

Subsec. (c)(4) to (6). Pub. L. 113–291, §901(g)(1)(G), amended pars. (4) to (6) generally. Prior to amendment, pars. (4) to (6) required the Secretary of Defense to report to Congress, by a certain date, on proposed budgets not certified by the Assistant Secretary under par. (3), including a separate statement of certain estimated expenditures and requested appropriations.

Subsec. (d). Pub. L. 113–291, §901(g)(1)(D), transferred subsec. (f) of section 138c of this title to subsec. (d) of this section. See Codification note above.

Subsec. (d)(1). Pub. L. 113–291, §901(g)(1)(E), inserted “of Defense for Installations, Energy, and Environment” after “the Assistant Secretary”.

EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114–92, div. A, title X, §1081(b), Nov. 25, 2015, 129 Stat. 1001, provided in part that the amendment made by section 1081(b) is effective as of Dec. 19, 2014, and as if included in Pub. L. 113–291 as enacted.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in subsec. (c)(4) of this section requiring submittal of annual report to Congress, see section 1061 of Pub. L. 114–328, set out as a note under section 111 of this title.

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¹ So in original. Does not conform to chapter heading.

² Editorially supplied.

³ Editorially supplied. Chapter 258 added by Pub. L. 116–283 without corresponding amendment of part analysis.

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AMENDMENTS

2021—Pub. L. 116–283, div. A, title XVIII, §§1811(a), 1816(a), 1824(b), 1825(l), 1831(l), 1833(a)(2), 1841(a)(2), 1846(a), 1856(a), 1866(a), 1873(f), Jan. 1, 2021, 134 Stat. 4164, 4181, 4205, 4208, 4217, 4226, 4243, 4247, 4273, 4279, 4290, added items for chapters 221 to 225, 241 to 244, 253, 257, 271, 272, and 275, items for subpart E and chapters 301 to 309 and for subpart F and chapters 321 to 327, and items for chapters 341, 343, 381 to 385, and 387 to 389 and struck out former items for chapters 221 “Planning and Solicitation Generally”, 223 “Planning and Solicitation Relating to Particular Items or Services”, 241 “Awarding of Contracts”, 243 “Specific Types of Contracts”, 253 “Emergency and Rapid Acquisitions”, 271 “Truthful Cost or Pricing Data”, 275 “Proprietary Contractor Data and Technical Data”, and 285 “Small Business Programs”, items for subpart E “special categories of contracting: major defense acquisition programs and major systems” and chapters 301 “Major Defense Acquisition Programs”, 303 “Weapon Systems Development and Related Matters”, and 305 “Other Matters Relating to Major Systems” and for subpart F “special categories of contracting: research, development, test, and evaluation” and for chapters 321 “Research and Development Generally”, 323 “Innovation”, 325 “Department of Defense Laboratories”, 327 “Research and De-

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2018—Pub. L. 115-232, div. A, title VIII, §801(a), Aug. 13, 2018, 132 Stat. 1825, added analysis for part V consisting of items for subparts A to I and chapters 201 to 385. Capitalization in subpart headings is as it appears in the original.

REDESIGNATIONS BY PUB. L. 115-232 OF CHAPTERS AND SECTIONS IN FORMER SUBTITLES B TO D

Chapters 301 to 953 and sections 3001 to 9448 of this title, which formerly comprised subtitles B to D, were significantly redesignated by Pub. L. 115-232, div. A, title VIII, §§806-808, Aug. 13, 2018, 132 Stat. 1832-1839. The chapter and section redesignations made by Pub. L. 115-232 throughout subtitles B to D of this title are shown in the following table:

