

Israel an individual or individuals to serve as the primary liaison between the procurement and research and development activities of the United States Armed Forces and those of the State of Israel.”

§ 133a. Under Secretary of Defense for Research and Engineering

(a) UNDER SECRETARY OF DEFENSE.—There is an Under Secretary of Defense for Research and Engineering, appointed from civilian life by the President, by and with the advice and consent of the Senate. The Under Secretary shall be appointed from among persons who have an extensive technology, science, or engineering background and experience with managing complex or advanced technological programs. A person may not be appointed as Under Secretary within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.

(b) DUTIES AND POWERS.—Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary shall perform such duties and exercise such powers as the Secretary may prescribe, including—

(1) serving as the chief technology officer of the Department of Defense with the mission of advancing technology and innovation for the armed forces (and the Department);

(2) establishing policies on, and supervising, all defense research and engineering, technology development, technology transition, prototyping, experimentation, and developmental testing activities and programs, including the allocation of resources for defense research and engineering, and unifying defense research and engineering efforts across the Department; and

(3) serving as the principal advisor to the Secretary on all research, engineering, and technology development activities and programs in the Department.

(c) PRECEDENCE IN DEPARTMENT OF DEFENSE.—

(1) PRECEDENCE IN MATTERS OF RESPONSIBILITY.—With regard to all matters for which the Under Secretary has responsibility by the direction of the Secretary of Defense or by law, the Under Secretary takes precedence in the Department of Defense after the Secretary and the Deputy Secretary of Defense.

(2) PRECEDENCE IN OTHER MATTERS.—With regard to all matters other than the matters for which the Under Secretary has responsibility by the direction of the Secretary or by law, the Under Secretary takes precedence in the Department of Defense after the Secretary, the Deputy Secretary, and the Secretaries of the military departments.

(Added Pub. L. 114-328, div. A, title IX, § 901(a)(1), Dec. 23, 2016, 130 Stat. 2339.)

PRIOR PROVISIONS

A prior section 133a, added Pub. L. 99-500, § 101(c) [title X, § 902(a)(1)], Oct. 18, 1986, 100 Stat. 1783-82, 1783-131, and Pub. L. 99-591, § 101(c) [title X, § 902(a)(1)], Oct. 30, 1986, 100 Stat. 3341-82, 3341-131; Pub. L. 99-661, div. A, title IX, formerly title IV, § 902(a)(1), Nov. 14, 1986, 100 Stat. 3911, renumbered title IX, Pub. L. 100-26, § 3(5), Apr. 21, 1987, 101 Stat. 273; amended Pub. L. 103-160, div. A, title IX, § 904(c), Nov. 30, 1993, 107 Stat. 1728; Pub. L. 103-337, div. A, title X, § 1070(a)(2), Oct. 5,

1994, 108 Stat. 2855; Pub. L. 104-106, div. A, title IX, § 903(c)(1), Feb. 10, 1996, 110 Stat. 401; Pub. L. 104-201, div. A, title IX, § 901, Sept. 23, 1996, 110 Stat. 2617; Pub. L. 106-65, div. A, title IX, § 911(c), Oct. 5, 1999, 113 Stat. 718; Pub. L. 107-107, div. A, title X, § 1048(b)(1), Dec. 28, 2001, 115 Stat. 1225; Pub. L. 111-84, div. A, title IX, § 906(c)(1)(A), (2)(A), Oct. 28, 2009, 123 Stat. 2427, established the position of Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics, prior to repeal by Pub. L. 111-383, div. A, title IX, § 901(b)(1), (p), Jan. 7, 2011, 124 Stat. 4317, 4327, effective Jan. 1, 2011.

Another prior section 133a was renumbered section 117 of this title.

EFFECTIVE DATE

Pub. L. 114-328, div. A, title IX, § 901(a)(1), Dec. 23, 2016, 130 Stat. 2339, provided that this section is effective on Feb. 1, 2018.

SERVICE OF INCUMBENT USD FOR ATL IN POSITION

Pub. L. 114-328, div. A, title IX, § 901(a)(2), Dec. 23, 2016, 130 Stat. 2339, provided that: “The individual serving as Under Secretary of Defense for Acquisition, Technology, and Logistics under section 133 of title 10, United States Code, as of February 1, 2018, may continue to serve as Under Secretary of Defense for Research and Engineering commencing as of that date, without further appointment under section 133a of such title, as added by paragraph (1).”

§ 133b. Under Secretary of Defense for Acquisition and Sustainment

(a) UNDER SECRETARY OF DEFENSE.—There is an Under Secretary of Defense for Acquisition and Sustainment, appointed from civilian life by the President, by and with the advice and consent of the Senate. The Under Secretary shall be appointed from among persons who have an extensive system development, engineering, production, or management background and experience with managing complex programs. A person may not be appointed as Under Secretary within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.

(b) DUTIES AND POWERS.—Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary shall perform such duties and exercise such powers as the Secretary may prescribe, including—

(1) serving as the chief acquisition and sustainment officer of the Department of Defense with the mission of delivering and sustaining timely, cost-effective capabilities for the armed forces (and the Department);

(2) establishing policies on, and supervising, all elements of the Department relating to acquisition (including system design, development, and production, and procurement of goods and services) and sustainment (including logistics, maintenance, and materiel readiness);

(3) establishing policies for access to, and maintenance of, the defense industrial base and materials critical to national security, and policies on contract administration;

(4) serving as—

(A) the principal advisor to the Secretary on acquisition and sustainment in the Department;

(B) the senior procurement executive for the Department for the purposes of section 1702(c) of title 41; and