

updating of all appropriate associated uniquely identifying information about the contracts and contractors and subcontracts and subcontractors in the Federal Awardee Performance and Integrity Information System (FAPIIS), administered by the General Services Administration, and the Commercial and Government Entity (CAGE) database, administered by the Defense Logistics Agency.

“(2) LIMITED AVAILABILITY OF INFORMATION.—The Secretary of Defense shall ensure that the information required to be disclosed pursuant to this section is—

“(A) not made public;

“(B) made available via the FAPIIS and CAGE databases; and

“(C) made available to appropriate government departments or agencies.”

#### § 4820. National technology and industrial base plans, policy, and guidance

(a) IN GENERAL.—The Secretary of Defense shall prescribe regulations requiring consideration of the national technology and industrial base, in accordance with the strategy required by section 4811 of this title, in the development and implementation of acquisition plans for each major defense acquisition program.

(b) ACQUISITION POLICY AND GUIDANCE.—The Secretary of Defense shall develop and promulgate acquisition policy and guidance to the service acquisition executives, the heads of the appropriate Defense Agencies and Department of Defense Field Activities, and relevant program managers. Such policy and guidance shall be germane to the use of the research and development, manufacturing, and production capabilities identified pursuant to subchapters<sup>1</sup> 381 through 385 and subchapter<sup>2</sup> 389 of this title and the technologies, companies, laboratories, and factories in specific Department of Defense research and development, international cooperative research, procurement, and sustainment activities.

(Added Pub. L. 102-484, div. D, title XLII, § 4216(b)(1), Oct. 23, 1992, 106 Stat. 2669, § 2440; amended Pub. L. 109-364, div. A, title X, § 1071(a)(17), Oct. 17, 2006, 120 Stat. 2399; Pub. L. 112-239, div. A, title XVI, § 1603(c), Jan. 2, 2013, 126 Stat. 2063; Pub. L. 116-283, div. A, title VIII, § 846(b)(1), title XVIII, § 1847(b)(2)(A), Jan. 1, 2021, 134 Stat. 3768, 4253; renumbered § 4820 and amended Pub. L. 117-81, div. A, title XVII, § 1701(s)(1)(A), (2)(A), (C), Dec. 27, 2021, 135 Stat. 2149.)

#### Editorial Notes

##### CODIFICATION

Amendments made by section 1701(s)(2)(A), (C) of Pub. L. 117-81 were directed to the Code directly, but probably should have been directed to title XVIII of Pub. L. 116-283 in line with other amendments made by section 1701 of Pub. L. 117-81 that were effective as if included in that title.

##### AMENDMENTS

2021—Pub. L. 117-81, § 1701(s)(2)(A), renumbered section 2440 of this title as this section. See Codification note above.

Pub. L. 116-283, § 1847(b)(2)(A), which directed transfer of the text of section 2440 of this title to section

4211(c)(3) of this title instead of this section, was repealed by Pub. L. 117-81, § 1701(s)(1)(A).

Pub. L. 116-283, § 846(b)(1)(B), (C), designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

Pub. L. 116-283, § 846(b)(1)(A), amended section catchline generally. Prior to amendment, section catchline read as follows: “Technology and industrial base plans”.

Subsec. (a). Pub. L. 117-81, § 1701(s)(2)(C)(i), substituted “section 4811” for “section 2501”. See Codification note above.

Subsec. (b). Pub. L. 117-81, § 1701(s)(2)(C)(ii), substituted “subchapters 381 through 385 and subchapter 389” for “chapter 148”. See Codification note above.

2013—Pub. L. 112-239 inserted “, in accordance with the strategy required by section 2501 of this title,” after “base”.

2006—Pub. L. 109-364 substituted “industrial base plans” for “Industrial Base Plans” in section catchline.

#### 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 section 1847(b)(2)(A) 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.

#### CHAPTER 383—DEVELOPMENT, APPLICATION, AND SUPPORT OF DUAL-USE TECHNOLOGIES

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| Sec. 4831. | Defense dual-use critical technology program.  |
| 4832.      | Encouragement of technology transfer.  |
| 4833.      | Federal Defense Laboratory Diversification Program.  |
| 4834.      | Overseas foreign critical technology monitoring and assessment financial assistance program. |

#### Editorial Notes

##### PRIOR PROVISIONS

A prior chapter 383 “LOAN GUARANTEE PROGRAMS”, consisting of reserved section 4861, was repealed by Pub. L. 116-283, div. A, title XVIII, § 1873(a)(1), Jan. 1, 2021, 134 Stat. 4289.

#### § 4831. Defense dual-use critical technology program

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Defense shall conduct a program to further the national security objectives set forth in section 4811(a) of this title by encouraging and providing for research, development, and application of dual-use critical technologies. The Secretary may make grants, enter into contracts, or enter into cooperative agreements and other transactions pursuant to section 4002<sup>1</sup> of this title in furtherance of the program. The Secretary shall identify projects to be conducted as part of the program.

(b) ASSISTANCE AUTHORIZED.—The Secretary of Defense may provide technical and other assistance to facilitate the achievement of the purposes of projects conducted under the program.

<sup>1</sup> So in original. Probably should be “chapters”.

<sup>2</sup> So in original. Probably should be “chapter”.

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