

“SEC. 242. TRANSITION OF TRANSFORMATIONAL MANUFACTURING PROCESSES AND TECHNOLOGIES TO DEFENSE MANUFACTURING BASE.

“(a) PROTOTYPES AND TEST BEDS.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall undertake the development of prototypes and test beds to validate the manufacturing processes and technologies selected for transition under the pilot program under section 241.

“(b) DIFFUSION OF ENHANCEMENTS.—The Under Secretary shall seek the cooperation of industry in adopting such manufacturing processes and technologies through the following:

“(1) The Manufacturing Extension Partnership Program.

“(2) The identification of incentives for industry to incorporate and utilize such manufacturing processes and technologies.

“SEC. 243. MANUFACTURING TECHNOLOGY STRATEGIES.

“(a) IN GENERAL.—The Under Secretary of Defense for Acquisition, Technology, and Logistics may—

“(1) identify an area of technology where the development of an industry-prepared roadmap for new manufacturing and technology processes applicable to defense manufacturing requirements would be beneficial to the Department of Defense; and

“(2) establish a task force, and act in cooperation, with the private sector to map the strategy for the development of manufacturing processes and technologies needed to support technology development in the area identified under paragraph (1).

“(b) COMMENCEMENT OF ROADMAPPING.—The Under Secretary shall commence any roadmapping identified pursuant to subsection (a)(1) not later than January 2007.

“SEC. 244. REPORT.

“(a) IN GENERAL.—Not later than December 31, 2007, the Under Secretary of the Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report on the actions undertaken by the Under Secretary under this subtitle during fiscal year 2006.

“(b) ELEMENTS.—The report under subsection (a) shall include—

“(1) a comprehensive description of the actions undertaken under this subtitle during fiscal year 2006;

“(2) an assessment of effectiveness of such actions in enhancing research and development on manufacturing technologies and processes, and the implementation of such within the defense manufacturing base; and

“(3) such recommendations as the Under Secretary considers appropriate for additional actions to be undertaken in order to increase the effectiveness of the actions undertaken under this subtitle in enhancing manufacturing activities within the defense manufacturing base.

“SEC. 245. DEFINITIONS.

“In this subtitle:

“(1) DEFENSE MANUFACTURING BASE.—The term ‘defense manufacturing base’ includes any supplier of the Department of Defense, including a supplier of raw materials.

“(2) MANUFACTURING EXTENSION PARTNERSHIP PROGRAM.—The term ‘Manufacturing Extension Partnership Program’ means the Manufacturing Extension Partnership Program of the Department of Commerce.

“(3) SMALL BUSINESS INNOVATION RESEARCH PROGRAM.—The term ‘Small Business Innovation Research Program’ has the meaning given that term in section 2500(11) of title 10, United States Code.”

TECHNICAL ASSISTANCE RELATING TO MACHINE TOOLS

Pub. L. 108-136, div. A, title VIII, §823, Nov. 24, 2003, 117 Stat. 1547, provided that:

“(a) TECHNICAL ASSISTANCE.—The Secretary of Defense shall publish in the Federal Register information on Government contracting for purposes of assisting machine tool companies in the United States and entities that use machine tools. The information shall contain, at a minimum, the following:

“(1) An identification of resources with respect to Government contracting regulations, including compliance procedures and information on the availability of counseling.

“(2) An identification of resources for locating opportunities for contracting with the Department of Defense, including information about defense contracts that are expected to be carried out that may require the use of machine tools.

“(b) SCIENCE AND TECHNOLOGY INITIATIVES.—The Secretary of Defense shall incorporate into the Department of Defense science and technology initiatives on manufacturing technology an objective of developing advanced machine tool capabilities. Such technologies shall be used to improve the technological capabilities of the United States domestic machine tool industrial base in meeting national security objectives.”

PARTICIPATION IN MANUFACTURING EXTENSION PROGRAM

Pub. L. 108-87, title VIII, §8062, Sept. 30, 2003, 117 Stat. 1086, provided that: “Notwithstanding any other provision of law, the Naval shipyards of the United States shall be eligible to participate in any manufacturing extension program financed by funds appropriated in this or any other Act or hereafter in any other Act.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 107-248, title VIII, §8063, Oct. 23, 2002, 116 Stat. 1550.

