

inserting “and Technology” after “Acquisition” in items 133 and 133a, adding item 136, and redesignating former items 135, 136, 137, 138, 139, 140, and 141 as 137, 138, 135, 139, 140, 141, and 142, respectively.

1991—Pub. L. 102-190, div. A, title IX, §901(a)(2), Dec. 5, 1991, 105 Stat. 1450, added item 134a.

1987—Pub. L. 100-180, div. A, title XII, §1245(a)(2), Dec. 4, 1987, 101 Stat. 1165, added item 141.

Pub. L. 100-26, §9(b)(2), Apr. 21, 1987, 101 Stat. 287, struck out item 140a “Counterintelligence official reception and representation expenses” and item 140b “Authority to use proceeds from counterintelligence operations of the military departments”.

1986—Pub. L. 99-500, §101(c) [title X, §902(a)(2)], Oct. 18, 1986, 100 Stat. 1783-82, 1783-131, and Pub. L. 99-591, §101(c) [title X, §902(a)(2)], Oct. 30, 1986, 100 Stat. 3341-82, 3341-131; Pub. L. 99-661, div. A, title IX, formerly title IV, §902(a)(2), Nov. 14, 1986, 100 Stat. 3911, renumbered title IX, Pub. L. 100-26, §3(5), Apr. 21, 1987, 101 Stat. 273, amended analysis identically adding item 133a.

Pub. L. 99-569, title IV, §§401(d), 403(b), Oct. 27, 1986, 100 Stat. 3196, 3197, added items 140a and 140b.

Pub. L. 99-433, title I, §§101(a)(6), 110(e)(2), Oct. 1, 1986, 100 Stat. 995, 1003, substituted “Office of the Secretary of Defense” for “Department of Defense” in chapter heading, and amended analysis generally, substituting items 131 to 140 for former items 131 “Executive department”, 132 “Seal”, 133 “Secretary of Defense: appointment; powers and duties; delegation by”, 133a “Secretary of Defense: annual report on North Atlantic Treaty Organization readiness”, 133b “Sale or transfer of defense articles: reports to Congress”, 134 “Deputy Secretary of Defense: appointment; powers and duties; precedence”, 134a “Under Secretary of Defense for Acquisition: appointment”, 135 “Under Secretary of Defense for Policy; Director of Defense Research and Engineering: appointments; powers and duties; precedence”, 136 “Assistant Secretaries of Defense: appointment; powers and duties; precedence”, 136a “Director of Operational Test and Evaluation: appointment, powers and duties”, 137 “General Counsel: appointment; powers and duties”, 138 “Annual authorization of appropriations and personnel strengths for the armed forces; annual manpower requirements and operations and maintenance reports”, 139 “Secretary of Defense: weapons development and procurement schedules for armed forces; reports; supplemental reports”, 139a “Oversight of cost growth in major programs: Selected Acquisition Reports”, 139b “Oversight of cost growth in major programs: unit cost reports”, 139c “Major defense acquisition programs: independent cost estimates”, 140 “Emergencies and extraordinary expenses”, 140a “Secretary of Defense: funds transfers for foreign cryptologic support”, 140b “Prohibition of certain civilian personnel management constraints”, and 140c “Secretary of Defense: authority to withhold from public disclosure certain technical data”.

Pub. L. 99-348, title V, §501(e)(2), July 1, 1986, 100 Stat. 708, added item 134a and substituted “Under Secretary of Defense for Policy; Director of Defense Research and Engineering: appointments” for “Under Secretaries of Defense: appointment” in item 135.

1983—Pub. L. 98-94, title XII, §§1203(a)(2), 1211(a)(2), 1217(b), Sept. 24, 1983, 97 Stat. 683, 686, 690, added items 136a, 139c, and 140c.

1982—Pub. L. 97-295, §1(2)(B), Oct. 12, 1982, 96 Stat. 1288, added items 133a and 133b.

Pub. L. 97-252, title XI, §1107(a)(2), Sept. 8, 1982, 96 Stat. 745, added items 139a and 139b.

1981—Pub. L. 97-86, title IX, §904(b), Dec. 1, 1981, 95 Stat. 1114, added item 140b.

1980—Pub. L. 96-450, title IV, §401(b), Oct. 14, 1980, 94 Stat. 1977, added item 140a.

Pub. L. 96-342, title X, §1001(d)(2), Sept. 8, 1980, 94 Stat. 1119, substituted “Annual authorization of appropriations and personnel strengths for the armed forces; annual manpower requirements and operations and maintenance reports” for “Secretary of Defense: Annual authorization of appropriations for armed forces” in item 138.

1977—Pub. L. 95-140, §§1(b), 2(b), Oct. 21, 1977, 91 Stat. 1172, 1173, substituted “Deputy Secretary” for “Deputy Secretaries” in item 134 and “Under Secretaries of Defense” for “Director of Defense Research and Engineering” in item 135.

1975—Pub. L. 94-106, title VIII, §804(a), Oct. 7, 1975, 89 Stat. 538, added item 140.

1973—Pub. L. 93-155, title VIII, §803(a), Nov. 16, 1973, 87 Stat. 612, added items 138 and 139.

