

## REFERENCES IN TEXT

Subsection (d), referred to in subsec. (a), was redesignated subsec. (c) of this section by Pub. L. 112-74, div. D, title V, § 527(3), Dec. 23, 2011, 125 Stat. 974.

Subsection (b) of this section, referred to in subsec. (a)(1), probably means the former subsec. (b) of this section which related to annual reports by the Comptroller General and which was struck out by Pub. L. 112-74, div. D, title V, § 527(2), Dec. 23, 2011, 125 Stat. 974. See 2011 Amendment note for subsec. (b) below.

Section 845 of the National Defense Authorization Act for Fiscal Year 1994, referred to in subsecs. (a)(2) and (d), is section 845 of Pub. L. 103-160, which was formerly set out as a note under section 2371 of Title 10, Armed Forces, prior to repeal by Pub. L. 114-92, div. A, title VIII, § 815(c), Nov. 25, 2015, 129 Stat. 896. See section 2371b of Title 10.

## AMENDMENTS

2015—Subsec. (a). Pub. L. 114-113, § 523(1), substituted “Until September 30, 2016,” for “Until September 30, 2015,” in introductory provisions.

Pub. L. 114-4, § 523(1), substituted “Until September 30, 2015,” for “Until September 30, 2014,” in introductory provisions.

Subsec. (c)(1). Pub. L. 114-113, § 523(2), substituted “September 30, 2016,” for “September 30, 2015,” in introductory provisions.

Pub. L. 114-4, § 523(2), substituted “September 30, 2015,” for “September 30, 2014,” in introductory provisions.

2014—Subsec. (a). Pub. L. 113-76, § 525(1), substituted “Until September 30, 2014,” for “Until September 30, 2013,” in introductory provisions.

Subsec. (c)(1). Pub. L. 113-76, § 525(2), substituted “September 30, 2014,” for “September 30, 2013,” in introductory provisions.

2013—Subsec. (a). Pub. L. 113-6, § 525(1), substituted “Until September 30, 2013,” for “Until September 30, 2012,” in introductory provisions.

Subsec. (c)(1). Pub. L. 113-6, § 525(2), substituted “September 30, 2013,” for “September 30, 2012,” in introductory provisions.

2011—Subsec. (a). Pub. L. 112-74, § 527(1), substituted “Until September 30, 2012,” for “Until September 30, 2011” in introductory provisions.

Pub. L. 112-10, § 1651(1), substituted “Until September 30, 2011” for “Until September 30, 2010” in introductory provisions.

Subsec. (b). Pub. L. 112-74, § 527(2), (3), redesignated subsec. (c) as (b) and struck out former subsec. (b). Text read as follows: “Not later than 2 years after the effective date of this chapter, and annually thereafter, the Comptroller General shall report to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate on—

“(1) whether use of the authorities described in subsection (a) of this section attracts nontraditional Government contractors and results in the acquisition of needed technologies; and

“(2) if such authorities were to be made permanent, whether additional safeguards are needed with respect to the use of such authorities.”.

Subsec. (c). Pub. L. 112-74, § 527(3), redesignated subsec. (d) as (c). Former subsec. (c) redesignated (b).

Subsec. (c)(1). Pub. L. 112-74, § 527(4), substituted “September 30, 2012,” for “September 30, 2011” in introductory provisions.

Subsec. (d). Pub. L. 112-74, § 527(3), redesignated subsec. (e) as (d). Former subsec. (d) redesignated (c).

Subsec. (d)(1). Pub. L. 112-10, § 1651(2), substituted “September 30, 2011” for “September 30, 2010” in introductory provisions.

2009—Subsec. (a). Pub. L. 111-83, § 531(1), substituted “September 30, 2010,” for “September 30, 2009” in introductory provisions.

Subsec. (d)(1). Pub. L. 111-83, § 531(2), substituted “September 30, 2010,” for “September 30, 2009,” in introductory provisions.

2008—Subsec. (a). Pub. L. 110-329, § 537(1), substituted “Until September 30, 2009 and subject to subsection (d),” for “Until September 30, 2008,” in introductory provisions.

Subsecs. (d), (e). Pub. L. 110-329, § 537(2), (3), added subsec. (d) and redesignated former subsec. (d) as (e).

2007—Subsec. (a). Pub. L. 110-161 substituted “Until September 30, 2008” for “During the 5-year period following the effective date of this chapter” in introductory provisions.

## DOCUMENTATION REQUIREMENTS FOR MAJOR ACQUISITION PROGRAMS

Pub. L. 114-113, div. F, title V, § 561, Dec. 18, 2015, 129 Stat. 2521, provided that:

“(a) Each major acquisition program of the Department of Homeland Security, as defined in Department of Homeland Security Management Directive 102-2, shall meet established acquisition documentation requirements for its acquisition program baseline established in the Department of Homeland Security Instruction Manual 102-01-001 and the Department of Homeland Security Acquisition Instruction/Guidebook 102-01-001, Appendix K.

“(b) The Department shall report to the Committees on Appropriations of the Senate and the House of Representatives in the Comprehensive Acquisition Status Report and its quarterly updates, required under the heading ‘Office of the Under Secretary for Management’ of this Act [div. F of Pub. L. 114-113, 129 Stat. 2493], on any major acquisition program that does not meet such documentation requirements and the schedule by which the program will come into compliance with these requirements.

“(c) None of the funds made available by this or any other Act for any fiscal year may be used for a major acquisition program that is out of compliance with such documentation requirements for more than two years except that funds may be used solely to come into compliance with such documentation requirements or to terminate the program.”

## § 392. Personal services

The Secretary—

(1) may procure the temporary or intermittent services of experts or consultants (or organizations thereof) in accordance with section 3109 of title 5; and

(2) may, whenever necessary due to an urgent homeland security need, procure temporary (not to exceed 1 year) or intermittent personal services, including the services of experts or consultants (or organizations thereof), without regard to the pay limitations of such section 3109.

(Pub. L. 107-296, title VIII, § 832, Nov. 25, 2002, 116 Stat. 2225.)

## § 393. Special streamlined acquisition authority

## (a) Authority

## (1) In general

The Secretary may use the authorities set forth in this section with respect to any procurement made during the period beginning on the effective date of this chapter and ending September 30, 2007, if the Secretary determines in writing that the mission of the Department (as described in section 111 of this title) would be seriously impaired without the use of such authorities.

## (2) Delegation

The authority to make the determination described in paragraph (1) may not be dele-