

division D of Pub. L. 102-484, Oct. 23, 1992, 106 Stat. 2658. For complete classification of division D to the Code, see Short Title note set out under section 2500 of this title and Tables.

PRIOR PROVISIONS

A prior section 2418 was renumbered section 2420 of this title.

AMENDMENTS

2014—Subsec. (c). Pub. L. 113-291 added subsec. (c).

§ 2419. Advancing small business growth

(a) **CONTRACT CLAUSE REQUIRED.**—(1) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall require the clause described in paragraph (2) to be included in each covered contract awarded by the Department of Defense.

(2) The clause described in this paragraph is a clause that—

(A) requires the contractor to acknowledge that acceptance of the contract may cause the business to exceed the applicable small business size standards (established pursuant to section 3(a) of the Small Business Act) for the industry concerned and that the contractor may no longer qualify as a small business concern for that industry; and

(B) encourages the contractor to develop capabilities and characteristics typically desired in contractors that are competitive as an other-than-small business in that industry.

(b) **AVAILABILITY OF ASSISTANCE.**—Covered small businesses may be provided assistance as part of any procurement technical assistance furnished pursuant to this chapter.

(c) **DEFINITIONS.**—In this section:

(1) The term “covered contract” means a contract—

(A) awarded to a qualified small business concern as defined pursuant to section 3(a) of the Small Business Act; and

(B) with an estimated annual value—

(i) that will exceed the applicable receipt-based small business size standard; or

(ii) if the contract is in an industry with an employee-based size standard, that will exceed \$70,000,000.

(2) The term “covered small business” means a qualified small business concern as defined pursuant to section 3(a) of the Small Business Act that has entered into a contract with the Department of Defense that includes a contract clause described in subsection (a)(2).

(Added Pub. L. 113-66, div. A, title XVI, §1611(a)(1)(B), Dec. 26, 2013, 127 Stat. 946.)

REFERENCES IN TEXT

Section 3(a) of the Small Business Act, referred to in subsecs. (a)(2)(A) and (c)(1)(A), (2), is classified to section 632(a) of Title 15, Commerce and Trade.

PRIOR PROVISIONS

A prior section 2419 was renumbered section 2420 of this title.

§ 2420. Regulations

The Secretary of Defense shall prescribe regulations to carry out this chapter.

(Added Pub. L. 98-525, title XII, §1241(a)(1), Oct. 19, 1984, 98 Stat. 2606, §2416; renumbered §2417, Pub. L. 99-500, §101(c) [title X, §957(a)(1)(A)], Oct. 18, 1986, 100 Stat. 1783-82, 1783-174, and Pub. L. 99-591, §101(c) [title X, §957(a)(1)(A)], Oct. 30, 1986, 100 Stat. 3341-82, 3341-174, and Pub. L. 99-661, div. A, title IX, formerly title IV, §957(a)(1)(A), Nov. 14, 1986, 100 Stat. 3954, renumbered title IX, Pub. L. 100-26, §3(5), Apr. 21, 1987, 101 Stat. 273; renumbered §2418, Pub. L. 101-510, div. A, title VIII, §814(a)(1)(A), Nov. 5, 1990, 104 Stat. 1596; renumbered §2419, Pub. L. 102-484, div. D, title XLII, §4236(a)(1)(A), Oct. 23, 1992, 106 Stat. 2691; renumbered §2420, Pub. L. 113-66, div. A, title XVI, §1611(a)(1)(A), Dec. 26, 2013, 127 Stat. 946.)

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

AMENDMENTS

2013—Pub. L. 113-66 renumbered section 2419 of this title as this section.

1992—Pub. L. 102-484 renumbered section 2418 of this title as this section.

1990—Pub. L. 101-510 renumbered section 2417 of this title as this section.

1986—Pub. L. 99-500, Pub. L. 99-591, and Pub. L. 99-661, renumbered section 2416 of this title as this section.

CHAPTER 143—PRODUCTION BY MILITARY AGENCIES

Sec.

- | | |
|-------|---|
| 2421. | Plantations and farms: operation, maintenance, and improvement. |
| 2422. | Bakery and dairy products: procurement outside the United States. |
| 2423. | Laundry and dry cleaning services: procurement from facilities operated by the Navy Resale and Services Support Office. |
| 2424. | Procurement of supplies and services from exchange stores outside the United States. |

AMENDMENTS

1989—Pub. L. 101-189, div. A, title III, §§323(b), 324(b), Nov. 29, 1989, 103 Stat. 1414, 1415, added items 2423 and 2424.

1986—Pub. L. 99-661, div. A, title III, §312(b), Nov. 14, 1986, 100 Stat. 3852, added item 2422.

§ 2421. Plantations and farms: operation, maintenance, and improvement

(a) Appropriations for the subsistence of members of the Army, Navy, Air Force, or Marine Corps are available for expenditures necessary in the operation, maintenance, and improvement of any plantation or farm, outside the United States and under the jurisdiction of the Army, Navy, Air Force, or Marine Corps, as the case may be, for furnishing fresh fruits and vegetables to the armed forces. However, no land may be acquired under this subsection.

(b) Fruits and vegetables produced under subsection (a) that are over the amount furnished or sold to the armed forces or to civilians serving with the armed forces may be sold only outside the United States.

(c) Of the persons employed by the United States under subsection (a), only nationals of the United States are entitled to the benefits provided by laws relating to the employment, work, compensation, or other benefits of civilian employees of the United States.