1972—Pub. L. 92-596, §4(3), Oct. 27, 1972, 86 Stat. 1318, substituted “Deputy Secretaries” for “Deputy Secretary” in item 134.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2017 AMENDMENT

Pub. L. 115-91, div. A, title IX, §910(a)(2), Dec. 12, 2017, 131 Stat. 1517, which provided that the amendment made by section 910(a)(2) was effective Feb. 1, 2018, was repealed by Pub. L. 116-283, div. A, title IX, §901(a)(2)(B), Jan. 1, 2021, 134 Stat. 3794.

Pub. L. 115-91, div. A, title X, §1081(b)(1), Dec. 12, 2017, 131 Stat. 1597, provided that the amendment made by section 1081(b)(1)(B) is effective as of Dec. 23, 2016.

EFFECTIVE DATE OF 2016 AMENDMENT

Pub. L. 114-328, div. A, title IX, §901(g)(2), Dec. 23, 2016, 130 Stat. 2342, provided that the amendment made by section 901(g)(2) is effective on Feb. 1, 2018.

EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-291, div. A, title IX, §901(l)(1)(A), Dec. 19, 2014, 128 Stat. 3468, which provided that the amendment made by section 901(l)(1)(A) was effective on the effective date specified in former section 901(a)(1) of Pub. L. 113-291, which was Feb. 1, 2017, was repealed by Pub. L. 115-91, div. A, title X, §1081(b)(1)(B), Dec. 12, 2017, 131 Stat. 1597, effective as of Dec. 23, 2016.

§ 131. Office of the Secretary of Defense

(a) There is in the Department of Defense an Office of the Secretary of Defense. The function of the Office is to assist the Secretary of Defense in carrying out the Secretary’s duties and responsibilities and to carry out such other duties as may be prescribed by law.

(b) The Office of the Secretary of Defense is composed of the following:

(1) The Deputy Secretary of Defense.

[(2) Repealed. Pub. L. 116-283, div. A, title IX, §901(a)(2)(A), Jan. 1, 2021, 134 Stat. 3794.]

(3) The Under Secretaries of Defense, as follows:

(A) The Under Secretary of Defense for Research and Engineering.

(B) The Under Secretary of Defense for Acquisition and Sustainment.

(C) The Under Secretary of Defense for Policy.

(D) The Under Secretary of Defense (Comptroller).

(E) The Under Secretary of Defense for Personnel and Readiness.

(F) The Under Secretary of Defense for Intelligence and Security.

(4) Other officers who are appointed by the President, by and with the advice and consent of the Senate, and who report directly to the Secretary and Deputy Secretary without intervening authority, as follows:

(A) The Director of Cost Assessment and Program Evaluation.

(B) The Director of Operational Test and Evaluation.

(C) The General Counsel of the Department of Defense.

(D) The Inspector General of the Department of Defense.

(5) The Chief Information Officer of the Department of Defense, who reports directly to the Secretary and Deputy Secretary without intervening authority.

(6) The Deputy Under Secretaries of Defense.

(7) The Assistant Secretaries of Defense.

(8) Other officials provided for by law, as follows:

(A) The two Deputy Directors within the Office of the Director of Cost Assessment and Program Evaluation under section 139a(c) of this title.

(B) The Director of Small Business Programs appointed pursuant to section 144 of this title.

(C) The official designated under section 1501(a) of this title to have responsibility for Department of Defense matters relating to missing persons as set forth in section 1501 of this title.

(D) The Director of Military Family Readiness Policy under section 1781 of this title.

(E) The Director of the Office of Corrosion Policy and Oversight assigned pursuant to section 2228(a) of this title.

(F) The official designated under section 4273(a) of this title to have responsibility for conducting and overseeing performance assessments and root cause analyses for major defense acquisition programs.

(9) Such other offices and officials as may be established by law or the Secretary of Defense may establish or designate in the Office.

(c) Officers of the armed forces may be assigned or detailed to permanent duty in the Office of the Secretary of Defense. However, the Secretary may not establish a military staff in the Office of the Secretary of Defense.

(d) The Secretary of each military department, and the civilian employees and members of the armed forces under the jurisdiction of the Secretary, shall cooperate fully with personnel of the Office of the Secretary of Defense to achieve efficient administration of the Department of Defense and to carry out effectively the authority, direction, and control of the Secretary of Defense.

(Added Pub. L. 99-433, title I, §104, Oct. 1, 1986, 100 Stat. 996; amended Pub. L. 103-160, div. A, title IX, §906(a), Nov. 30, 1993, 107 Stat. 1729; Pub. L. 103-337, div. A, title IX, §903(b)(1), Oct. 5, 1994, 108 Stat. 2823; Pub. L. 104-106, div. A, title IX, §903(e)(1), Feb. 10, 1996, 110 Stat. 402; Pub. L. 104-201, div. A, title IX, §901, Sept. 23, 1996, 110 Stat. 2617; Pub. L. 106-65, div. A, title IX, §911(d)(1), Oct. 5, 1999, 113 Stat. 719; Pub. L. 107-314, div. A, title IX, §901(b)(1), Dec. 2, 2002, 116 Stat. 2619; Pub. L. 110-181, div. A, title IX, §904(a)(4), Jan. 28, 2008, 122 Stat. 274; Pub. L. 110-417, [div. A], title X, §1061(b)(7), Oct. 14, 2008, 122 Stat. 4613; Pub. L. 111-383, div. A, title IX, §901(b)(2), (m)(1), Jan. 7, 2011, 124 Stat. 4317, 4326; Pub. L. 113-291, div. A, title IX, §901(a)(2), (b)(2), (j)(1)(A), (k)(1), (n)(1), Dec. 19, 2014, 128 Stat. 3463, 3467, 3469; Pub. L. 114-328, div. A, title IX,

