

Editorial Notes

CODIFICATION

The text of subsec. (b) of section 2311 of this title, which was transferred first to section 3065(b) of this title and then to this section and amended by Pub. L. 116-283, §1807(d)(1), (2)(A), (D), was based on Pub. L. 103-355, title I, §1503(a)(1), Oct. 13, 1994, 108 Stat. 3296.

PRIOR PROVISIONS

A prior section 3066, acts Aug. 10, 1956, ch. 1041, 70A Stat. 167; Sept. 2, 1958, Pub. L. 85-861, §33(a)(19), 72 Stat. 1565, authorized President, by and with consent of Senate, to make temporary appointments in grades of general and lieutenant general from officers of Army on active duty in any grade above brigadier general and specified number of positions in each such grade, prior to repeal by Pub. L. 96-513, title II, §201, title VII, §701, Dec. 12, 1980, 94 Stat. 2878, 2955, effective Sept. 15, 1981. See section 601 of this title.

AMENDMENTS

2021—Pub. L. 116-283, §1807(d)(2)(D), transferred subsec. (b) of section 3065 of this title to this section, and, in introductory provisions, struck out subsec. (b) designation and heading “Procurements For or With Other Agencies” at beginning and substituted “Subject to section 3065 of this title” for “Subject to subsection (a)”, “covered by any provision of this part that is a chapter 137 legacy provision” for “covered by this chapter”, and “section 3063” for “section 2303”.

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.

§ 3067. Approval required for military department termination or reduction in participation in joint acquisition programs

(a) APPROVAL OF TERMINATIONS AND REDUCTIONS OF JOINT ACQUISITION PROGRAMS.—The Secretary of Defense shall prescribe regulations that prohibit each military department participating in a joint acquisition program approved by the Under Secretary of Defense for Acquisition and Sustainment from terminating or substantially reducing its participation in such program without the approval of the Under Secretary.

(b) REQUIRED CONTENT OF REGULATIONS.—The regulations shall include the following provisions:

(1) A requirement that, before any such termination or substantial reduction in participation is approved, the proposed termination or reduction be reviewed by the Joint Requirements Oversight Council of the Department of Defense.

(2) A provision that authorizes the Under Secretary of Defense for Acquisition and Sustainment to require a military department whose participation in a joint acquisition program has been approved for termination or substantial reduction to continue to provide some or all of the funding necessary for the acquisition program to be continued in an efficient manner.

(Added and amended Pub. L. 116-283, div. A, title XVIII, §1807(d)(2)(B), (E), Jan. 1, 2021, 134 Stat. 4158.)

Editorial Notes

CODIFICATION

The text of subsec. (c) of section 2311 of this title, which was transferred first to section 3065(c) of this title and then to this section and amended by Pub. L. 116-283, §1807(d)(1), (2)(B), (E), was based on Pub. L. 103-355, title I, §1503(a)(1), Oct. 13, 1994, 108 Stat. 3296; Pub. L. 107-107, div. A, title X, §1048(b)(2), Dec. 28, 2001, 115 Stat. 1225; Pub. L. 116-92, div. A, title IX, §902(49), Dec. 20, 2019, 133 Stat. 1548.

PRIOR PROVISIONS

A prior section 3067 was renumbered section 7067 of this title.

AMENDMENTS

2021—Pub. L. 116-283, §1807(d)(2)(E), redesignated subsec. (c) of section 3065 of this title as subsec. (a) of this section, struck out par. (1) designation before “The Secretary of Defense shall”, redesignated par. (2) and its subpars. (A) and (B) as subsec. (b) and pars. (1) and (2), respectively, and inserted subsec. (b) heading.

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.

§ 3068. Inapplicability of certain laws

(a) LAWS INAPPLICABLE TO AGENCIES NAMED IN SECTION 3063.—Sections 6101 and 6304 of title 41 do not apply to the procurement or sale of property or services by the agencies named in section 3063 of this title.

(b) LAWS INAPPLICABLE TO PROCUREMENT OF AUTOMATIC DATA PROCESSING EQUIPMENT AND SERVICES FOR CERTAIN DEFENSE PURPOSES.—For purposes of subtitle III of title 40, the term “national security system”, with respect to a telecommunications and information system operated by the Department of Defense, has the meaning given that term by section 3552(b)(6) of title 44.

(Added and amended Pub. L. 116-283, div. A, title XVIII, §1807(e)(1)–(3), Jan. 1, 2021, 134 Stat. 4158, 4159; Pub. L. 117-81, div. A, title XVII, §1701(b)(2)(C), Dec. 27, 2021, 135 Stat. 2132.)

Editorial Notes

CODIFICATION

The text of section 2314 of this title, which was transferred to this section, designated as subsec. (a), and amended by Pub. L. 116-283, §1807(e)(2), was based on act Aug. 10, 1956, ch. 1041, 70A Stat. 133; Pub. L. 96-513, title V, §511(78), Dec. 12, 1980, 94 Stat. 2927; Pub. L. 103-160, div. A, title VIII, §822(b)(2), Nov. 30, 1993, 107 Stat. 1706; Pub. L. 111-350, §5(b)(16), Jan. 4, 2011, 124 Stat. 3843; Pub. L. 113-291, div. A, title X, §1071(a)(4), Dec. 19, 2014, 128 Stat. 3504.

The text of section 2315 of this title, which was transferred to this section, designated as subsec. (b), and amended by Pub. L. 116-283, §1807(e)(3), was based on Pub. L. 97-86, title IX, §908(a)(1), Dec. 1, 1981, 95 Stat. 1117; amended Pub. L. 97-295, §1(25), Oct. 12, 1982, 96 Stat. 1291; Pub. L. 104-106, div. E, title LVI, §5601(c), Feb. 10, 1996, 110 Stat. 699; Pub. L. 104-201, div. A, title X, §1074(b)(4)(B), Sept. 23, 1996, 110 Stat. 2660; Pub. L. 105-85, div. A, title X, §1073(a)(49), Nov. 18, 1997, 111