

U.S.C. 3703(3)), or a Federal laboratory, as defined in section 4(4) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703(4)).

“(e) **AUTHORITIES.**—In carrying out this section, the Secretary may use the following authorities:

“(1) Section 1599g of title 10 of the United States Code, relating to public-private talent exchanges.

“(2) Section 2368 of such title [now 10 U.S.C. 4124], relating to Centers for Science, Technology, and Engineering Partnerships.

“(3) Section 2374a of such title [now 10 U.S.C. 4025], relating to prizes for advanced technology achievements.

“(4) Section 2474 of such title, relating to Centers of Industrial and Technical Excellence.

“(5) Section 2521 of such title [now 10 U.S.C. 4841, 4842], relating to the Manufacturing Technology Program.

“(6) Section 225 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2359 note [now 10 U.S.C. 4061 note prec.]).

“(7) Section 1711 of such Act (Public Law 115–91; 10 U.S.C. 2505 note [now 10 U.S.C. 4816 note]), relating to a pilot program on strengthening manufacturing in the defense industrial base.

“(8) Section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a) and section 6305 of title 31, United States Code, relating to cooperative research and development agreements.

“(f) **TERMINATION.**—The pilot program conducted under this section shall terminate on September 30, 2024.”

**[§§ 4008, 4009. Omitted]**

**Editorial Notes**

**CODIFICATION**

As enacted, Pub. L. 116–283, div. A, title XVIII, §1841(c), Jan. 1, 2021, 134 Stat. 4243, originally transferred sections 2374 and 2357 of this title to sections 4008 and 4009, respectively, to become effective Jan. 1, 2022. Subsequently, Pub. L. 117–81, div. A, title XVII, §1701(u)(2)(D), Dec. 27, 2021, 135 Stat. 2151, amended section 1841(c) of Pub. L. 116–283, effective as if included therein, so as to eliminate those transfers, thereby omitting these sections before they took effect. Other amendments by Pub. L. 117–81 resulted in transfers of sections 2374 and 2357 to sections 4024 and 4067 of this title, respectively.

Pub. L. 117–81, div. A, title XVII, §1701(d)(7), Dec. 27, 2021, 135 Stat. 2136, which directed amendment of section 4008 of this title by substituting “section 3063” for “section 2303(a)” in subsecs. (a) and (d), effective after the amendments by title XVIII of Pub. L. 116–283 took effect, could not be executed after the amendment by section 1701(u)(2)(D) of Pub. L. 117–81, which eliminated the transfer of section 2374 of this title to section 4008, effective as if included in title XVIII of Pub. L. 116–283.

**§ 4010. Defense Established Program to Stimulate Competitive Research**

(a) **PROGRAM REQUIRED.**—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall carry out a Defense Established Program to Stimulate Competitive Research (DEPSCoR) as part of the university research programs of the Department of Defense.

(b) **PROGRAM OBJECTIVES.**—The objectives of the program are as follows:

(1) To increase the number of university researchers in eligible States capable of performing science and engineering research responsive to the needs of the Department of Defense.

(2) To enhance the capabilities of institutions of higher education in eligible States to

develop, plan, and execute science and engineering research that is relevant to the mission of the Department of Defense and competitive under the peer-review systems used for awarding Federal research assistance.

(3) To increase the probability of long-term growth in the competitively awarded financial assistance that institutions of higher education in eligible States receive from the Federal Government for science and engineering research.

(c) **PROGRAM ACTIVITIES.**—In order to achieve the program objectives, the following activities are authorized under the program:

(1) Competitive award of grants for research and instrumentation to support such research.

(2) Competitive award of financial assistance for graduate students.

(3) To provide assistance to science and engineering researchers at institutions of higher education in eligible States through collaboration between Department of Defense laboratories and such researchers.

(4) Any other activities that are determined necessary to further the achievement of the objectives of the program.

(d) **ELIGIBLE STATES.**—(1) The Under Secretary of Defense for Research and Engineering shall designate which States are eligible States for the purposes of this section.

(2) The Under Secretary shall designate a State as an eligible State if, as determined by the Under Secretary—

(A) the average annual amount of all Department of Defense obligations for science and engineering research and development that were in effect with institutions of higher education in the State for the three fiscal years preceding the fiscal year for which the designation is effective or for the last three fiscal years for which statistics are available is less than the amount determined by multiplying 60 percent times the amount equal to 1/50 of the total average annual amount of all Department of Defense obligations for science and engineering research and development that were in effect with institutions of higher education in the United States for such three preceding or last fiscal years, as the case may be; and

(B) the State has demonstrated a commitment to developing research bases in the State and to improving science and engineering research and education programs in areas relevant to the mission of the Department of Defense at institutions of higher education in the State.

(3) The Under Secretary shall not remove a designation of a State under paragraph (2) because the State exceeds the funding levels specified under subparagraph (A) of such paragraph unless the State has exceeded such funding levels for at least two consecutive years.