§§901(d), (f), 902(b), 933(a)(3), Dec. 23, 2016, 130 Stat. 2342, 2344, 2364; Pub. L. 115-91, div. A, title IX, §§906(d)(1), 910(c)(1), title X, §1081(b)(1)(A), (D), (d)(9), Dec. 12, 2017, 131 Stat. 1513, 1518, 1597, 1600; Pub. L. 115-232, div. A, title X, §1081(a)(3), (f)(1)(B), Aug. 13, 2018, 132 Stat. 1983, 1986; Pub. L. 116-92, div. A, title XVI, §1621(e)(1)(A)(i), title XVII, §1731(a)(7), Dec. 20, 2019, 133 Stat. 1733, 1812; Pub. L. 116-283, div. A, title IX, §901(a)(2)(A), title XVIII, §1847(e)(6)(A), Jan. 1, 2021, 134 Stat. 3794, 4257.)

Editorial Notes

PRIOR PROVISIONS

A prior section 131 was renumbered section 111 of this title.

AMENDMENTS

2021—Subsec. (b)(2). Pub. L. 116-283, §901(a)(2)(A), struck out par. (2) which read as follows: “The Chief Management Officer of the Department of Defense.”

Subsec. (b)(8)(F). Pub. L. 116-283, §1847(e)(6)(A), substituted “section 4273(a)” for “section 2438(a)”.

2019—Subsec. (b)(3)(F). Pub. L. 116-92, §1621(e)(1)(A)(i), substituted “Under Secretary of Defense for Intelligence and Security” for “Under Secretary of Defense for Intelligence”.

Subsec. (b)(8)(F), (I). Pub. L. 116-92, §1731(a)(7), redesignated subpar. (I) as (F).

2018—Subsec. (b)(4) to (9). Pub. L. 115-232, §1081(f)(1)(B), redesignated pars. (5) to (10) as (4) to (9), respectively, and struck out former par. (4) which read as follows: “The Deputy Chief Management Officer of the Department of Defense.”

Subsec. (b)(9)(B) to (H). Pub. L. 115-232, §1081(a)(3), redesignated subpars. (E) to (H) as (B) to (E), respectively, and struck out former subpars. (B) to (D) which read as follows:

“(B) The Deputy Assistant Secretary of Defense for Developmental Test and Evaluation appointed pursuant to section 139b(a) of this title.

“(C) The Deputy Assistant Secretary of Defense for Systems Engineering appointed pursuant to section 139b(b) of this title.

“(D) The Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy appointed pursuant to section 139c of this title.”

Subsec. (b)(10). Pub. L. 115-232, §1081(f)(1)(B), redesignated par. (10) as (9).

2017—Subsec. (b). Pub. L. 115-91, §1081(b)(1)(A), repealed Pub. L. 113-291, §901(j)(1)(A). See 2014 Amendment notes below.

Subsec. (b)(2) to (4). Pub. L. 115-91, §910(c)(1), added par. (2) and redesignated pars. (2) to (4) as (3) to (5), respectively.

Subsec. (b)(5). Pub. L. 115-91, §1081(d)(9), made technical correction to directory language of Pub. L. 114-328, §902(b). See 2016 Amendment note below.

Pub. L. 115-91, §910(c)(1)(A), redesignated par. (4) as (5). Former par. (5) redesignated (6).

Subsec. (b)(6). Pub. L. 115-91, §910(c)(1)(A), redesignated par. (5) as (6). Former par. (6) redesignated (7).

Pub. L. 115-91, §906(d)(1), amended par. (6) generally. Prior to amendment, par. (6) read as follows: “The Principal Deputy Under Secretaries of Defense.”

Subsec. (b)(7) to (10). Pub. L. 115-91, §910(c)(1)(A), redesignated pars. (6) to (9) as (7) to (10), respectively.

2016—Subsec. (b)(2). Pub. L. 114-328, §901(f), added subpars. (A) and (B), redesignated former subpars. (B) to (E) as (C) to (F), respectively, and struck out former subpar. (A), which read as follows: “The Under Secretary of Defense for Acquisition, Technology, and Logistics.”

Pub. L. 114-328, §901(d), repealed Pub. L. 113-291, §901(a)(2). See 2014 Amendment note below.

Subsec. (b)(5). Pub. L. 114-328, §902(b), as amended by Pub. L. 115-91, §1081(d)(9), inserted “, who reports di-

rectly to the Secretary and Deputy Secretary without intervening authority” before period at end.

Subsec. (b)(8)(G). Pub. L. 114-328, §933(a)(3), substituted “Director of Military Family Readiness Policy” for “Director of Family Policy”.

