

“(b) INTERNATIONAL COOPERATION.—Congress urges the President to promote the security of the United States and its allies, the public safety, and commercial interests by taking the following steps:

“(1) Undertaking a coordinated effort within the executive branch to seek to establish the Global Positioning System, and augmentations to the system, as a worldwide resource.

“(2) Seeking to enter into international agreements to establish signal and service standards that protect the Global Positioning System from disruption and interference.

“(3) Undertaking efforts to eliminate any barriers to, and other restrictions of foreign governments on, peaceful uses of the Global Positioning System.

“(4) Requiring that any proposed international agreement involving nonmilitary use of the Global Positioning System or any augmentation to the system not be agreed to by the United States unless the proposed agreement has been reviewed by the Secretary of State, the Secretary of Defense, the Secretary of Transportation, and the Secretary of Commerce (acting as the Interagency Global Positioning System Executive Board established by Presidential Decision Directive NSTC-6, dated March 28, 1996).”

#### ACCESS TO GLOBAL POSITIONING SYSTEM

Pub. L. 104-106, div. A, title II, §279, Feb. 10, 1996, 110 Stat. 243, provided that:

“(a) CONDITIONAL PROHIBITION ON USE OF SELECTIVE AVAILABILITY FEATURE.—Except as provided in subsection (b), after May 1, 1996, the Secretary of Defense may not (through use of the feature known as ‘selective availability’) deny access of non-Department of Defense users to the full capabilities of the Global Positioning System.

“(b) PLAN.—Subsection (a) shall cease to apply upon submission by the Secretary of Defense to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives of a plan for enhancement of the Global Positioning System that provides for—

“(1) development and acquisition of effective capabilities to deny hostile military forces the ability to use the Global Positioning System without hindering the ability of United States military forces and civil users to have access to and use of the system, together with a specific date by which those capabilities could be operational; and

“(2) development and acquisition of receivers for the Global Positioning System and other techniques for weapons and weapon systems that provide substantially improved resistance to jamming and other forms of electronic interference or disruption, together with a specific date by which those receivers and other techniques could be operational with United States military forces.”

#### LIMITATION ON PROCUREMENT OF SYSTEMS NOT GPS-EQUIPPED

Pub. L. 103-160, div. A, title I, §152(b), Nov. 30, 1993, 107 Stat. 1578, as amended by Pub. L. 105-261, div. A, title II, §218(e), Oct. 17, 1998, 112 Stat. 1952; Pub. L. 109-163, div. A, title II, §260(a), Jan. 6, 2006, 119 Stat. 3185, provided that: “After September 30, 2007, funds may not be obligated to modify or procure any Department of Defense aircraft, ship, armored vehicle, or indirect-fire weapon system that is not equipped with a Global Positioning System receiver.”

[Pub. L. 109-163, div. A, title II, §260(b), Jan. 6, 2006, 119 Stat. 3186, provided that: “The amendment made by subsection (a) [amending section 152(b) of Pub. L. 103-160, set out above] shall be deemed to have taken effect at the close of September 30, 2005, and any obligation or expenditure of funds by the Department of Defense during the period beginning on October 1, 2005, and ending on the date of the enactment of this Act [Jan. 6, 2006] to modify or procure a Department of Defense aircraft, ship, armored vehicle, or indirect-fire

weapon system that is not equipped with a Global Positioning System receiver is hereby ratified with respect to the provision of law specified in subsection (a).”]

#### § 2282. Repealed. Pub. L. 114-328, div. A, title XII, §1241(d)(5)(A), Dec. 23, 2016, 130 Stat. 2504]

Section, added Pub. L. 113-291, div. A, title XII, §1205(a)(1), Dec. 19, 2014, 128 Stat. 3533, related to authority to build the capacity of foreign security forces. See section 333 of this title.

A prior section 2282, added Pub. L. 106-398, §1 [[div. A], title I, §131(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-28; amended Pub. L. 108-136, div. A, title X, §1031(a)(14), Nov. 24, 2003, 117 Stat. 1597, related to annual report on the B-2 bomber aircraft, prior to repeal by Pub. L. 112-81, div. A, title X, §1061(13)(A), Dec. 31, 2011, 125 Stat. 1583.

#### EFFECTIVE DATE OF REPEAL

Pub. L. 114-328, div. A, title XII, §1241(d)(5), Dec. 23, 2016, 130 Stat. 2504, provided that the repeal of this section is effective as of the date that is 270 days after Dec. 23, 2016.

#### § 2283. Department of Defense small business strategy

(a) IN GENERAL.—The Secretary of Defense shall implement a small business strategy for the Department of Defense that meets the requirements of this section.

(b) UNIFIED MANAGEMENT STRUCTURE.—As part of the small business strategy described in subsection (a), the Secretary shall ensure that there is a unified management structure within the Department for the functions of the Department relating to—

- (1) programs and activities related to small business concerns (as defined in section 3 of the Small Business Act);
- (2) manufacturing and industrial base policy; and
- (3) any procurement technical assistance program established under chapter 142 of this title.

(c) PURPOSE OF SMALL BUSINESS PROGRAMS.—The Secretary shall ensure that programs and activities of the Department of Defense related to small business concerns are carried out so as to further national defense programs and priorities and the statements of purpose for Department of Defense acquisition set forth in section 801 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1449).

(d) POINTS OF ENTRY INTO DEFENSE MARKET.—The Secretary shall ensure—

- (1) that opportunities for small business concerns to contract with the Department of Defense are identified clearly; and
- (2) that small business concerns are able to have access to program managers, contracting officers, and other persons using the products or services of such concern to the extent necessary to inform such persons of emerging and existing capabilities of such concerns.