Pub. L. 107-117, div. A, title VIII, §8068, Jan. 10, 2002, 115 Stat. 2262.

Pub. L. 106-259, title VIII, §8067, Aug. 9, 2000, 114 Stat. 689.

Pub. L. 106-79, title VIII, §8070, Oct. 25, 1999, 113 Stat. 1245.

Pub. L. 105-262, title VIII, §8070, Oct. 17, 1998, 112 Stat. 2312.

Pub. L. 105-56, title VIII, §8076, Oct. 8, 1997, 111 Stat. 1236.

Pub. L. 104-208, div. A, title I, §101(b) [title VIII, §8085], Sept. 30, 1996, 110 Stat. 3009-71, 3009-105.

Pub. L. 104-61, title VIII, §8064, Dec. 1, 1995, 109 Stat. 664.

Pub. L. 103-335, title VIII, §8071, Sept. 30, 1994, 108 Stat. 2635.

Pub. L. 103-139, title VIII, §8083A, Nov. 11, 1993, 107 Stat. 1459.

Pub. L. 102-396, title IX, §9112, Oct. 6, 1992, 106 Stat. 1929.

§ 2522. Armament retooling and manufacturing

The Secretary of the Army is authorized by chapter 434 of this title to carry out programs for the support of armaments retooling and manufacturing in the national defense industrial and technology base.

(Added Pub. L. 106-398, §1 [[div. A], title III, §344(c)(1)(B)], Oct. 30, 2000, 114 Stat. 1654, 1654A-71.)

PRIOR PROVISIONS

A prior section 2522, added Pub. L. 102-190, div. A, title VIII, §823(a)(1), Dec. 5, 1991, 105 Stat. 1435, §2518; renumbered §2522 and amended Pub. L. 102-484, div. D, title XLII, §4232(a), (b), Oct. 23, 1992, 106 Stat. 2687, related to defense advanced manufacturing technology partnerships, prior to repeal by Pub. L. 104-106, div. A, title X, §1081(f), Feb. 10, 1996, 110 Stat. 454.

Another prior section 2522, added Pub. L. 101-189, div. A, title VIII, §841(b)(1), Nov. 29, 1989, 103 Stat. 1512,

§ 2508; amended Pub. L. 101-510, div. A, title VIII, § 821(a), Nov. 5, 1990, 104 Stat. 1597; Pub. L. 102-25, title VII, § 701(g)(3), Apr. 6, 1991, 105 Stat. 115; renumbered § 2522, Pub. L. 102-190, div. A, title VIII, § 821(b)(1), Dec. 5, 1991, 105 Stat. 1431, required an annual defense critical technologies plan, prior to repeal by Pub. L. 102-484, § 4202(a).

**[§§ 2523, 2524. Repealed. Pub. L. 104-106, div. A, title X, § 1081(f), Feb. 10, 1996, 110 Stat. 454]**

Section 2523, added Pub. L. 101-510, div. A, title VIII, § 823(a)(3), Nov. 5, 1990, 104 Stat. 1602, § 2517; amended Pub. L. 102-190, div. A, title VIII, § 824(a), Dec. 5, 1991, 105 Stat. 1436; renumbered § 2523 and amended Pub. L. 102-484, div. D, title XLII, § 4233(a), (b), Oct. 23, 1992, 106 Stat. 2687; Pub. L. 103-160, div. A, title IX, § 904(d)(1), title XI, § 1182(b)(2), title XIII, § 1315(d), Nov. 30, 1993, 107 Stat. 1728, 1772, 1787, related to manufacturing extension programs.

A prior section 2523, added Pub. L. 102-190, div. A, title VIII, § 821(a), Dec. 5, 1991, 105 Stat. 1427, related to defense dual-use critical technology partnerships, prior to repeal and restatement in section 2511 of this title by Pub. L. 102-484, §§ 4202(a), 4221(a).