2014—Subsec. (b)(2). Pub. L. 113-291, §901(a)(2), which directed adding subpar. (A) reading “The Under Secretary of Defense for Business Management and Information,” and redesignating former subpars. (A) to (E) as (B) to (F), respectively, was repealed by Pub. L. 114-328, §901(d).

Subsec. (b)(5) to (7). Pub. L. 113-291, §901(j)(1)(A), which directed striking out par. (5) and redesignating pars. (6) to (8) as (5) to (7), respectively, was repealed by Pub. L. 115-91, §1081(b)(1)(A).

Pub. L. 113-291, §901(b)(2), added par. (5) and redesignated former pars. (5) and (6) as (6) and (7), respectively. Former par. (7) redesignated (8).

Subsec. (b)(8). Pub. L. 113-291, §901(j)(1)(A)(ii), which directed redesignating par. (9) as (8), was repealed by Pub. L. 115-91, §1081(b)(1)(A).

Pub. L. 113-291, §901(k)(1), added subpar. (A) and redesignated former subpars. (A) to (H) as (B) to (I), respectively.

Pub. L. 113-291, §901(b)(2)(A), redesignated par. (7) as (8). Former par. (8) redesignated (9).

Subsec. (b)(9). Pub. L. 113-291, §901(j)(1)(A)(ii), which directed redesignating par. (9) as (8), was repealed by Pub. L. 115-91, §1081(b)(1)(A).

Pub. L. 113-291, §901(b)(2)(A), redesignated par. (8) as (9).

2011—Subsec. (a). Pub. L. 111-383, §901(m)(1), substituted “the Secretary’s” for “his”.

Subsec. (b). Pub. L. 111-383, §901(b)(2), amended subsec. (b) generally. Prior to amendment, subsec. (b) related to the composition of the Office of the Secretary of Defense.

2008—Subsec. (b)(3) to (9). Pub. L. 110-181, as amended by Pub. L. 110-417, added par. (3) and redesignated former pars. (3) to (8) as (4) to (9), respectively.

2002—Subsec. (b)(2) to (11). Pub. L. 107-314 added par. (2), redesignated pars. (6) to (11) as (3) to (8), respectively, and struck out former pars. (2) to (5) which read as follows:

“(2) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

“(3) The Under Secretary of Defense for Policy.

“(4) The Under Secretary of Defense (Comptroller).

“(5) The Under Secretary of Defense for Personnel and Readiness.”

1999—Subsec. (b)(2). Pub. L. 106-65 substituted “Under Secretary of Defense for Acquisition, Technology, and Logistics” for “Under Secretary of Defense for Acquisition and Technology”.

1996—Subsec. (b)(6) to (11). Pub. L. 104-106, §903(a), (e)(1), which directed amendment of subsec. (b), eff. Jan. 31, 1997, by striking out pars. (6) and (8) and redesignating pars. (7), (9), (10), and (11) as (6), (7), (8), and (9), respectively, was repealed by Pub. L. 104-201.

1994—Subsec. (b)(4). Pub. L. 103-337 substituted “Under Secretary of Defense (Comptroller)” for “Comptroller”.

1993—Subsec. (b). Pub. L. 103-160 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The Office of the Secretary of Defense is composed of the following:

“(1) The Deputy Secretary of Defense.

“(2) The Under Secretary of Defense for Acquisition.

“(3) The Under Secretary of Defense for Policy.

“(4) The Director of Defense Research and Engineering.

“(5) The Assistant Secretaries of Defense.

“(6) The Comptroller of the Department of Defense.

“(7) The Director of Operational Test and Evaluation.

“(8) The General Counsel of the Department of Defense.

“(9) The Inspector General of the Department of Defense.

“(10) Such other offices and officials as may be established by law or the Secretary of Defense may establish or designate in the Office.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 116-283, div. A, title IX, §901(a)(4), Jan. 1, 2021, 134 Stat. 3794, provided that: “The repeals and amendments made by this subsection [amending this section and repealing section 132a of this title and provisions set out as notes preceding this section and under this section, sections 132 and 132a of this title, and section 5313 of Title 5, Government Organization and Employees] shall take effect on the date of the enactment of this Act [Jan. 1, 2021].”

Amendment by section 1847(e)(6)(A) of 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.

EFFECTIVE DATE OF 2017 AMENDMENT

Pub. L. 115-91, div. A, title IX, §910(c), Dec. 12, 2017, 131 Stat. 1518, which provided that the amendment made by section 910(c)(1) was effective on Feb. 1, 2018, and immediately after the coming into effect of the amendments made by section 901 of Pub. L. 114-328, was repealed by Pub. L. 116-283, div. A, title IX, §901(a)(2)(B), Jan. 1, 2021, 134 Stat. 3794.

Pub. L. 115-91, div. A, title X, §1081(b)(1), Dec. 12, 2017, 131 Stat. 1597, provided that the amendment made by section 1081(b)(1)(A), (D) is effective as of Dec. 23, 2016.

Pub. L. 115-91, div. A, title X, §1081(d), Dec. 12, 2017, 131 Stat. 1599, provided that the amendment made by section 1081(d)(9) is effective as of Dec. 23, 2016, and as if included in Pub. L. 114-328 as enacted.

