

lated to selection boards. See sections 14101 et seq. and 14301 et seq. of Title 10.

Section 1339, acts Sept. 3, 1954, ch. 1257, title V, § 509, 68 Stat. 1174; June 30, 1955, ch. 247, § 4(f), 69 Stat. 219, provided for promotion to first lieutenant, and to discharge for failure to qualify for permanent grade. See sections 14301 et seq. and 14503 of Title 10.

Section 1340, acts Sept. 3, 1954, ch. 1257, title V, § 510, 68 Stat. 1174; June 30, 1955, ch. 247, § 4(g), 69 Stat. 220, related to consideration for promotion to captain, major, and lieutenant colonel. See section 14301 et seq. of Title 10.

Section 1341, acts Sept. 3, 1954, ch. 1257, title V, § 511, 68 Stat. 1175; June 30, 1955, ch. 247, § 4(h), 69 Stat. 220, provided for promotion to captain, major or lieutenant colonel. See section 14301 et seq. of Title 10.

Section 1342, act Sept. 3, 1954, ch. 1257, title V, § 512, 68 Stat. 1175, related to method of selection for promotion to captain, major, or lieutenant colonel. See section 14001 et seq. of Title 10.

Section 1343, act Sept. 3, 1954, ch. 1257, title V, § 513, 68 Stat. 1176, authorized special promotions. See section 14301 et seq. of Title 10.

Section 1344, act Sept. 3, 1954, ch. 1257, title V, § 514, 68 Stat. 1176, related to promotion of officers serving in temporary grade higher than permanent grade. See section 14301 et seq. of Title 10.

Section 1345, act Sept. 3, 1954, ch. 1257, title V, § 515, 68 Stat. 1177, related to female Reserve officers.

Section 1346, act Sept. 3, 1954, ch. 1257, title V, § 516, 68 Stat. 1177, related to promotion to colonel. See section 14301 et seq. of Title 10.

Section 1347, act Sept. 3, 1954, ch. 1257, title V, § 517, 68 Stat. 1177, provided for promotion to brigadier general and major general. See sections 14314 and 14315 of Title 10.

Section 1348, act Sept. 3, 1954, ch. 1257, title V, § 518, 68 Stat. 1178, provided for removal from the promotion list by the President. See section 14301 et seq. of Title 10.

Section 1349, act Sept. 3, 1954, ch. 1257, title V, § 519, 68 Stat. 1179, related to Air National Guard. See section 14301 et seq. of Title 10, Armed Forces, and section 307 of Title 32, National Guard.

Section 1350, act Sept. 3, 1954, ch. 1257, title V, § 520, 68 Stat. 1179, provided for promotion to first lieutenant in Air National Guard of the United States. See sections 14301 et seq. and 14503 of Title 10, Armed Forces.

Section 1351, act Sept. 3, 1954, ch. 1257, title V, § 521, 68 Stat. 1179, provided for promotion to captain, major, and lieutenant colonel in the Air National Guard. See section 14301 et seq. of Title 10.

Section 1352, act Sept. 3, 1954, ch. 1257, title V, § 522, 68 Stat. 1180, related to deferred officers. See section 14301 et seq. of Title 10, Armed Forces, and section 323 of Title 32, National Guard.

Section 1353, acts Sept. 3, 1954, ch. 1257, title V, § 523, 68 Stat. 1181; June 30, 1955, ch. 247, § 4(i), 69 Stat. 220, related to maximum ages for retention in active status. See sections 14510 to 14512 of Title 10, Armed Forces.

Section 1354, acts Sept. 3, 1954, ch. 1257, title V, § 524, 68 Stat. 1182; June 30, 1955, ch. 247, § 4(j), 69 Stat. 220, related to elimination of officers for length of service. See section 14501 et seq. of Title 10.

Section 1355, act Sept. 3, 1954, ch. 1257, title V, § 525, 68 Stat. 1183, provided for elimination of excess officers. See sections 14514 and 14704 of Title 10.

Section 1356, act Sept. 3, 1954, ch. 1257, title V, § 526, 68 Stat. 1183, provided for elimination or transfer of adjutants general or assistant adjutants general. See section 14314(a), (c) of Title 10.

Section 1357, act Sept. 3, 1954, ch. 1257, title V, § 527, as added June 30, 1955, ch. 247, § 4(k), 69 Stat. 220, related to civilian employees of the Air National Guard.

