

§ 2350m.¹ Execution of projects under the North Atlantic Treaty Organization Security Investment Program

(a) **AUTHORITY TO EXECUTE PROJECTS.**—When the United States is designated as the Host Nation for purposes of executing a project under the North Atlantic Treaty Organization Security Investment Program (in this section referred to as the “Program”), the Secretary of Defense may accept such designation and carry out such project consistent with the requirements of this section.

(b) **PROJECT FUNDING.**—The Secretary of Defense may fund authorized expenditures of projects accepted under subsection (a) with—

(1) contributions under subsection (c);

(2) appropriations of the Department of Defense for the Program when directed by the North Atlantic Treaty Organization to apply amounts of such appropriations as part of the share of contributions of the United States for the Program; or

(3) any combination of amounts described in paragraphs (1) and (2).

(c) **AUTHORITY TO ACCEPT CONTRIBUTIONS.**—(1) The Secretary of Defense may accept contributions from the North Atlantic Treaty Organization and member nations of the North Atlantic Treaty Organization for the purpose of carrying out a project under subsection (a).

(2) Contributions accepted under paragraph (1) shall be placed in an account established for the purpose of carrying out the project for which the funds were provided and shall remain available until expended.

(3)(A) If contributions are made under paragraph (1) as reimbursement for a project or portion of a project previously completed by the Department of Defense, such contributions shall be credited to—

(i) the appropriations used for the project or portion thereof, if such appropriations have not yet expired; or

(ii) the appropriations for the Program, if the appropriations described in clause (i) have expired.

(B) Funding credited under subparagraph (A) shall merge with and remain available for the same purposes and duration as the appropriations to which credited.

(d) **OBLIGATION AUTHORITY.**—The construction agent of the Department of Defense designated by the Secretary of Defense to execute a project under subsection (a) may recognize the North Atlantic Treaty Organization project authorization amounts as budgetary resources to incur obligations against for the purposes of executing the project.

(e) **INSUFFICIENT CONTRIBUTIONS.**—(1) In the event that the North Atlantic Treaty Organization does not agree to contribute funding for all costs necessary for the Department of Defense to carry out a project under subsection (a), including necessary personnel costs of the construction agent designated by the Department of Defense, contract claims, and any conjunctive funding requirements that exceed the project

authorization or standards of the North Atlantic Treaty Organization, the Secretary of Defense, upon determination that completion of the project is in the national interest of the United States, may fund such costs, and undertake such conjunctively funded requirements not otherwise authorized by law, using any unobligated funds available among funds appropriated for the Program for military construction.

(2) The use of funds under paragraph (1) from appropriations for the Program may be in addition to or in place of any other funding sources otherwise available for the purposes for which those funds are used.

(f) **AUTHORIZED EXPENDITURES DEFINED.**—In this section, the term “authorized expenditures” means project expenses for which the North Atlantic Treaty Organization has agreed to contribute funding.

(Added Pub. L. 116–283, div. B, title XXV, § 2503(a), Jan. 1, 2021, 134 Stat. 4309.)

PRIOR PROVISIONS

A prior section 2350m was renumbered section 344 of this title.

EFFECTIVE DATE

Pub. L. 116–283, div. B, § 2003, Jan. 1, 2021, 134 Stat. 4295, provided that: “Titles XXI through XXVII and title XXIX [see Tables for classification] shall take effect on the later of—

“(1) October 1, 2020; or

“(2) the date of the enactment of this Act [Jan. 1, 2021].”

CHAPTER 139—RESEARCH AND DEVELOPMENT

Sec.	Availability of appropriations.
2351.	Repealed.]
[2352.	Contracts: acquisition, construction, or furnishing of test facilities and equipment.
2353.	Contracts: indemnification provisions.
2354.	[2355, 2356. Repealed.]
[2355, 2356.	Technology protection features activities.
2357.	Research and development projects.
2358.	Authorities for certain positions at science and technology reinvention laboratories.
2358a.	Joint reserve detachment of the Defense Innovation Unit.
2358b.	Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.
2358c.	Science and technology programs to be conducted so as to foster the transition of science and technology to higher levels of research, development, test, and evaluation.
2359.	Defense Research and Development Rapid Innovation Program.
2359a.	Defense Acquisition Challenge Program.
2359b.	Research and development laboratories: contracts for services of university students.
2360.	Award of grants and contracts to colleges and universities: requirement of competition.
2361.	Extramural acquisition innovation and research activities.
2361a.	Research and educational programs and activities: historically black colleges and universities and minority-serving institutions of higher education.
2362.	Mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.
2362.	Coordination and communication of defense research activities and technology domain awareness.
2363.	
2364.	