EFFECTIVE DATE OF 2016 AMENDMENT

Pub. L. 114-328, div. A, title IX, §901(f), Dec. 23, 2016, 130 Stat. 2342, provided that the amendment made by section 901(f) is effective on Feb. 1, 2018.

EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-291, div. A, title IX, §901(a)(2), Dec. 19, 2014, 128 Stat. 3463, which provided that the amendment made by section 901(a)(2) was effective on the effective date specified in former section 901(a)(1) of Pub. L. 113-291, which was Feb. 1, 2017, was repealed by Pub. L. 114-328, div. A, title IX, §901(d), Dec. 23, 2016, 130 Stat. 2342.

Pub. L. 113-291, div. A, title IX, §901(j)(1), Dec. 19, 2014, 128 Stat. 3467, which provided that the amendment made by section 901(j)(1)(A) was effective on the effective date specified in former section 901(a)(1) of Pub. L. 113-291, which was Feb. 1, 2017, was repealed by Pub. L. 115-91, div. A, title X, §1081(b)(1)(A), Dec. 12, 2017, 131 Stat. 1597.

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 111-383, div. A, title IX, §901(p), Jan. 7, 2011, 124 Stat. 4327, provided that:

“(1) IN GENERAL.—Except as provided in paragraph (2), this section [see Tables for classification] and the amendments made by this section shall take effect on January 1, 2011.

“(2) CERTAIN MATTERS.—Subsection (i) [enacting and amending provisions set out as notes under section 137a of this title] and the amendments made by that subsection, and subsection (o) [enacting provisions set out as a note under this section], shall take effect on the date of the enactment of this Act [Jan. 7, 2011].”

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-417 effective Jan. 28, 2008, and as if included in Pub. L. 110-181 as enacted, see section 1061(b) of Pub. L. 110-417, set out as a note under section 6382 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104–106, div. A, title IX, §903(a), Feb. 10, 1996, 110 Stat. 401, which provided that the amendments made by section 903 of Pub. L. 104–106 (amending this section and sections 138, 176, 1056, 1216, 1587, and 10201 of this title, repealing sections 133a, 134a, 137, and 142 of this title, and amending provisions set out as a note under section 167 of this title) were to take effect on Jan. 31, 1997, was repealed by Pub. L. 104–201, div. A, title IX, §901, Sept. 23, 1996, 110 Stat. 2617.

ESTABLISHMENT AND ASSIGNMENT OF ROLES AND RESPONSIBILITIES FOR COMBINED JOINT ALL-DOMAIN COMMAND AND CONTROL IN SUPPORT OF INTEGRATED JOINT WARFIGHTING

Pub. L. 118–31, div. A, title IX, §904, Dec. 22, 2023, 137 Stat. 363, provided that:

“(a) IN GENERAL.—The Secretary of Defense shall establish, and assign to appropriate components of the Office of the Secretary, roles and responsibilities relating to—

“(1) the development of combined joint all-domain command and control (commonly known as ‘CJADC2’) capabilities in support of integrated joint warfighting; and

“(2) the delivery of such capabilities to the combatant commands.

“(b) ROLES AND RESPONSIBILITIES.—The roles and responsibilities established and assigned under subsection (a) shall include, at a minimum, the following:

“(1) Identifying new technology and operational concepts for experimentation and prototyping for delivery to the Joint Force to address key operational challenges.

“(2) Providing technical support for the Joint Force in exploring and analyzing new combined joint all-domain command and control capabilities and operational concepts, including through advanced modeling and simulation.

“(3) Executing experimentation associated with such capabilities through the Rapid Defense Experimentation Reserve or another mechanism.

“(4) Enabling the acquisition of cross-domain, joint, and cross-system mission capabilities, including resourcing of modifications necessary for integration and interoperability among mission components.

“(5) Ensuring the effectiveness of cross-domain, joint, and cross-system mission capabilities through analysis and testing.

“(6) Creating and operating a complete capability for software development that allows for iterative, secure, and continuous deployment of developmental, prototype, and operational tools and capabilities from multiple vendors to test networks and operational networks for combatant commanders to—

“(A) gain operational awareness, make decisions, and take actions;

“(B) integrate relevant data sources to support target selection, target prioritization, and weapon-target pairing; and

“(C) assign targets through networks, tools, and systems of the Armed Forces and combat support agencies.

“(c) INITIAL PRIORITIZATION.—In establishing an initial set of roles and responsibilities under subsection (a), the Secretary of Defense shall prioritize the development and delivery of capabilities that meet the requirements of the United States Indo-Pacific Command.

“(d) BRIEFINGS REQUIRED.—Not later than 90 days after the date of the enactment of this Act [Dec. 22, 2023], and not less frequently than once every 180 days thereafter through December 31, 2026, the Secretary of Defense shall provide to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a briefing on—

“(1) any activities carried out in accordance with the roles and responsibilities under subsection (a); and

“(2) any plans associated with such roles and responsibilities.”

