

of this title, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall establish and lead a team known as the “Special Operation Policy and Oversight Council” (in this subsection referred to as the “Council”).

(2) PURPOSE.—The purpose of the Council is to integrate the functional activities of the headquarters of the Department of Defense in order to most efficiently and effectively provide for special operations forces and capabilities. In fulfilling this purpose, the Council shall develop and continuously improve policy, joint processes, and procedures that facilitate the development, acquisition, integration, employment, and sustainment of special operations forces and capabilities.

(3) MEMBERSHIP.—The Council shall include the following:

(A) The Assistant Secretary.

(B) Appropriate senior representatives of each of the following:

(i) The Under Secretary of Defense for Research and Engineering.

(ii) The Under Secretary of Defense for Acquisition and Sustainment.

(iii) The Under Secretary of Defense (Comptroller).

(iv) The Under Secretary of Defense for Personnel and Readiness.

(v) The Under Secretary of Defense for Intelligence.

(vi) The General Counsel of the Department of Defense.

(vii) The other Assistant Secretaries of Defense under the Under Secretary of Defense for Policy.

(viii) The military departments.

(ix) The Joint Staff.

(x) The United States Special Operations Command.

(xi) Such other officers or Agencies, elements, or components of the Department of Defense as the Secretary of Defense considers appropriate.

(4) OPERATION.—The Council shall operate continuously.

(Added Pub. L. 114-328, div. A, title IX, §922(b)(1), Dec. 23, 2016, 130 Stat. 2355; amended Pub. L. 115-91, div. A, title X, §1081(a)(7), Dec. 12, 2017, 131 Stat. 1594; Pub. L. 116-92, div. A, title XVI, §1621(e)(1)(A)(iv), Dec. 20, 2019, 133 Stat. 1733; Pub. L. 116-283, div. A, title IX, §902(b)(1), Jan. 1, 2021, 134 Stat. 3795.)

PRIOR PROVISIONS

A prior section 139b, added Pub. L. 111-23, title I, §102(a)(1), May 22, 2009, 123 Stat. 1710, §139d; renumbered §139b and amended Pub. L. 111-383, div. A, title IX, §901(e), (f), (k)(1)(E), title X, §1075(b)(6), Jan. 7, 2011, 124 Stat. 4321, 4322, 4325, 4369; Pub. L. 112-81, div. A, title VIII, §835(b), Dec. 31, 2011, 125 Stat. 1507; Pub. L. 112-239, div. A, title IX, §904(a)-(d), (f), (g), title X, §1076(f)(5), Jan. 2, 2013, 126 Stat. 1866, 1867, 1952; Pub. L. 113-291, div. A, title II, §221(a), Dec. 19, 2014, 128 Stat. 3330; Pub. L. 114-92, div. A, title VIII, §832, title X, §1078(b), Nov. 25, 2015, 129 Stat. 913, 998, related to Deputy Assistant Secretary of Defense for Developmental Test and Evaluation; Deputy Assistant Secretary of Defense for Systems Engineering; support of major defense acquisition programs; annual and biennial report requirements; and joint guidance in certain areas, prior to repeal by

Pub. L. 114-328, div. A, title IX, §901(e)(2), Dec. 23, 2016, 130 Stat. 2342.

Another prior section 139b was renumbered section 138c of this title.

Another prior section 139b was renumbered section 2433 of this title.

AMENDMENTS

2021—Pub. L. 116-283 amended section generally. Prior to amendment, section related to Special Operations Policy and Oversight Council.

2019—Subsec. (c)(2)(E). Pub. L. 116-92 substituted “Under Secretary of Defense for Intelligence and Security” for “Under Secretary of Defense for Intelligence”.

2017—Subsec. (c)(2)(K). Pub. L. 115-91 inserted period at end.

[§ 139c. Repealed. Pub. L. 114-328, div. A, title IX, § 901(e)(2), Dec. 23, 2016, 130 Stat. 2342]

Section, added §139e and renumbered §139c, Pub. L. 111-383, div. A, title VII, §896(a), title IX, §901(f), Jan. 7, 2011, 124 Stat. 4314, 4322; amended Pub. L. 112-81, div. A, title VIII, §855, Dec. 31, 2011, 125 Stat. 1521; Pub. L. 112-239, div. A, title IX, §901(a), (b), title X, §1076(a)(13), (b)(3), Jan. 2, 2013, 126 Stat. 1863, 1864, 1948, 1949; Pub. L. 114-328, div. A, title X, §1081(b)(4)(A), Dec. 23, 2016, 130 Stat. 2419, related to Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy.

A prior section 139c was renumbered section 139a of this title.

Another prior section 139c was renumbered section 2434 of this title.

[§§ 139d, 139e. Renumbered §§ 139b, 139c]

§ 140. General Counsel

(a) There is a General Counsel of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

(b) The General Counsel is the chief legal officer of the Department of Defense. He shall perform such functions as the Secretary of Defense may prescribe.

(Added Pub. L. 87-651, title II, §202, Sept. 7, 1962, 76 Stat. 519, §137; amended Pub. L. 88-426, title III, §305(9), Aug. 14, 1964, 78 Stat. 423; renumbered §139 and amended Pub. L. 99-433, title I, §§101(a)(7), 110(d)(11), Oct. 1, 1986, 100 Stat. 995, 1003; renumbered §140, Pub. L. 103-160, div. A, title IX, §901(a)(1), Nov. 30, 1993, 107 Stat. 1726.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
137(a)	[Uncodified: 1953 Reorg. Plan No. 6, eff. June 30, 1953, §4 (1st 25 words of 1st sentence), 67 Stat. 639].	1953 Reorg. Plan No. 6, eff. June 30, 1953, §4, 67 Stat. 639.
137(b)	[Uncodified: 1953 Reorg. Plan No. 6, eff. June 30, 1953, §4 (1st sentence, less 1st 25 words), 67 Stat. 639].	
137(c)	[Uncodified: 1953 Reorg. Plan No. 6, eff. June 30, 1953, §4 (2d sentence), 67 Stat. 639].	

In subsection (b), the words “from time to time” are omitted as surplusage.

PRIOR PROVISIONS

A prior section 140 was renumbered section 141 of this title.

Another prior section 140 was renumbered section 127 of this title.