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6246	10 U.S.C. 8296
6247	10 U.S.C. 8297
6248	10 U.S.C. 8298
6249	10 U.S.C. 8299
6250	10 U.S.C. 8300
6251	10 U.S.C. 8301
6252	10 U.S.C. 8302
6253	10 U.S.C. 8303
6254	10 U.S.C. 8304
6255	10 U.S.C. 8305
6256	10 U.S.C. 8306
6257	10 U.S.C. 8307
6258	10 U.S.C. 8308
Ch. 569	10 U.S.C. Ch. 839
6292	10 U.S.C. 8317
Ch. 571	10 U.S.C. Ch. 841
6321	10 U.S.C. 8321
6322	10 U.S.C. 8322
6323	10 U.S.C. 8323
6324	10 U.S.C. 8324
6325	10 U.S.C. 8325
6326	10 U.S.C. 8326
6327	10 U.S.C. 8327
6328	10 U.S.C. 8328
6329	10 U.S.C. 8329
6330	10 U.S.C. 8330
6331	10 U.S.C. 8331
6332	10 U.S.C. 8332
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6336	10 U.S.C. 8336
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6383	10 U.S.C. 8372
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6404	10 U.S.C. 8374
6408	10 U.S.C. 8375
Ch. 575	10 U.S.C. Ch. 845
6483	10 U.S.C. 8383
6484	10 U.S.C. 8384
6485	10 U.S.C. 8385
6486	10 U.S.C. 8386
Ch. 577	10 U.S.C. Ch. 847
6522	10 U.S.C. 8392
Ch. 601	10 U.S.C. Ch. 851
6911	10 U.S.C. 8411
6912	10 U.S.C. 8412
6913	10 U.S.C. 8413
6915	10 U.S.C. 8415
Ch. 602	10 U.S.C. Ch. 852
6931	10 U.S.C. 8431
6932	10 U.S.C. 8432
Ch. 603	10 U.S.C. Ch. 853
6951	10 U.S.C. 8451
6951a	10 U.S.C. 8451a

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6953	10 U.S.C. 8453
6954	10 U.S.C. 8454
6955	10 U.S.C. 8455
6956	10 U.S.C. 8456
6958	10 U.S.C. 8458
6959	10 U.S.C. 8459
6960	10 U.S.C. 8460
6961	10 U.S.C. 8461
6962	10 U.S.C. 8462
6963	10 U.S.C. 8463
6964	10 U.S.C. 8464
6965	10 U.S.C. 8465
6966	10 U.S.C. 8466
6967	10 U.S.C. 8467
6968	10 U.S.C. 8468
6969	10 U.S.C. 8469
6970	10 U.S.C. 8470
6970a	10 U.S.C. 8470a
6971	10 U.S.C. 8471
6972	10 U.S.C. 8472
6973	10 U.S.C. 8473
6974	10 U.S.C. 8474
6975	10 U.S.C. 8475
6976	10 U.S.C. 8476
6977	10 U.S.C. 8477
6978	10 U.S.C. 8478
6979	10 U.S.C. 8479
6980	10 U.S.C. 8480
6981	10 U.S.C. 8481
Ch. 605	10 U.S.C. Ch. 855
7041	10 U.S.C. 8541
7042	10 U.S.C. 8542
7043	10 U.S.C. 8543
7044	10 U.S.C. 8544
7045	10 U.S.C. 8545
7046	10 U.S.C. 8546
7047	10 U.S.C. 8547
7048	10 U.S.C. 8548
7049	10 U.S.C. 8549
7050	10 U.S.C. 8550
Ch. 607	10 U.S.C. Ch. 857
7081	10 U.S.C. 8581
7082	10 U.S.C. 8582
7083	10 U.S.C. 8583
7084	10 U.S.C. 8584
7085	10 U.S.C. 8585
7086	10 U.S.C. 8586
7087	10 U.S.C. 8587
7088	10 U.S.C. 8588
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7101	10 U.S.C. 8591
7102	10 U.S.C. 8592
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7104	10 U.S.C. 8594
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7204	10 U.S.C. 8604
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7207	10 U.S.C. 8607
7211	10 U.S.C. 8611
7212	10 U.S.C. 8612
7214	10 U.S.C. 8614
7216	10 U.S.C. 8616
7219	10 U.S.C. 8619
7220	10 U.S.C. 8620
7221	10 U.S.C. 8621
7222	10 U.S.C. 8622
7223	10 U.S.C. 8623
7224	10 U.S.C. 8624
7225	10 U.S.C. 8625
7226	10 U.S.C. 8626
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7228	10 U.S.C. 8628
7229	10 U.S.C. 8629
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7235	10 U.S.C. 8635
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7292	10 U.S.C. 8662
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7294	10 U.S.C. 8664
7297	10 U.S.C. 8667
7299	10 U.S.C. 8669
7299a	10 U.S.C. 8669a
7300	10 U.S.C. 8670
7301	10 U.S.C. 8671
7303	10 U.S.C. 8673
7304	10 U.S.C. 8674
7305	10 U.S.C. 8675
7305a	10 U.S.C. 8675a
7306	10 U.S.C. 8676
7306a	10 U.S.C. 8676a
7306b	10 U.S.C. 8676b
7307	10 U.S.C. 8677
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7309	10 U.S.C. 8679