RESPONSIBILITIES FOR NATIONAL MOBILIZATION; PERSONNEL REQUIREMENTS

Pub. L. 117–81, div. A, title X, §1089, Dec. 27, 2021, 135 Stat. 1925, provided that:

“(a) EXECUTIVE AGENT FOR NATIONAL MOBILIZATION.—The Secretary of Defense shall designate a senior civilian official within the Office of the Secretary of Defense as the Executive Agent for National Mobilization. The Executive Agent for National Mobilization shall be responsible for—

“(1) developing, managing, and coordinating policy and plans that address the full spectrum of military mobilization readiness, including full mobilization of personnel from volunteers to other persons inducted into the Armed Forces under the Military Selective Service Act (50 U.S.C. 3801 et seq.);

“(2) providing Congress and the Selective Service System with updated requirements and timelines for obtaining inductees in the event of a national emergency requiring mass mobilization and induction of personnel under the Military Selective Service Act for training and service in the Armed Forces; and

“(3) providing Congress with a plan, developed in coordination with the Selective Service System, to induct large numbers of volunteers who may respond to a national call for volunteers during an emergency.

“(b) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act [Dec. 27, 2021], the Secretary of Defense shall submit to Congress a plan for obtaining inductees as part of a mobilization timeline for the Selective Service System. The plan shall include a description of resources, locations, and capabilities of the Armed Forces required to train, equip, and integrate personnel inducted into the Armed Forces under the Military Selective Service Act into the total force, addressing scenarios that would include 300,000, 600,000, and 1,000,000 new volunteer and other personnel inducted into the Armed Forces under the Military Selective Service Act. The plan may be provided in classified form.”

OVERSIGHT OF REGISTERED SEX OFFENDER MANAGEMENT PROGRAM

Pub. L. 115–232, div. A, title V, §544, Aug. 13, 2018, 132 Stat. 1763, provided that:

“(a) DESIGNATION OF OFFICIAL OR ENTITY.—The Secretary of Defense shall designate a single official or existing entity within the Office of the Secretary of Defense to serve as the official or entity (as the case may be) with principal responsibility in the Department of Defense for providing oversight of the registered sex offender management program of the Department.

“(b) DUTIES.—The official or entity designated under subsection (a) shall—

“(1) monitor compliance with Department of Defense Instruction 5525.20 and other relevant policies;

“(2) compile data on members serving in the military departments who have been convicted of a qualifying sex offense, including data on the sex offender registration status of each such member;

“(3) maintain statistics on the total number of active duty service members in each military department who are required to register as sex offenders; and

“(4) perform such other duties as the Secretary of Defense determines to be appropriate.

“(c) BRIEFING REQUIRED.—Not later than June 1, 2019, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives a briefing on—

“(1) the compliance of the military departments with the policies of the Department of Defense relating to registered sex offenders;

“(2) the results of the data compilation described in subsection (b)(2); and

“(3) any other matters the Secretary determines to be appropriate.

“(d) **MILITARY DEPARTMENTS DEFINED.**—In this section, the term ‘military departments’ has the meaning given that term in section 101(a)(8) of title 10, United States Code.”

FRAMEWORK FOR OVERSIGHT OF COUNTERING WEAPONS OF MASS DESTRUCTION POLICY, PROGRAMS, AND ACTIVITIES

Pub. L. 115-232, div. A, title X, §1082(b), (c), Aug. 13, 2018, 132 Stat. 1988, provided that:

“(b) **OVERSIGHT PLAN.**—Not later than 180 days after the date of the enactment of this Act [Aug. 13, 2018], the Secretary of Defense shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a plan to streamline the oversight framework of the Office of the Secretary of Defense, including any efficiencies and the potential to reduce, realign, or otherwise restructure current Assistant Secretary and Deputy Assistant Secretary positions with responsibilities for overseeing countering weapons of mass destruction policy, programs, and activities.

“(c) **DIRECTIVE.**—Not later than 90 days after the submission of the oversight plan under subsection (b), the Secretary of Defense shall issue a directive for the implementation of the oversight plan by the Countering Weapons of Mass Destruction-Unity of Effort Council.”

DESIGNATION OF OFFICE WITHIN OFFICE OF THE SECRETARY OF DEFENSE TO OVERSEE USE OF FOOD ASSISTANCE PROGRAMS BY MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY

Pub. L. 115-91, div. A, title V, §583, Dec. 12, 2017, 131 Stat. 1416, provided that: “Not later than 90 days after the date of the enactment of this Act [Dec. 12, 2017], the Secretary of Defense shall designate an office or official within the Office of the Secretary of Defense for purposes as follows:

“(1) To discharge responsibility for overseeing the efforts of the Department of Defense to collect, analyze, and monitor data on the use of food assistance programs by members of the Armed Forces on active duty.

“(2) To establish and maintain relationships with other departments and agencies of the Federal Government to facilitate the discharge of the responsibility specified in paragraph (1).”

CHIEF MANAGEMENT OFFICER

Pub. L. 114-328, div. A, title IX, §901(c)(1)–(3), Dec. 23, 2016, 130 Stat. 2341, which established the position of Chief Management Officer of the Department of Defense, effective Feb. 1, 2018, was repealed by Pub. L. 115-91, div. A, title IX, §910(b)(1), Dec. 12, 2017, 131 Stat. 1517.