¹Another section 2350m is set out after section 2350l of this title.

- Sec.
- 2365. Global Research Watch Program.
- 2366. Major systems and munitions programs: survivability testing and lethality testing required before full-scale production.
- 2366a. Major defense acquisition programs: determination required before Milestone A approval.
- 2366b. Major defense acquisition programs: certification required before Milestone B approval.
- 2366c. Major defense acquisition programs: submissions to Congress on Milestone C.
- 2367. Use of federally funded research and development centers.
- 2368. Centers for Science, Technology, and Engineering Partnership.
- [2369 to 2370a. Repealed.]
- 2371. Research projects: transactions other than contracts and grants.
- 2371a. Cooperative research and development agreements under Stevenson-Wydler Technology Innovation Act of 1980.
- 2371b. Authority of the Department of Defense to carry out certain prototype projects.
- 2372. Independent research and development costs: allowable costs.
- 2372a. Bid and proposal costs: allowable costs.
- 2373. Procurement for experimental purposes.
- 2374. Merit-based award of grants for research and development.
- 2374a. Prizes for advanced technology achievements.
- 2374b. Disclosure requirements for recipients of research and development funds.

REPEAL OF CHAPTER

Pub. L. 116-283, div. A, title XVIII, §§ 1801(d), 1881(a), Jan. 1, 2021, 134 Stat. 4151, 4293, provided that, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, this chapter is repealed. See Effective Date of Repeal note below.

AMENDMENTS

- 2021—Pub. L. 116-283, div. A, title II, § 212(a)(2), title XI, § 1115(b), Jan. 1, 2021, 134 Stat. 3456, 3896, added items 2358c and 2374b.
- 2019—Pub. L. 116-92, div. A, title II, § 213(a)(2), title VIII, § 835(a)(2), Dec. 20, 2019, 133 Stat. 1257, 1496, added items 2361a and 2358b.
- 2018—Pub. L. 115-232, div. A, title II, §§ 223(b), 224(a)(2), Aug. 13, 2018, 132 Stat. 1683, 1684, added items 2357 and 2359a.
- 2017—Pub. L. 115-91, div. A, title II, § 220(b), title X, § 1081(a)(33), Dec. 12, 2017, 131 Stat. 1333, 1596, added item 2363 and inserted a period at end of items 2372 and 2372a.
- 2016—Pub. L. 114-328, div. A, title VIII, §§ 808(c)(2), 824(a)(2), (b)(2), title XI, § 1122(a)(2), Dec. 23, 2016, 130 Stat. 2266, 2277, 2279, 2455, added items 2358a, 2366c, 2372, and 2372a and struck out former item 2372 “Independent research and development and bid and proposal costs: payments to contractors”.
- 2015—Pub. L. 114-92, div. A, title II, §§ 211(b), 214(b), title VIII, §§ 815(a)(2), 823(b), title X, § 1078(c)(2), Nov. 25, 2015, 129 Stat. 767, 769, 896, 903, 999, added items 2368 and 2371b, substituted “Coordination and communication of defense research activities and technology domain awareness” for “Coordination and communication of defense research activities” in item 2364 and “Major defense acquisition programs: determination required before Milestone A approval” for “Major defense acquisition programs: certification required before Milestone A approval” in item 2366a, and struck out item 2352 “Defense Advanced Research Projects Agency: biennial strategic plan”.
- 2013—Pub. L. 112-239, div. A, title X, § 1076(g)(4), Jan. 2, 2013, 126 Stat. 1955, struck out item 2374b “Prizes for achievements in promoting science, mathematics, engineering, or technology education”.