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7311	10 U.S.C. 8681
7312	10 U.S.C. 8682
7313	10 U.S.C. 8683
7314	10 U.S.C. 8684
7315	10 U.S.C. 8685
7316	10 U.S.C. 8686
7317	10 U.S.C. 8687
7318	10 U.S.C. 8688
7319	10 U.S.C. 8689
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7361	10 U.S.C. 8701
7362	10 U.S.C. 8702
7363	10 U.S.C. 8703
7364	10 U.S.C. 8704
Ch. 639	10 U.S.C. Ch. 867
7395	10 U.S.C. 8715
7396	10 U.S.C. 8716
Ch. 641	10 U.S.C. Ch. 869
7420	10 U.S.C. 8720
7421	10 U.S.C. 8721
7422	10 U.S.C. 8722
7423	10 U.S.C. 8723
7424	10 U.S.C. 8724
7425	10 U.S.C. 8725
7427	10 U.S.C. 8727
7428	10 U.S.C. 8728
7429	10 U.S.C. 8729
7430	10 U.S.C. 8730
7431	10 U.S.C. 8731
7432	10 U.S.C. 8732
7433	10 U.S.C. 8733
7435	10 U.S.C. 8735
7436	10 U.S.C. 8736
7437	10 U.S.C. 8737
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Ch. 643	10 U.S.C. Ch. 871
7472	10 U.S.C. 8742
7473	10 U.S.C. 8743
7476	10 U.S.C. 8746
7477	10 U.S.C. 8747
7478	10 U.S.C. 8748
7479	10 U.S.C. 8749
7479a	10 U.S.C. 8749a
7480	10 U.S.C. 8750
Ch. 645	10 U.S.C. Ch. 873
7522	10 U.S.C. 8752
7523	10 U.S.C. 8753
7524	10 U.S.C. 8754
Ch. 647	10 U.S.C. Ch. 875
7541	10 U.S.C. 8761
7541a	10 U.S.C. 8761a
7541b	10 U.S.C. 8761b
7542	10 U.S.C. 8762
7543	10 U.S.C. 8763
7544	10 U.S.C. 8764
7545	10 U.S.C. 8765
7546	10 U.S.C. 8766
7547	10 U.S.C. 8767
Ch. 649	10 U.S.C. Ch. 877
7571	10 U.S.C. 8771
7572	10 U.S.C. 8772
7573	10 U.S.C. 8773
7576	10 U.S.C. 8776
7577	10 U.S.C. 8777
7579	10 U.S.C. 8779
7580	10 U.S.C. 8780
7581	10 U.S.C. 8781
7582	10 U.S.C. 8782
Ch. 651	10 U.S.C. Ch. 879
7601	10 U.S.C. 8801
7602	10 U.S.C. 8802
7603	10 U.S.C. 8803
7604	10 U.S.C. 8804
7605	10 U.S.C. 8805
7606	10 U.S.C. 8806
Ch. 653	10 U.S.C. Ch. 881
7621	10 U.S.C. 8821
7622	10 U.S.C. 8822
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Ch. 655	10 U.S.C. Ch. 883
7651	10 U.S.C. 8851
7652	10 U.S.C. 8852
7653	10 U.S.C. 8853
7654	10 U.S.C. 8854
7655	10 U.S.C. 8855
7656	10 U.S.C. 8856
7657	10 U.S.C. 8857
7658	10 U.S.C. 8858
7659	10 U.S.C. 8859
7660	10 U.S.C. 8860
7661	10 U.S.C. 8861
7662	10 U.S.C. 8862
7663	10 U.S.C. 8863
7664	10 U.S.C. 8864