Section 2524, added Pub. L. 102-484, div. D, title XLII, § 4234(a), Oct. 23, 1992, 106 Stat. 2687; amended Pub. L. 103-35, title II, § 201(g)(9), May 31, 1993, 107 Stat. 100; Pub. L. 103-160, div. A, title XIII, §§ 1314, 1315(e), Nov. 30, 1993, 107 Stat. 1786, 1788; Pub. L. 103-337, div. A, title X, § 1070(b)(10), title XI, §§ 1114(b), (c), 1115(d), Oct. 5, 1994, 108 Stat. 2857, 2867-2869; Pub. L. 104-106, div. A, title XV, § 1503(a)(27), Feb. 10, 1996, 110 Stat. 512, related to defense dual-use assistance extension program.

A prior section 2524 was renumbered section 2513 of this title.

**[§ 2525. Renumbered § 2521]**

PRIOR PROVISIONS

A prior section 2525 was renumbered section 2517 of this title.

A prior section 2526 was renumbered section 2518 of this title.

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AMENDMENTS

2011—Pub. L. 111-350, § 5(b)(36), Jan. 4, 2011, 124 Stat. 3845, substituted “chapter 83 of title 41” for “the Buy American Act” in item 2533.

2008—Pub. L. 110-181, div. A, title X, § 1063(c)(8), Jan. 28, 2008, 122 Stat. 323, amended directory language of Pub. L. 109-364, § 842(a)(2). See 2006 Amendment note below.

2006—Pub. L. 109-364, div. A, title VIII, § 842(a)(2), Oct. 17, 2006, 120 Stat. 2337, as amended by Pub. L. 110-181, div. A, title X, § 1063(c)(8), Jan. 28, 2008, 122 Stat. 323, added item 2533b.

2001—Pub. L. 107-107, div. A, title VIII, § 832(a)(2), Dec. 28, 2001, 115 Stat. 1190, added item 2533a.

1994—Pub. L. 103-337, div. A, title VIII, § 812(b)(2), title X, § 1070(a)(13)(B), Oct. 5, 1994, 108 Stat. 2816, 2856, substituted “Determinations of public interest under the Buy American Act” for “Limitation on use of funds: procurement of goods which are other than American goods” in item 2533 and renumbered items 2540 and 2541 as 2539a and 2539b, respectively.

1993—Pub. L. 103-160, div. A, title VIII, §§ 828(c)(5), 842(c)(2), Nov. 30, 1993, 107 Stat. 1714, 1719, substituted “Award of certain contracts to entities controlled by a foreign government: prohibition” for “Prohibition on award of certain Department of Defense and Department of Energy contracts to companies owned by an entity controlled by a foreign government” in item 2536 and added items 2538 to 2541.

1992—Pub. L. 102-484, div. A, title VIII, §§ 836(a)(2), 838(b), Oct. 23, 1992, 106 Stat. 2463, 2466, added items 2536 and 2537.

**§ 2531. Defense memoranda of understanding and related agreements**

(a) CONSIDERATIONS IN MAKING AND IMPLEMENTING MOUS AND RELATED AGREEMENTS.—In the negotiation, renegotiation, and implementation of any existing or proposed memorandum of understanding, or any existing or proposed agreement related to a memorandum of understanding, between the Secretary of Defense, acting on behalf of the United States, and one or more foreign countries (or any instrumentality of a foreign country) relating to research, development, or production of defense equipment, or to the reciprocal procurement of defense items, the Secretary of Defense shall—

(1) consider the effects of such existing or proposed memorandum of understanding or related agreement on the defense technology and industrial base of the United States; and

(2) regularly solicit and consider comments and recommendations from the Secretary of Commerce with respect to the commercial implications of such memorandum of understanding or related agreement and the potential effects of such memorandum of understanding or related agreement on the international competitive position of United States industry.

(b) INTER-AGENCY REVIEW OF EFFECTS ON UNITED STATES INDUSTRY.—Whenever the Secretary of Commerce has reason to believe that an existing or proposed memorandum of understanding or related agreement has, or threatens to have, a significant adverse effect on the international competitive position of United States industry, the Secretary may request an inter-agency review of the memorandum of understanding or related agreement. If, as a result of the review, the Secretary determines that the commercial interests of the United States are not being served or would not be served by adhering to the terms of such existing memorandum or related agreement or agreeing to such proposed memorandum or related agreement, as