

(3) The term “Major Range and Test Facility Base” means the test and evaluation facilities and resources that are designated by the Secretary of Defense as facilities and resources comprising the Major Range and Test Facility Base.

(4) The term “veteran” has the meaning given that term in section 101 of title 38.

(Added Pub. L. 114-328, div. A, title XI, §1122(a)(1), Dec. 23, 2016, 130 Stat. 2453, §2358a; amended Pub. L. 115-91, div. A, title XI, §1111, Dec. 12, 2017, 131 Stat. 1636; Pub. L. 115-232, div. A, title XI, §1112(a), Aug. 13, 2018, 132 Stat. 2012; renumbered §4111 and amended Pub. L. 116-283, div. A, title XVIII, §§1843(b)(2), 1845(c)(5), Jan. 1, 2021, 134 Stat. 4245, 4247.)

AMENDMENTS

2021—Pub. L. 116-283, §1843(b)(2), renumbered section 2358a of this title as this section.

Subsec. (f)(1). Pub. L. 116-283, §1845(c)(5), which directed amendment of this section, as transferred and redesignated by section 503(b)(2) of Pub. L. 116-283, by substituting “section 4173” for “section 196”, was executed to this section, as transferred and redesignated by section 1843(b)(2) of Pub. L. 116-283, to reflect the probable intent of Congress.

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.

§ 4112. Research and development laboratories: contracts for services of university students

(a) Subject to the availability of appropriations for such purpose, the Secretary of Defense may procure by contract under the authority of this section the temporary or intermittent services of students at institutions of higher learning for the purpose of providing technical support at defense research and development laboratories. Such contracts may be made directly with such students or with nonprofit organizations employing such students.

(b) Students providing services pursuant to a contract made under subsection (a) shall be considered to be employees for the purposes of chapter 81 of title 5, relating to compensation for work injuries, and to be employees of the government for the purposes of chapter 171 of title 28, relating to tort claims. Such students who are not otherwise employed by the Federal Government shall not be considered to be Federal employees for any other purpose.

(c) The Secretary of Defense shall prescribe regulations to carry out this section. Such regulations shall include definitions for the purposes of this section of the terms “student”, “institution of higher learning”, and “nonprofit organization”.

(Added Pub. L. 97-86, title VI, §603(a), Dec. 1, 1981, 95 Stat. 1110, §2360; renumbered §4112, Pub. L. 116-283, div. A, title XVIII, §1843(b)(2), Jan. 1, 2021, 134 Stat. 4245.)

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 2360 of this title as this section.

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.

CHAPTER 307—RESEARCH AND DEVELOPMENT CENTERS AND FACILITIES

Sec. 4141.	Contracts: acquisition, construction, or furnishing of test facilities and equipment.
4142.	Functions of Defense research facilities.
4143.	Cooperative research and development agreements under Stevenson-Wydler Technology Innovation Act of 1980.
4144.	Use of test and evaluation installations by commercial entities.
4145.	Cooperative agreements for reciprocal use of test facilities: foreign countries and international organizations.
4146.	Centers for Science, Technology, and Engineering Partnership.
4147.	Use of federally funded research and development centers.

§ 4141. Contracts: acquisition, construction, or furnishing of test facilities and equipment

(a) A contract of a military department for research or development, or both, may provide for the acquisition or construction by, or furnishing to, the contractor, of research, developmental, or test facilities and equipment that the Secretary of the military department concerned determines to be necessary for the performance of the contract. The acquisition or construction of these research, developmental, or test facilities shall be subject to the cost principles applicable to allowable contract expenses. The facilities and equipment, and specialized housing for them, may be acquired or constructed at the expense of the United States, and may be lent or leased to the contractor with or without reimbursement, or may be sold to him at fair value. This subsection does not authorize new construction or improvements having general utility. The Secretary of Defense and the Secretaries of the military departments shall promulgate regulations necessary to give full force and effect to this section.

(b) Facilities that would not be readily removable or separable without unreasonable expense or unreasonable loss of value may not be installed or constructed under this section on property not owned by the United States, unless the contract contains—

(1) a provision for reimbursing the United States for the fair value of the facilities at the completion or termination of the contract or within a reasonable time thereafter;

(2) an option in the United States to acquire the underlying land; or

(3) an alternative provision that the Secretary concerned considers to be adequate to protect the interests of the United States in the facilities.

(c) Proceeds of sales or reimbursements under this section shall be paid into the Treasury as miscellaneous receipts, except to the extent otherwise authorized by law with respect to property acquired by the contractor.

