

Nothing in this provision of law shall preclude the Secretary of Defense from assigning to the military departments the duty of engaging in research and development of weapons systems necessary to fulfill the combatant functions assigned by law to such military departments.

The Secretary or his designee is authorized to perform assigned research and development projects: by contract with private business entities, educational or research institutions, or other agencies of the Government, through one or more of the military departments, or by utilizing employees and consultants of the Department of Defense.

The Secretary of Defense shall assign any weapons systems developed to such military department or departments for production and operational control as he may determine.

Approved February 12, 1958.

Public Law 85-599

85th Congress, H.R. 12541

August 6, 1958

AN ACT

To promote the national defense by providing for reorganization of the Department of Defense, and for other purposes.

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ESTABLISHING THE DIRECTOR OF DEFENSE RESEARCH AND ENGINEERING

SEC. 9. (a) Section 203 of the National Security Act of 1947, as amended, is amended by redesignating subsections "(b)" and "(c)" as subsections "(c)" and "(d)", respectively, and by inserting a new subsection "(b)" as follows:

"(b) (1) There shall be a Director of Defense Research and Engineering who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, who shall take precedence in the Department of Defense after the Secretary of Defense, the Deputy Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force. The Director performs such duties with respect to research and engineering as the Secretary of Defense may prescribe, including, but not limited to, the following: (i) to be the principal adviser to the Secretary of Defense on scientific and technical matters; (ii) to supervise all research and engineering activities in the Department of Defense; and (iii) to direct and control (including their assignment or reassignment) research and engineering activities that the Secretary of Defense deems to require centralized management. The compensation of the Director is that prescribed by law for the Secretaries of the military departments.

"(2) The Secretary of Defense or his designee, subject to the approval of the President, is authorized to engage in basic and applied research projects essential to the responsibilities of the Department of Defense in the field of basic and applied research and development which pertain to weapons systems and other military requirements. The Secretary or his designee, subject to the approval of the President, is authorized to perform assigned research and development projects: by contract with private business entities, educational or research institutions, or other agencies of the Government, through one or more of the military departments, or by utilizing employees and consultants of the Department of Defense.

"(3) There is authorized to be appropriated such sums as may be necessary for the purposes of paragraph (2) of this subsection."

(b) Section 7 of Public Law 85-325, dated February 12, 1958, is amended to read as follows:

"SEC. 7. The Secretary of Defense or his designee is authorized to engage in such advanced projects essential to the Defense Department's responsibilities in the field of basic and applied research and development which pertain to weapons systems and military requirements as the Secretary of Defense may determine after consultation with the Joint Chiefs of Staff; and for a period of one year from the effective date of this Act, the Secretary of Defense or his designee is further authorized to engage in such advanced space projects as may be designated by the President.