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7665	10 U.S.C. 8865
7666	10 U.S.C. 8866
7667	10 U.S.C. 8867
7668	10 U.S.C. 8868
7669	10 U.S.C. 8869
7670	10 U.S.C. 8870
7671	10 U.S.C. 8871
7672	10 U.S.C. 8872
7673	10 U.S.C. 8873
7674	10 U.S.C. 8874
7675	10 U.S.C. 8875
7676	10 U.S.C. 8876
7677	10 U.S.C. 8877
7678	10 U.S.C. 8878
7679	10 U.S.C. 8879
7680	10 U.S.C. 8880
7681	10 U.S.C. 8881
Ch. 657	10 U.S.C. Ch. 885
7721	10 U.S.C. 8891
7722	10 U.S.C. 8892
7723	10 U.S.C. 8893
7724	10 U.S.C. 8894
7725	10 U.S.C. 8895
7726	10 U.S.C. 8896
7727	10 U.S.C. 8897
7728	10 U.S.C. 8898
7729	10 U.S.C. 8899
7730	10 U.S.C. 8900
Ch. 659	10 U.S.C. Ch. 887
7851	10 U.S.C. 8901
7852	10 U.S.C. 8902
7853	10 U.S.C. 8903
7854	10 U.S.C. 8904
Ch. 661	10 U.S.C. Ch. 889
7861	10 U.S.C. 8911
7862	10 U.S.C. 8912
7863	10 U.S.C. 8913
Ch. 663	10 U.S.C. Ch. 891
7881	10 U.S.C. 8921
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7901	10 U.S.C. 8931
7902	10 U.S.C. 8932
7903	10 U.S.C. 8933
Ch. 667	10 U.S.C. Ch. 895
7912	10 U.S.C. 8942
7913	10 U.S.C. 8943
Ch. 669	10 U.S.C. Ch. 897
7921	10 U.S.C. 8951
Ch. 801	10 U.S.C. Ch. 901
Ch. 803	10 U.S.C. Ch. 903
8011	10 U.S.C. 9011
8012	10 U.S.C. 9012
8013	10 U.S.C. 9013
8014	10 U.S.C. 9014
8015	10 U.S.C. 9015
8016	10 U.S.C. 9016
8017	10 U.S.C. 9017
8018	10 U.S.C. 9018
8019	10 U.S.C. 9019
8020	10 U.S.C. 9020
8021	10 U.S.C. 9021
8022	10 U.S.C. 9022
8023	10 U.S.C. 9023
8024	10 U.S.C. 9024
Ch. 805	10 U.S.C. Ch. 905
8031	10 U.S.C. 9031
8032	10 U.S.C. 9032
8033	10 U.S.C. 9033
8034	10 U.S.C. 9034
8035	10 U.S.C. 9035
8036	10 U.S.C. 9036
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8039	10 U.S.C. 9039
8040	10 U.S.C. 9040
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8061	10 U.S.C. 9061
8062	10 U.S.C. 9062
8067	10 U.S.C. 9067
8069	10 U.S.C. 9069
8074	10 U.S.C. 9074
8075	10 U.S.C. 9075
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8084	10 U.S.C. 9084
Ch. 831	10 U.S.C. Ch. 911
8210	10 U.S.C. 9110
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8251	10 U.S.C. 9131
8252	10 U.S.C. 9132
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8446	10 U.S.C. 9176
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8491	10 U.S.C. 9191

TABLE SHOWING REDESIGNATIONS MADE BY PUB. L. 115-232—Continued

Table with 2 columns: Title 10 Chapter or Section Before Redesignation and Title 10 Chapter or Section After Redesignation. Lists renumberings from 8503 to 9353.

