

118TH CONGRESS
1ST SESSION

S. 2613

To modify certain technical data rights with respect to contracts.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Mr. BRAUN introduced the following bill; which was read twice and referred
to the Committee on Armed Services

A BILL

To modify certain technical data rights with respect to
contracts.

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. MODIFICATIONS TO RIGHTS IN TECHNICAL**
4 **DATA.**

5 Section 3771(b) of title 10, United States Code, is
6 amended—

7 (1) in paragraph (3)(C), by inserting “for
8 which the United States shall have government pur-
9 pose rights, unless the Government and the con-
10 tractor negotiate different license rights” after
11 “component)”; and

1 (2) in paragraph (4)(A)—

2 (A) in clause (ii), by striking “; or” and in-
3 serting a semicolon;

4 (B) by redesignating clause (iii) as clause
5 (iv); and

6 (C) by inserting after clause (ii) the fol-
7 lowing new clause (iii):

8 “(iii) is a release, disclosure, or use of
9 detailed manufacturing or process data—

10 “(I) that is necessary for oper-
11 ation, maintenance, installation, or
12 training and shall be used only for op-
13 eration, maintenance, installation, or
14 training purposes supporting wartime
15 operations or contingency operations;
16 and

17 “(II) for which the head of an
18 agency determines that the original
19 supplier of such data will be unable to
20 satisfy military readiness or oper-
21 ational requirements for such oper-
22 ations; or”.

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