

The text of subsecs. (a) and (b) of section 2302d of this title, which were transferred to this section, redesignated as subsecs. (c) and (d), respectively, and amended by Pub. L. 116-283, §1806(c)(3), was based on Pub. L. 104-201, div. A, title VIII, §805(a)(2), Sept. 23, 1996, 110 Stat. 2605; Pub. L. 105-85, div. A, title X, §1073(a)(41), Nov. 18, 1997, 111 Stat. 1902.

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283, §1806(c)(2)(A), redesignated par. (5) of section 2302 of this title as subsec. (a) of this section, realigned margin, inserted heading, and substituted “In this part (other than in sections 4292(e) and 4321), the term” for “The term”. Former third sentence of subsec. (a) designated (b).

Subsec. (b). Pub. L. 116-283, §1806(c)(2)(B), (C), after transfer of section 2302(5) of this title to subsec. (a) of this section, designated third sentence of subsec. (a) as (b), inserted heading, and substituted “system if—” and pars. (1) and (2) for “system if (A) the conditions of section 2302d of this title are satisfied, or (B) the system is designated a ‘major system’ by the head of the agency responsible for the system.”

Subsec. (c). Pub. L. 116-283, §1806(c)(3), redesignated subsec. (a) of section 2302d of this title as subsec. (c) of this section, substituted “subsection (b)” for “section 2302(5) of this title” in introductory provisions, designated existing provisions as par. (1) and inserted heading, redesignated former pars. (1) and (2) as subpars. (A) and (B), respectively, and added par. (2).

Subsec. (d). Pub. L. 116-283, §1806(c)(3), redesignated subsec. (b) of section 2302d of this title as subsec. (d) of this section and substituted “subsection (b)” for “section 2302(5) of this title” in introductory provisions.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section and 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 an Effective Date of 2021 Amendment note preceding section 3001 of this title.

**§ 3042. Major defense acquisition program**

For the definition of the term “major defense acquisition program” for purposes of this part, see section 4201 of this title.

(Added Pub. L. 116-283, div. A, title XVIII, §1806(c)(1), Jan. 1, 2021, 134 Stat. 4154.)

**Editorial Notes**

PRIOR PROVISIONS

A prior section 3061 was renumbered section 7061 of this title.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section 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 an Effective Date of 2021 Amendment note preceding section 3001 of this title.

**CHAPTER 203—GENERAL MATTERS**

- Sec. 3061. [Reserved].
- 3062. Regulations.
- 3063. Covered agencies.
- 3064. Applicability of chapter 137 legacy provisions.
- 3065. Assignment and delegation of procurement functions and responsibilities: delegation within agency.

- Sec. 3066. Assignment and delegation of procurement functions and responsibilities: procurements for or with other agencies.
- 3067. Approval required for military department termination or reduction in participation in joint acquisition programs.
- 3068. Inapplicability of certain laws.
- 3069. Buy-to-budget acquisition: end items.
- 3070. Limitation on acquisition of excess supplies.
- 3071. [Reserved].
- 3072. Comptroller General assessment of acquisition programs and initiatives.

**Editorial Notes**

PRIOR PROVISIONS

A prior chapter 203 “GENERAL MATTERS”, as added by Pub. L. 115-232, div. A, title VIII, §801(a), Aug. 13, 2018, 132 Stat. 1826, and consisting of reserved section 3021, was repealed by Pub. L. 116-283, div. A, title XVIII, §1807(a), Jan. 1, 2021, 134 Stat. 4156.

AMENDMENTS

2021—Pub. L. 117-81, div. A, title XVII, §1701(f)(3), Dec. 27, 2021, 135 Stat. 2139, inserted “of” after “Applicability” in item 3064.

**Statutory Notes and Related Subsidiaries**

INTERNAL CONTROLS FOR DEPARTMENT OF DEFENSE PROCUREMENTS THROUGH GSA CLIENT SUPPORT CENTERS

Pub. L. 108-375, div. A, title VIII, §802, Oct. 28, 2004, 118 Stat. 2004, as amended by Pub. L. 109-313, §2(c)(2), Oct. 6, 2006, 120 Stat. 1735; Pub. L. 116-92, div. A, title IX, §902(38), Dec. 20, 2019, 133 Stat. 1547, provided that:

“(a) INITIAL INSPECTOR GENERAL REVIEW AND DETERMINATION.—(1) Not later than March 15, 2005, the Inspector General of the Department of Defense and the Inspector General of the General Services Administration shall jointly—

- “(A) review—
  - “(i) the policies, procedures, and internal controls of each GSA Client Support Center; and
  - “(ii) the administration of those policies, procedures, and internal controls; and
- “(B) for each such Center, determine in writing whether—

- “(i) the Center is compliant with defense procurement requirements;
- “(ii) the Center is not compliant with defense procurement requirements, but the Center made significant progress during 2004 toward becoming compliant with defense procurement requirements; or
- “(iii) neither of the conclusions stated in clauses (i) and (ii) is correct.

“(2) If the Inspectors General determine under paragraph (1) that the conclusion stated in clause (ii) or (iii) of subparagraph (B) of such paragraph is correct in the case of a GSA Client Support Center, those Inspectors General shall, not later than March 15, 2006, jointly—

- “(A) conduct a second review regarding that GSA Client Support Center as described in paragraph (1)(A); and
- “(B) determine in writing whether that GSA Client Support Center is or is not compliant with defense procurement requirements.