(e) **COORDINATION WITH SIMILAR FEDERAL PROGRAMS.**—(1) The Secretary may consult with the Director of the National Science Foundation and the Director of the Office of Science and Technology Policy in the planning, development, and execution of the program and may coordinate the program with the Established Pro-

gram to Stimulate Competitive Research conducted by the National Science Foundation and with similar programs sponsored by other departments and agencies of the Federal Government.

(2) All solicitations under the Defense Established Program to Stimulate Competitive Research may be made to, and all awards may be made through, the State committees established for purposes of the Established Program to Stimulate Competitive Research conducted by the National Science Foundation.

(3) A State committee referred to in paragraph (2) shall ensure that activities carried out in the State of that committee under the Defense Established Program to Stimulate Competitive Research are relevant to the mission of the Department of Defense and coordinated with the activities carried out in the State under other similar initiatives of the Federal Government to stimulate competitive research.

(f) STATE DEFINED.—In this section, the term “State” means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(Added Pub. L. 117–81, div. A, title II, §214(a), Dec. 27, 2021, 135 Stat. 1589.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Pub. L. 117–81, div. A, title II, §214(d), Dec. 27, 2021, 135 Stat. 1591, provided that: “This section [enacting this section and repealing provisions set out as notes under section 2358 of this title] and the amendments and repeals made by this section shall take effect immediately after the effective date of the amendments made by title XVIII of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) [Jan. 1, 2022].”

#### § 4014. Coordination and communication of defense research activities and technology domain awareness

(a) COORDINATION OF DEPARTMENT OF DEFENSE RESEARCH, DEVELOPMENT, AND TECHNOLOGICAL DATA.—The Secretary of Defense shall promote, monitor, and evaluate programs for the communication and exchange of research, development, and technological data—

(1) among the Defense research facilities, combatant commands, and other organizations that are involved in developing for the Department of Defense the technological requirements for new items for use by combat forces;

(2) among Defense research facilities and other offices, agencies, and bureaus in the Department that are engaged in related technological matters;

(3) among other research facilities and other departments or agencies of the Federal Government that are engaged in research, development, and technological matters;

(4) among private commercial, research institution, and university entities engaged in research, development, and technological matters potentially relevant to defense on a voluntary basis;

(5) to the extent practicable, to achieve full awareness of scientific and technological advancement and innovation wherever it may occur, whether funded by the Department of Defense, another element of the Federal Government, or other entities; and

(6) through development and distribution of clear technical communications to the public, military operators, acquisition organizations, and civilian and military decision-makers that convey successes of research and engineering activities supported by the Department and the contributions of such activities to support national needs.

(b) DEFENSE RESEARCH FACILITY DEFINED.—In this section, the term “Defense research facility” has the meaning given that term by section 4142(b)<sup>1</sup> of this title.

(Added and amended Pub. L. 116–283, div. A, title XVIII, §1841(d), Jan. 1, 2021, 134 Stat. 4243; Pub. L. 117–81, div. A, title XVII, §1701(u)(2)(E), Dec. 27, 2021, 135 Stat. 2151.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 4142(b) of this title, referred to in subsec. (b), probably should be a reference to section 4125(b) of this title. Pub. L. 116–283, div. A, title XVIII, §1844(d)(2), Jan. 1, 2021, 134 Stat. 4246, originally transferred section 2364(c) of this title, defining “Defense research facility”, to section 4142(b) of this title. However, Pub. L. 117–81, div. A, title XVII, §1701(u)(4)(A), (5)(B), Dec. 27, 2021, 135 Stat. 2153, 2154, amended Pub. L. 116–283, effective as if included therein, so as to eliminate that transfer and instead transfer section 2364(c) to section 4125(b) of this title.

##### CODIFICATION

The section catchline and text of subsec. (a) of section 2364 of this title, which were transferred to this section by Pub. L. 116–283, §1841(d)(1), were 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), Apr. 21, 1987, 101 Stat. 273; Pub. L. 100–180, div. A, title XII, §1231(10)(B), Dec. 4, 1987, 101 Stat. 1160; Pub. L. 114–92, div. A, title II, §214(a)(1), (3), Nov. 25, 2015, 129 Stat. 767, 768; Pub. L. 115–91, div. A, title X, §1081(a)(34), Dec. 12, 2017, 131 Stat. 1596.

##### AMENDMENTS

2021—Pub. L. 116–283, §1841(d)(1), as amended by Pub. L. 117–81, §1701(u)(2)(E), transferred section catchline and subsec. (a) of section 2364 of this title to this section.

Subsec. (b). Pub. L. 116–283, §1841(d)(2), added subsec. (b).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117–81 applicable as if included in the enactment of title XVIII of Pub. L. 116–283 as enacted, see section 1701(a)(2) of Pub. L. 117–81, set out in a note preceding section 3001 of this title and note below.

##### 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

<sup>1</sup> See References in Text note below.