

section 2445b(b) of this title or section 2445b(d) of this title, as applicable;

(C) the estimated program development cost or full life-cycle cost for the program has increased by 25 percent or more over the original estimate submitted to Congress under paragraph (3) of section 2445b(b) of this title or section 2445b(d) of this title, as applicable; or

(D) there has been a change in the expected performance of the major automated information system or major information technology investment to be acquired under the program that will undermine the ability of the system to perform the functions anticipated at the time information on the program was originally submitted to Congress under section 2445b(b) of this title or section 2445b(d) of this title, as applicable.

(e) PROGRAM EVALUATION.—The evaluation of a major automated information system program or other major information technology investment program conducted under this subsection for purposes of subsection (d)(1)(A) shall include an assessment of—

(1) the projected cost and schedule for completing the program if current requirements are not modified;

(2) the projected cost and schedule for completing the program based on reasonable modification of such requirements; and

(3) the rough order of magnitude of the cost and schedule for any reasonable alternative system or capability.

(f) REPORT ON CRITICAL PROGRAM CHANGES.—A report on a major automated information system program or other major information technology investment program conducted under this subsection for purposes of subsection (d)(1)(B) shall include a written certification (with supporting explanation) stating that—

(1) the automated information system or information technology investment to be acquired under the program is essential to the national security or to the efficient management of the Department of Defense;

(2) there is no alternative to the system or information technology investment which will provide equal or greater capability at less cost;

(3) the new estimates of the costs, schedule, and performance parameters with respect to the program and system or information technology investment, as applicable, have been determined, with the concurrence of the Director of Cost Assessment and Program Evaluation, to be reasonable; and

(4) the management structure for the program is adequate to manage and control program costs.

(g) PROHIBITION ON OBLIGATION OF FUNDS.—(1) If the determination of a critical change to a program is made by the senior Department official responsible for the program under subsection (d)(2) and a report is not submitted to Congress within the 60-day period provided by subsection (d)(1), appropriated funds may not be obligated for any major contract under the program.

(2) The prohibition on the obligation of funds for a program under paragraph (1) shall cease to

apply on the date on which Congress has received a report in compliance with the requirements of subsection (d)(2).

(Added Pub. L. 109-364, div. A, title VIII, §816(a)(1), Oct. 17, 2006, 120 Stat. 2324; amended Pub. L. 110-417, [div. A], title VIII, §812(c), Oct. 14, 2008, 122 Stat. 4526; Pub. L. 111-23, title I, §101(d)(6), May 22, 2009, 123 Stat. 1710; Pub. L. 111-84, div. A, title VIII, §841(b), Oct. 28, 2009, 123 Stat. 2418; Pub. L. 112-81, div. A, title VIII, §811, Dec. 31, 2011, 125 Stat. 1491.)

AMENDMENTS

2011—Subsec. (d)(2)(A). Pub. L. 112-81 amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “the automated information system or information technology investment failed to achieve a full deployment decision within five years after funds were first obligated for the program;”.

2009—Subsec. (d)(2)(A). Pub. L. 111-84 substituted “a full deployment decision” for “initial operational capability”.

Subsec. (f)(3). Pub. L. 111-23 substituted “have been determined, with the concurrence of the Director of Cost Assessment and Program Evaluation, to be reasonable” for “are reasonable”.

2008—Subsec. (a). Pub. L. 110-417, §812(c)(1), inserted “or other major information technology investment program” after “major automated information system program” and “or information technology investment” after “the major automated information system”.

Subsec. (b). Pub. L. 110-417, §812(c)(2), inserted “or other major information technology investment program” after “major automated information system program” in introductory provisions and “or information technology investment” after “automated information system” in pars. (1) and (2).

Subsec. (d)(1), (2). Pub. L. 110-417, §812(c)(3)(A), inserted “or other major information technology investment program” after “major automated information system program” in introductory provisions.

Subsec. (d)(2)(A). Pub. L. 110-417, §812(c)(3)(B)(i), added subpar. (A) and struck out former subpar. (A) which read as follows: “the system failed to achieve initial operational capability within five years of milestone A approval;”.

Subsec. (d)(2)(B), (C). Pub. L. 110-417, §812(c)(3)(B)(ii), (iii), inserted “or section 2445b(d) of this title, as applicable” before semicolon at end.

Subsec. (d)(2)(D). Pub. L. 110-417, §812(c)(3)(B)(iv), inserted “or major information technology investment” after “major automated information system” and “or section 2445b(d) of this title, as applicable” before period at end.

Subsec. (e). Pub. L. 110-417, §812(c)(4), inserted “or other major information technology investment program” after “major automated information system program” in introductory provisions.

Subsec. (f). Pub. L. 110-417, §812(c)(5)(A), inserted “or other major information technology investment program” after “major automated information system program” in introductory provisions.

Subsec. (f)(1). Pub. L. 110-417, §812(c)(5)(B), inserted “or information technology investment” after “automated information system”.

Subsec. (f)(2). Pub. L. 110-417, §812(c)(5)(C), inserted “or information technology investment” after “the system”.

Subsec. (f)(3). Pub. L. 110-417, §812(c)(5)(D), inserted “or information technology investment, as applicable,” after “the program and system”.

