

(2) If the Secretary determines that Department of Defense personnel have the capability to perform the services to be covered by the contract, the Secretary shall conduct a study comparing the cost of performing the services with Department of Defense personnel and the cost of performing the services with contractor personnel.

(b) WAIVER.—The Secretary of Defense may, pursuant to guidelines prescribed by the Secretary, waive the requirement to perform a cost comparison study under subsection (a)(2) based on factors that are not related to cost.

(Added Pub. L. 103-337, div. A, title III, §363(a)(1), Oct. 5, 1994, 108 Stat. 2733, §2410f; renumbered §4509, Pub. L. 116-283, div. A, title XVIII, §1856(g), Jan. 1, 2021, 134 Stat. 4275.)

PRIOR PROVISIONS

A prior section 4531, act Aug. 10, 1956, ch. 1041, 70A Stat. 253, authorized Secretary of the Army to procure materials and facilities necessary to maintain and support the Army, prior to repeal by Pub. L. 103-160, div. A, title VIII, §823(2), Nov. 30, 1993, 107 Stat. 1707.

A prior section 4532 was renumbered section 7532 of this title.

Prior sections 4533 to 4535 were repealed by Pub. L. 103-160, div. A, title VIII, §823(3)-(5), Nov. 30, 1993, 107 Stat. 1707.

Section 4533, act Aug. 10, 1956, ch. 1041, 70A Stat. 254, related to purchases of army rations.

Section 4534, act Aug. 10, 1956, ch. 1041, 70A Stat. 254, related to subsistence supplies, contract stipulations, and place of delivery on inspection.

Section 4535, act Aug. 10, 1956, ch. 1041, 70A Stat. 254, provided that exceptional subsistence supplies could be purchased without advertising.

A prior section 4536 was renumbered section 7536 of this title.

Prior sections 4537 and 4538 were repealed by Pub. L. 103-160, div. A, title VIII, §823(6), (7), Nov. 30, 1993, 107 Stat. 1707.

Section 4537, acts Aug. 10, 1956, ch. 1041, 70A Stat. 254; Nov. 2, 1966, Pub. L. 89-718, §8(a), 80 Stat. 1117; Dec. 12, 1980, Pub. L. 96-513, title V, §512(14), 94 Stat. 2930, authorized Secretary of the Army to obtain assistance of United States mapping agencies in making and developing military surveys and maps.

Section 4538, acts Aug. 10, 1956, ch. 1041, 70A Stat. 255; Dec. 12, 1980, Pub. L. 96-513, title V, §512(15), 94 Stat. 2930, related to exchange and reclamation of unserviceable ammunition.

A prior section 4539, act Aug. 10, 1956, ch. 1041, 70A Stat. 255, provided for purchase of horses and mules in open market at Army posts, within maximum prices prescribed by Secretary of the Army, prior to repeal by Pub. L. 91-482, §1(a), Oct. 21, 1970, 84 Stat. 1082.

A prior section 4540 was renumbered section 7540 of this title.

Another prior section 4541 was renumbered section 7541 of this title.

Prior sections 4542 to 4544, 4551 to 4555, and 4561 to 4565 were renumbered sections 7542 to 7544, 7551 to 7555, and 7561 to 7565 of this title, respectively.

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 2410f of this title as this section.

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

CHAPTER 343—ACQUISITION OF SERVICES OF CONTRACTORS PERFORMING PRIVATE SECURITY FUNCTIONS

Subchapter I. Contractors Performing Private Security Functions in Areas of Combat Operations or Other Significant Military Operations 4541
II. Standards and Certification for Private Security 4551

PRIOR PROVISIONS

A prior chapter 343 "ACQUISITION OF SERVICES", consisting of reserved section 4541, was repealed by Pub. L. 116-283, div. A, title XVIII, §1856(b), Jan. 1, 2021, 134 Stat. 4273.

Another prior chapter 343 was renumbered chapter 723 of this title.

SUBCHAPTER I—CONTRACTORS PERFORMING PRIVATE SECURITY FUNCTIONS IN AREAS OF COMBAT OPERATIONS OR OTHER SIGNIFICANT MILITARY OPERATIONS

Sec. 4541. [Reserved].

SUBCHAPTER II—STANDARDS AND CERTIFICATION FOR PRIVATE SECURITY CONTRACTORS

Sec. 4551. [Reserved].

CHAPTER 345—ACQUISITION OF INFORMATION TECHNOLOGY

Sec. 4571. Information technology acquisition: planning and oversight processes.
4572. [Reserved].
4573. [Reserved].
4574. [Reserved].
4575. [Reserved].
4576. Requirement for consideration of certain matters during acquisition of noncommercial computer software.

PRIOR PROVISIONS

A prior chapter 345 "ACQUISITION OF INFORMATION TECHNOLOGY", consisting of reserved section 4571, was repealed by Pub. L. 116-283, div. A, title XVIII, §1857(a), Jan. 1, 2021, 134 Stat. 4276.

Another prior chapter 345 was renumbered chapter 725 of this title.

§ 4571. Information technology acquisition: planning and oversight processes

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Defense shall establish a program to improve the planning and oversight processes for the acquisition of major automated information systems by the Department of Defense.

(b) PROGRAM COMPONENTS.—The program established under subsection (a) shall include—

- (1) a documented process for information technology acquisition planning, requirements development and management, project management and oversight, earned value management, and risk management;

- (2) the development of appropriate metrics that can be implemented and monitored on a real-time basis for performance measurement of—