

being set forth in Enclosure 3 to that directive (captioned “CAAS Exemptions”).

(Added Pub. L. 105-261, div. A, title IX, §911(a)(1), Oct. 17, 1998, 112 Stat. 2097, §2212; amended Pub. L. 106-65, div. A, title X, §1066(a)(17), Oct. 5, 1999, 113 Stat. 771; renumbered §3138, Pub. L. 116-283, div. A, title XVIII, §1809(i)(1), Jan. 1, 2021, 134 Stat. 4162.)

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 2212 of this title as this section.

1999—Subsec. (f)(2), (3). Pub. L. 106-65 substituted “as of October 17, 1998” for “as of the date of the enactment of this section” and “after October 17, 1998,” for “after the date of the enactment of this section”.

Subsec. (f)(4). Pub. L. 106-65, §1066(a)(17)(B), substituted “as of October 17, 1998” for “as of the date of the enactment of this section”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Reference to Under Secretary of Defense for Acquisition and Technology deemed to refer to Under Secretary of Defense for Acquisition, Technology, and Logistics, pursuant to section 911(a)(1) of Pub. L. 106-65, formerly set out as a note under section 133 of this title.

EFFECTIVE DATE OF 2021 AMENDMENT

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 a note preceding section 3001 of this title.

CHAPTER 209—OPERATIONAL CONTRACT SUPPORT

Subchapter	Sec.
I. Joint Policies on Requirements Definition, Contingency Program Management, and Contingency Contracting ..	3151
II. [Reserved]	

Editorial Notes

PRIOR PROVISIONS

A prior chapter 209 “OPERATIONAL CONTRACT SUPPORT”, as added by Pub. L. 115-232, div. A, title VIII, §801(a), Aug. 13, 2018, 132 Stat. 1827, and consisting of reserved section 3151, was repealed by Pub. L. 116-283, div. A, title XVIII, §1810(a), Jan. 1, 2021, 134 Stat. 4162.

AMENDMENTS

2021—Pub. L. 117-81, div. A, title XVII, §1701(i)(2)(A), Dec. 27, 2021, 135 Stat. 2141, amended Pub. L. 116-283, div. A, title XVIII, §1810(a), Jan. 1, 2021, 134 Stat. 4162, which added this analysis, by substituting “[Reserved]” for “Other Provisions Relating to Operational Contract Support” in item for subchapter II.

Statutory Notes and Related Subsidiaries

RESPONSIBILITY WITHIN DEPARTMENT OF DEFENSE FOR OPERATIONAL CONTRACT SUPPORT

Pub. L. 112-239, div. A, title VIII, §843, Jan. 2, 2013, 126 Stat. 1845, provided that:

“(a) GUIDANCE REQUIRED.—Not later than one year after the date of the enactment of this Act [Jan. 2, 2013], the Secretary of Defense shall develop and issue guidance establishing the chain of authority and responsibility within the Department of Defense for pol-

icy, planning, and execution of operational contract support.

“(b) ELEMENTS.—The guidance under subsection (a) shall, at a minimum—

“(1) specify the officials, offices, and components of the Department within the chain of authority and responsibility described in subsection (a);

“(2) identify for each official, office, and component specified under paragraph (1)—

“(A) requirements for policy, planning, and execution of contract support for operational contract support, including, at a minimum, requirements in connection with—

“(i) coordination of functions, authorities, and responsibilities related to operational contract support, including coordination with relevant Federal agencies;

“(ii) assessments of total force data in support of Department force planning scenarios, including the appropriateness of and necessity for the use of contractors for identified functions;

“(iii) determinations of capability requirements for nonacquisition community operational contract support, and identification of resources required for planning, training, and execution to meet such requirements; and

“(iv) determinations of policy regarding the use of contractors by function, and identification of the training exercises that will be required for operational contract support (including an assessment [of] whether or not such exercises will include contractors); and

“(B) roles, authorities, responsibilities, and lines of supervision for the achievement of the requirements identified under subparagraph (A); and

“(3) ensure that the chain of authority and responsibility described in subsection (a) is appropriately aligned with, and appropriately integrated into, the structure of the Department for the conduct of overseas contingency operations, including the military departments, the Joint Staff, and the commanders of the unified combatant commands.”

COMPETITION AND REVIEW OF CONTRACTS FOR PROPERTY OR SERVICES IN SUPPORT OF A CONTINGENCY OPERATION

Pub. L. 112-81, div. A, title VIII, §844(a), (b), Dec. 31, 2011, 125 Stat. 1515, provided that:

“(a) CONTRACTING GOALS.—Not later than 90 days after the date of the enactment of this Act [Dec. 31, 2011], the Secretary of Defense shall—

“(1) establish goals for competition in contracts awarded by the Secretary of Defense for the procurement of property or services to be used outside the United States in support of a contingency operation; and

“(2) develop processes by which to measure and monitor such competition, including in task-order categories for services, construction, and supplies.

“(b) ANNUAL REVIEW OF CERTAIN CONTRACTS.—For each year the Logistics Civil Augmentation Program contract, or other similar omnibus contract awarded by the Secretary of Defense for the procurement of property or services to be used outside the United States in support of a contingency operation, is in force, the Secretary shall require a competition advocate of the Department of Defense to conduct an annual review of each such contract.”

SUBCHAPTER I—JOINT POLICIES ON REQUIREMENTS DEFINITION, CONTINGENCY PROGRAM MANAGEMENT, AND CONTINGENCY CONTRACTING

Sec.	
3151.	Joint policy requirement.
3152.	Requirements definition matters covered.
3153.	Contingency program management matters covered.