SECRETARY OF DEFENSE DELIVERY UNIT

Pub. L. 114-328, div. A, title IX, §913, Dec. 23, 2016, 130 Stat. 2349, provided that:

“(a) **IN GENERAL.**—The Secretary of Defense serving in that position as of March 1, 2017, may establish within the Office of the Secretary of Defense a unit of personnel that shall be responsible for providing expertise and support throughout the Department of Defense in an effort to improve the implementation of policies and priorities across the Department. The unit may be known as the ‘delivery unit’.

“(b) **COMPOSITION.**—The unit established pursuant to subsection (a) shall consist of not more than 30 individuals selected by the Secretary primarily from among individuals outside the Government who have significant experience and expertise in management consulting, organizational architecture, relationship management, or data analytics.

“(c) **DUTIES.**—The unit established pursuant to subsection (a) shall have the duties as follows:

“(1) To advise the Secretary on improving the implementation and delivery of policies and priorities of the Department, including making recommendations on establishing performance or implementation targets, assisting in the development of delivery plans to achieve targets, and monitoring and measuring progress.

“(2) To work across organizations, missions, and functions of the Department in order to identify obstacles to improving the implementation of policies and priorities of the Department, including organization, culture, and incentives, and to recommend options to the Secretary for addressing such obstacles.

“(d) **SUNSET.**—The unit established pursuant to subsection (a) shall sunset on January 31, 2021.”

REFERENCES

Pub. L. 113-291, div. A, title IX, §901(n), Dec. 19, 2014, 128 Stat. 3469, as amended by Pub. L. 115-91, div. A, title X, §1081(b)(1)(D), Dec. 12, 2017, 131 Stat. 1597, provided that:

“[(1) Repealed. Pub. L. 115-91, div. A, title X, §1081(b)(1)(D), Dec. 12, 2017, 131 Stat. 1597.]

“(2) **ASDEIE.**—Any reference to the Assistant Secretary of Defense for Operational Energy Plans and Programs or to the Deputy Under Secretary of Defense for Installations and Environment in any provision of law or in any rule, regulation, or other paper of the United States shall be deemed to refer to the Assistant Secretary of Defense for Energy, Installations, and Environment.”

REDESIGNATION OF CERTAIN POSITIONS IN OFFICE OF SECRETARY OF DEFENSE

Pub. L. 111-383, div. A, title IX, §901(a), Jan. 7, 2011, 124 Stat. 4317, provided that:

“(1) **REDESIGNATION.**—Positions in the Office of the Secretary of Defense are hereby redesignated as follows:

“(A) The Director of Defense Research and Engineering is redesignated as the Assistant Secretary of Defense for Research and Engineering.

“(B) The Director of Operational Energy Plans and Programs is redesignated as the Assistant Secretary of Defense for Operational Energy Plans and Programs [now Assistant Secretary of Defense for Energy, Installations, and Environment].

“(C) The Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs is redesignated as the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs.

“(2) **REFERENCES.**—Any reference in any law, rule, regulation, paper, or other record of the United States to an office of the Department of Defense redesignated by paragraph (1) shall be deemed to be a reference to such office as so redesignated.”

INAPPLICABILITY OF APPOINTMENT REQUIREMENT TO CERTAIN INDIVIDUALS SERVING ON EFFECTIVE DATE

Pub. L. 111-383, div. A, title IX, §901(o), Jan. 7, 2011, 124 Stat. 4327, provided that:

“(1) **IN GENERAL.**—Notwithstanding this section [see Tables for classification] and the amendments made by this section, the individual serving as specified in paragraph (2) on December 31, 2010, may continue to serve in the applicable position specified in that paragraph after that date without the requirement for appointment by the President, by and with the advice and consent of the Senate.

“(2) **COVERED INDIVIDUALS AND POSITIONS.**—The individuals and positions specified in this paragraph are the following:

“(A) In the case of the individual serving as Director of Defense Research and Engineering, the position of Assistant Secretary of Defense for Research and Engineering.

“(B) In the case of the individual serving as Director of Operational Energy Plans and Programs, the

position of Assistant Secretary of Defense for Operational Energy Plans and Programs.

“(C) In the case of the individual serving as Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs, the position of Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs.”

DEFENSE ACQUISITION WORKFORCE

Pub. L. 105–85, div. A, title IX, §912(a)–(e), Nov. 18, 1997, 111 Stat. 1860, 1861, required Secretary of Defense to accomplish reductions in defense acquisition personnel positions, to report on specific acquisition positions previously eliminated, to submit an implementation plan to streamline and improve acquisition organizations, to review acquisition organizations and functions, and to require certain duties of Task Force on Defense Reform.

REDUCTION OF PERSONNEL ASSIGNED TO OFFICE OF THE SECRETARY OF DEFENSE

Pub. L. 104–201, div. A, title IX, §903, Sept. 23, 1996, 110 Stat. 2617, which provided for phased reduction of number of personnel assigned to or employed in functions in Office of the Secretary of Defense, was repealed and restated in section 143 of this title by Pub. L. 105–85, div. A, title IX, §911(d)(1), (3), Nov. 18, 1997, 111 Stat. 1859, 1860.