TABLE SHOWING REDESIGNATIONS MADE BY PUB. L. 115-232—Continued

Table with 2 columns: Title 10 Chapter or Section Before Redesignation and Title 10 Chapter or Section After Redesignation. Lists renumberings from 9354 to 9553.

EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 116-283, div. A, title XVIII, §1801(d), Jan. 1, 2021, 134 Stat. 4151, provided that:

“(1) DELAYED ENACTMENT.—Except as specifically provided, this title [see Tables for classification] and the amendments made by this title shall take effect on January 1, 2022.

“(2) DELAYED IMPLEMENTATION.—Not later than January 1, 2023, the Secretary of Defense shall take such action as necessary to revise or modify the Department of Defense Supplement to the Federal Acquisition Regulation and other existing authorities affected by the enactment of this title and the amendments made by this title.

“(3) APPLICABILITY.—

“(A) IN GENERAL.—The Secretary of Defense shall apply the law as in effect on December 31, 2021, with respect to contracts entered into during the covered period.

“(B) COVERED PERIOD DEFINED.—In this paragraph, the term ‘covered period’ means the period beginning on January 1, 2022, and ending on the earlier of—

- “(i) the date on which the Secretary of Defense revises or modifies authorities pursuant to paragraph (2); or
“(ii) January 1, 2023.”

EFFECTIVE DATE OF 2018 AMENDMENT; COORDINATION OF AMENDMENTS

Pub. L. 115-232, div. A, title VIII, § 800, Aug. 13, 2018, 132 Stat. 1825, provided that:

“(a) EFFECTIVE DATES.—

“(1) PARTS I AND II.—Parts I and II of this subtitle [probably means parts I (§801) and II (§§806-809) of subtitle A of title VIII of div. A of Pub. L. 115-232, see Tables for classification], and the redesignations and amendments made by such parts, shall take effect on February 1, 2019.

“(2) PART III.—Part III of this subtitle [probably means part III (§§811-813) of subtitle A of title VIII of div. A of Pub. L. 115-232, see Tables for classification] shall take effect on the date of the enactment of this Act [Aug. 13, 2018].

“(b) COORDINATION OF AMENDMENTS.—The redesignations and amendments made by part II of this subtitle shall be executed before the amendments made by part I of this subtitle.

“(c) RULE FOR CERTAIN REDESIGNATIONS.—In the case of a redesignation specified in part II of this subtitle (1) that is to be made to a section of subtitle B, C, or D of title 10, United States Code, for which the current section designation consists of a four-digit number and a letter, and (2) that is directed to be made by the addition of a specified number to the current section designation, the new section designation shall consist of a new four-digit number and the same letter, with the new four-digit number being the number that is the sum of the specified number and the four-digit number in the current section designation.”

RULE OF CONSTRUCTION

Pub. L. 116-283, div. A, title XVIII, §1885, Jan. 1, 2021, 134 Stat. 4294, provided that: “This title [see Tables for classification], including the amendments made by this title, is intended only to reorganize title 10, United States Code, and may not be construed to alter—

- “(1) the effect of a provision of title 10, United States Code, including any authority or requirement therein;
“(2) a department or agency interpretation with respect to title 10, United States Code; or
“(3) a judicial interpretation with respect to title 10, United States Code.”

SAVINGS PROVISIONS

Pub. L. 116-283, div. A, title XVIII, §1884, Jan. 1, 2021, 134 Stat. 4294, provided that:

“(a) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a provision of title 10, United States Code, redesignated by this title [see Tables for classification] continues in effect under the provision as so redesignated.

