

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, provided that:

“(a) AUTHORITY TO ENTER INTO INTERNATIONAL EXCHANGE AGREEMENTS.—(1) The Secretary of Defense may enter into international defense personnel exchange agreements.

“(2) For purposes of this section, an international defense personnel exchange agreement is an agreement with the government of an ally of the United States or another friendly foreign country for the exchange of—

“(A) military and civilian personnel of the Department of Defense; and

“(B) military and civilian personnel of the defense ministry of that foreign government.

“(b) ASSIGNMENT OF PERSONNEL.—(1) Pursuant to an international defense personnel exchange agreement, personnel of the defense ministry of a foreign government may be assigned to positions in the Department of Defense and personnel of the Department of Defense may be assigned to positions in the defense ministry of such foreign government. Positions to which exchanged personnel are assigned may include positions of instructors.

“(2) An agreement for the exchange of personnel engaged in research and development activities may provide for assignment of Department of Defense personnel to positions in private industry that support the defense ministry of the host foreign government.

“(3) An individual may not be assigned to a position pursuant to an international defense personnel exchange agreement unless the assignment is acceptable to both governments.

“(c) RECIPROCITY OF PERSONNEL QUALIFICATIONS REQUIRED.—Each government shall be required under an international defense personnel exchange agreement to provide personnel with qualifications, training, and skills that are essentially equal to those of the personnel provided by the other government.

“(d) PAYMENT OF PERSONNEL COSTS.—(1) Each government shall pay the salary, per diem, cost of living, travel costs, cost of language or other training, and other costs for its own personnel in accordance with the applicable laws and regulations of such government.

“(2) Paragraph (1) does not apply to the following costs:

“(A) The cost of temporary duty directed by the host government.

“(B) The cost of training programs conducted to familiarize, orient, or certify exchanged personnel regarding unique aspects of the assignments of the exchanged personnel.

“(C) Costs incident to the use of the facilities of the host government in the performance of assigned duties.

“(e) PROHIBITED CONDITIONS.—No personnel exchanged pursuant to an agreement under this section may take or be required to take an oath of allegiance to the host country or to hold an official capacity in the government of such country.

“(f) RELATIONSHIP TO OTHER AUTHORITY.—The requirements in subsections (c) and (d) shall apply in the exercise of any authority of the Secretaries of the military departments to enter into an agreement with the government of a foreign country to provide for the exchange of members of the armed forces and military personnel of the foreign country. The Secretary of Defense may prescribe regulations for the application of such subsections in the exercise of such authority.”

**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.

Sec.
172. Ammunition storage 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.
181. Joint Requirements Oversight Council.
182. Center for Excellence in Disaster Management and Humanitarian Assistance.
183. Department of Defense Board of Actuaries.
184. Regional Centers for Security Studies.
185. Financial Management Modernization Executive Committee.
[186. Repealed.]
187. Strategic Materials Protection Board.
188. Interagency Council on the Strategic Capability of the National Laboratories.
189. Communications Security Review and Advisory Board.

AMENDMENTS

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;
- (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.

(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.

(D) Resource prioritization.

(E) Such other responsibilities as the Secretary of Defense shall specify for purposes of this section.

(e) ANNUAL REPORTS.—At the same time each year that the budget of the President is submitted to Congress pursuant to section 1105(a) of title 31, the Council shall submit to the congressional defense committees a report on the activities of the Council. Each report shall include the following:

(1) A description and assessment of the activities of the Council during the previous fiscal year.

(2) A description of the activities proposed to be undertaken by the Council during the pe-