

**ADDRESSES:** Submit written objections to Dr. Griffin Romigh, Lead, Office of Research and Technology Applications (ORTA), AFRL/RY—Sensors Directorate, Bldg. 600, 2nd Floor, 2241 Avionics Circle, Wright-Patterson AFB, OH 45433; Phone (937) 713-3494; or Email: [griffin.romigh@us.af.mil](mailto:griffin.romigh@us.af.mil). Include Docket No. ARY-230418B-JA in the subject line of the message.

**FOR FURTHER INFORMATION CONTACT:** Dr. Griffin Romigh, Lead, Office of Research and Technology Applications (ORTA), AFRL/RY—Sensors Directorate, Bldg. 600, 2nd Floor, 2241 Avionics Circle, Wright-Patterson AFB, OH 45433; Phone (937) 713-3494; or Email: [griffin.romigh@us.af.mil](mailto:griffin.romigh@us.af.mil).

*Abstract of patent application(s):* An integrated circuit (IC) validation method consisting of means to acquire an image of an IC under test by scanning an optical beam over the IC under test to optically inject carriers into the IC under test and measuring an output signal generated by the IC under test in response to the optical carrier injection (e.g., Two-photon Optical Beam Induced Current—TOBIC); computing a comparison image between the image of the IC under test and a reference image; and identifying suspect regions of the IC under test based on the computed difference image.

*Intellectual property:* U.S. Application Serial No. 63/343,204, filed on May 18, 2022 entitled “Non-Destructive Verification of Integrated Circuits”.

The Department of the Air Force may grant the prospective license unless a timely objection is received that sufficiently shows the grant of the license would be inconsistent with the Bayh-Dole Act or implementing regulations. A competing application for a patent license agreement, completed in compliance with 37 CFR 404.8 and received by the Air Force within the period for timely objections, will be treated as an objection and may be considered as an alternative to the proposed license.

*Authority:* 35 U.S.C. 209; 37 CFR 404.

**Mia Day,**

*Acting Air Force Federal Register Liaison Officer.*

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## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

#### Negotiation of a Reciprocal Defense Procurement Agreement With the Federative Republic of Brazil

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Notice and request for public comments.

**SUMMARY:** On behalf of the U.S. Government, DoD is contemplating negotiating and concluding a new Reciprocal Defense Procurement Agreement with the Federative Republic of Brazil. DoD is requesting industry feedback regarding its experience in public defense procurements conducted by or on behalf of the Brazilian Ministry of Defence or Armed Forces.

**DATES:** Comments must be received by October 12, 2023.

**ADDRESSES:** Submit comments by email to [jeffrey.c.grover.civ@mail.mil](mailto:jeffrey.c.grover.civ@mail.mil).

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeff Grover, telephone +1-703-380-9783.

**SUPPLEMENTARY INFORMATION:** DoD has concluded Reciprocal Defense Procurement (RDP) Agreements with 28 qualifying countries, as defined in the Defense Federal Acquisition Regulation Supplement (DFARS) 225.003, at the level of the Secretary of Defense and his counterpart. The purpose of an RDP Agreement is to promote rationalization, standardization, interchangeability, and interoperability of conventional defense equipment with allies and other friendly governments. These Agreements provide a framework for ongoing communication regarding market access and procurement matters that enhance effective defense cooperation.

RDP Agreements generally include language by which the Parties agree that their defense procurements will be conducted in accordance with certain implementing procedures. These procedures relate to—

- Publication of notices of proposed purchases;
- The content and availability of solicitations for proposed purchases;
- Notification to each unsuccessful offeror;
- Feedback, upon request, to unsuccessful offerors concerning the reasons they were not allowed to participate in a procurement or were not awarded a contract; and
- Provision for the hearing and review of complaints arising in

connection with any phase of the procurement process to ensure that, to the extent possible, complaints are equitably and expeditiously resolved.

Based on the Agreement, each country affords the other country certain benefits on a reciprocal basis consistent with national laws and regulations. The benefits that the United States accords to the products of qualifying countries include—

- Offers of qualifying country end products are evaluated without applying the price differentials otherwise required by the Buy American statute and the Balance of Payments Program;
- The chemical warfare protection clothing restrictions in 10 U.S.C. 4862 and the specialty metals restriction in 10 U.S.C. 4863 do not apply to products manufactured in a qualifying country; and
- Customs, taxes, and duties are waived for qualifying country end products and components of defense procurements.

If DoD (for the U.S. Government) concludes a new RDP Agreement with the Federative Republic of Brazil and DoD executes a blanket public interest determination, as intended, Brazil will be listed as one of the qualifying countries at DFARS 225.872-1(a).

While DoD is evaluating Brazil's laws and regulations in this area, DoD would benefit from U.S. industry's experience in participating in Brazilian public defense procurements. DoD is, therefore, asking U.S. firms that have participated or attempted to participate in procurements by or on behalf of Brazil's Ministry of Defence and Armed Forces to let us know if the procurements were conducted with transparency, integrity, fairness, and due process in accordance with published procedures, and if not, the nature of the problems encountered.

DoD is also interested in comments relating to the degree of reciprocity that exists between the United States and Brazil when it comes to the openness of defense procurements to offers of products from the other country. Further, DoD would like to understand the degree to which U.S. industry feels that it would have equal and proportional access to the Brazilian defense market as Brazil would have under an RDP Agreement.

**Jennifer D. Johnson,**

*Editor/Publisher, Defense Acquisition Regulations System.*

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