

Statutes, Regulations, Guidance, and Descriptions	
Authority	Description
10 U.S.C. 2208	Permits the Secretary of Defense to establish DoD working capital funds. Permits, under specified circumstances, the sale of articles and services inside and outside DoD.
10 U.S.C. 2208(h)	The Secretary of Defense shall prescribe regulations governing the operation of activities and use of inventories authorized by this section. The regulations may, if the needs of the Department of Defense require it and it is otherwise authorized by law, authorize supplies to be sold to, or services to be rendered or work performed for, persons outside the Department of Defense. However, supplies available in inventories financed by working-capital funds established under this section may be sold to contractors for use in performing contracts with the Department of Defense. Working-capital funds shall be reimbursed for supplies so sold, services so rendered, or work so performed by charges to applicable appropriations or payments received in cash.
10 U.S.C. 2208(j)	Permits depot financed through working capital funds to sell articles and services outside DoD if the purchaser is fulfilling a DoD contract and the contract is awarded pursuant to a public-private competition.
10 U.S.C. 2320	Addresses government rights to technical data.
10 U.S.C. 2358	The Secretary of Defense or the Secretary of a military department may engage in basic research, applied research, advanced research, and development projects that are necessary to the responsibilities of such Secretary's department in the field of research and development and are either related to weapon systems and other military needs or are of potential interest to DoD. Authorized means are by contract, cooperative agreement, or grant.
10 U.S.C. 2371	The Secretary of Defense and Secretary of each military may enter into transactions (other than contracts, cooperative agreements, and grants) under the authority of this subsection in carrying out basic, applied, and advanced research projects.
10 U.S.C. 2460	Defines depot maintenance and repair.
10 U.S.C. 2462	Addresses contracting requirements for certain supplies and services when cost is lower.

10 U.S.C. 2464	Establishes the requirement for core logistics capabilities.
10 U.S.C. 2466	Limits the proportion of funding that may be used for contract depot maintenance. (Requires a minimum of 50 percent of FY funding be used for performance of depot-level maintenance and repair by DoD employees. Conversely, not more than 50 percent of the funds may be used to contract for performance by non-Federal Government personnel.)
10 U.S.C. 2469	Provides an exception from the requirement for competition for public-private partnerships that involve work performed at a CITE (see 10 U.S.C. 2474).
10 U.S.C. 2474	Requires the military departments to designate depot-level maintenance activities as Centers of Industrial and Technical Excellence (CITEs), authorizes and encourages public-private partnerships, permits performance of work related to depot-level maintenance core competencies, permits use of facilities and equipment, and permits sales proceeds from public-private partnerships to be credited to depot accounts.
10 U.S.C. 2501	Sets national security objectives concerning national technology and industrial base.
10 U.S.C. 2539b	Authorizes the sale of services for testing of materials, equipment, models, computer software, and other items.
10 U.S.C. 2563	Authorizes the sale of articles or services outside DoD (excluding those authorized under 10 U.S.C. 4543) under specified conditions.
10 U.S.C. 2667	Allows leasing of non-excess facilities and equipment.
10 U.S.C. 4532	The Secretary of the Army shall have supplies needed for the Department of the Army made in factories or arsenals owned by the U.S., so far as those factories or arsenals can make those supplies on an economical basis.
10 U.S.C. 4543	Authorizes Army industrial facilities that manufacture cannons, gun mounts, and other items to sell articles or services outside DoD under specified conditions.
10 U.S.C. 4544	Authorizes, within specified limitations, Army working capital-funded industrial facilities to enter into contracts or other cooperative arrangements with non-Army entities to carry out a variety of activities under specified conditions. (New provision combining elements of 10 USC 2474, 10 USC 2208(j), 10 USC 4543, and 10 USC 2563. Permits partnering, cooperative arrangements, sale of articles and services, use of facilities. Allows for tailored pricing, firm-fixed pricing, multiple year contracts and permits sales proceeds from public-private partnerships to be credited to depot accounts.)