“(b) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a provision of title 10, United States Code, redesignated by this title is deemed to have been taken or committed under the provision as so redesignated.”

TRANSFER AND REORGANIZATION OF DEFENSE ACQUISITION STATUTES

Pub. L. 116-283, div. A, title XVIII, §1801(a), (b), Jan. 1, 2021, 134 Stat. 4150, provided that:

“(a) ACTIVITIES.—Not later than February 1, 2021, the Secretary of Defense shall establish a process to engage interested parties and experts from the public and private sectors, as determined appropriate by the Secretary, in a comprehensive review of this title [see Tables for classification] and the amendments made by this title.

“(b) ASSESSMENT AND REPORT.—Not later than March 15, 2021, the Secretary of Defense shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report evaluating this title and the amendments made by this title that shall include the following elements:

- “(1) Specific recommendations for modifications to the legislative text of this title and the amendments made by this title, along with a list of conforming amendments to law required by this title and the amendments made by this title.
“(2) A summary of activities conducted pursuant to the process established under subsection (a), including an assessment of the effect of this title and the amendments made by this title on related Department of Defense activities, guidance, and interagency coordination.
“(3) An implementation plan for updating the regulations and guidance relating to this title and the amendments made by this title that contains the following elements:
“(A) A description of how the plan will be implemented.
“(B) A schedule with milestones for the implementation of the plan.

- “(C) A description of the assignment of roles and responsibilities for the implementation of the plan.
“(D) A description of the resources required to implement the plan.
“(E) A description of how the plan will be reviewed and assessed to monitor progress.
“(4) Such other items as the Secretary considers appropriate.”

REFERENCES TO SECTIONS REDESIGNATED BY TITLE XVIII OF PUB. L. 116-283

Pub. L. 116-283, div. A, title XVIII, §1883, Jan. 1, 2021, 134 Stat. 4294, provided that:

- “(a) DEFINITIONS.—In this section:
“(1) REDESIGNATED SECTION.—The term ‘redesignated section’ means a section of title 10, United States Code, that is redesignated by this title [see Tables for classification], as that section is so redesignated.
“(2) SOURCE SECTION.—The term ‘source section’ means a section of title 10, United States Code, that is redesignated by this title, as that section was in effect before the redesignation.
“(b) REFERENCE TO SOURCE SECTION.—

“(1) TREATMENT OF REFERENCE.—Except as otherwise provided in this title, a reference to a source section, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding redesignated section.

“(2) TITLE 10.—Except as otherwise provided in this title, in title 10, United States Code, each reference in the text of such title to a source section is amended by striking such reference and inserting a reference to the appropriate redesignated section.”

Subpart A—General

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §801(a), Aug. 13, 2018, 132 Stat. 1826, added subpart heading.

CHAPTER 201—DEFINITIONS

Table with 2 columns: Subchapter and Sec.
I. Definitions Relating to Defense Acquisition System Generally 3001
II. Definitions Applicable to Procurement Generally 3011
III. Definitions Relating to Major Systems and Major Defense Acquisition Programs 3041

PRIOR PROVISIONS

A prior chapter 201 “DEFINITIONS”, as added by Pub. L. 115-232, div. A, title VIII, §801(a), Aug. 13, 2018, 132 Stat. 1826, and consisting of reserved section 3001, was repealed by Pub. L. 116-283, div. A, title XVIII, §1806(a)(1), Jan. 1, 2021, 134 Stat. 4151.

SUBCHAPTER I—DEFINITIONS RELATING TO DEFENSE ACQUISITION SYSTEM GENERALLY

Table with 2 columns: Sec. and Description
3001. Defense acquisition system; element of the defense acquisition system.
3002. Federal Acquisition Regulation.
3003. Defense Federal Acquisition Regulation Supplement.
3004. Head of an agency.
3005. Service chief concerned.
3006. Acquisition workforce.

§ 3001. Defense acquisition system; element of the defense acquisition system

(a) DEFENSE ACQUISITION SYSTEM.—In this part, the term “defense acquisition system” means—