

stituting “proprietary” for “propriety” in subsec. (a)(6), was executed to this section, to reflect the probable intent of Congress and the renumbering of section 139d of this title as this section by Pub. L. 111-383, §901(f). See above.

Pub. L. 111-383, §901(e)(3)(B), (E), substituted “Deputy Assistant Secretary” for “Director” in two places and substituted “Deputy Assistant Secretary’s” for “Director’s”.

Subsec. (b). Pub. L. 111-383, §901(e)(4)(A), substituted “Deputy Assistant Secretary of Defense for Systems Engineering” for “Director of Systems Engineering” in heading.

Subsec. (b)(2), (3). Pub. L. 111-383, §901(e)(4)(B), substituted “Deputy Assistant Secretary” for “Director”.

Subsec. (b)(4). Pub. L. 111-383, §901(e)(4)(C), substituted “COORDINATION WITH DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR DEVELOPMENTAL TEST AND EVALUATION” for “COORDINATION WITH DIRECTOR OF DEVELOPMENTAL TEST AND EVALUATION” in heading.

Subsec. (b)(5). Pub. L. 111-383, §901(e)(4)(B), substituted “Deputy Assistant Secretary” for “Director” in introductory provisions.

Subsec. (b)(6). Pub. L. 111-383, §901(e)(4)(B), (D), substituted “Deputy Assistant Secretary” for “Director” in two places and substituted “Deputy Assistant Secretary’s” for “Director’s”.

Subsecs. (c) to (f). Pub. L. 112-81 added subsec. (c) and redesignated former subsecs. (c) to (e) as (d) to (f), respectively.

#### EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by Pub. L. 111-383 effective Jan. 1, 2011, see section 901(p) of Pub. L. 111-383, set out as a note under section 131 of this title.

### § 139c. Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy

(a) APPOINTMENT.—There is a Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy, who shall be appointed by the Under Secretary of Defense for Acquisition, Technology, and Logistics and shall report to the Under Secretary.

(b) RESPONSIBILITIES.—The Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy shall be the principal advisor to the Under Secretary of Defense for Acquisition, Technology, and Logistics in the performance of the Under Secretary’s duties relating to the following:

(1) Providing input on industrial base matters to strategy reviews, including quadrennial defense reviews conducted pursuant to section 118 of this title.

(2) Establishing policies of the Department of Defense for maintenance of the defense industrial base of the United States.

(3) Providing recommendations to the Under Secretary on budget matters pertaining to the industrial base.

(4) Providing recommendations to the Under Secretary on supply chain management and supply chain vulnerability.

(5) Providing input on industrial base matters to defense acquisition policy guidance.

(6) Establishing the national security objectives concerning the national technology and industrial base required under section 2501 of this title.

(7) Executing the national defense program for analysis of the national technology and industrial base required under section 2503 of this title.

(8) Performing the national technology and industrial base periodic defense capability assessments required under section 2505 of this title.

(9) Establishing the technology and industrial base policy guidance required under section 2506 of this title.

(10) Executing the authorities of the Manufacturing Technology Program under section 2521 of this title.

(11) Carrying out the activities of the Department of Defense relating to the Defense Production Act Committee established under section 722 of the Defense Production Act of 1950 (50 U.S.C. App. 2171).

(12) Consistent with section 2(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2062(b)), executing other applicable authorities provided under the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), including authorities under titles I and III of such Act.

(13) Establishing policies related to international technology security and export control issues.

(14) Establishing policies related to industrial independent research and development programs under section 2372 of this title.

(15) Such other duties as are assigned by the Under Secretary.

(c) RULE OF CONSTRUCTION.—Nothing in subsection (b)(9) may be construed to limit the authority or modify the policies of the Committee on Foreign Investment in the United States established under section 721(k) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(k)).

(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.)

#### REFERENCES IN TEXT

The Defense Production Act of 1950, referred to in subsec. (b)(12), is act Sept. 8, 1950, ch. 932, 64 Stat. 798, which is classified generally to section 2061 et seq. of Title 50, Appendix, War and National Defense. Title I of the Act is classified generally to section 2071 et seq. of Title 50, Appendix. Title III of the Act is classified generally to section 2091 et seq. of Title 50, Appendix. For complete classification of this Act to the Code, see section 2061 of Title 50, Appendix, and Tables.

