

- (1) The Deputy Secretary of Defense.
- (2) The Deputy Chief Management Officer of the Department of Defense.
- (3) The Under Secretary of Defense for Acquisition, Logistics, and Technology.
- (4) The Under Secretary of Defense for Personnel and Readiness.
- (5) The Under Secretary of Defense (Comptroller).
- (6) The Assistant Secretary of Defense for Networks and Information Integration.
- (7) The Chief Management Officers of the military departments and the heads of such Defense Agencies as may be designated by the Secretary of Defense.
- (8) Such additional personnel of the Department of Defense (including personnel assigned to the Joint Chiefs of Staff and combatant commands) as are designated by the Secretary of Defense.

(b) **CHAIRMAN AND VICE CHAIRMAN.**—The Deputy Secretary of Defense shall serve as the chairman of the Committee. The Deputy Chief Management Officer of the Department of Defense shall serve as the vice chairman of the Committee, and shall act as chairman in the absence of the Deputy Secretary of Defense.

(c) **DUTIES.**—(1) In addition to any other matters assigned to the Committee by the Secretary of Defense, the Committee shall—

(A) recommend to the Secretary of Defense policies and procedures necessary to effectively integrate the requirements of section 2222 of this title into all business activities and any transformation, reform, reorganization, or process improvement initiatives undertaken within the Department of Defense;

(B) review and approve any major update of the defense business enterprise architecture developed under subsection (b)¹ of section 2222 of this title, including evolving the architecture, and of defense business systems modernization plans; and

(C) manage cross-domain integration consistent with such enterprise architecture.

(2) The Committee shall be responsible for coordinating defense business system modernization initiatives to maximize benefits and minimize costs for the Department of Defense and periodically report to the Secretary on the status of defense business system modernization efforts.

(3) The Committee shall ensure that funds are obligated for defense business system modernization in a manner consistent with section 2222 of this title.

(d) **DEFINITIONS.**—In this section, the terms “defense business system” and “defense business system modernization” have the meanings given such terms in section 2222¹ of this title.

(Added Pub. L. 108–375, div. A, title III, § 332(b)(1), Oct. 28, 2004, 118 Stat. 1854; amended Pub. L. 110–417, [div. A], title IX, § 904, Oct. 14, 2008, 122 Stat. 4567; Pub. L. 111–383, div. A, title X, § 1075(b)(9), Jan. 7, 2011, 124 Stat. 4369.)

REFERENCES IN TEXT

Section 2222 of this title, referred to in subsecs. (c)(1)(A), (B), (3) and (d), was amended generally by

Pub. L. 112–81, div. A, title IX, § 901, Dec. 31, 2011, 125 Stat. 1527. As so amended, subsec. (b) does not relate to development of defense business enterprise architecture, and section no longer defines “defense business system modernization”.

AMENDMENTS

2011—Subsecs. (c), (d). Pub. L. 111–383 redesignated subsec. (c), relating to definitions, as (d).

2008—Subsec. (a)(2) to (6). Pub. L. 110–417, § 904(a)(1), (2), added par. (2) and redesignated former pars. (2) to (5) as (3) to (6), respectively. Former par. (6) redesignated (7).

Subsec. (a)(7). Pub. L. 110–417, § 904(a)(3), added par. (7) and struck out former par. (7) which read as follows: “The Secretaries of the military departments and the heads of the Defense Agencies.”

Pub. L. 110–417, § 904(a)(1), redesignated par. (6) as (7). Former par. (7) redesignated (8).

Subsec. (a)(8). Pub. L. 110–417, § 904(a)(1), redesignated par. (7) as (8).

Subsec. (b). Pub. L. 110–417, § 904(b), substituted “The Deputy Chief Management Officer of the Department of Defense shall serve as the vice chairman of the Committee, and shall act as chairman in the absence of the Deputy Secretary of Defense.” for “The Secretary of Defense shall designate one of the officials specified in paragraphs (2) through (5) of subsection (a) as the vice chairman of the Committee, who shall act as chairman in the absence of the Deputy Secretary of Defense.”

IMPLEMENTATION REQUIREMENTS

Pub. L. 108–375, div. A, title III, § 332(c), Oct. 28, 2004, 118 Stat. 1855, directed the Secretary of Defense, not later than 60 days after Oct. 28, 2004, to designate a vice chairman of the Defense Business System Management Committee, as required by subsec. (b) of this section, and to complete the delegation of responsibility for the review, approval, and oversight of the planning, design, acquisition, deployment, operation, maintenance, and modernization of defense business systems required by section 2222(f) of this title.

§ 187. Strategic Materials Protection Board

(a) **ESTABLISHMENT.**—(1) The Secretary of Defense shall establish a Strategic Materials Protection Board.

(2) The Board shall be composed of representatives of the following:

(A) The Secretary of Defense, who shall be the chairman of the Board.

(B) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

(C) The Under Secretary of Defense for Intelligence.

(D) The Secretary of the Army.

(E) The Secretary of the Navy.

(F) The Secretary of the Air Force.