§§ 1381 to 1398. Repealed. Pub. L. 85-861, § 36A, Sept. 2, 1958, 72 Stat. 1569

Section 1381, act Sept. 3, 1954, ch. 1257, title VI, § 601, 68 Stat. 1183, defined terms used in sections 1381 to 1399 of this title. See section 3731 of Title 14, Coast Guard.

Section 1382, act Sept. 3, 1954, ch. 1257, title VI, § 602, 68 Stat. 1183, related to applicability of sections 1381 to 1399 of this title. See section 3732 of Title 14.

Section 1383, act Sept. 3, 1954, ch. 1257, title VI, § 603, 68 Stat. 1184, related to authorized numbers and distribution of officers in the Coast Guard Reserve. See section 3735 of Title 14.

Section 1384, act Sept. 3, 1954, ch. 1257, title VI, § 604, 68 Stat. 1184, related to promotions and selection boards. See section 3740 of Title 14.

Section 1385, act Sept. 3, 1954, ch. 1257, title VI, § 605, 68 Stat. 1185, provided for precedence. See section 3736 of Title 14.

Section 1386, acts Sept. 3, 1954, ch. 1257, title VI, § 606, 68 Stat. 1185; June 30, 1955, ch. 247, § 5(a), 69 Stat. 221, related to running mates. See section 3737 of Title 14.

Section 1387, act Sept. 3, 1954, ch. 1257, title VI, § 607, 68 Stat. 1186, related to promotion zones. See section 3742 of Title 14.

Section 1388, acts Sept. 3, 1954, ch. 1257, title VI, § 608, 68 Stat. 1186; June 30, 1955, ch. 247, § 5(b), 69 Stat. 221, related to date of rank upon promotion. See section 3747 of Title 14.

Section 1389, act Sept. 3, 1954, ch. 1257, title VI, § 609, 68 Stat. 1186, related to minimum points for consideration for promotion.

Section 1390, act Sept. 3, 1954, ch. 1257, title VI, § 610, 68 Stat. 1186, related to qualifications for promotion. See section 3745 of Title 14.

Section 1391, act Sept. 3, 1954, ch. 1257, title VI, § 611, 68 Stat. 1186, related to failure of selection and elimination. See section 3751 of Title 14.

Section 1392, act Sept. 3, 1954, ch. 1257, title VI, § 612, 68 Stat. 1187, provided for removal from promotion list by the President. See section 3749 of Title 14.

Section 1393, act Sept. 3, 1954, ch. 1257, title VI, § 613, 68 Stat. 1187, related to maximum ages for active status. See section 3753 of Title 14.

Section 1394, act Sept. 3, 1954, ch. 1257, title VI, § 614, 68 Stat. 1187, related to type of promotion. See section 3748 of Title 14.

Section 1395, act Sept. 3, 1954, ch. 1257, title VI, § 615, 68 Stat. 1188, related to promotion of officers serving on active duty. See section 3739 of Title 14.

Section 1396, act Sept. 3, 1954, ch. 1257, title VI, § 616, 68 Stat. 1188, provided for appointment of former Navy and Coast Guard officers. See section 3755 of Title 14.

Section 1397, act Sept. 3, 1954, ch. 1257, title VI, § 617, 68 Stat. 1188, provided for recall of retired officers. See section 3757 of Title 14.

Section 1398, act Sept. 3, 1954, ch. 1257, title VI, § 618, 68 Stat. 1188, authorized the Secretary to promulgate regulations.

§ 1399. Omitted

Editorial Notes

CODIFICATION

Section, act Sept. 3, 1954, ch. 1257, title VI, § 619, as added June 30, 1955, ch. 247, § 5(c), 69 Stat. 221, which authorized promotion of officers who were selected for promotion prior to July 1, 1955.

CHAPTER 28—STATUS OF ARMED FORCES PERSONNEL APPOINTED TO SERVICE ACADEMIES

§§ 1411 to 1414. Repealed. Pub. L. 85-861, § 36A, Sept. 2, 1958, 72 Stat. 1570

Section 1411, act June 25, 1956, ch. 439, § 1, 70 Stat. 333, related to continuance of enlisted contract or period of obligated service and to pay allowance and benefits. See section 516 of Title 10, Armed Forces.

Section 1412, act June 25, 1956, ch. 439, § 2, 70 Stat. 333, related to reversion to enlisted status upon separation from the service academies. See section 516 of Title 10.

