

§ 102. Effect of certain amendments on conforming changes to tables of sections, tables of contents, and similar tabular entries

(a) AUTOMATIC EXECUTION OF CONFORMING CHANGES.—When an amendment to a covered defense law adds a section or larger organizational unit to the covered defense law, repeals or transfers a section or larger organizational unit in the covered defense law, or amends the designation or heading of a section or larger organizational unit in the covered defense law, that amendment also shall have the effect of amending any table of sections, table of contents, or similar tabular entries in the covered defense law to alter the table to conform to the changes made by the amendment.

(b) EXCEPTIONS.—Subsection (a) shall not apply to an amendment described in such subsection when—

(1) the amendment or a clerical amendment enacted at the same time expressly amends a table of sections, table of contents, or similar tabular entries in the covered defense law to alter the table to conform to the changes made by the amendment; or

(2) the amendment otherwise expressly exempts itself from the operation of this section.

(c) COVERED DEFENSE LAW.—In this section, the term “covered defense law” means—

(1) this title;

(2) titles 32 and 37;

(3) any national defense authorization Act that authorizes funds to be appropriated for a fiscal year to the Department of Defense; and

(4) any other law designated in the text thereof as a covered defense law for purposes of application of this section.

(Added Pub. L. 117-263, div. A, title X, § 1081(e)(1), Dec. 23, 2022, 136 Stat. 2798.)

Statutory Notes and Related Subsidiaries

APPLICATION OF AMENDMENT

Pub. L. 117-263, div. A, title X, § 1081(e)(3), Dec. 23, 2022, 136 Stat. 2798, provided that: “Section 102 of title 10, United States Code, as added by paragraph (1), shall apply to the amendments made by this section and other amendments made by this Act [see Tables for classification].”

COORDINATION WITH OTHER AMENDMENTS MADE BY PUB. L. 117-263

Pub. L. 117-263, div. A, title X, § 1081(f), Dec. 23, 2022, 136 Stat. 2798, provided that: “For purposes of applying amendments made by provisions of this Act other than this section [see Tables for classification], the amendments made by this section [enacting this section, amending sections 113, 2691, 3014, 4423, 4831, and 4833 of this title, and amending provisions set out as notes under sections 113, 391, and 2224 of this title] shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.”

ELIMINATION OF NEED FOR CERTAIN SEPARATE CONFORMING AMENDMENTS

Pub. L. 117-263, div. B, § 2803(b), Dec. 23, 2022, 136 Stat. 2970, provided that:

“(1) AUTOMATIC EXECUTION OF CONFORMING CHANGES.—When an amendment made by a provision of this division [see Tables for classification] to a covered defense law adds a section or larger organizational unit to the covered defense law, repeals or transfers a section or

larger organizational unit in the covered defense law, or amends the designation or heading of a section or larger organizational unit in the covered defense law, that amendment also shall have the effect of amending any table of sections, table of contents, or similar table of tabular entries in the covered defense law to alter the table to conform to the changes made by the amendment.

“(2) EXCEPTIONS.—Paragraph (1) shall not apply to an amendment described in such paragraph when—

“(A) the amendment, or a separate clerical amendment enacted at the same time as the amendment, expressly amends a table of sections, table of contents, or similar table of tabular entries in the covered defense law to alter the table to conform to the changes made by the amendment; or

“(B) the amendment otherwise expressly exempts itself from the operation of this section.

“(3) COVERED DEFENSE LAW DEFINED.—In this subsection, the term ‘covered defense law’ means—

“(A) titles 10, 32, and 37 of the United States Code;

“(B) any national defense authorization Act or military construction authorization Act that authorizes funds to be appropriated for a fiscal year to the Department of Defense; and

“(C) any other law designated in the text thereof as a covered defense law for purposes of application of this section.”

[Another section 2803(b) of Pub. L. 117-263 enacted provisions set out as a note under section 2805 of this title. The section 2803(b) of Pub. L. 117-263 set out above probably should have been numbered section 2003(b) as it followed section 2002 of Pub. L. 117-263.]

Similar provisions were contained in the following prior act:

Pub. L. 117-81, div. B, § 2003(b), Dec. 27, 2021, 135 Stat. 2162.

CHAPTER 2—DEPARTMENT OF DEFENSE

Sec.

111.	Executive department.
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113.	Secretary of Defense.
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114.	Annual authorization of appropriations.
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118a.	Quadrennial quality of life review.
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120.	Department of Defense executive aircraft controlled by Secretaries of military departments.

Editorial Notes

AMENDMENTS

2021—Pub. L. 117-81, div. A, title X, § 1061(a)(2), Dec. 27, 2021, 135 Stat. 1909, which effectively directed the renumbering of the second item 118a (“Quadrennial quality of life review”) as 118b, could not be executed because there was no second item 118a after the renumbering of another item 118a (“National Defense