

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.

Subsec. (b)(1)(A). Pub. L. 116-92, §1052(a)(2)(A), inserted “and” at end.

Subsec. (b)(1)(B). Pub. L. 116-92, §1052(a)(2)(D)(iii)–(v), substituted “evaluation activities for common tools on behalf of the military departments” for “evaluation and procurement activities on behalf of the military departments and combatant commands”.

Pub. L. 116-92, §1052(a)(2)(D)(ii), which directed insertion of “, provides common individual training,” after “explosive ordnance disposal”, was executed by making the insertion after “explosive ordnance disposal” the first place appearing to reflect the probable intent of Congress.

Pub. L. 116-92, §1052(a)(2)(D)(i), substituted “training and technology program that” for “joint program executive officer who”.

Pub. L. 116-92, §1052(a)(2)(C), redesignated subpar. (C) as (B). Former subpar. (B) redesignated par. (2).

Pub. L. 116-92, §1052(a)(2)(B), redesignated subpar. (B) as par. (2).

Subsec. (b)(1)(C) to (E). Pub. L. 116-92, §1052(a)(2)(C), (E), redesignated subpar. (C) as (B) and struck out subpars. (D) and (E) which read as follows:

“(D) designate a combat support agency to exercise fund management responsibility of the Department of Defense-wide program element for explosive ordnance disposal research, development, test, and evaluation, transactions other than contracts, cooperative agreements, and grants related to section 2371 of this title during research projects including rapid prototyping and limited procurement urgent activities, and acquisition; and

“(E) designate an Army explosive ordnance disposal-qualified general officer from the combat support agency designated under subparagraph (D) to serve as the Chairman of the Department of Defense explosive ordnance disposal defense program board; and”.

Subsec. (b)(2). Pub. L. 116-92, §1052(a)(3), inserted “(A)” after “paragraph (1)”.

Pub. L. 116-92, §1052(a)(2)(B), redesignated subpar. (B) of par. (1) as par. (2). Former par. (2) redesignated (3).

Pub. L. 116-92, §1052(a)(1), redesignated par. (2) as (3).

Subsec. (b)(3). Pub. L. 116-92, §1052(a)(4), substituted “; and” for “such as weapon systems, manned and unmanned vehicles and platforms, cyber and communication equipment, and the integration of explosive ordnance disposal sets, kits and outfits and explosive ordnance disposal tools, equipment, sets, kits, and outfits developed by the department.”

Pub. L. 116-92, §1052(a)(1), redesignated par. (2) as (3).

Subsec. (b)(4). Pub. L. 116-92, §1052(a)(5), added par. (4).

Subsec. (d). Pub. L. 116-92, §1052(b), added subsec. (d).

§ 2285. Department of Defense Climate Resilience Infrastructure Initiative

(a) DESIGNATION.—The programs, practices, and activities carried out pursuant to this section shall be known collectively as the “Climate Resilience Infrastructure Initiative of the Department of Defense”.

(b)¹ HARDENING AND QUICK RECOVERY.—In carrying out military installation resilience plans pursuant to section 2864 of this title, the Secretary of Defense shall ensure that the development by the Department of Defense of requirements for backup utilities, communications, and transportation to ensure that the critical infrastructure of Department facilities is hardened, developed, and constructed for quick recovery from natural disasters and the impacts of extreme weather.

(d)² SUSTAINMENT AND MODERNIZATION.—The Secretary shall develop sustainment and mod-

ernization requirements for facilities of the Department in connection with climate resilience.

(e) COLLABORATION IN PLANNING WITH LOCAL COMMUNITIES.—The Secretary shall develop, within existing frameworks for collaborative activities between military installations and State and local communities, and in addition to the requirements of section 2864(c) of this title, a framework that authorizes and directs installation commanders to engage with State, regional, and local agencies, and with local communities, on planning for climate resilience, to enhance efficient response to impacts of extreme weather and secure collaborative investment in infrastructure that is resilient to the current and projected impacts of extreme weather.

(f) TESTING AND TRAINING RANGE LANDS.—

(1) PRACTICES FOR SUSTAINMENT OF LANDS.—The Secretary shall develop and implement practices to sustain the lands of the military testing and training ranges of the Department, and the lands of testing and training ranges on State-owned National Guard installations, through the adaptation and resilience of such lands to the current and projected impacts of extreme weather to ensure the ongoing availability of such lands to military personnel, weapon systems, and equipment for testing and training purposes.

(2) TRAINING AND EDUCATION ON SUSTAINMENT OF LANDS.—The Secretary shall develop a program of training and education for members of the Armed Forces (including the reserve components) on the importance of the sustainment of the lands of the military testing and training ranges as described in paragraph (1).

(3) INVESTMENT IN RESILIENCE OF LANDS.—The Secretary shall use existing programs of the Department, including the Readiness and Environmental Protection Integration Program of the Department (or such successor program), to provide for investments determined appropriate by the Secretary in the lands of the military testing and training ranges, to increase the resilience and adaptation of such lands to the current and projected impacts of extreme weather for testing and training purposes in connection with current and projected testing and training requirements in the short- and long-term.

(b)³ USE OF CERTAIN TECHNOLOGIES.—The Secretary shall take appropriate actions to increase the use of low emission, emission-free, and net-zero-emission energy technologies in the operations, programs, projects, and activities of the Department, provided the use is cost effective over the life-cycle of the investment.

(Added Pub. L. 117-81, div. A, title III, §332(a), Dec. 27, 2021, 135 Stat. 1637.)

[CHAPTER 137—REPEALED]

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definition of “Chapter 137 legacy provisions” as used throughout part V of this subtitle, see section 3016 of this title.

¹ So in original. Another subsec. (b) is set out after subsec. (f).

² So in original. No subsec. (c) has been enacted.

³ So in original. Another subsec. (b) is set out after subsec. (a).