#### PRIOR PROVISIONS

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

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

#### AMENDMENTS

2011—Pub. L. 111-383, §901(f), renumbered section 139e of this title as this section.

Subsec. (b)(12). Pub. L. 112-81, which directed amendment of section 139e of this title by substituting “titles I and III” for “titles I and II” in subsec. (b)(12), was executed to this section, to reflect the probable intent of Congress and the renumbering of section 139e of this title as this section by Pub. L. 111-383, §901(f). See above.

#### EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by section 901(f) of Pub. L. 111-383 effective Jan. 1, 2011, see section 901(p) of Pub. L. 111-383, set out as a note under section 131 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.

## AMENDMENTS

1993—Pub. L. 103-160 renumbered section 139 of this title as this section.

1986—Pub. L. 99-433, §§101(a)(7), 110(d)(11), renumbered section 137 of this title as this section, and struck out “: powers and duties” at end of section catchline.

1964—Subsec. (c). Pub. L. 88-426 repealed subsec. (c) which related to compensation of General Counsel. See section 5315 of Title 5, Government Organization and Employees.

## EFFECTIVE DATE OF 1964 AMENDMENT

For effective date of amendment by Pub. L. 88-426, see section 501 of Pub. L. 88-426.

**[§ 140a. Renumbered § 422]**

## PRIOR PROVISIONS

A prior section 140a was renumbered section 421 of this title.

**[§ 140b. Renumbered § 423]**

## PRIOR PROVISIONS

A prior section 140b was renumbered section 129 of this title.

**[§ 140c. Renumbered § 130]****§ 141. Inspector General**

(a) There is an Inspector General of the Department of Defense, who is appointed as pro-

vided in section 3 of the Inspector General Act of 1978 (Public Law 95-452; 5 U.S.C. App. 3).

(b) The Inspector General performs the duties, has the responsibilities, and exercises the powers specified in the Inspector General Act of 1978.

(Added Pub. L. 99-433, title I, §108, Oct. 1, 1986, 100 Stat. 998, §140; renumbered §141, Pub. L. 103-160, div. A, title IX, §901(a)(1), Nov. 30, 1993, 107 Stat. 1726.)

## REFERENCES IN TEXT

The Inspector General Act of 1978, referred to in text, is Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

## PRIOR PROVISIONS

A prior section 141 was renumbered section 138d of this title.

Another prior section 141 of this title was contained in chapter 5 of this title, prior to amendment by Pub. L. 99-433. See note preceding section 151 of this title.

## AMENDMENTS

1993—Pub. L. 103-160 renumbered section 140 of this title as this section.

**[§ 142. Renumbered § 138d]**

## PRIOR PROVISIONS

A prior section 142 of this title was contained in chapter 5 of this title, prior to amendment by Pub. L. 99-433. See note preceding section 151 of this title.

**§ 143. Office of the Secretary of Defense personnel: limitation**

(a) PERMANENT LIMITATION ON OSD PERSONNEL.—The number of OSD personnel may not exceed 3,767.

(b) OSD PERSONNEL DEFINED.—For purposes of this section, the term “OSD personnel” means military and civilian personnel of the Department of Defense who are assigned to, or employed in, functions in the Office of the Secretary of Defense (including Direct Support Activities of that Office and the Washington Headquarters Services of the Department of Defense).

(c) LIMITATION ON REASSIGNMENT OF FUNCTIONS.—In carrying out reductions in the number of personnel assigned to, or employed in, the Office of the Secretary of Defense in order to comply with this section, the Secretary of Defense may not reassign functions solely in order to evade the requirements contained in this section.

(Added Pub. L. 105-85, div. A, title IX, §911(d)(1), Nov. 18, 1997, 111 Stat. 1859; amended Pub. L. 106-65, div. A, title IX, §921(c), Oct. 5, 1999, 113 Stat. 723.)

## CODIFICATION

Section, as added by Pub. L. 105-85, consists of text of Pub. L. 104-201, div. A, title IX, §903(a)-(f), Sept. 23, 1996, 110 Stat. 2617. Section 903 of Pub. L. 104-201, which was formerly set out as a note under section 131 of this title, was repealed by Pub. L. 105-85, div. A, title IX, §911(d)(3), Nov. 18, 1997, 111 Stat. 1860.

## AMENDMENTS

1999—Subsec. (a). Pub. L. 106-65, §921(c)(1), substituted “The number” for “Effective October 1, 1999,