

**§ 185. Financial Management Modernization Executive Committee**

(a) ESTABLISHMENT OF FINANCIAL MANAGEMENT MODERNIZATION EXECUTIVE COMMITTEE.—(1) The Secretary of Defense shall establish a Financial Management Modernization Executive Committee.

(2) The Committee shall be composed of the following:

(A) The Under Secretary of Defense (Comptroller), who shall be the chairman of the committee.

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

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

(D) The Chief Information Officer of the Department of Defense.

(E) Such additional personnel of the Department of Defense (including appropriate personnel of the military departments and Defense Agencies) as are designated by the Secretary.

(3) The Committee shall be accountable to the Senior Executive Council (composed of the Secretary of Defense, the Deputy Secretary of Defense, the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force).

(b) DUTIES.—In addition to other matters assigned to it by the Secretary of Defense, the Committee shall have the following duties:

(1) To establish a process that ensures that each critical accounting system, financial management system, and data feeder system of the Department of Defense is compliant with applicable Federal financial management and reporting requirements.

(2) To develop a management plan for the implementation of the financial and data feeder systems compliance process established pursuant to paragraph (1).

(3) To supervise and monitor the actions that are necessary to implement the management plan developed pursuant to paragraph (2), as approved by the Secretary of Defense.

(4) To ensure that a Department of Defense financial management enterprise architecture is developed and maintained in accordance with—

(A) the overall business process transformation strategy of the Department; and

(B) the architecture framework of the Department for command, control, communications, computers, intelligence, surveillance, and reconnaissance functions.

(5) To ensure that investments in existing or proposed financial management systems for the Department comply with the overall business practice transformation strategy of the Department and the financial management enterprise architecture developed under paragraph (4).

(6) To provide an annual accounting of each financial and data feeder system investment technology project to ensure that each such project is being implemented at acceptable cost and within a reasonable schedule and is contributing to tangible, observable improvements in mission performance.

(c) MANAGEMENT PLAN FOR IMPLEMENTATION OF FINANCIAL DATA FEEDER SYSTEMS COMPLIANCE PROCESS.—The management plan developed under subsection (b)(2) shall include among its principal elements at least the following elements:

(1) A requirement for the establishment and maintenance of a complete inventory of all budgetary, accounting, finance, and data feeder systems that support the transformed business processes of the Department and produce financial statements.

(2) A phased process (consisting of the successive phases of Awareness, Evaluation, Renovation, Validation, and Compliance) for improving systems referred to in paragraph (1) that provides for mapping financial data flow from the cognizant Department business function source (as part of the overall business process transformation strategy of the Department) to Department financial statements.

(3) Periodic submittal to the Secretary of Defense, the Deputy Secretary of Defense, and the Senior Executive Council (or any combination thereof) of reports on the progress being made in achieving financial management transformation goals and milestones included in the annual financial management improvement plan in 2002.

(4) Documentation of the completion of each phase specified in paragraph (2) of improvements made to each accounting, finance, and data feeder system of the Department.

(5) Independent audit by the Inspector General of the Department, the audit agencies of the military departments, and private sector firms contracted to conduct validation audits (or any combination thereof) at the validation phase for each accounting, finance, and data feeder system.

(d) DATA FEEDER SYSTEMS.—In this section, the term “data feeder system” means an automated or manual system from which information is derived for a financial management system or an accounting system.

(Added Pub. L. 107–107, div. A, title X, §1009(a)(1), Dec. 28, 2001, 115 Stat. 1206; amended Pub. L. 107–314, div. A, title X, §1004(h)(2), Dec. 2, 2002, 116 Stat. 2631.)

AMENDMENTS

2002—Subsec. (d). Pub. L. 107–314 substituted “means an automated or manual system from which information is derived for a financial management system or an accounting system” for “has the meaning given that term in section 2222(c)(2) of this title”.

**[§ 186. Repealed. Pub. L. 113–291, div. A, title IX, § 901(c), Dec. 19, 2014, 128 Stat. 3463]**

Section, 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, related to Defense Business System Management Committee.

**§ 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 the following:

(A) The Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy, who shall be the chairman of the Board.

(B) The Administrator of the Defense Logistics Agency Strategic Materials, or any successor organization, who shall be the vice chairman of the Board.

(C) A designee of the Assistant Secretary of the Army for Acquisition, Logistics, and Technology.

(D) A designee of the Assistant Secretary of the Navy for Research, Development, and Acquisition.

(E) A designee of the Assistant Secretary of the Air Force for Acquisition.

(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 Secretary to ensure a secure supply of materials designated as critical to national security;

(4) recommend such other strategies to the Secretary as the Board considers appropriate 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 Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy 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.—(1) Subject to paragraph (2), after each meeting of the Board, the Board shall prepare a report containing the results of the meeting and such recommendations as the Board determines appropriate. Each such report shall be submitted to the congressional defense committees, together with comments and recommendations from the Secretary of Defense, not later than 90 days after the meeting covered by the report.

(2) In any year in which the Board meets more than once, each report prepared by the Board as required by paragraph (1) may be combined into one annual report and submitted as provided by paragraph (1) not later than 90 days after the last meeting of the year.

(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; Pub. L. 112-239, div. A, title IX, §901(c), Jan. 2, 2013, 126 Stat. 1864.)

#### AMENDMENTS

2013—Subsec. (a)(2). Pub. L. 112-239, §901(c)(1), amended par. (2) generally. Prior to amendment, par. (2) related to composition of the Strategic Materials Protection Board.

Subsec. (b)(3), (4). Pub. L. 112-239, §901(c)(2), substituted “Secretary” for “President”.

Subsec. (c). Pub. L. 112-239, §901(c)(3), substituted “Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy” for “Secretary of Defense”.

Subsec. (d). Pub. L. 112-239, §901(c)(4), amended subsec. (d) generally. Prior to amendment, text read as follows: “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.”

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].”

### § 188. Interagency Council on the Strategic Capability of the National Laboratories

(a) ESTABLISHMENT.—There is an Interagency Council on the Strategic Capability of the National Laboratories (in this section referred to as the “Council”).

(b) MEMBERSHIP.—The membership of the Council is comprised of the following:

- (1) The Secretary of Defense.
- (2) The Secretary of Energy.
- (3) The Secretary of Homeland Security.
- (4) The Director of National Intelligence.
- (5) The Administrator for Nuclear Security.
- (6) Such other officials as the President considers appropriate.

(c) STRUCTURE AND PROCEDURES.—The President may determine the chair, structure, staff, and procedures of the Council.

(d) RESPONSIBILITIES.—The Council shall be responsible for the following matters:

- (1) Identifying and considering the science, technology, and engineering capabilities of the national laboratories that could be leveraged by each participating agency to support national security missions.