

“(a) Of the funds for the procurement of supplies or services appropriated by this Act [see Tables for classification] and hereafter, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

“(b) During the current fiscal year and hereafter, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

“(c) For the purpose of this section, the phrase ‘qualified nonprofit agency for the blind or other severely handicapped’ means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O’Day Act ([former] 41 U.S.C. 46–48[c]) [now 41 U.S.C. 8501 et seq.]”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 107–248, title VIII, § 8025, Oct. 23, 2002, 116 Stat. 1542.

Pub. L. 107–117, div. A, title VIII, § 8028, Jan. 10, 2002, 115 Stat. 2253.

Pub. L. 106–259, title VIII, § 8028, Aug. 9, 2000, 114 Stat. 680.

Pub. L. 106–79, title VIII, § 8030, Oct. 25, 1999, 113 Stat. 1237.

Pub. L. 105–262, title VIII, § 8030, Oct. 17, 1998, 112 Stat. 2303.

Pub. L. 105–56, title VIII, § 8031, Oct. 8, 1997, 111 Stat. 1226.

Pub. L. 104–208, div. A, title I, § 101(b) [title VIII, § 8033], Sept. 30, 1996, 110 Stat. 3009–71, 3009–95.

Pub. L. 104–61, title VIII, § 8042, Dec. 1, 1995, 109 Stat. 660.

Pub. L. 103–335, title VIII, § 8048, Sept. 30, 1994, 108 Stat. 2628.

Pub. L. 103–139, title VIII, § 8055, Nov. 11, 1993, 107 Stat. 1452.

Pub. L. 102–396, title IX, § 9077, Oct. 6, 1992, 106 Stat. 1918.

Pub. L. 102–172, title VIII, § 8082, Nov. 26, 1991, 105 Stat. 1190.

Pub. L. 101–511, title VIII, § 8117, Nov. 5, 1990, 104 Stat. 1905.

[§ 2410e. Repealed. Pub. L. 103–355, title II, § 2301(b), Oct. 13, 1994, 108 Stat. 3321]

Section, added Pub. L. 102–484, div. A, title VIII, § 813(a)(1), Oct. 23, 1992, 106 Stat. 2452, directed Secretary of Defense to propose, for inclusion in Federal Acquisition Regulation, regulations relating to certification of contract claims, requests for equitable adjustment to contract terms, and requests for relief under section 1431 et seq. of Title 50, War and National Defense, that exceeded \$100,000.

EFFECTIVE DATE OF REPEAL

For effective date and applicability of repeal, see section 10001 of Pub. L. 103–355, set out as an Effective Date of 1994 Amendment note under section 2302 of this title.

§ 2410f. Debarment of persons convicted of fraudulent use of “Made in America” labels

(a) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a “Made in America” inscription, or another inscription with the same meaning, to any product sold in or shipped to

the United States that is not made in America, the Secretary shall determine, not later than 90 days after determining that the person has been so convicted, whether the person should be debarred from contracting with the Department of Defense.

(b) In this section, the term “debar” has the meaning given that term by section 2393(c) of this title.

(Added Pub. L. 102–484, div. A, title VIII, § 834(a)(1), Oct. 23, 1992, 106 Stat. 2461; amended Pub. L. 104–106, div. A, title X, § 1062(f), title XV, § 1503(a)(22), Feb. 10, 1996, 110 Stat. 444, 512; Pub. L. 107–107, div. A, title X, § 1048(a)(20), Dec. 28, 2001, 115 Stat. 1223.)

AMENDMENTS

2001—Subsec. (a). Pub. L. 107–107 inserted “, or another inscription with the same meaning,” after “inscription”.

1996—Subsec. (a). Pub. L. 104–106, § 1062(f), struck out at end “If the Secretary determines that the person should not be debarred, the Secretary shall submit to Congress a report on such determination not later than 30 days after the determination is made.”

Subsec. (b). Pub. L. 104–106, § 1503(a)(22), substituted “In” for “For purposes of”.

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102–484, div. A, title VIII, § 834(b), Oct. 23, 1992, 106 Stat. 2461, provided that: “Section 2410f of title 10, United States Code, as added by subsection (a), shall take effect 90 days after the date of the enactment of this Act [Oct. 23, 1992].”

PROHIBITION OF CONTRACTS

Pub. L. 106–398, § 1 [[div. A], title VIII, § 825(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A–220, provided that: “If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ‘Made in America’ inscription, or another inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.”

Similar provisions were contained in the following prior authorization acts:

Pub. L. 106–65, div. A, title VIII, § 816(b), Oct. 5, 1999, 113 Stat. 712.

Pub. L. 103–160, div. A, title VIII, § 849(b), Nov. 30, 1993, 107 Stat. 1725.

§ 2410g. Advance notification of contract performance outside the United States

(a) NOTIFICATION.—(1) A firm that is performing a Department of Defense contract for an amount exceeding \$10,000,000, or is submitting a bid or proposal for such a contract, shall notify the Department of Defense in advance of any intention of the firm or any first-tier subcontractor of the firm to perform outside the United States and Canada any part of the contract that exceeds \$500,000 in value and could be performed inside the United States or Canada.

(2) If a firm submitting a bid or proposal for a Department of Defense contract is required to submit a notification under this subsection, and the firm is aware, at the time it submits its bid or proposal, that the firm intends to perform outside the United States and Canada any part of the contract that exceeds \$500,000 in value and could be performed inside the United States or