

EFFECTIVE DATE OF 2016 AMENDMENT

Pub. L. 114-328, div. A, title X, §1081(c), Dec. 23, 2016, 130 Stat. 2419, provided that the amendment made by section 1081(c)(6) is effective as of Nov. 25, 2015, and as if included in Pub. L. 114-92 as enacted.

EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by Pub. L. 111-383 effective Jan. 1, 2011, see section 901(p) of Pub. L. 111-383, set out as a note under section 131 of this title.

PRIZE COMPETITION TO IDENTIFY ROOT CAUSE OF PHYSIOLOGICAL EPISODES ON NAVY, MARINE CORPS, AND AIR FORCE TRAINING AND OPERATIONAL AIRCRAFT

Pub. L. 115-91, div. A, title X, §1089, Dec. 12, 2017, 131 Stat. 1605, as amended by Pub. L. 116-283, div. A, title XVIII, §1842(c)(1), Jan. 1, 2021, 134 Stat. 4244; Pub. L. 117-81, div. A, title XVII, §1701(u)(3)(C), Dec. 27, 2021, 135 Stat. 2152, provided that:

“(a) IN GENERAL.—Under the authority of section 4025 of title 10, United States Code, and section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719), the Secretary of Defense, in consultation with the Secretary of the Navy, the Secretary of the Air Force, the Commandant of the Marine Corps, and the heads of any other appropriate Federal agencies that have experience in prize competitions, and when appropriate, in coordination with private organizations, may establish a prize competition designed to accelerate identification of the root cause or causes of, or find solutions to, physiological episodes experienced in Navy, Marine Corps, and Air Force training and operational aircraft.

“(b) EVALUATION OF PERSONNEL.—The Secretary of Defense, or the Secretary’s designee, shall select the person or persons to conduct the competition authorized in subsection (a) and evaluate any submissions.

“(c) LIMITATION.—The Secretary of Defense may not exercise the authority under subsection (a) before the date that is 15 days after the date on which the Secretary of Defense submits to [the] congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] certification in writing that the use of the authority will not compromise classified information, proprietary information, or intellectual property.”

§ 4026. Cooperative research and development agreements under Stevenson-Wydler 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-Wydler 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 §4026 and amended Pub. L. 116-283, div. A, title XVIII, §§1841(b)(1), 1844(b)(1), Jan. 1, 2021, 134 Stat. 4243, 4245; Pub. L. 117-81, div. A, title XVII, §1701(u)(2)(B), (5)(B), Dec. 27, 2021, 135 Stat. 2151, 2154.)

Editorial Notes

CODIFICATION

The text of section 2371(i) of this title, which was transferred to this section, redesignated as text of section, and amended by Pub. L. 104-201, §267(c)(1)(A), (B), was based on Pub. L. 103-355, title I, §1301(b), Oct. 13, 1994, 108 Stat. 3286.

AMENDMENTS

2021—Pub. L. 116-283, §1844(b)(1), which directed the renumbering of section 2371a of this title as section 4143 instead of this section, was repealed, and a new section 1844(b) was enacted, by Pub. L. 117-81, §1701(u)(5)(D), effective as if included therein, so that such renumbering was no longer directed.

Pub. L. 116-283, §1841(b)(1), as amended by Pub. L. 117-81, §1701(u)(2)(B), renumbered section 2371a of this title as this section.

1997—Pub. L. 105-85 inserted “Defense” before “Advanced Research Projects Agency”.

1996—Pub. L. 104-201 transferred section 2371(i) of this title to this section, added section catchline, and struck out subsec. (i) designation and heading which read as follows: “Cooperative Research and Development Agreements Under Stevenson-Wydler Technology Innovation Act of 1980”. See Codification note above.

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.

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.

§ 4027. Disclosure requirements for recipients of research and development funds]

Editorial Notes

CODIFICATION

Pub. L. 117-81, div. A, title XVII, §1701(e)(4)(A), Dec. 27, 2021, 135 Stat. 2139, attempted to transfer section 2374b of this title to this subchapter, add it at the end, and redesignate it as section 4027 of this title, all of which was to take effect immediately after the amendments made by title XVIII of Pub. L. 116-283 took effect, pursuant to section 1701(a)(3) of Pub. L. 117-81, set out in an Effective Date of 2021 Amendment note preceding section 3001 of this title. However, chapter 139 of this title, which included section 2374b, was repealed by Pub. L. 116-283, div. A, title XVIII, §1881(a), Jan. 1, 2021, 134 Stat. 4293, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, pursuant to Pub. L. 116-283, div. A, title XVIII, §1801(d), Jan. 1, 2021, 134 Stat. 4151, set out as an Effective Date of 2021 Amendment note preceding section 3001 of this title. Text of section 2374b of this title is set out in a Codification note under that section.

PRIOR PROVISIONS

Prior section 4027 was renumbered section 7377 of this title.

CHAPTER 303—RESEARCH AND ENGINEERING ACTIVITIES

SUBCHAPTER I—GENERAL

Sec.

4061.

Defense Research and Development Rapid Innovation Program.

- Sec.
4062. Defense Acquisition Challenge Program.
4063. [Reserved].
4064. [Reserved].
4065. [Reserved].
4066. Global Research Watch Program.
4067. Technology protection features activities.

