

(2) carry out such other responsibilities as the chair determines appropriate.

(e) MEETINGS.—(1) The explosive safety board shall meet not less frequently than quarterly.

(2) The chair shall submit to the congressional defense committees an annual report describing the activities conducted at the meetings of the board.

(f) EXCLUSIVE RESPONSIBILITIES.—The explosive safety board shall have exclusive responsibility within the Department of Defense for—

(1) recommending new and updated explosive and chemical agent safety regulations and standards to the Assistant Secretary of Defense for Energy Installations and Environment for submittal to the Under Secretary of Defense for Acquisition and Sustainment; and

(2) acting as the primary forum for coordination among covered components of the Department on all matters related to explosive safety management.

(g) COVERED COMPONENTS.—In this section, the covered components of the Department are each of the following:

(1) The Office of the Secretary of Defense.

(2) The military departments.

(3) The Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands.

(4) The Office of the Inspector General of the Department.

(5) The Defense Agencies.

(6) The Department of Defense field activities.

(7) All other organizational entities within the Department.

(Aug. 10, 1956, ch. 1041, 70A Stat. 8; Pub. L. 104-201, div. A, title IX, § 909, Sept. 23, 1996, 110 Stat. 2621; Pub. L. 111-383, div. A, title X, § 1075(b)(7), Jan. 7, 2011, 124 Stat. 4369; Pub. L. 115-91, div. A, title III, § 341(a), (b)(1), Dec. 12, 2017, 131 Stat. 1361; Pub. L. 115-232, div. A, title III, § 351, Aug. 13, 2018, 132 Stat. 1730; Pub. L. 116-283, div. A, title III, § 351(a), title IX, § 924(b)(2)(A)(ii), Jan. 1, 2021, 134 Stat. 3542, 3821.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
172(a)	50:83 (less last sentence).	May 29, 1928, ch. 853 (110 Stat. par. under "Ordnance Establishment"), 45 Stat. 928.
172(b)	50:83 (last sentence).	

In subsection (a), the words "informed on stored" are substituted for the words "advised of storage". The words "particular regard" are substituted for the words "special reference". The words "inside or outside of" are substituted for the words "within or without". The word "selected" is substituted for the word "appointed", since the filling of the position involved is not appointment to an office in the constitutional sense.

In subsection (b), the words "in carrying out" are substituted for the words "in the execution of".

Editorial Notes

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283, § 924(b)(2)(A)(ii), substituted "Marine Corps, Space Force," for "Marine Corps,".

Subsecs. (c) to (g). Pub. L. 116-283, § 351(a), added subsecs. (c) to (g).

2018—Subsec. (a). Pub. L. 115-23 substituted "Marine Corps, and Coast Guard" for "and Marine Corps" and inserted at end "When the Coast Guard is not operating as a service in the Department of the Navy, the Secretary of Homeland Security shall appoint an officer of the Coast Guard to serve as a voting member of the board."

2017—Pub. L. 115-91, § 341(b)(1), substituted "Explosive safety" for "Ammunition storage" in section catchline.

Pub. L. 115-91, § 341(a)(1)–(8), designated existing provisions as subsec. (a) and inserted heading, inserted "that includes members" after "joint board", substituted "selected by the Secretaries of the military departments" for "selected by them", inserted "military" before "officers", "designated as the chair and voting members of the board for each military department" after "officers", and "and other" before "civilian officers", and substituted "as necessary" for "or both" and "provide oversight on storage and transportation of" for "keep informed on stored".

Subsec. (b). Pub. L. 115-91, § 341(a)(9), added subsec. (b).

2011—Pub. L. 111-383 struck out subsec. (a) designation before "The Secretaries" and struck out subsec. (b) which read as follows: "The board shall confer with and advise the Secretaries of the military departments in carrying out the recommendations in House Document No. 199 of the Seventieth Congress."

1996—Subsec. (a). Pub. L. 104-201 substituted "a joint board selected by them composed of officers, civilian officers and employees of the Department of Defense, or both" for "a joint board of officers selected by them".

Statutory Notes and Related Subsidiaries

DEADLINE FOR APPOINTMENT

Pub. L. 116-283, div. A, title III, § 351(b), Jan. 1, 2021, 134 Stat. 3543, provided that: "By not later than 90 days after the date of the enactment of this Act [Jan. 1, 2021], the Secretary of Defense shall take such steps as may be necessary to ensure that the explosive safety board of the Department of Defense, as authorized under section 172 of title 10, United States Code, has a chair who is a military officer and whose responsibilities include the day-to-day management of the explosive safety board and the responsibilities provided in subsection (c) of such section."

§ 173. Advisory personnel

(a) The Secretary of Defense may establish such advisory committees and employ such part-time advisers as he considers necessary for the performance of his functions and those of the agencies under his control.

(b) A person who serves as a member of a committee may not be paid for that service while holding another position or office under the United States for which he receives compensation. Other members and part-time advisers shall (except as otherwise specifically authorized by law) serve without compensation for such service.