(Aug. 10, 1956, ch. 1041, 70A Stat. 134, §2353; Pub. L. 115-232, div. B, title XXVIII, §2801, Aug. 13,

2018, 132 Stat. 2260; renumbered § 4141, Pub. L. 116-283, div. A, title XVIII, § 1844(b)(1), Jan. 1, 2021, 134 Stat. 4245.)

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 2353 of this title as this section.

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.

§ 4142. Functions of Defense research facilities

(a) FUNCTIONS OF DEFENSE RESEARCH FACILITIES.—The Secretary of Defense shall ensure, to the maximum extent practicable—

(1) that Defense research facilities are assigned broad mission requirements rather than specific hardware needs;

(2) that appropriate personnel of such facilities are assigned to serve as consultants on component and support system standardization;

(3) that the managers of such facilities have broad latitude to choose research and development projects based on awareness of activities throughout the technology domain, including within the Federal Government, the Department of Defense, public and private research institutions and universities, and the global commercial marketplace;

(4) that technology position and issue papers prepared by Defense research facilities are readily available to all components of the Department of Defense and to contractors who submit bids or proposals for Department of Defense contracts;

(5) that, in order to promote increased consideration of technological issues early in the development process, any technological assessment made by a Defense research facility shall be provided to the Defense Technical Information Center repository to support acquisition decisions; and

(6) that, in light of Defense research facilities being funded by the public, Defense research facilities are broadly authorized and encouraged to support national technological development goals and support technological missions of other departments and agencies of the Federal Government, when such support is determined by the Secretary of Defense to be in the best interests of the Federal Government.

(b) DEFINITIONS.—In this section, the term “Defense research facility” means a Department of Defense facility which performs or contracts for the performance of—

(1) basic research; or

(2) applied research known as exploratory development.

(Added and amended Pub. L. 116-283, div. A, title XVIII, § 1844(d), Jan. 1, 2021, 134 Stat. 4246.)

CODIFICATION

The text of subssecs. (b) and (c) of section 2364 of this title, which were transferred to this section and redesignated as subssecs. (a) and (b), respectively, by Pub. L.

116-283, § 1844(d)(2), was based on Pub. L. 99-661, div. A, title II, § 234(c)(1), Nov. 14, 1986, 100 Stat. 3848; Pub. L. 100-26, §§ 3(1)(A), 7(a)(9), Apr. 21, 1987, 101 Stat. 273, 278; Pub. L. 100-180, div. A, title XII, § 1231(10)(A), Dec. 4, 1987, 101 Stat. 1160; Pub. L. 104-106, div. A, title VIII, § 805, Feb. 10, 1996, 110 Stat. 390; Pub. L. 113-291, div. A, title II, § 213, Dec. 19, 2014, 128 Stat. 3325; Pub. L. 114-92, div. A, title II, § 214(a)(2), Nov. 25, 2015, 129 Stat. 768.

AMENDMENTS

2021—Subsecs. (a), (b). Pub. L. 116-283, § 1844(d)(2), transferred subssecs. (b) and (c) of section 2364 of this title to this section and redesignated them as subssecs. (a) and (b), respectively.

EFFECTIVE DATE

Section and 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 an Effective Date of 2021 Amendment note preceding section 3001 of this title.

§ 4143. Cooperative research and development agreements under Stevenson-Wylder Technology Innovation Act of 1980

The Secretary of Defense, in carrying out research projects through the Defense Advanced Research Projects Agency, and the Secretary of each military department, in carrying out research projects, may permit the director of any federally funded research and development center to enter into cooperative research and development agreements with any person, any agency or instrumentality of the United States, any unit of State or local government, and any other entity under the authority granted by section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a). Technology may be transferred to a non-Federal party to such an agreement consistent with the provisions of sections 11 and 12 of such Act (15 U.S.C. 3710, 3710a).

(Added and amended Pub. L. 104-201, div. A, title II, § 267(c)(1)(A), (B), Sept. 23, 1996, 110 Stat. 2468, § 2371a; Pub. L. 105-85, div. A, title X, § 1073(a)(50), Nov. 18, 1997, 111 Stat. 1903; renumbered § 4143, Pub. L. 116-283, div. A, title XVIII, § 1844(b)(1), Jan. 1, 2021, 134 Stat. 4245.)

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 2371a of this title as this section.

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.

§ 4144. Use of test and evaluation installations by commercial entities

(a) CONTRACT AUTHORITY.—The Secretary of Defense may enter into contracts with commercial entities that desire to conduct commercial test and evaluation activities at a Major Range and Test Facility Installation.

(b) TERMINATION OR LIMITATION OF CONTRACT UNDER CERTAIN CIRCUMSTANCES.—A contract entered into under subsection (a) shall contain a provision that the Secretary of Defense may terminate, prohibit, or suspend immediately any commercial test or evaluation activity to be