SUBCHAPTER II—PERSONNEL

4091. Authorities for certain positions at science and technology reinvention laboratories.
4092. Personnel management authority to attract experts in science and engineering.
4093. Science, Mathematics, and Research for Transformation (SMART) Defense Education Program.
4094. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.¹

SUBCHAPTER III—RESEARCH AND DEVELOPMENT CENTERS AND FACILITIES

4121. Science and technology reinvention laboratories: authority and designation.
4122. [Reserved].
4123. Mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.
4124. Centers for Science, Technology, and Engineering Partnership.
4125. Functions of Defense research facilities.
4126. Use of federally funded research and development centers.

Editorial Notes

CODIFICATION

Item 4094 was added to this analysis by section 1701(e)(3)(B) of Pub. L. 117–81 in conjunction with the transfer of section 2358c of this title to section 4094. However, the transfer was not executed in light of the repeal of section 2358c, which took effect just prior to the transfer. See Codification note under section 4094 of this title.

PRIOR PROVISIONS

A prior chapter 303 “WEAPON SYSTEMS DEVELOPMENT AND RELATED MATTERS”, consisting of reserved section 4071, was repealed by Pub. L. 116–283, div. A, title XVIII, §1841(a)(1)(A), Jan. 1, 2021, 134 Stat. 4242.

A prior chapter 303 was renumbered chapter 703 of this title.

AMENDMENTS

2021—Pub. L. 117–81, div. A, title II, §215(b), title XVII, §1701(e)(3)(B), Dec. 27, 2021, 135 Stat. 1593, 2138, added items 4094 and 4121 and struck out former item 4121 “[Reserved]”, effective after the amendment made by Pub. L. 116–283, as amended by Pub. L. 117–81, see note below. See Codification note above as to item 4094.

Pub. L. 117–81, div. A, title XVII, §1701(u)(3)(A), Dec. 27, 2021, 135 Stat. 2152, amended Pub. L. 116–283, div. A, title XVIII, §1842(a), Jan. 1, 2021, 134 Stat. 4244, which added this analysis, by substituting chapter heading, items for subchapters I to III, and items 4061 to 4067, 4091 to 4093, and 4121 to 4126 for former chapter heading “INNOVATION” and items 4061 to 4066.

SUBCHAPTER I—GENERAL

Editorial Notes

AMENDMENTS

2021—Pub. L. 117–81, div. A, title XVII, §1701(u)(3)(A), Dec. 27, 2021, 135 Stat. 2152, amended Pub. L. 116–283, div. A, title XVIII, §1842(a), Jan. 1, 2021, 134 Stat. 4244,

which added this chapter, by adding subchapter heading. Heading was editorially conformed to the style used in this title.

Statutory Notes and Related Subsidiaries

ESTABLISHMENT OF INNOVATORS INFORMATION REPOSITORY IN THE DEPARTMENT OF DEFENSE

Pub. L. 115–232, div. A, title II, §220, Aug. 13, 2018, 132 Stat. 1681, provided that:

“(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act [Aug. 13, 2018], the Secretary of Defense shall, acting through the Defense Technical Information Center, establish an innovators information repository within the Department of Defense in accordance with this section.

“(b) MAINTENANCE OF INFORMATION REPOSITORY.—The Under Secretary of Defense for Research and Engineering shall maintain the information repository and ensure that it is periodically updated.

“(c) ELEMENTS OF INFORMATION REPOSITORY.—The information repository established under subsection (a) shall—

“(1) be coordinated across the Department of Defense enterprise to focus on small business innovators that are small, independent United States businesses, including those participating in the Small Business Innovation Research program or the Small Business Technology Transfer program;

“(2) include appropriate information about each participant, including a description of—

“(A) the need or requirement applicable to the participant;

“(B) the participant’s technology with appropriate technical detail and appropriate protections of proprietary information or data;

“(C) any prior business of the participant with the Department; and

“(D) whether the participant’s technology was incorporated into a program of record; and

“(3) incorporate the appropriate classification due to compilation of information.

“(d) USE OF INFORMATION REPOSITORY.—After the information repository is established under subsection (a), the Secretary shall encourage use of the information repository by Department organizations involved in technology development and protection, including program offices, before initiating a Request for Information or a Request for Proposal to determine whether an organic technology exists or is being developed currently by a an [sic] entity supported by the Department (which may include a company, academic consortium, or other entity).”

NATIONAL SECURITY INNOVATION ACTIVITIES

Pub. L. 115–232, div. A, title II, §230, Aug. 13, 2018, 132 Stat. 1689, as amended by Pub. L. 116–283, div. A, title II, §213(a), Jan. 1, 2021, 134 Stat. 3456, provided that:

“(a) ESTABLISHMENT.—The Under Secretary of Defense for Research and Engineering shall establish activities to develop interaction between the Department of Defense and the commercial technology industry and academia with regard to emerging hardware products and technologies with national security applications.

“(b) ELEMENTS.—The activities required by subsection (a) shall include the following:

“(1) Informing and encouraging private investment in specific hardware technologies of interest to future defense technology needs with unique national security applications.

“(2) Funding research and technology development in hardware-intensive capabilities that private industry has not sufficiently supported to meet rapidly emerging defense and national security needs.

“(3) Contributing to the development of policies, policy implementation, and actions to deter strategic acquisition of industrial and technical capabilities in the private sector by foreign entities that could potentially exclude companies from participating in the

¹ See Codification note below.