ORGANIZATION OF OFFICE OF THE SECRETARY OF DEFENSE

Pub. L. 104–106, div. A, title IX, §901, Feb. 10, 1996, 110 Stat. 399, as amended by Pub. L. 104–201, div. A, title IX, §903(g), Sept. 23, 1996, 110 Stat. 2618, directed the Secretary of Defense to conduct a review of the organizations and functions of the Office of the Secretary of Defense and the personnel needed to carry out those functions, and to submit to the congressional defense committees a report containing findings, conclusions, and a plan for implementing recommendations not later than Mar. 1, 1996.

Pub. L. 99–433, title I, §109, Oct. 1, 1986, 100 Stat. 999, directed the Secretary of Defense, the Secretaries of the military departments, and the Chairman of the Joint Chiefs of Staff to conduct studies of the functions and organization of the Office of the Secretary of Defense, required the Secretaries of the military departments and the Chairman of the Joint Chiefs of Staff to submit reports on their studies to the Secretary of Defense, and directed the Secretary of Defense to submit a report on the Secretary’s study to Congress not later than one year after Oct. 1, 1986.

§ 132. Deputy Secretary of Defense

(a) There is a Deputy Secretary of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate. The Deputy Secretary shall be appointed from among persons most highly qualified for the position by reason of background and experience, including persons with appropriate management experience. A person may not be appointed as Deputy Secretary of Defense within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.

(b)(1) The Deputy Secretary shall perform such duties and exercise such powers as the Secretary of Defense may prescribe.

(2)(A) The Deputy Secretary shall act for, and exercise the powers of, the Secretary when the Secretary dies, resigns, or is otherwise unable to perform the functions and duties of the office.

(B) If the Secretary is unable to perform the functions and duties of the office as described in subparagraph (A), the Deputy Secretary, or any

other individual performing such functions and duties in accordance with applicable law, shall, not later than 24 hours before any planned transfer of such functions and duties or 24 hours after any unplanned transfer of such functions and duties, notify the following of the transfer:

(i) The Committee on Armed Services, the Committee on Appropriations, and the majority and minority leaders of the Senate.

(ii) The Committee on Armed Services, the Committee on Appropriations, the Speaker, and the minority leader of the House of Representatives.

(c) The Deputy Secretary takes precedence in the Department of Defense immediately after the Secretary.

(d) Until September 30, 2020, the Deputy Secretary of Defense shall lead the Guam Oversight Council and shall be the Department of Defense’s principal representative for coordinating the interagency efforts in matters relating to Guam, including the following executive orders:

(1) Executive Order No. 13299 of May 12, 2003 (68 Fed. Reg. 25477; 48 U.S.C. note prec. 1451; relating to the Interagency Group on Insular Affairs).

(2) Executive Order No. 12788 of January 15, 1992, as amended (57 Fed. Reg. 2213; relating to the Defense Economic Adjustment Program).

(Added Pub. L. 87–651, title II, §202, Sept. 7, 1962, 76 Stat. 518, §134; amended Pub. L. 92–596, §4(1), Oct. 27, 1972, 86 Stat. 1318; Pub. L. 95–140, §1(a), Oct. 21, 1977, 91 Stat. 1172; renumbered §132 and amended Pub. L. 99–433, title I, §101(a)(7), 110(d)(7), Oct. 1, 1986, 100 Stat. 995, 1003; Pub. L. 110–181, div. A, title IX, §§903(b), 904(a)(1), Jan. 28, 2008, 122 Stat. 273; Pub. L. 111–84, div. B, title XXVIII, §2831(a), Oct. 28, 2009, 123 Stat. 2669; Pub. L. 111–383, div. A, title IX, §901(c)(2), (m)(2), title X, §1075(b)(4), div. B, title XXVIII, §2821, Jan. 7, 2011, 124 Stat. 4321, 4326, 4369, 4465; Pub. L. 112–81, div. A, title IX, §902, Dec. 31, 2011, 125 Stat. 1532; Pub. L. 113–291, div. A, title IX, §901(k)(2), Dec. 19, 2014, 128 Stat. 3468; Pub. L. 114–328, div. A, title IX, §901(c)(4), Dec. 23, 2016, 130 Stat. 2341; Pub. L. 115–91, div. A, title IX, §910(b), Dec. 12, 2017, 131 Stat. 1517; Pub. L. 116–92, div. A, title XVII, §1731(a)(8), Dec. 20, 2019, 133 Stat. 1812; Pub. L. 118–159, div. A, title IX, §901, Dec. 23, 2024, 138 Stat. 2024.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
134(a)	5:171c(a) (1st sentence).	July 26, 1947, ch. 343, §203(a); added Aug. 10, 1949, ch. 412, §6(a) (1st par.), 63 Stat. 581.
134(b)	5:171c(a) (less 1st sentence and last 15 words of 2d sentence).	
134(c)	5:171c(a) (last 15 words of 2d sentence).	

In subsection (a), the last sentence is substituted for 5 U.S.C. 171c(a) (proviso).

Editorial Notes

REFERENCES IN TEXT

Executive Order No. 13299, referred to in subsec. (d)(1), was superseded by Ex. Ord. No. 13537, Apr. 14, 2010, 75 F.R. 20237, set out as a note preceding section 1451 of Title 48, Territories and Insular Possessions.

Executive Order No. 12788, referred to in subsec. (d)(2), is set out as a note under section 2391 of this title.