“(b) COMPLIANCE WITH DEFENSE PROCUREMENT REQUIREMENTS.—For the purposes of this section, a GSA Client Support Center is compliant with defense procurement requirements if the GSA Client Support Center’s policies, procedures, and internal controls, and the manner in which they are administered, are adequate to ensure compliance of that Center with the requirements of laws and regulations that apply to procurements of property and services made directly by the Department of Defense.

“(c) LIMITATIONS ON PROCUREMENTS THROUGH GSA CLIENT SUPPORT CENTERS.—(1) After March 15, 2005, and before March 16, 2006, no official of the Department of Defense may, except as provided in subsection (d) or (e), order, purchase, or otherwise procure property or services in an amount in excess of \$100,000 through any GSA Client Support Center for which a determination described in paragraph (1)(B)(iii) of subsection (a) has been made under that subsection.

“(2) After March 15, 2006, no official of the Department of Defense may, except as provided in subsection (d) or (e), order, purchase, or otherwise procure property or services in an amount in excess of \$100,000 through any GSA Client Support Center that has not been determined under this section as being compliant with defense procurement requirements.

“(d) EXCEPTION FROM APPLICABILITY OF LIMITATIONS.—(1) No limitation applies under subsection (c) with respect to the procurement of property and services from a particular GSA Client Support Center during any period that there is in effect a determination of the Under Secretary of Defense for Acquisition and Sustainment, made in writing, that it is necessary in the interest of the Department of Defense to continue to procure property and services through that GSA Client Support Center.

“(2) A written determination with respect to a GSA Client Support Center under paragraph (1) is in effect for the period, not in excess of one year, that the Under Secretary of Defense for Acquisition and Sustainment shall specify in the written determination. The Under Secretary may extend from time to time, for up to one year at a time, the period for which the written determination remains in effect.

“(e) TERMINATION OF APPLICABILITY OF LIMITATIONS.—Subsection (c) shall cease to apply to a GSA Client Support Center on the date on which the Inspector General of the Department of Defense and the Inspector General of the General Services Administration jointly determine that such Center is compliant with defense procurement requirements and notify the Secretary of Defense of that determination.

“(f) GSA CLIENT SUPPORT CENTER DEFINED.—In this section, the term ‘GSA Client Support Center’ means a Client Support Center of the Federal Acquisition Service of the General Services Administration.”

### § 3062. Regulations

The Secretary of Defense is required by section 2202 of this title to prescribe regulations governing the performance within the Department of Defense of the procurement functions, and related functions, of the Department of Defense.

(Added Pub. L. 116–283, div. A, title XVIII, §1807(b)(1), Jan. 1, 2021, 134 Stat. 4157; amended Pub. L. 117–81, div. A, title XVII, §1701(b)(2)(A), (j), Dec. 27, 2021, 135 Stat. 2132, 2143.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 3062 was renumbered section 7062 of this title.

##### AMENDMENTS

2021—Pub. L. 117–81, §1701(j), amended text of section enacted by Pub. L. 116–283, §1807(b)(1), by substituting “is required by section 2202 of this title to prescribe” for “shall prescribe”.

Pub. L. 117–81, §1701(b)(2)(A), amended directory language of Pub. L. 116–283, §1807(b)(1), which enacted this section.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117–81 applicable as if included in the enactment of title XVIII of Pub. L. 116–283

as enacted, see section 1701(a)(2) of Pub. L. 117–81, set out in a note preceding section 3001 of this title and Effective Date note below.

##### EFFECTIVE DATE

Section 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 an Effective Date of 2021 Amendment note preceding section 3001 of this title.

#### PILOT PROGRAM ON MILITARY WORKING DOG AND EXPLOSIVES DETECTION CANINE HEALTH AND EXCELLENCE

Pub. L. 117–81, div. A, title III, §381, Dec. 27, 2021, 135 Stat. 1671, provided that:

“(a) PILOT PROGRAM.—Not later than September 31, 2022, the Secretary of Defense shall carry out a pilot program to ensure the health and excellence of explosives detection military working dogs. Under such pilot program, the Secretary shall consult with domestic breeders of working dog lines, covered institutions of higher education, and covered national domestic canine associations, to—

“(1) facilitate the presentation, both in a central location and at regional field evaluations in the United States, of domestically-bred explosives detection military working dogs for assessment for procurement by the Department of Defense, at a rate of at least 250 canines presented per fiscal year;

“(2) facilitate the delivery and communication to domestic breeders, covered institutions of higher education, and covered national domestic canine associations, of information regarding—

“(A) any specific needs or requirements for the future acquisition by the Department of explosives detection military working dogs; and

“(B) any factors identified as relevant to the success or failure of explosives detection military working dogs presented for assessment pursuant to this section;

“(3) collect information on the biological and health factors of explosives detection military working dogs procured by the Department, and make such information available for academic research and to domestic breeders;

“(4) collect and make available genetic and phenotypic information, including canine rearing and training data for study by domestic breeders and covered institutions of higher education, for the further development of working canines that are bred, raised, and trained domestically; and

“(5) evaluate current Department guidance for the procurement of military working dogs to ensure that pricing structures and procurement requirements for foreign and domestic canine procurements accurately account for input cost differences between foreign and domestic canines.

“(b) TERMINATION.—The authority to carry out the pilot program under subsection (a) shall terminate on October 1, 2024.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘covered institution of higher education’ means an institution of higher education, as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), with demonstrated expertise in veterinary medicine for working canines.

“(2) The term ‘covered national domestic canine association’ means a national domestic canine association with demonstrated expertise in the breeding and pedigree of working canine lines.

“(3) The term ‘explosives detection military working dog’ means a canine that, in connection with the work duties of the canine performed for the Department of Defense, is certified and trained to detect odors indicating the presence of explosives in a given