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NATIONAL SCIENCE FOUNDATION
WASHINGTON, D. C. 20550

Patents Com. (12)
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nsf

February 15, 1980

OFFICE OF THE
DIRECTOR

Mr. Reagan Scurlock
Executive Director
Council on Government Relations
National Association of College
and University Business Officers
Eleven Dupont Circle, Suite 480
Washington, D. C. 20036

Dear Mr. Scurlock:

Since we received your letter of December 21 concerning the position of the Foundation and the Administration on Government patent policy, much has happened in that arena. I know that Mr. Herz, our General Counsel, met with you at some length to discuss the Administration's bill before it was introduced and has been in touch with you since.

As you know, the Foundation joins the President in supporting the "prime thrust" of S.414, the Bayh-Dole bill. It would, after all, incorporate essentially the policy the Foundation has been following for years. We are convinced, however, that science and the national interest would be better served if a comprehensive solution for all grantees and contractors could be enacted. We are encouraged about the prospects for such legislation. We now have, for the first time in the history of the issue, an Administration position -- a position that emphasizes incentive for commercialization of inventions and provides this incentive primarily to the contractor. Legislation reflecting much the same approach has been introduced and attracted support in both houses of Congress. Heavy opposition to such an approach has not emerged, at least not yet. Though it is too early to tell, we have great hope that Congress and the Administration can work out a comprehensive bill along these lines.

Mr. Herz has told me of the cooperative and friendly attitude you and other members of the university community have displayed on this issue. We greatly appreciate that attitude, and I know it is appreciated elsewhere in the Administration. Mr. Herz has also told me of your discussions with him about the

position the Administration might take on legislation for nonprofit and small business contractors if a comprehensive bill should not prove viable in this Congress. I agree with his view on what the Administration's position should then be, but hope the need to reach that point does not arise.

Yours very truly,

A handwritten signature in black ink, appearing to read "Dick", followed by a long horizontal line extending to the right.

Richard C. Atkinson
Director