(b) **DUTIES.**—In addition to other matters assigned to it by the Secretary of Defense, the Board shall—

(1) determine the need to provide a long term secure supply of materials designated as critical to national security to ensure that national defense needs are met;

(2) analyze the risk associated with each material designated as critical to national security and the effect on national defense that the nonavailability of such material would have;

(3) recommend a strategy to the President to ensure a secure supply of materials designated as critical to national security;

(4) recommend such other strategies to the President as the Board considers appropriate

¹ See References in Text note below.

to strengthen the industrial base with respect to materials critical to national security; and

(5) publish not less frequently than once every two years in the Federal Register recommendations regarding materials critical to national security, including a list of specialty metals, if any, recommended for addition to, or removal from, the definition of “specialty metal” for purposes of section 2533b of this title.

(c) MEETINGS.—The Board shall meet as determined necessary by the Secretary of Defense but not less frequently than once every two years to make recommendations regarding materials critical to national security as described in subsection (b)(5).

(d) REPORTS.—After each meeting of the Board, the Board shall prepare and submit to Congress a report containing the results of the meeting and such recommendations as the Board determines appropriate.

(e) DEFINITIONS.—In this section:

(1) The term “materials critical to national security” means materials—

(A) upon which the production or sustainment of military equipment is dependent; and

(B) the supply of which could be restricted by actions or events outside the control of the Government of the United States.

(2) The term “military equipment” means equipment used directly by the armed forces to carry out military operations.

(3) The term “secure supply”, with respect to a material, means the availability of a source or sources for the material, including the full supply chain for the material and components containing the material.

(Added Pub. L. 109-364, div. A, title VIII, §843(a), Oct. 17, 2006, 120 Stat. 2338; amended Pub. L. 111-383, div. A, title VIII, §829, Jan. 7, 2011, 124 Stat. 4272.)

AMENDMENTS

2011—Subsec. (b). Pub. L. 111-383, §829(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) related to duties of the Strategic Materials Protection Board.

Subsec. (e). Pub. L. 111-383, §829(a), added subsec. (e).

FIRST MEETING OF BOARD

Pub. L. 109-364, div. A, title VIII, §843(c), Oct. 17, 2006, 120 Stat. 2339, provided that: “The first meeting of the Strategic Materials Protection Board, established by section 187 of title 10, United States Code (as added by subsection (a)) shall be not later than 180 days after the date of the enactment of this Act [Oct. 17, 2006].”

CHAPTER 8—DEFENSE AGENCIES AND DEPARTMENT OF DEFENSE FIELD ACTIVITIES

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SUBCHAPTER I—COMMON SUPPLY AND SERVICE ACTIVITIES

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AMENDMENTS

2004—Pub. L. 108-375, div. A, title X, §1010(b), Oct. 28, 2004, 118 Stat. 2038, added item 197.

2002—Pub. L. 107-314, div. A, title II, §231(a)(2), Dec. 2, 2002, 116 Stat. 2489, added item 196.

1997—Pub. L. 105-85, div. A, title III, §383(b), Nov. 18, 1997, 111 Stat. 1711, added item 195.

1986—Pub. L. 99-433, title III, §301(a)(2), Oct. 1, 1986, 100 Stat. 1019, inserted “AND DEPARTMENT OF DEFENSE FIELD ACTIVITIES” in chapter heading, added subchapter analysis and subchapter I analysis, and struck out former chapter analysis consisting of item 191 “Unauthorized use of Defense Intelligence Agency name, initials, or seal”.

1985—Pub. L. 99-145, title XIII, §1302(a)(2), Nov. 8, 1985, 99 Stat. 737, redesignated item 192 “Benefits for certain employees of the Defense Intelligence Agency” as item 1605 and transferred it to chapter 83 of this title.

1983—Pub. L. 98-215, title V, §501(b), Dec. 9, 1983, 97 Stat. 1479, added item 192.

1982—Pub. L. 97-269, title V, §501(a), Sept. 27, 1982, 96 Stat. 1144, added chapter 8 heading and analysis of sections for chapter 8, consisting of a single item 191.

§ 191. Secretary of Defense: authority to provide for common performance of supply or service activities

(a) AUTHORITY.—Whenever the Secretary of Defense determines such action would be more effective, economical, or efficient, the Secretary may provide for the performance of a supply or service activity that is common to more than one military department by a single agency of the Department of Defense.

(b) DESIGNATION OF COMMON SUPPLY OR SERVICE AGENCY.—Any agency of the Department of Defense established under subsection (a) (or under the second sentence of section 125(d) of this title (as in effect before October 1, 1986)) for the performance of a supply or service activity referred to in such subsection shall be designated as a Defense Agency or a Department of Defense Field Activity.

(Added Pub. L. 99-433, title III, §301(a)(2), Oct. 1, 1986, 100 Stat. 1019; amended Pub. L. 100-26, §7(i)(1), Apr. 21, 1987, 101 Stat. 282.)

REFERENCES IN TEXT

Subsection (d) of section 125 of this title, referred to in subsec. (b), was repealed by section 301(b)(1) of Pub. L. 99-433.

PRIOR PROVISIONS

A prior section 191 was renumbered section 202 of this title and subsequently repealed.

AMENDMENTS

1987—Subsec. (b). Pub. L. 100-26 substituted “October 1, 1986” for “the date of the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986”.