

out the section catchline and inserting “§2380a. Treatment of certain items as commercial items”, was executed by redesignating this section as section 2380a and substituting “Treatment of certain items as commercial items” for “Treatment of goods and services provided by nontraditional defense contractors as commercial items” in section catchline, to reflect the probable intent of Congress.

Pub. L. 114-328, §878(a), designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

**§ 2380B. Treatment of commingled items purchased by contractors as commercial items**

Notwithstanding 2376(1) of this title, items valued at less than \$10,000 that are purchased by a contractor for use in the performance of multiple contracts with the Department of Defense and other parties and are not identifiable to any particular contract shall be treated as a commercial item for purposed of this chapter.

(Added Pub. L. 114-328, div. A, title VIII, §877(a), Dec. 23, 2016, 130 Stat. 2311.)

**CHAPTER 141—MISCELLANEOUS  
PROCUREMENT PROVISIONS**

Sec.	
2381.	Contracts: regulations for bids.
[2382.	Repealed.]
2383.	Contractor performance of acquisition functions closely associated with inherently governmental functions.
2384.	Supplies: identification of supplier and sources.
2384a.	Supplies: economic order quantities.
2385.	Arms and ammunition: immunity from taxation.
2386.	Copyrights, patents, designs, etc.; acquisition.
[2387.	Repealed.]
[2388.	Renumbered.]
2389.	Ensuring safety regarding insensitive munitions.
2390.	Prohibition on the sale of certain defense articles from the stocks of the Department of Defense.
2391.	Military base reuse studies and community planning assistance.
2392.	Prohibition on use of funds to relieve economic dislocations.
2393.	Prohibition against doing business with certain offerors or contractors.
[2394, 2394a.	Renumbered.]
2395.	Availability of appropriations for procurement of technical military equipment and supplies.
2396.	Advances for payments for compliance with foreign laws, rent in foreign countries, tuition, public utility services, and pay and supplies of armed forces of friendly foreign countries.
[2397 to 2398a.	Repealed or Renumbered.]
2399.	Operational test and evaluation of defense acquisition programs.
2400.	Low-rate initial production of new systems.
2401.	Requirement for authorization by law of certain contracts relating to vessels, aircraft, and combat vehicles.
2401a.	Lease of vehicles, equipment, vessels, and aircraft.
2402.	Prohibition of contractors limiting subcontractor sales directly to the United States.
[2403 to 2407.	Repealed or Renumbered.]
2408.	Prohibition on persons convicted of defense-contract related felonies and related criminal penalty on defense contractors.
2409.	Contractor employees: protection from reprisal for disclosure of certain information.

Sec.	
[2409a.	Repealed.]
2410.	Requests for equitable adjustment or other relief: certification.
2410a.	Contracts for periods crossing fiscal years: severable service contracts; leases of real or personal property.
2410b.	Contractor inventory accounting systems: standards.
[2410c.	Renumbered.]
2410d.	Subcontracting plans: credit for certain purchases.
[2410e.	Repealed.]
2410f.	Debarment of persons convicted of fraudulent use of “Made in America” labels.
2410g.	Advance notification of contract performance outside the United States.
[2410h.	Renumbered.]
2410i.	Prohibition on contracting with entities that comply with the secondary Arab boycott of Israel.
2410j.	Displaced contractor employees: assistance to obtain certification and employment as teachers or employment as teachers’ aides.
2410k.	Defense contractors: listing of suitable employment openings with local employment service office.
2410l.	Contracts for advisory and assistance services: cost comparison studies.
2410m.	Retention of amounts collected from contractor during the pendency of contract dispute.
2410n.	Products of Federal Prison Industries: procedural requirements.
2410o.	Multiyear procurement authority: purchase of dinitrogen tetroxide, hydrazine, and hydrazine-related products.
2410p.	Contracts: limitations on lead system integrators.
2410q.	Multiyear contracts: purchase of electricity from renewable energy sources.
2410r.	Contract working dogs: requirement to transfer animals to 341st Training Squadron after service life.
2410s.	Security clearances for facilities of certain companies <sup>1</sup>

AMENDMENTS

2017—Pub. L. 115-91, div. A, title XVI, §1621(b), Dec. 12, 2017, 131 Stat. 1732, added item 2410s.

2016—Pub. L. 114-328, div. A, title III, §342(a)(2), title VIII, §833(b)(4)(B), Dec. 23, 2016, 130 Stat. 2082, 2285, added item 2410r and struck out item 2387 “Procurement of table and kitchen equipment for officers’ quarters: limitation on”.

2013—Pub. L. 112-239, div. A, title XVI, §1671(c)(1), Jan. 2, 2013, 126 Stat. 2084, struck out item 2382 “Consolidation of contract requirements: policy and restrictions”.

2008—Pub. L. 110-181, div. A, title VIII, §828(b), title X, §1063(a)(11), Jan. 28, 2008, 122 Stat. 229, 322, inserted period at end of item 2410p and added item 2410q.

2006—Pub. L. 109-364, div. A, title VIII, §807(a)(2), div. B, title XXVIII, §2851(c)(2), Oct. 17, 2006, 120 Stat. 2315, 2495, added item 2410p and struck out items 2388 “Liquid fuels and natural gas: contracts for storage, handling, or distribution”, 2394 “Contracts for energy or fuel for military installations”, 2394a “Procurement of energy systems using renewable forms of energy”, 2398 “Procurement of gasohol as motor vehicle fuel”, 2398a “Procurement of fuel derived from coal, oil shale, and tar sands”, 2404 “Acquisition of certain fuel sources: authority to waive contract procedures; acquisition by exchange; sales authority”, and 2410c “Preference for energy efficient electric equipment”.

Pub. L. 109-163, div. A, title VIII, §815(d)(2), Jan. 6, 2006, 119 Stat. 3382, substituted “Requirement for authorization by law of certain contracts relating to ves-

<sup>1</sup> So in original. Probably should be followed by a period.