

116TH CONGRESS  
1ST SESSION

# H. R. 3313

To amend title 10, United States Code, to require the Secretary of Defense to develop guidelines and resources on the acquisition or licensing of intellectual property, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2019

Ms. FOXX of North Carolina (for herself and Ms. SPEIER) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to require the Secretary of Defense to develop guidelines and resources on the acquisition or licensing of intellectual property, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Defense Maintenance  
5 Data Transparency Act”.

1 **SEC. 2. GUIDELINES AND RESOURCES ON THE ACQUI-**  
2 **SION OR LICENSING OF INTELLECTUAL**  
3 **PROPERTY.**

4 Section 2322 of title 10, United States Code, is  
5 amended by adding at the end the following new sub-  
6 section:

7 “(c) **GUIDELINES AND RESOURCES.**—

8 “(1) **IN GENERAL.**—The Secretary of Defense,  
9 acting through the Under Secretary of Defense for  
10 Acquisition and Sustainment, shall develop guide-  
11 lines and resources on the acquisition or licensing of  
12 intellectual property, including—

13 “(A) model forms for specially negotiated  
14 licenses described under section 2320(f) (as ap-  
15 propriate); and

16 “(B) an identification of definitions, key  
17 terms, examples, and case studies that resolve  
18 ambiguities in the differences between—

19 “(i) detailed manufacturing and proc-  
20 ess data;

21 “(ii) form, fit, and function data; and

22 “(iii) data required for operations,  
23 maintenance, installation, and training.

24 “(2) **CONSULTATION.**—In developing the guide-  
25 lines and resources described in paragraph (1), the  
26 Secretary shall regularly consult with appropriate

1 stakeholders, including large and small businesses,  
2 traditional and non-traditional contractors (including  
3 subcontractors), and maintenance repair organiza-  
4 tions.”.