- 2011—Pub. L. 112-81, div. A, title VIII, § 801(e)(3), Dec. 31, 2011, 125 Stat. 1484, substituted “Major defense acquisition programs: certification required before Milestone A approval” for “Major defense acquisition programs: certification required before Milestone A or Key Decision Point A approval” in item 2366a and “Major defense acquisition programs: certification required before Milestone B approval” for “Major defense acquisition programs: certification required before Milestone B or Key Decision Point B approval” in item 2366b.
- Pub. L. 112-81, div. A, title II, § 251(a)(2), (b), Dec. 31, 2011, 125 Stat. 1347, effective Oct. 1, 2013, struck out item 2359a “Technology Transition Initiative”.
- 2009—Pub. L. 111-84, div. A, title II, § 252(b), Oct. 28, 2009, 123 Stat. 2243, added item 2362.
- 2008—Pub. L. 110-417, [div. A], title VIII, § 813(c), Oct. 14, 2008, 122 Stat. 4527, added items 2366a and 2366b and struck out former items 2366a “Major defense acquisition programs: certification required before Milestone B approval or Key Decision Point B approval” and 2366b “Major defense acquisition programs: certification required before Milestone A or Key Decision Point A approval”.
- Pub. L. 110-181, div. A, title IX, § 943(a)(2), Jan. 28, 2008, 122 Stat. 289, added item 2366b.
- 2006—Pub. L. 109-163, div. A, title VIII, § 801(b), Jan. 6, 2006, 119 Stat. 3367, added item 2366a.
- 2004—Pub. L. 108-375, div. A, title X, § 1005(b), Oct. 28, 2004, 118 Stat. 2036, struck out item 2370a “Medical countermeasures against biowarfare threats: allocation of funding between near-term and other threats”.
- 2003—Pub. L. 108-136, div. A, title II, §§ 231(b), 232(b), Nov. 24, 2003, 117 Stat. 1422, 1423, added items 2352 and 2365.
- 2002—Pub. L. 107-314, div. A, title II, §§ 242(a)(2), 243(b), 248(c)(2), Dec. 2, 2002, 116 Stat. 2495, 2498, 2503, added items 2359a, 2359b, and 2374b.
- 2000—Pub. L. 106-398, § 1 [[div. A], title IX, § 904(a)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-225, added item 2359.
- 1999—Pub. L. 106-65, div. A, title II, § 244(b), Oct. 5, 1999, 113 Stat. 552, added item 2374a.
- 1996—Pub. L. 104-201, div. A, title II, § 267(c)(1)(C), Sept. 23, 1996, 110 Stat. 2468, added item 2371a.
- Pub. L. 104-106, div. A, title VIII, § 802(b), title X, §§ 1061(j)(2), 1062(c)(2), Feb. 10, 1996, 110 Stat. 390, 443, 444, struck out items 2352 “Contracts: notice to Congress required for contracts performed over period exceeding 10 years”, 2356 “Contracts: delegations”, and 2370 “Biological Defense Research Program”.
- 1994—Pub. L. 103-355, title I, § 1301(c), title II, § 2002(b), title III, § 3062(b), title VII, § 7203(a)(3), Oct. 13, 1994, 108 Stat. 3287, 3303, 3337, 3380, added item 2374, substituted in item 2358 “Research and development projects” for “Research projects” and in item 2371 “Research projects: transactions other than contracts and grants” for “Advanced research projects: cooperative agreements and other transactions”, and struck out item 2355 “Contracts: vouchering procedures” and item 2369 “Product evaluation activity”.
- 1993—Pub. L. 103-160, div. A, title II, § 214(b), title VIII, § 828(a)(2), (c)(2), Nov. 30, 1993, 107 Stat. 1586, 1713, 1714, struck out item 2362 “Testing requirements: wheeled or tracked armored vehicles” and added items 2370a and 2373.
- 1992—Pub. L. 102-484, div. A, title VIII, § 821(c)(2), div. D, title XLII, § 4271(b)(3), Oct. 23, 1992, 106 Stat. 2460, 2696, struck out items 2363 “Encouragement of technology transfer” and 2365 “Competitive prototype strategy requirement: major defense acquisition programs”.
- 1991—Pub. L. 102-190, div. A, title VIII, §§ 802(a)(2), 803(a)(2), 821(c)(2), Dec. 5, 1991, 105 Stat. 1414, 1415, 1431, substituted item 2352 for former item 2352 “Contracts: limited to five-year terms”, struck out item 2368 “Critical technologies research”, and substituted item 2372 for former item 2372 “Independent research and development”.
- Pub. L. 102-25, title VII, § 701(e)(5), Apr. 6, 1991, 105 Stat. 114, inserted period at end of item 2366.
- 1990—Pub. L. 101-510, div. A, title II, § 241(b), title VIII, § 824(a)(2), title XIII, § 1331(5), Nov. 5, 1990, 104 Stat.