

§ 201, Pub. L. 99-433, title III, § 301(a)(1), Oct. 1, 1986, 100 Stat. 1019; renumbered § 202, Pub. L. 102-190, div. A, title IX, § 922(a)(1), Dec. 5, 1991, 105 Stat. 1453; Pub. L. 105-107, title V, § 503(b), Nov. 20, 1997, 111 Stat. 2262, related to unauthorized use of Defense Intelligence Agency name, initials, or seal, after amendment by Pub. L. 105-107, which transferred subsec. (b) to end of section 425.

[§ 203. Repealed. Pub. L. 114-328, div. A, title V, § 502(d)(1), Dec. 23, 2016, 130 Stat. 2102]

Section, added Pub. L. 105-85, div. A, title II, § 235(a), Nov. 18, 1997, 111 Stat. 1665; amended Pub. L. 107-314, div. A, title II, § 225(b)(1)(A), (B)(i), Dec. 2, 2002, 116 Stat. 2486, related to appointment of Director of Missile Defense Agency.

§ 204. Small Business Ombudsman for defense audit agencies

(a) **SMALL BUSINESS OMBUDSMAN.**—The Secretary of Defense shall designate within each defense audit agency an official as the Small Business Ombudsman to have the duties described in subsection (b) and such other responsibilities as may be determined by the Secretary.

(b) **DUTIES.**—The Small Business Ombudsman of a defense audit agency shall—

(1) advise the Director of the defense audit agency on policy issues related to small business concerns;

(2) serve as the defense audit agency's primary point of contact and source of information for small business concerns;

(3) collect and monitor relevant data regarding the defense audit agency's conduct of audits of small business concerns, including—

(A) data regarding the timeliness of audit closeouts for small business concerns; and

(B) data regarding the responsiveness of the defense audit agency to issues or other matters raised by small business concerns; and

(4) make recommendations to the Director regarding policies, processes, and procedures related to the timeliness of audits of small business concerns and the responsiveness of the defense audit agency to issues or other matters raised by small business concerns.

(c) **AUDIT INDEPENDENCE.**—The Small Business Ombudsman of a defense audit agency shall be segregated from ongoing audits in the field and shall not engage in activities with regard to particular audits that could compromise the independence of the defense audit agency or undermine compliance with applicable audit standards.

(d) **DEFENSE AUDIT AGENCY DEFINED.**—In this section, the term “defense audit agency” means the Defense Contract Audit Agency and the Defense Contract Management Agency.

(Added Pub. L. 112-239, div. A, title XVI, § 1612(a), Jan. 2, 2013, 126 Stat. 2064.)

§ 205. Missile Defense Agency

(a) **TERM OF DIRECTOR.**—The Director of the Missile Defense Agency shall be appointed for a six-year term.

(b) **REPORTING.**—The Missile Defense Agency shall be under the authority, direction, and control of the Under Secretary of Defense for Research and Engineering.

(Added Pub. L. 115-91, div. A, title XVI, § 1676(c)(1), Dec. 12, 2017, 131 Stat. 1773.)

APPLICATION

Pub. L. 115-91, div. A, title XVI, § 1676(c)(3), Dec. 12, 2017, 131 Stat. 1773, provided that:

“(A) **TERMS.**—Subsection (a) of section 205 of title 10, United States Code, as added by paragraph (1), shall apply the day following the date on which the present incumbent in the office of the Director of the Missile Defense Agency, as of the date of the enactment of this Act [Dec. 12, 2017], ceases to serve as such.

“(B) **REPORTING.**—Subsection (b) of such section 205 shall apply beginning on February 1, 2018. In carrying out such subsection, the Missile Defense Agency shall be under the authority, direction, and control of the Under Secretary of Defense for Research and Engineering in the same manner as the Missile Defense Agency was under the authority, direction, and control of the Under Secretary of Defense for Acquisition, Technology, and Logistics pursuant to Department of Defense Directive 5134.09. Any reference in such Instruction to the Under Secretary of Defense for Acquisition, Technology, and Logistics shall be deemed to be a reference to the Under Secretary of Defense for Research and Engineering, including with respect to the Under Secretary serving as the chairman of the Missile Defense Executive Board.”

CHAPTER 9—DEFENSE BUDGET MATTERS

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223a. Ballistic missile defense programs: procurement.

224. Ballistic missile defense programs: display of amounts for research, development, test, and evaluation.

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[226 to 228 Repealed.]

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[230. Repealed.]

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[231a, 232. Repealed.]

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239a. Missile defense and defeat programs: major force program and budget assessment.

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AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 813(a)(1)(B), title X, § 1061(b), title XVI, §§ 1624(b)(2), 1677(b)(2), Aug.