§ 2445d. Construction with other reporting requirements

In the case of a major automated information system program covered by this chapter that is also treatable as a major defense acquisition

program for which reports would be required under chapter 144 of this title, the Secretary may designate the program to be treated only as a major automated information system program covered by this chapter or to be treated only as a major defense acquisition program covered by such chapter 144.

(Added Pub. L. 109-364, div. A, title VIII, §816(a)(1), Oct. 17, 2006, 120 Stat. 2326; amended Pub. L. 111-84, div. A, title VIII, §817(a), Oct. 28, 2009, 123 Stat. 2408.)

AMENDMENTS

2009—Pub. L. 111-84 substituted “of this title, the Secretary may designate the program to be treated only as a major automated information system program covered by this chapter or to be treated only as a major defense acquisition program covered by such chapter 144.” for “of this title, no reports on the program are required under such chapter if the requirements of this chapter with respect to the program are met.”

GUIDANCE REQUIRED

Pub. L. 111-84, div. A, title VIII, §817(b), Oct. 28, 2009, 123 Stat. 2408, provided that: “Not later than 180 days after the date of the enactment of this Act [Oct. 28, 2009], the Secretary of Defense shall issue guidance on the implementation of section 2445d of title 10, United States Code (as amended by subsection (a)). The guidance shall provide that, as a general rule—

“(1) a program covered by such section that requires the development of customized hardware shall be treated only as a major defense acquisition program under chapter 144 of title 10, United States Code; and

“(2) a program covered by such section that does not require the development of customized hardware shall be treated only as a major automated information system program under chapter 144A of title 10, United States Code.”

CHAPTER 145—CATALOGING AND STANDARDIZATION

- Sec. 2451. Defense supply management.
- 2452. Duties of Secretary of Defense.
- 2453. Supply catalog: distribution and use.
- 2454. Supply catalog: new or obsolete items.
- [2455. Repealed.]
- 2456. Coordination with General Services Administration.
- 2457. Standardization of equipment with North Atlantic Treaty Organization members.
- 2458. Inventory management policies.

AMENDMENTS

1990—Pub. L. 101-510, div. A, title III, §323(a)(2), title XIII, §1331(6), Nov. 5, 1990, 104 Stat. 1530, 1673, struck out item 2455 “Reports to Congress” and added item 2458.

1982—Pub. L. 97-295, §1(30)(B), Oct. 12, 1982, 96 Stat. 1296, added item 2457.

§ 2451. Defense supply management

(a) The Secretary of Defense shall develop a single catalog system and related program of standardizing supplies for the Department of Defense.

(b) In cataloging, the Secretary shall name, describe, classify, and number each item recurrently used, bought, stocked, or distributed by the Department of Defense, so that only one distinctive combination of letters or numerals, or both, identifies the same item throughout the

Department of Defense. Only one identification may be used for each item for all supply functions from purchase to final disposal in the field or other area. The catalog may consist of a number of volumes, sections, or supplements. It shall include all items of supply and, for each item, information needed for supply operations, such as descriptive and performance data, size, weight, cubage, packaging and packing data, a standard quantitative unit of measurement, and other related data that the Secretary determines to be desirable.

(c) In standardizing supplies the Secretary shall, to the highest degree practicable—

(1) standardize items used throughout the Department of Defense by developing and using single specifications, eliminating overlapping and duplicate specifications, and reducing the number of sizes and kinds of items that are generally similar;

(2) standardize the methods of packing, packaging, and preserving such items; and

(3) make efficient use of the services and facilities for inspecting, testing, and accepting such items.

(d) The Secretary shall coordinate with the Administrator of General Services to enable the use of commercial identifiers for commercial items within the Federal cataloging system.

(Aug. 10, 1956, ch. 1041, 70A Stat. 138; Pub. L. 85-861, §33(a)(13), Sept. 2, 1958, 72 Stat. 1565; Pub. L. 108-136, div. A, title III, §341, Nov. 24, 2003, 117 Stat. 1448.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
2451(a)	5:173.	July 1, 1952, ch. 539, §2.
2451(b)	5:173b(a).	4, 66 Stat. 318, 319; 1953 Reorg. Plan No. 6, §1(a) (as applicable to Defense Supply Management Agency), eff. June 30, 1953, 67 Stat. 638.
2451(c)	5:173b(b).	

In subsection (a), the words “for the Department of Defense” are inserted for clarity. 5:173 (1st sentence) is omitted as impliedly repealed by section 2 of 1953 Reorganization Plan No. 6, effective June 30, 1953, 67 Stat. 638.

In subsection (b), the words “or any of the departments thereof”, “in such manner”, “original”, and “necessary or” are omitted as surplusage. The words “throughout the Department of Defense” are substituted for the words “either within a bureau or service, between bureaus or services, or between the departments”. The word “recurrently” is substituted for the word “repetitively”. The words “Only one identification may” are substituted for the words “The single item identification shall”.

In subsection (c), the words “the most” are omitted as surplusage. The words “to the highest degree practicable” are substituted for the words “achieve the highest practicable degree possible” and “The greatest practicable degree of standardization * * * shall be achieved”.

1958 ACT

The change makes clear that clauses (2) and (3) apply to all items, whether or not standardized, used throughout the Department of Defense.

AMENDMENTS

2003—Subsec. (d). Pub. L. 108-136 added subsec. (d).