(Aug. 10, 1956, ch. 1041, 70A Stat. 8; Pub. L. 89-718, § 2, Nov. 2, 1966, 80 Stat. 1115; Pub. L. 104-106, div. A, title X, § 1061(e)(1), Feb. 10, 1996, 110 Stat. 443.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
173(a)	5:171j(a) (1st sentence, as applicable to Secretary of Defense).	July 26, 1947, ch. 343, §303 (as applicable to Secretary of Defense);
173(b)	5:171j(a) (less 1st sentence, as applicable to Secretary of Defense).	Aug. 10, 1949, ch. 412, §10(c) (as applicable to Secretary of Defense);
173(c)	5:171j(b) (as applicable to Secretary of Defense).	Sept. 3, 1954, ch. 1263, §8 (as applicable to Secretary of Defense), 68 Stat. 1228.

In subsection (a), the words “consistent with other provisions of sections 171–171n, 172–172j, 181–1, 181–2, 411a, 411b, and 626–626d of this title and sections 401–405 of Title 50” are omitted as surplusage. The word “establish” is substituted for the word “appoint”, since the filling of the position involved is not appointment to an office in the constitutional sense.

In subsection (b), the word “Secretary” is substituted for the words “appointing authority”.

In subsection (c), the words “as a part-time adviser” are substituted for the words “in any other part-time capacity for a department or agency” to conform to subsections (a) and (b).

Editorial Notes

AMENDMENTS

1996—Subsec. (b). Pub. L. 104–106 substituted “Other members and part-time advisers shall (except as otherwise specifically authorized by law) serve without compensation for such service.” for “Other members and part-time advisers may serve without compensation or may be paid not more than \$50 for each day of service, as the Secretary determines.”

1966—Subsec. (c). Pub. L. 89–718 repealed subsec. (c) which provided that sections 281, 283, and 284 of title 18 did not apply to a person because of his service on a committee or as a part-time advisor under subsec. (a) of this section unless the unlawful act related to a matter directly involving a department or agency which he was advising or to a matter in which that department or agency was directly interested.

Statutory Notes and Related Subsidiaries

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 174. Advisory personnel: research and development

(a) The Secretary of each military department may establish such advisory committees and panels as are necessary for the research and development activities of his department and may employ such part-time advisers as he considers necessary to carry out those activities.

(b) A person who serves as a member of such a committee or panel may not be paid for that service while holding another position or office under the United States for which he receives compensation. Other members and part-time advisers shall (except as otherwise specifically authorized by law) serve without compensation for such service.

(c) The Secretary concerned may delegate any authority under this section to—

- (1) the Under Secretary of his department;
- (2) an Assistant Secretary of his department;

or

- (3) the chief, and one assistant to the chief, of any technical service, bureau, or office.

(Aug. 10, 1956, ch. 1041, 70A Stat. 9; Pub. L. 104–106, div. A, title X, §1061(e)(1), Feb. 10, 1996, 110 Stat. 443.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
174(a)	5:235b (1st sentence). 5:475g (1st sentence). 5:628b (1st sentence).	July 16, 1952, ch. 882, §§1, 7 (as applicable to §1), 66 Stat. 725, 726.
174(b)	5:235b (less 1st sentence). 5:475g (less 1st sentence). 5:628b (less 1st sentence).	
174(c)	5:235h (as applicable to 5:235b). 5:475m (as applicable to 5:475g). 5:628h (as applicable to 5:628b).	

In subsection (a), the words “the conduct of” are omitted as surplusage.

In subsection (b), the words “or panel” are inserted for clarity. The words “Secretary concerned” are substituted for the words “appointing authority”.

Editorial Notes

AMENDMENTS

1996—Subsec. (b). Pub. L. 104–106 substituted “Other members and part-time advisers shall (except as otherwise specifically authorized by law) serve without compensation for such service.” for “Other members and part-time advisers may serve without compensation or may be paid not more than \$50 for each day of service, as the Secretary concerned determines.”

Statutory Notes and Related Subsidiaries

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 175. Reserve Forces Policy Board

There is in the Office of the Secretary of Defense a Reserve Forces Policy Board. The functions, membership, and organization of that board are set forth in section 10301 of this title.

(Aug. 10, 1956, ch. 1041, 70A Stat. 9; Pub. L. 90–168, §2(3), (4), Dec. 1, 1967, 81 Stat. 521; Pub. L. 98–94, title XII, §1212(b), Sept. 24, 1983, 97 Stat. 687; Pub. L. 98–525, title XIII, §1306, title XIV, §1405(4), Oct. 19, 1984, 98 Stat. 2613, 2622; Pub. L. 98–557, §21, Oct. 30, 1984, 98 Stat. 2870; Pub. L. 99–433, title V, §531(a)(1), Oct. 1, 1986, 100 Stat. 1063; Pub. L. 103–337, div. A, title IX, §921, title XVI, §1661(b)(3), Oct. 5, 1994, 108 Stat. 2829, 2981.)