

title I, § 110(g)(3), Oct. 1, 1986, 100 Stat. 1004; renumbered § 2438 and amended Pub. L. 100-26, § 7(b)(9)(A), (k)(2), Apr. 21, 1987, 101 Stat. 280, 284; Pub. L. 101-510, div. A, title VIII, § 805, Nov. 5, 1990, 104 Stat. 1591; renumbered § 2439, Pub. L. 102-484, div. A, title VIII, § 821(a)(1)(A), Oct. 23, 1992, 106 Stat. 2459, directed Secretary of Defense, before full-scale development under major program began, to prepare acquisition strategy which ensured that contracts for each major program, including each major subsystem under program, were awarded in accordance with acquisition strategy, and granted Secretary option of using competitive alternative sources for major programs and major subsystems throughout period.

§ 2440. Technology and industrial base plans

The Secretary of Defense shall prescribe regulations requiring consideration of the national technology and industrial base, in accordance with the strategy required by section 2501 of this title, in the development and implementation of acquisition plans for each major defense acquisition program.

(Added Pub. L. 102-484, div. D, title XLII, § 4216(b)(1), Oct. 23, 1992, 106 Stat. 2669; amended Pub. L. 109-364, div. A, title X, § 1071(a)(17), Oct. 17, 2006, 120 Stat. 2399; Pub. L. 112-239, div. A, title XVI, § 1603(c), Jan. 2, 2013, 126 Stat. 2063.)

AMENDMENTS

2013—Pub. L. 112-239 inserted “, in accordance with the strategy required by section 2501 of this title,” after “base”.

2006—Pub. L. 109-364 substituted “industrial base plans” for “Industrial Base Plans” in section catchline.

CHAPTER 144A—MAJOR AUTOMATED INFORMATION SYSTEM PROGRAMS

Sec.

- 2445a. Definitions.
- 2445b. Cost, schedule, and performance information.
- 2445c. Reports: quarterly reports; reports on program changes.
- 2445d. Construction with other reporting requirements.

AMENDMENTS

2008—Pub. L. 110-417, [div. A], title VIII, § 812(a)(3), Oct. 14, 2008, 122 Stat. 4525, added item 2445a and struck out former item 2445a “Major automated information system program defined”.

§ 2445a. Definitions

(a) MAJOR AUTOMATED INFORMATION SYSTEM PROGRAM.—In this chapter, the term “major automated information system program” means a Department of Defense program for the acquisition of an automated information system (either as a product or a service) if—

(1) the program is designated by the Secretary of Defense, or a designee of the Secretary, as a major automated information system program; or

(2) the dollar value of the program is estimated to exceed—

(A) \$32,000,000 in fiscal year 2000 constant dollars for all program costs in a single fiscal year;

(B) \$126,000,000 in fiscal year 2000 constant dollars for all program acquisition costs for the entire program; or

(C) \$378,000,000 in fiscal year 2000 constant dollars for the total life-cycle costs of the

program (including operation and maintenance costs).

(b) ADJUSTMENT.—The Secretary of Defense may adjust the amounts (and base fiscal year) set forth in subsection (a) on the basis of Department of Defense escalation rates. An adjustment under this subsection shall be effective after the Secretary transmits a written notification of the adjustment to the congressional defense committees.

(c) INCREMENTS.—In the event any increment of a major automated information system program separately meets the requirements for treatment as a major automated information system program, the provisions of this chapter shall apply to such increment as well as to the overall major automated information system program of which such increment is a part.

(d) OTHER MAJOR INFORMATION TECHNOLOGY INVESTMENT PROGRAM.—In this chapter, the term “other major information technology investment program” means the following:

(1) An investment that is designated by the Secretary of Defense, or a designee of the Secretary, as a “pre-Major Automated Information System” or “pre-MAIS” program.

(2) Any other investment in automated information system products or services that is expected to exceed the thresholds established in subsection (a), as adjusted under subsection (b), but is not considered to be a major automated information system program because a formal acquisition decision has not yet been made with respect to such investment.

(e) FULL DEPLOYMENT DECISION.—In this chapter, the term “full deployment decision” means, with respect to a major automated information system program, the final decision made by the Milestone Decision Authority authorizing an increment of the program to deploy software for operational use.

(f) FULL DEPLOYMENT.—In this chapter, the term “full deployment” means, with respect to a major automated information system program, the fielding of an increment of the program in accordance with the terms of a full deployment decision.

(g) EXTENSION OF A PROGRAM.—In this chapter, the term “extension of a program” means, with respect to a major automated information system program or other major information technology investment program, the further deployment or planned deployment to additional users of the system which has already been found operationally effective and suitable by an independent test agency or the Director of Operational Test and Evaluation, beyond the scope planned in the original estimate or information originally submitted on the program.

(Added Pub. L. 109-364, div. A, title VIII, § 816(a)(1), Oct. 17, 2006, 120 Stat. 2323; amended Pub. L. 110-417, [div. A], title VIII, § 812(a)(1), (2), Oct. 14, 2008, 122 Stat. 4525; Pub. L. 111-84, div. A, title VIII, § 841(c), Oct. 28, 2009, 123 Stat. 2418; Pub. L. 113-66, div. A, title X, § 1092(a), Dec. 26, 2013, 127 Stat. 877.)

AMENDMENTS

2013—Subsec. (g). Pub. L. 113-66 added subsec. (g).

2009—Subsecs. (e), (f). Pub. L. 111-84 added subsecs. (e) and (f).