(e) ENHANCED OUTREACH UNDER PROCUREMENT TECHNICAL ASSISTANCE PROGRAM MARKET.—The Secretary shall enable and promote activities to provide coordinated outreach to small business concerns through any procurement technical as-

sistance program established under chapter 142 of this title to facilitate small business contracting with the Department of Defense.

(Added Pub. L. 115–232, div. A, title VIII, § 851(a), Aug. 13, 2018, 132 Stat. 1883.)

#### TRANSFER OF SECTION

*Pub. L. 116–283, div. A, title XVIII, §§ 1801(d), 1871(b), Jan. 1, 2021, 134 Stat. 4151, 4287, provided that, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, this section is transferred to chapter 387 of this title, as added by “paragraph (1)” (probably means subsection (a)(2)) of section 1871 of Pub. L. 116–283, inserted after the table of sections at the end of subchapter 1, and redesignated as section 4901 of this title. See Effective Date of 2021 Amendment note below.*

#### REFERENCES IN TEXT

Section 3 of the Small Business Act, referred to in subsec. (b)(1), is classified to section 632 of Title 15, Commerce and Trade.

Section 801 of the National Defense Authorization Act for Fiscal Year 2018, referred to in subsec. (c), is section 801 of Pub. L. 115–91, which is set out as a note under section 2302 of this title.

#### EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116–283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116–283, set out as a note preceding section 3001 of this title.

#### PILOT PROGRAM FOR DEVELOPMENT OF TECHNOLOGY-ENHANCED CAPABILITIES WITH PARTNERSHIP INTERMEDIARIES

Pub. L. 116–92, div. A, title VIII, § 851, Dec. 20, 2019, 133 Stat. 1510, provided that:

“(a) ESTABLISHMENT.—The Commander of the United States Special Operations Command may use the greater of \$2,000,000 or 5 percent of the funds required to be expended by the United States Special Operations Command under section 9(f)(1) of the Small Business Act (15 U.S.C. 638(f)(1)) for a pilot program to increase participation by small business concerns in the development of technology-enhanced capabilities for special operations forces.

“(b) USE OF PARTNERSHIP INTERMEDIARY.—

“(1) AUTHORIZATION.—The Commander of the United States Special Operations Command may modify an existing agreement with a partnership intermediary to assist the Commander in carrying out the pilot program under this section, including with respect to the award of contracts and agreements to small business concerns.

“(2) USE OF FUNDS.—None of the funds referred to in subsection (a) shall be used to pay a partnership intermediary for any administrative costs associated with the pilot program.

“(c) REPORT.—Not later than October 1, 2020, and October 1, 2021, the Commander of the United States Special Operations Command, in coordination with the Under Secretary of Defense for Research and Engineering, shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives], the Committee on Small Business of the House of Representatives, and the Committee on Small Business and Entrepreneurship of the Senate a report describing any agreement with a partnership intermediary entered into pursuant to this section. The report shall include, for each such agreement, the amount of funds obligated, an identification of the recipient of such funds, and a description of the use of such funds.

“(d) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on September 30, 2021.

“(e) DEFINITIONS.—In this section:

“(1) PARTNERSHIP INTERMEDIARY.—The term ‘partnership intermediary’ has the meaning given the term in section 23(c) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3715(c)).

“(2) SMALL BUSINESS CONCERN.—The term ‘small business concern’ has the meaning given the term under section 3 of the Small Business Act (15 U.S.C. 632).

“(3) SMALL BUSINESS INNOVATION RESEARCH PROGRAM.—The term ‘Small Business Innovation Research Program’ has the meaning given the term in section 9(e)(4) of the Small Business Act (15 U.S.C. 638(e)[(4)]).

“(4) SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM.—The term ‘Small Business Technology Transfer Program’ has the meaning given the term in section 9(e)(6) of the Small Business Act (15 U.S.C. 638(e)[(6)]).

“(5) TECHNOLOGY-ENHANCED CAPABILITY.—The term ‘technology-enhanced capability’ means a product, concept, or process that improves the ability of a member of the Armed Forces to achieve an assigned mission.”

#### IMPLEMENTATION

Pub. L. 115–232, div. A, title VIII, § 851(b), Aug. 13, 2018, 132 Stat. 1884, provided that:

“(1) DEADLINE.—The Secretary of Defense shall develop the small business strategy required by section 2283 of title 10, United States Code, as added by subsection (a), not later than 180 days after the date of the enactment of this Act [Aug. 13, 2018].

“(2) NOTICE TO CONGRESS AND PUBLICATION.—Upon completion of the development of the small business strategy pursuant to paragraph (1), the Secretary shall—

“(A) transmit the strategy to Congress; and

“(B) publish the strategy on a public website of the Department of Defense.”

#### § 2284. Explosive Ordnance Disposal Defense Program

(a) IN GENERAL.—The Secretary of Defense shall carry out a program to be known as the “Explosive Ordnance Disposal Defense Program” (in this section referred to as the “Program”) under which the Secretary shall ensure close and continuous coordination between military departments on matters relating to explosive ordnance disposal support for commanders of geographic and functional combatant commands.

(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—The plan under subsection (a) shall include provisions under which—

(1) the Secretary of Defense shall—

(A) assign the responsibility for the direction, coordination, and integration of the Program within the Department of Defense to the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; and

(B) designate the Secretary of the Navy, or a designee of the Secretary’s choice, as the executive agent for the Department of Defense responsible for providing oversight of the training and technology program that coordinates and integrates joint requirements for explosive ordnance disposal, provides common individual training, and carries out joint research, development, test,