

## EFFECTIVE DATE

Section 220(c) of Pub. L. 100-456 provided that: “The limitation specified in section 2361(a) of title 10, United States Code (as added by subsection (a)), on the authority of the Secretary of Defense to make grants and award contracts shall take effect on October 1, 1989.”

INITIAL REPORT ON USE OF COMPETITIVE PROCEDURES  
IN AWARDING CONTRACTS

Section 252(c)(2) of Pub. L. 101-189 required that first report under subsec. (c) of this section cover last six months of 1989 and be submitted not later than Feb. 1, 1990.

**§ 2362. Research and educational programs and activities: historically black colleges and universities and minority-serving institutions of higher education**

(a) PROGRAM ESTABLISHED.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering and the Secretary of each military department, shall carry out a program to provide assistance to covered educational institutions to assist the Department in defense-related research, development, testing, and evaluation activities.

(b) PROGRAM OBJECTIVE.—The objective of the program established under subsection (a) is to enhance defense-related research and education at covered educational institutions. Such objective shall be accomplished through initiatives designed to—

(1) enhance the research and educational capabilities of such institutions in areas of importance to national defense, as determined by the Secretary;

(2) encourage the participation of such institutions in the research, development, testing, and evaluation programs and activities of the Department of Defense;

(3) increase the number of graduates from such institutions engaged in disciplines important to the national security functions of the Department of Defense, as determined by the Secretary; and

(4) encourage research and educational collaborations between such institutions and other institutions of higher education, Government defense organizations, and the defense industry.

(c) ASSISTANCE PROVIDED.—Under the program established by subsection (a), the Secretary of Defense may provide covered educational institutions with funding or technical assistance, including any of the following:

(1) Support for research, development, testing, evaluation, or educational enhancements in areas important to national defense through the competitive awarding of grants, cooperative agreements, contracts, scholarships, fellowships, or the acquisition of research equipment or instrumentation.

(2) Support to assist in the attraction and retention of faculty in scientific disciplines important to the national security functions of the Department of Defense.

(3) Establishing partnerships between such institutions and defense laboratories, Government defense organizations, the defense industry, and other institutions of higher education in research, development, testing, and evalua-

tion in areas important to the national security functions of the Department of Defense.

(4) Other such non-monetary assistance as the Secretary finds appropriate to enhance defense-related research, development, testing, and evaluation activities at such institutions.

(d) PRIORITY FOR FUNDING.—The Secretary of Defense may establish procedures under which the Secretary may give priority in providing funding under this section to institutions that have not otherwise received a significant amount of funding from the Department of Defense for research, development, testing, and evaluation programs supporting the national security functions of the Department.

(e) DEFINITION OF COVERED EDUCATIONAL INSTITUTION.—In this section the term “covered educational institution” means—

(1) an institution of higher education eligible for assistance under title III or V of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.); or

(2) an accredited postsecondary minority institution.

(Added Pub. L. 111-84, div. A, title II, §252(a), Oct. 28, 2009, 123 Stat. 2242; amended Pub. L. 111-383, div. A, title IX, §901(a)(2), title X, §1075(b)(32), Jan. 7, 2011, 124 Stat. 4317, 4370.)

## REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in subsec. (e)(1), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219. Titles III and V of the Act are classified generally to subchapters III (§1051 et seq.) and V (§1101 et seq.), respectively, of chapter 28 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

## PRIOR PROVISIONS

A prior section 2362, added Pub. L. 99-145, title I, §123(a)(1), Nov. 8, 1985, 99 Stat. 599; amended Pub. L. 99-433, title I, §110(g)(4), Oct. 1, 1986, 100 Stat. 1004; Pub. L. 100-26, §7(k)(2), Apr. 21, 1987, 101 Stat. 284, which related to testing requirements for wheeled or tracked armored vehicles, was repealed by Pub. L. 103-160, div. A, title VIII, §821(a)(3), Nov. 30, 1993, 107 Stat. 1704.

## AMENDMENTS

2011—Subsec. (e)(1). Pub. L. 111-383, §1075(b)(32), substituted “title III or V” for “title III or IV”.

## CHANGE OF NAME

“Assistant Secretary of Defense for Research and Engineering” substituted for “Director of Defense Research and Engineering” in subsec. (a) on authority of section 901(a)(2) of Pub. L. 111-383, set out as a note under section 131 of this title.

**[§ 2363. Repealed. Pub. L. 102-484, div. D, title XLII, §§ 4224(c), 4271(a)(2), Oct. 23, 1992, 106 Stat. 2683, 2695]**

Section, added Pub. L. 99-145, title XIV, §1457(a), Nov. 8, 1985, 99 Stat. 762, related to encouragement of technology transfer. See section 2514 of this title.

**§ 2364. Coordination and communication of defense research activities**

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