

to strengthen the industrial base with respect to materials critical to national security; and

(5) publish not less frequently than once every two years in the Federal Register recommendations regarding materials critical to national security, including a list of specialty metals, if any, recommended for addition to, or removal from, the definition of “specialty metal” for purposes of section 2533b of this title.

(c) MEETINGS.—The Board shall meet as determined necessary by the Secretary of Defense but not less frequently than once every two years to make recommendations regarding materials critical to national security as described in subsection (b)(5).

(d) REPORTS.—After each meeting of the Board, the Board shall prepare and submit to Congress a report containing the results of the meeting and such recommendations as the Board determines appropriate.

(e) DEFINITIONS.—In this section:

(1) The term “materials critical to national security” means materials—

(A) upon which the production or sustainment of military equipment is dependent; and

(B) the supply of which could be restricted by actions or events outside the control of the Government of the United States.

(2) The term “military equipment” means equipment used directly by the armed forces to carry out military operations.

(3) The term “secure supply”, with respect to a material, means the availability of a source or sources for the material, including the full supply chain for the material and components containing the material.

(Added Pub. L. 109-364, div. A, title VIII, §843(a), Oct. 17, 2006, 120 Stat. 2338; amended Pub. L. 111-383, div. A, title VIII, §829, Jan. 7, 2011, 124 Stat. 4272.)

AMENDMENTS

2011—Subsec. (b). Pub. L. 111-383, §829(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) related to duties of the Strategic Materials Protection Board.

Subsec. (e). Pub. L. 111-383, §829(a), added subsec. (e).

FIRST MEETING OF BOARD

Pub. L. 109-364, div. A, title VIII, §843(c), Oct. 17, 2006, 120 Stat. 2339, provided that: “The first meeting of the Strategic Materials Protection Board, established by section 187 of title 10, United States Code (as added by subsection (a)) shall be not later than 180 days after the date of the enactment of this Act [Oct. 17, 2006].”

CHAPTER 8—DEFENSE AGENCIES AND DEPARTMENT OF DEFENSE FIELD ACTIVITIES

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SUBCHAPTER I—COMMON SUPPLY AND SERVICE ACTIVITIES

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AMENDMENTS

2004—Pub. L. 108-375, div. A, title X, §1010(b), Oct. 28, 2004, 118 Stat. 2038, added item 197.

2002—Pub. L. 107-314, div. A, title II, §231(a)(2), Dec. 2, 2002, 116 Stat. 2489, added item 196.

1997—Pub. L. 105-85, div. A, title III, §383(b), Nov. 18, 1997, 111 Stat. 1711, added item 195.

1986—Pub. L. 99-433, title III, §301(a)(2), Oct. 1, 1986, 100 Stat. 1019, inserted “AND DEPARTMENT OF DEFENSE FIELD ACTIVITIES” in chapter heading, added subchapter analysis and subchapter I analysis, and struck out former chapter analysis consisting of item 191 “Unauthorized use of Defense Intelligence Agency name, initials, or seal”.

1985—Pub. L. 99-145, title XIII, §1302(a)(2), Nov. 8, 1985, 99 Stat. 737, redesignated item 192 “Benefits for certain employees of the Defense Intelligence Agency” as item 1605 and transferred it to chapter 83 of this title.

1983—Pub. L. 98-215, title V, §501(b), Dec. 9, 1983, 97 Stat. 1479, added item 192.

1982—Pub. L. 97-269, title V, §501(a), Sept. 27, 1982, 96 Stat. 1144, added chapter 8 heading and analysis of sections for chapter 8, consisting of a single item 191.

§ 191. Secretary of Defense: authority to provide for common performance of supply or service activities

(a) AUTHORITY.—Whenever the Secretary of Defense determines such action would be more effective, economical, or efficient, the Secretary may provide for the performance of a supply or service activity that is common to more than one military department by a single agency of the Department of Defense.

(b) DESIGNATION OF COMMON SUPPLY OR SERVICE AGENCY.—Any agency of the Department of Defense established under subsection (a) (or under the second sentence of section 125(d) of this title (as in effect before October 1, 1986)) for the performance of a supply or service activity referred to in such subsection shall be designated as a Defense Agency or a Department of Defense Field Activity.

(Added Pub. L. 99-433, title III, §301(a)(2), Oct. 1, 1986, 100 Stat. 1019; amended Pub. L. 100-26, §7(i)(1), Apr. 21, 1987, 101 Stat. 282.)

REFERENCES IN TEXT

Subsection (d) of section 125 of this title, referred to in subsec. (b), was repealed by section 301(b)(1) of Pub. L. 99-433.

PRIOR PROVISIONS

A prior section 191 was renumbered section 202 of this title and subsequently repealed.

AMENDMENTS

1987—Subsec. (b). Pub. L. 100-26 substituted “October 1, 1986” for “the date of the enactment of the Goldwater-Nichols Department of Defense Reorganization Act of 1986”.

COMPTROLLER GENERAL REVIEW OF OPERATIONS OF
DEFENSE LOGISTICS AGENCY

Pub. L. 106-398, §1 [[div. A], title IX, §917], Oct. 30, 2000, 114 Stat. 1654, 1654A-232, directed the Comptroller General to review the operations of the Defense Logistics Agency and to submit to committees of Congress one or more reports setting forth the Comptroller General's findings not later than Feb. 1, 2002.

