

(b) LIST OF PLANTS CONVERTIBLE INTO AMMUNITION FACTORIES.—The Secretary of Defense may maintain a list of privately owned plants in the United States, and the territories, Commonwealths, and possessions of the United States, that are capable of being readily transformed into factories for the manufacture of ammunition for the armed forces and that have a capacity sufficient to warrant conversion into ammunition plants in time of war or when war is imminent, and may obtain complete information as to the equipment of each of those plants.

(c) CONVERSION PLANS.—The Secretary of Defense may prepare comprehensive plans for converting each plant listed pursuant to subsection (b) into a factory for the manufacture of ammunition or parts thereof.

(Added Pub. L. 103-160, div. A, title VIII, § 822(a)(1), Nov. 30, 1993, 107 Stat. 1705, § 2539; renumbered § 4883, Pub. L. 116-283, div. A, title XVIII, § 1870(e)(2)(A), Jan. 1, 2021, 134 Stat. 4286.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 4502(a)-(c) and 9502(a)-(c) of this title, prior to repeal by Pub. L. 103-160, § 822(a)(2).

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 2539 of this title as this section.

Statutory Notes and Related Subsidiaries

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.

§ 4884. Industrial mobilization: Board on Mobilization of Industries Essential for Military Preparedness

The President may appoint a nonpartisan Board on Mobilization of Industries Essential for Military Preparedness, and may provide necessary clerical assistance, to organize and coordinate operations under sections 4882 and 4883 of this title.

(Added Pub. L. 103-160, div. A, title VIII, § 822(a)(1), Nov. 30, 1993, 107 Stat. 1705, § 2540; renumbered § 2539a, Pub. L. 103-337, div. A, title X, § 1070(a)(13)(A), Oct. 5, 1994, 108 Stat. 2856; renumbered § 4884 and amended Pub. L. 116-283, div. A, title XVIII, § 1870(e)(2), Jan. 1, 2021, 134 Stat. 4286.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 4502(d) and 9502(d) of this title, prior to repeal by Pub. L. 103-160, § 822(a)(2).

AMENDMENTS

2021—Pub. L. 116-283, § 1870(e)(2)(B), substituted “sections 4882 and 4883” for “sections 2538 and 2539”.

Pub. L. 116-283, § 1870(e)(2)(A), renumbered section 2539a of this title as this section.

1994—Pub. L. 103-337 renumbered section 2540 of this title as section 2539a.

Statutory Notes and Related Subsidiaries

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.

SUBCHAPTER V—OTHER MATTERS

Sec.

4891. Improved national defense control of technology diversions overseas.
4892. Availability of samples, drawings, information, equipment, materials, and certain services.

§ 4891. Improved national defense control of technology diversions overseas

(a) COLLECTION OF INFORMATION ON FOREIGN-CONTROLLED CONTRACTORS.—The Secretary of Defense and the Secretary of Energy shall each collect and maintain a data base containing a list of, and other pertinent information on, all contractors with the Department of Defense and the Department of Energy, respectively, that are controlled by foreign persons. The data base shall contain information on such contractors for 1988 and thereafter in all cases where they are awarded contracts exceeding \$10,000,000 in any single year by the Department of Defense or the Department of Energy.

(b) TECHNOLOGY RISK ASSESSMENT REQUIREMENT.—(1) If the Secretary of Defense is acting as a designee of the President under section 721(a)¹ of the Defense Production Act of 1950 (50 U.S.C. 4565(a)) and if the Secretary determines that a proposed or pending merger, acquisition, or takeover may involve a firm engaged in the development of a defense critical technology or is otherwise important to the defense industrial and technology base, then the Secretary shall require the appropriate entity or entities from the list set forth in paragraph (2) to conduct an assessment of the risk of diversion of defense critical technology posed by such proposed or pending action.

(2) The entities referred to in paragraph (1) are the following:

- (A) The Defense Intelligence Agency.
- (B) The Army Foreign Technology Science Center.
- (C) The Naval Maritime Intelligence Center.
- (D) The Air Force Foreign Aerospace Science and Technology Center.

(Added Pub. L. 102-484, div. A, title VIII, § 838(a), Oct. 23, 1992, 106 Stat. 2465, § 2537; amended Pub. L. 103-35, title II, § 201(d)(5), (h)(2), May 31, 1993, 107 Stat. 99, 100; Pub. L. 107-314, div. A, title X, § 1041(a)(16), Dec. 2, 2002, 116 Stat. 2645; Pub. L. 114-328, div. A, title X, § 1081(b)(4)(B), Dec. 23, 2016, 130 Stat. 2419; Pub. L. 115-91, div. A, title X, § 1051(a)(19), Dec. 12, 2017, 131 Stat. 1561; renumbered § 4891, Pub. L. 116-283, div. A, title XVIII, § 1870(f)(2), Jan. 1, 2021, 134 Stat. 4287.)

Editorial Notes

REFERENCES IN TEXT

Section 721(a) of the Defense Production Act of 1950, referred to in subsec. (b), is section 721(a) of act Sept.

¹ See References in Text note below.