

\$44,000,000 shall be available to establish and carry out an enhanced Global Positioning System program.”

SUSTAINMENT AND OPERATION OF GLOBAL POSITIONING SYSTEM

Pub. L. 105-85, div. A, title X, §1074(a), (b), Nov. 18, 1997, 111 Stat. 1907, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) The Global Positioning System (consisting of a constellation of satellites and associated facilities capable of providing users on earth with a highly precise statement of their location on earth) makes significant contributions to the attainment of the national security and foreign policy goals of the United States, the safety and efficiency of international transportation, and the economic growth, trade, and productivity of the United States.

“(2) The infrastructure for the Global Positioning System (including both space and ground segments of the infrastructure) is vital to the effectiveness of United States and allied military forces and to the protection of the national security interests of the United States.

“(3) In addition to having military uses, the Global Positioning System has essential civil, commercial, and scientific uses.

“(4) As a result of the increasing demand of civil, commercial, and scientific users of the Global Positioning System—

“(A) there has emerged in the United States a new commercial industry to provide Global Positioning System equipment and related services to the many and varied users of the system; and

“(B) there have been rapid technical advancements in Global Positioning System equipment and services that have contributed significantly to reductions in the cost of the Global Positioning System and increases in the technical capabilities and availability of the system for military uses.

“(5) It is in the national interest of the United States for the United States—

“(A) to support continuation of the multiple-use character of the Global Positioning System;

“(B) to promote broader acceptance and use of the Global Positioning System and the technological standards that facilitate expanded use of the system for civil purposes;

“(C) to coordinate with other countries to ensure (i) efficient management of the electromagnetic spectrum used by the Global Positioning System, and (ii) protection of that spectrum in order to prevent disruption of signals from the system and interference with that portion of the electromagnetic spectrum used by the system; and

“(D) to encourage open access in all international markets to the Global Positioning System and supporting equipment, services, and techniques.

“(b) INTERNATIONAL COOPERATION.—Congress urges the President to promote the security of the United States and its allies, the public safety, and commercial interests by taking the following steps:

“(1) Undertaking a coordinated effort within the executive branch to seek to establish the Global Positioning System, and augmentations to the system, as a worldwide resource.

“(2) Seeking to enter into international agreements to establish signal and service standards that protect the Global Positioning System from disruption and interference.

“(3) Undertaking efforts to eliminate any barriers to, and other restrictions of foreign governments on, peaceful uses of the Global Positioning System.

“(4) Requiring that any proposed international agreement involving nonmilitary use of the Global Positioning System or any augmentation to the system not be agreed to by the United States unless the proposed agreement has been reviewed by the Secretary of State, the Secretary of Defense, the Secretary of Transportation, and the Secretary of Com-

merce (acting as the Interagency Global Positioning System Executive Board established by Presidential Decision Directive NSTC-6, dated March 28, 1996).”

ACCESS TO GLOBAL POSITIONING SYSTEM

Pub. L. 104-106, div. A, title II, §279, Feb. 10, 1996, 110 Stat. 243, provided that:

“(a) CONDITIONAL PROHIBITION ON USE OF SELECTIVE AVAILABILITY FEATURE.—Except as provided in subsection (b), after May 1, 1996, the Secretary of Defense may not (through use of the feature known as ‘selective availability’) deny access of non-Department of Defense users to the full capabilities of the Global Positioning System.

“(b) PLAN.—Subsection (a) shall cease to apply upon submission by the Secretary of Defense to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives of a plan for enhancement of the Global Positioning System that provides for—

“(1) development and acquisition of effective capabilities to deny hostile military forces the ability to use the Global Positioning System without hindering the ability of United States military forces and civil users to have access to and use of the system, together with a specific date by which those capabilities could be operational; and

“(2) development and acquisition of receivers for the Global Positioning System and other techniques for weapons and weapon systems that provide substantially improved resistance to jamming and other forms of electronic interference or disruption, together with a specific date by which those receivers and other techniques could be operational with United States military forces.”

LIMITATION ON PROCUREMENT OF SYSTEMS NOT GPS-EQUIPPED

Pub. L. 103-160, div. A, title I, §152(b), Nov. 30, 1993, 107 Stat. 1578, as amended by Pub. L. 105-261, div. A, title II, §218(e), Oct. 17, 1998, 112 Stat. 1952; Pub. L. 109-163, div. A, title II, §260(a), Jan. 6, 2006, 119 Stat. 3185, provided that: “After September 30, 2007, funds may not be obligated to modify or procure any Department of Defense aircraft, ship, armored vehicle, or indirect-fire weapon system that is not equipped with a Global Positioning System receiver.”

[Pub. L. 109-163, div. A, title II, §260(b), Jan. 6, 2006, 119 Stat. 3186, provided that: “The amendment made by subsection (a) [amending section 152(b) of Pub. L. 103-160, set out above] shall be deemed to have taken effect at the close of September 30, 2005, and any obligation or expenditure of funds by the Department of Defense during the period beginning on October 1, 2005, and ending on the date of the enactment of this Act [Jan. 6, 2006] to modify or procure a Department of Defense aircraft, ship, armored vehicle, or indirect-fire weapon system that is not equipped with a Global Positioning System receiver is hereby ratified with respect to the provision of law specified in subsection (a).”]