COMPTROLLER GENERAL REVIEW OF OPERATIONS OF
DEFENSE INFORMATION SYSTEMS AGENCY

Pub. L. 106-398, §1 [[div. A], title IX, §918], Oct. 30, 2000, 114 Stat. 1654, 1654A-232, directed the Comptroller General to review the operations of the Defense Information Systems Agency and to submit to committees of Congress one or more reports setting forth the Comptroller General's findings not later than Feb. 1, 2002.

REASSESSMENT OF DEFENSE AGENCIES AND
DEPARTMENT OF DEFENSE FIELD ACTIVITIES

Section 303 of Pub. L. 99-433 directed Secretary of Defense to conduct a study of functions and organizational structure of Defense Agencies and Department of Defense Field Activities to determine the most effective, economical, or efficient means of providing supply or service activities common to more than one military department, with Secretary to submit a report to Congress not later than Oct. 1, 1987. The report was to include a study of improved application of computer systems to functions of Defense Agencies and Department of Defense Field Activities, including a plan for rapid replacement, where necessary, of existing automated data processing equipment with new equipment, and plans to achieve reductions in total number of members of Armed Forces and civilian employees assigned or detailed to permanent duty in Defense Agencies and Department of Defense Field Activities (other than National Security Agency) by 5 percent, 10 percent, and 15 percent of total number of such members and employees projected to be assigned or detailed to such duty on Sept. 30, 1988, together with a discussion of implications of each such reduction and a draft of any legislation that would be required to implement each such plan.

§ 192. Defense Agencies and Department of Defense Field Activities: oversight by the Secretary of Defense

(a) OVERALL SUPERVISION.—(1) The Secretary of Defense shall assign responsibility for the overall supervision of each Defense Agency and Department of Defense Field Activity designated under section 191(b) of this title—

(A) to a civilian officer within the Office of the Secretary of Defense listed in section 131(b) of this title; or

(B) to the Chairman of the Joint Chiefs of Staff.

(2) An official assigned such a responsibility with respect to a Defense Agency or Department of Defense Field Activity shall advise the Secretary of Defense on the extent to which the program recommendations and budget proposals of such agency or activity conform with the requirements of the military departments and of the unified and specified combatant commands.

(3) This subsection does not apply to the Defense Intelligence Agency or the National Security Agency.

(b) PROGRAM AND BUDGET REVIEW.—The Secretary of Defense shall establish procedures to ensure that there is full and effective review of the program recommendations and budget pro-

posals of each Defense Agency and Department of Defense Field Activity.

(c) PERIODIC REVIEW.—(1) Periodically (and not less often than every two years), the Secretary of Defense shall review the services and supplies provided by each Defense Agency and Department of Defense Field Activity to ensure that—

(A) there is a continuing need for each such agency and activity; and

(B) the provision of those services and supplies by each such agency and activity, rather than by the military departments, is a more effective, economical, or efficient manner of providing those services and supplies or of meeting the requirements for combat readiness of the armed forces.

(2) Paragraph (1) shall apply to the National Security Agency as determined appropriate by the Secretary, in consultation with the Director of National Intelligence. The Secretary shall establish procedures under which information required for review of the National Security Agency shall be obtained.

(d) SPECIAL RULE FOR DEFENSE COMMISSARY AGENCY.—Notwithstanding the results of any periodic review under subsection (c) with regard to the Defense Commissary Agency, the Secretary of Defense may not transfer to the Secretary of a military department the responsibility to manage and fund the provision of services and supplies provided by the Defense Commissary Agency unless the transfer of the management and funding responsibility is specifically authorized by a law enacted after October 17, 1998.

(e) SPECIAL RULE FOR DEFENSE BUSINESS TRANSFORMATION AGENCY.—(1) The Defense Business Transformation Agency shall be supervised by the vice chairman of the Defense Business System Management Committee.

(2) Notwithstanding the results of any periodic review under subsection (c) with regard to the Defense Business Transformation Agency, the Secretary of Defense shall designate that the Director of the Agency shall report directly to the Deputy Chief Management Officer of the Department of Defense.

(Added Pub. L. 99-433, title III, §301(a)(2), Oct. 1, 1986, 100 Stat. 1020; amended Pub. L. 105-261, div. A, title III, §361(a), Oct. 17, 1998, 112 Stat. 1984; Pub. L. 106-65, div. A, title X, §1066(a)(3), Oct. 5, 1999, 113 Stat. 770; Pub. L. 109-163, div. A, title III, §371, Jan. 6, 2006, 119 Stat. 3209; Pub. L. 110-181, div. A, title IX, §§904(c), 931(a)(1), Jan. 28, 2008, 122 Stat. 274, 285.)

PRIOR PROVISIONS

A prior section 192, Pub. L. 98-215, title V, §501(a), Dec. 9, 1983, 97 Stat. 1478, which related to benefits for certain personnel of the Defense Intelligence Agency, was redesignated as section 1605 of this title and amended by Pub. L. 99-145, title XIII, §1302(a)(1), Nov. 8, 1985, 99 Stat. 737. Provisions of prior section 192 as related to members of the armed forces were enacted as section 431 (now 492) of Title 37, Pay and Allowances of the Uniformed Services, by section 1302(b)(1) of Pub. L. 99-145.

AMENDMENTS

2008—Subsec. (c)(2). Pub. L. 110-181, §931(a)(1), substituted "Director of National Intelligence" for "Director of Central Intelligence".