:171e (last sentence).	

#### CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

#### AMENDMENTS

2001—Subsec. (a)(3). Pub. L. 107-107 substituted “Under Secretary of Defense for Acquisition, Technology, and Logistics” for “Under Secretary of Defense for Acquisition and Technology”.

1993—Subsec. (a)(3). Pub. L. 103-160, §904(d)(1), substituted “Under Secretary of Defense for Acquisition and Technology” for “Under Secretary of Defense for Acquisition”.

Subsec. (a)(8). Pub. L. 103-160, §904(d)(3), substituted “Deputy Under Secretary of Defense for Acquisition and Technology” for “Deputy Under Secretary of Defense for Acquisition”.

1986—Subsec. (a)(3) to (13). Pub. L. 99-500, Pub. L. 99-591, and Pub. L. 99-661 amended subsec. (a) identically, redesignating pars. (3) to (11) as (4), (5), (6), (7), (9), (10), (11), (12), and (13), respectively, adding new pars. (3) and (8), and substituting “the Under Secretary of Defense for Acquisition” for “the Under Secretaries of Defense” in par. (7).

1983—Subsec. (a)(11). Pub. L. 98-94 added par. (11).

1977—Subsec. (a)(2). Pub. L. 95-140, §3(b)(1), substituted “the Deputy” for “a Deputy”.

Subsec. (a)(6). Pub. L. 95-140, §3(b)(2), substituted “the Under Secretaries of Defense;” for “the Director of Defense Research and Engineering;”.

1972—Subsec. (a)(2). Pub. L. 92-596 substituted “a Deputy Secretary” for “the Deputy Secretary”.

1958—Subsec. (a)(6) to (10). Pub. L. 85-599 added par. (6) and redesignated former pars. (6) to (9) as (7) to (10), respectively.

#### SHORT TITLE OF 1983 AMENDMENT

Pub. L. 98-36, §1, May 27, 1983, 97 Stat. 200, provided: “That this Act [enacting section 178 of this title and amending section 2113 of this title] may be cited as the ‘Foundation for the Advancement of Military Medicine Act of 1983.’”

### § 171a. Council on Oversight of the National Leadership Command, Control, and Communications System

(a) ESTABLISHMENT.—There is within the Department of Defense a council to be known as the “Council on Oversight of the National Leadership Command, Control, and Communications System” (in this section referred to as the “Council”).

(b) MEMBERSHIP.—The members of the Council shall be as follows:

- (1) The Under Secretary of Defense for Policy.
- (2) The Under Secretary of Defense for Acquisition, Technology, and Logistics.
- (3) The Vice Chairman of the Joint Chiefs of Staff.
- (4) The Commander of the United States Strategic Command.
- (5) The Director of the National Security Agency.
- (6) The Chief Information Officer of the Department of Defense.
- (7) Such other officers of the Department of Defense as the Secretary may designate.

(c) CO-CHAIR.—The Council shall be co-chaired by the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff.

(d) RESPONSIBILITIES.—(1) The Council shall be responsible for oversight of the command, control, and communications system for the national leadership of the United States, including nuclear command, control, and communications, and including with respect to the integrated tactical warning and attack assessment systems, processes, and enablers, and continuity of the governmental functions of the Department of Defense.

(2) In carrying out the responsibility for oversight of the command, control, and communications system as specified in paragraph (1), the Council shall be responsible for the following:

- (A) Oversight of performance assessments (including interoperability).
- (B) Vulnerability identification and mitigation.
- (C) Architecture development (including space system architectures and associated user terminals and ground segments).
- (D) Resource prioritization.
- (E) Such other responsibilities as the Secretary of Defense shall specify for purposes of this section.

(e) ANNUAL REPORTS.—During the period preceding January 31, 2021, at the same time each year that the budget of the President is submitted to Congress pursuant to section 1105(a) of