Section 1413, act June 25, 1956, ch. 439, § 3, 70 Stat. 333, related to charge against allowed number of personnel in Armed Forces.

Section 1414, act June 25, 1956, ch. 439, § 4, 70 Stat. 333, related to restriction on counting Academy service towards length of service as an officer.

CHAPTER 29—NATIONAL DEFENSE CONTRACTS

Sec.	
1431.	Authorization; official approval; Congressional action: notification of committees of certain proposed obligations, resolution of disapproval, continuity of session, computation of period.
1432.	Restrictions.
1433.	Public record; examination of records by Comptroller General; exemptions: exceptional conditions; reports to Congress.
1434.	Repealed.
1435.	Effective period.
1436.	Repealed.

§ 1431. Authorization; official approval; Congressional action: notification of committees of certain proposed obligations, resolution of disapproval, continuity of session, computation of period

(a) The President may authorize any department or agency of the Government which exercises functions in connection with the national defense, acting in accordance with regulations prescribed by the President for the protection of the Government, to enter into contracts or into amendments or modifications of contracts heretofore or hereafter made and to make advance payments thereon, without regard to other provisions of law relating to the making, performance, amendment, or modification of contracts, whenever he deems that such action would facilitate the national defense. The authority conferred by this section shall not be utilized to obligate the United States in an amount in excess of \$500,000 without approval by an official at or above the level of an Assistant Secretary or his Deputy, or an assistant head or his deputy, of such department or agency, or by a Contract Adjustment Board established therein. The authority conferred by this section may not be utilized to obligate the United States in an amount in excess of \$150,000,000 unless the Committees on Armed Services of the Senate and the House of Representatives and in addition, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate with respect to contracts, or modifications or amendments to contracts, or advance payments proposed to be made under this section by the Secretary of the Department in which the Coast Guard is operating with respect to the acquisition of Coast Guard cutters or aircraft, have been notified in writing of such proposed obligation and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees. For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die at the end of a Congress, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain, or because of an adjournment sine die other than at the end of a Congress, are excluded in the computation of such 60-day period.

(b) TEMPORARY AUTHORITY TO MODIFY CERTAIN CONTRACTS AND OPTIONS BASED ON THE IMPACTS OF INFLATION.—Only amounts specifically provided by an appropriations Act for the purposes detailed in subsections (c) and (d) of this section may be used by the Secretary of Defense to carry out such subsections. If any such amounts are so specifically provided, the Secretary may use them for such purposes.

(c)(1) The Secretary of Defense, acting pursuant to a Presidential authorization under subsection (a) and in accordance with subsection (b)—

(A) may, notwithstanding subsection (e) of section 1432 of this title, make an amendment or modification to an eligible contract when, due solely to economic inflation, the cost to a prime contractor of performing such eligible contract is greater than the price of such eligible contract; and

(B) may not request consideration from such prime contractor for such amendment or modification.

(2) A prime contractor may submit to the Secretary of Defense a request for an amendment or modification to an eligible contract pursuant to subsection (a) when, due solely to economic inflation, the cost to a covered subcontractor of performing an eligible subcontract is greater than the price of such eligible subcontract. Such request shall include a certification that the prime contractor—

(A) will remit to such covered subcontractor the difference, if any, between the original price of such eligible contract and the price of such eligible contract if the Secretary of Defense makes an amendment or modification pursuant to subsection (a); and

(B) will not require such covered subcontractor to pay additional consideration or fees related to such amendment or modification.

(3) If a prime contractor does not make the request described in paragraph (2), a covered subcontractor may submit to a contracting officer of the Department of Defense a request for an amendment or modification to an eligible subcontract when, due solely to economic inflation, the cost to such covered subcontractor of performing such eligible subcontract is greater than the price of such eligible subcontract.

(d) Any adjustment or modification made pursuant to subsection (c) to an eligible contract or an eligible subcontract shall—

(1) be contingent upon the continued performance, as applicable, of such eligible contract or such eligible subcontract; and

(2) account only for the actual cost of performing such eligible contract or such eligible subcontract, but may account for indirect costs of performance, as the Secretary of Defense determines appropriate.

(e) The authority under subsections (c) and (d) shall be effective during the period beginning on December 23, 2022, and ending on December 31, 2025.

(f) In this section:

(1) The term “covered subcontractor” means a subcontractor who has entered into an eligible subcontract with a prime contractor.

(2) The term “eligible contract” means a contract awarded to a prime contractor by the