[§ 2282. Repealed. Pub. L. 114-328, div. A, title XII, § 1241(d)(5)(A), Dec. 23, 2016, 130 Stat. 2504]

Section, added Pub. L. 113-291, div. A, title XII, §1205(a)(1), Dec. 19, 2014, 128 Stat. 3533, related to authority to build the capacity of foreign security forces. See section 333 of this title.

A prior section 2282, added Pub. L. 106-398, §1 [[div. A], title I, §131(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-28; amended Pub. L. 108-136, div. A, title X, §1031(a)(14), Nov. 24, 2003, 117 Stat. 1597, related to annual report on the B-2 bomber aircraft, prior to repeal by Pub. L. 112-81, div. A, title X, §1061(13)(A), Dec. 31, 2011, 125 Stat. 1583.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Pub. L. 114-328, div. A, title XII, §1241(d)(5), Dec. 23, 2016, 130 Stat. 2504, provided that the repeal of this section is effective as of the date that is 270 days after Dec. 23, 2016.

[§ 2283. Renumbered § 4901]**§ 2284. Explosive Ordnance Disposal Defense Program**

(a) IN GENERAL.—The Secretary of Defense shall carry out a program to be known as the “Explosive Ordnance Disposal Defense Program” (in this section referred to as the “Program”) under which the Secretary shall ensure close and continuous coordination between military departments on matters relating to explosive ordnance disposal support for commanders of geographic and functional combatant commands.

(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—The plan under subsection (a) shall include provisions under which—

(1) the Secretary of Defense shall—

(A) assign the responsibility for the direction, coordination, and integration of the Program within the Department of Defense to the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; and

(B) designate the Secretary of the Navy, or a designee of the Secretary’s choice, as the executive agent for the Department of Defense responsible for providing oversight of the training and technology program that coordinates and integrates joint requirements for explosive ordnance disposal, provides common individual training, and carries out joint research, development, test, and evaluation activities for common tools on behalf of the military departments with respect to explosive ordnance disposal;

(2) the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall serve as the key individual for the Program responsible for developing and overseeing policy, plans, programs, and budgets, and issuing guidance and providing direction on Department of Defense explosive ordnance disposal activities;

(3) the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall coordinate with—

(A) the Under Secretary of Defense for Intelligence on explosive ordnance technical intelligence;

(B) the Under Secretary of Defense for Acquisition and Sustainment on explosive ordnance disposal research, development, acquisition, and sustainment;

(C) the Under Secretary of Defense for Research and Engineering on explosive ordnance disposal research, development, test, and evaluation;

(D) the Assistant Secretary of Defense for Homeland Security and Global Security on explosive ordnance disposal on defense support of civil authorities; and

(E) the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense

programs on explosive ordnance disposal for combating weapons of mass destruction;

(4) the Secretary of each military department shall assess the needs of the military department concerned with respect to explosive ordnance disposal and may carry out research, development, test, and evaluation activities, including other transactions and procurement activities to address military department unique needs; and

(5) the Secretary of the Army shall designate an Army explosive ordnance disposal-qualified general officer to serve as the co-chair of the Department of Defense explosive ordnance disposal defense program.

(c) ANNUAL BUDGET JUSTIFICATION DOCUMENTS.—

(1) For fiscal year 2021 and each fiscal year thereafter, the Secretary of Defense shall submit to Congress with the defense budget materials a consolidated budget justification display, in classified and unclassified form, that includes all of activities of the Department of Defense relating to the Program.

(2) The budget display under paragraph (1) for a fiscal year shall include a single program element for each of the following:

(A) Civilian and military pay.

(B) Research, development, test, and evaluation.

(C) Procurement.

(D) Other transaction agreements.

(E) Military construction.

(3) The budget display shall include funding data for each of the military department’s respective activities related to explosive ordnance disposal, including—

(A) operation and maintenance; and

(B) overseas contingency operations.

(d) DEFINITIONS.—In this section:

(1) The term “explosive ordnance” has the meaning given such term in section 283(d) of this title.

(2) The term “explosive ordnance disposal” means the detection, identification, on-site evaluation, rendering safe, exploitation, recovery, and final disposal of explosive ordnance.

(Added Pub. L. 115-232, div. A, title III, §311(a), Aug. 13, 2018, 132 Stat. 1708; amended Pub. L. 116-92, div. A, title X, §1052, title XVII, §1731(a)(36), Dec. 20, 2019, 133 Stat. 1590, 1814; Pub. L. 116-283, div. A, title III, §352(a), Jan. 1, 2021, 134 Stat. 3544.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b)(1)(A). Pub. L. 116-283, §352(a)(1), inserted “and” before “integration” and substituted “the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict” for “an Assistant Secretary of Defense”.

Subsec. (b)(2). Pub. L. 116-283, §352(a)(2), substituted “for Special Operations and Low Intensity Conflict” for “to whom responsibility is assigned under paragraph (1)(A)”.

Subsec. (b)(3) to (5). Pub. L. 116-283, §352(a)(3), (4), added par. (3) and redesignated former pars. (3) and (4) as (4) and (5), respectively.

2019—Pub. L. 116-92, §1731(a)(36), substituted section symbol for “SEC.” before section designation.