

§ 2502. National Defense Technology and Industrial Base Council

(a) ESTABLISHMENT.—There is a National Defense Technology and Industrial Base Council.

(b) COMPOSITION.—The Council is composed of the following members:

- (1) The Secretary of Defense, who shall serve as chairman.
- (2) The Secretary of Energy.
- (3) The Secretary of Commerce.
- (4) The Secretary of Labor.
- (5) Such other officials as may be determined by the President.

(c) RESPONSIBILITIES.—The Council shall have the responsibility to ensure effective cooperation among departments and agencies of the Federal Government, and to provide advice and recommendations to the President, the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, and the Secretary of Labor, concerning—

- (1) the capabilities of the national technology and industrial base to meet the national security objectives set forth in section 2501(a) of this title;
- (2) programs for achieving such national security objectives;
- (3) changes in acquisition policy that strengthen the national technology and industrial base; and
- (4) collaboration with government officials of member countries of the national technology and industrial base in order to strengthen the national technology and industrial base.

(d) ALTERNATIVE PERFORMANCE OF RESPONSIBILITIES.—Notwithstanding subsection (c), the President may assign the responsibilities of the Council to another interagency organization of the executive branch that includes among its members the officials specified in paragraphs (1) through (4) of subsection (b).

(Added Pub. L. 102-484, div. D, title XLII, §4212(a), Oct. 23, 1992, 106 Stat. 2664; amended Pub. L. 103-160, div. A, title XIII, §1312(b), Nov. 30, 1993, 107 Stat. 1786; Pub. L. 103-337, div. A, title X, §1070(a)(12), Oct. 5, 1994, 108 Stat. 2856; Pub. L. 104-106, div. A, title X, §1081(b), Feb. 10, 1996, 110 Stat. 452; Pub. L. 104-201, div. A, title VIII, §829(c)(2), formerly §829(c)(2), (3), Sept. 23, 1996, 110 Stat. 2613, renumbered Pub. L. 105-85, div. A, title X, §1073(c)(7)(B), Nov. 18, 1997, 111 Stat. 1904; Pub. L. 105-85, div. A, title X, §1073(c)(7)(A), Nov. 18, 1997, 111 Stat. 1904; Pub. L. 116-283, div. A, title VIII, §846(c), Jan. 1, 2021, 134 Stat. 3768.)

TRANSFER OF SECTION

Pub. L. 116-283, div. A, title XVIII, §§1801(d), 1867(b), Jan. 1, 2021, 134 Stat. 4151, 4281, provided that, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, this section is transferred to chapter 382 of this title, as added by section 1867(a) of Pub. L. 116-283, inserted after section 4811, and redesignated as section 4812 of this title. See Effective Date of 2021 Amendment note below.

PRIOR PROVISIONS

A prior section 2502, added Pub. L. 100-456, div. A, title VIII, §821(b)(1)(B), Sept. 29, 1988, 102 Stat. 2015, related to defense industrial base policies, prior to repeal by Pub. L. 102-484, §4202(a).

Another prior section 2502 was renumbered section 2534 of this title.

AMENDMENTS

2021—Subsec. (c)(4). Pub. L. 116-283 added par. (4).

1997—Subsec. (c). Pub. L. 105-85, §1073(c)(7)(A), made technical correction to directory language of Pub. L. 104-201, §829(c)(2). See 1996 Amendment note below.

1996—Subsec. (c). Pub. L. 104-201, §829(c)(2), formerly §829(c)(2), (3), as renumbered and amended by Pub. L. 105-85, substituted “the responsibility to ensure effective cooperation” for “the following responsibilities:”, struck out “(1) To ensure the effective cooperation” before “among departments”, struck out par. (2), redesignated subpars. (A), (B), and (C) as pars. (1), (2), and (3), respectively, and adjusted margins of such pars. Prior to repeal, par. (2) read as follows: “To prepare the periodic assessment and the periodic plan required by sections 2505 and 2506 of this title, respectively.”

Subsec. (c)(1)(B). Pub. L. 104-106, §1081(b)(1), added subpar. (B) and struck out former subpar. (B) which read as follows: “programs for achieving, during a period of reduction in defense expenditures, the defense reinvestment, diversification, and conversion objectives set forth in section 2501(b) of this title; and”.

Subsec. (c)(2), (3). Pub. L. 104-106, §1081(b)(2), (3), redesignated par. (3) as (2) and struck out former par. (2) which read as follows: “To provide overall policy guidance to ensure effective implementation by agencies of the Federal Government of defense reinvestment and conversion activities during a period of reduction in defense expenditures.”

1994—Subsec. (d). Pub. L. 103-337 substituted “executive” for “Executive”.

1993—Subsec. (d). Pub. L. 103-160 added subsec. (d).

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by section 1867(b) of 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.

EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105-85, div. A, title X, §1073(c), Nov. 18, 1997, 111 Stat. 1904, provided that the amendment made by that section is effective as of Sept. 23, 1996, and as if included in the National Defense Authorization Act for Fiscal Year 1997, Pub. L. 104-201, as enacted.

§ 2503. National defense program for analysis of the technology and industrial base

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a program for analysis of the national technology and industrial base.

(b) SUPERVISION OF PROGRAM.—The Secretary of Defense shall carry out the program through the Under Secretary of Defense for Research and Engineering and the Under Secretary of Defense for Acquisition and Sustainment. In carrying out the program, the Under Secretaries shall consult with the Secretary of Energy, the Secretary of Commerce, and the Secretary of Labor.

(c) FUNCTIONS.—The functions of the program shall include, with respect to the national technology and industrial base, the following:

- (1) The assembly of timely and authoritative information.
- (2) Initiation of studies and analyses.
- (3) Provision of technical support and assistance to—