10 U.S.C. 4551	Defines terms relating to the Armament Retooling and Manufacturing Support initiative.
10 U.S.C. 7300	Authorizes naval shipyards to sell articles or services to private shipyards for fulfillment of contracts for nuclear ships.
10 U.S.C. 7303	Authorizes Naval Surface Warfare Center, Carderock, to conduct investigations into shapes and forms of U.S. vessels and aircraft and to conduct experiments at the Model Basin for private entities.
15 U.S.C. 3710a	Permits the use of cooperative research and development agreements.
22 U.S.C. 2278	Regulates Arms Export Controls on weapon systems between the U.S. and foreign companies.
22 U.S.C. 2754	Allows sales or lease of defense articles or services to friendly countries under specified conditions.
22 U.S.C. 2770	Allows sales of articles and services to U.S. companies for incorporation into end items to be sold to a friendly foreign country or international organization under specific conditions.
1995 National Defense Authorization Act, Section 337 (P.L. 103-337)	Directs the Secretary of Defense to encourage commercial firms to enter into partnerships with depot-level activities for specified purposes.
FAR 45.1	Permits the provision of government-furnished material, facilities, and equipment to contractors.
FAR 45.3	Provides for contractor use and rental of government property. (Permits provision of government-furnished material, facilities and equipment to contractors.)
FAR 51.100	Authorizes commercial contractors to use government (i.e., DLA) supply sources.
DoD 7000.14-R, DoD Financial Management Regulation	Volume 2B, Chapter 9, Section 01, paragraph 090105 contains provisions for partnerships.
DoDI 7041.3, Economic Analysis for Decision Making	Outlines economic analysis requirements.
OMB Circular A-94	Provides general guidance for conducting benefit-cost and cost-effectiveness analyses, and specific guidance on the discount rates to be used when evaluating federal programs whose benefits and costs are distributed over time.
Defense Acquisition Guidebook, Section 5.1.5.2	Includes partnering as a consideration to be addressed when determining the best mix of public and private sector capabilities to meet user requirements, sustainment opportunities, and statutory requirements.

Diminishing Manufacturing Sources and Material Shortages (DMSMS) Guidebook	A guidebook of best practices and tools for implementing a DMSMS management program. Compilation of the best proactive practices from across DoD for managing the risk of obsolescence. Also identifies assorted measurement tools that may be useful in analyzing and tracking the effectiveness of DMSMS programs.
Logistics Assessment Guidebook	Supports the USD(AT&L) initiative on “Better Buying Power” by addressing the themes of affordability, controlling cost growth, and innovation in industry. Provides a structure for conducting logistics assessments and helps components establish baseline assessment criteria.
Operation and Support (O&S) Cost Management Guidebook	Provides an overview of O&S cost management; transparency to program management offices on how O&S Cost estimates are captured throughout the lifecycle management process and used by decision makers; standardizes O&S cost metrics usage, nomenclature, and life cycle product support management processes across the Department; establishes metrics which will inform decision makers throughout the life cycle on O&S costs.
Post-Initial Operational Capability Review Guidebook	Complements Part VI of the Logistics Assessment Guidebook.
Product Support Business Case Analysis Guidebook	Supports the USD(AT&L) initiative on “Better Buying Power” by laying out a uniform methodology for accurate, consistent, and effective support of value-based decision making, while better aligning the acquisition and lifecycle support processes.
Product Support Manager Guidebook	Reference guide addresses key requirements for managing product support across the entire life cycle of weapon systems.

Public to Private Partnership Types and Definitions	
Direct Sales	An agreement for government to sell services or supplies (manufactured or repaired) to private companies that are fulfilling a Department of Defense contract or subcontract. This arrangement is formalized through a Teaming Agreement and later through more detailed Subcontract/Task Orders. In this arrangement the private companies pay the government activity.
Lease	An agreement whereby a private company may use non-excess facilities and equipment by paying (in cash or in kind) at the fair market value. In-kind payment may include maintenance, protection, alteration, repair, improvement or restoration (including environmental restoration) of property or facilities. Terms for leases are usually 5-years.
Workshare/Government Furnished Supplies & Services	An agreement whereby a combination of government and commercial facilities and or employees are used to execute the requiring activity's work package; the requiring activity issues a work order to the government participant and a contract to the private sector participant. Therefore, the government program office pays the government (i.e. depot/arsenal) activity. The relationship between the parties is formalized with a Teaming Agreement and later through more detailed Subcontract/Task Orders.