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Reasons for a Substitute Set of Amendments

S. 1250

Hon. George E. Brown, Jr.
Chairman

Subcommittee on Science, Research and Technology

Howard
See Sec. 6 (e)
for patent abuses
(pg. 11) and
Sec. 11 (b)
setting up
tech. trans.
office in
Fed. Labs.
(this will
require
exclusive
licensing
authority
of S. 414)

Norm

Following markup of S.1250 by the Subcommittee on Science, Research and Technology, the Subcommittee staff and I consulted with Senator Stevenson's subcommittee staff and with the Department of Commerce. Based on these consultations it became clear that a number of technical corrections and improvements, as well as a few minor substantive changes would be desirable. Rather than propose these as a long series of individual amendments, I am proposing them as a substitute set of amendments to S.1250.

The substitute set of amendments has all of essential features of the amendments reported by the SRT Subcommittee, except that there is one major technical change and some minor substantive changes, as follows:

Major Technical Change -- Rather than authorize the National Science Foundation and the Department of Commerce to support Centers for Industrial Technology in a single section of the bill (section 6), the substitute amendments provide this authorization in separate sections (sections 6 and 8).

Minor Substantive Changes --

1. The SRT version of the bill would permit a National Technology Medal to be awarded only to individuals. The substitute amendments would permit the medal to be awarded to individuals or companies. This change conforms the bill more to the President's Industrial Innovation Initiatives.
2. The SRT version of the bill does not explicitly allow for the compensation of inventors in the Centers for Industrial Technology; the substitute does.
3. The SRT version of the bill has a set-aside of agency funds for technology utilization which would become effective upon enactment. The substitute delays application of the set-aside requirement until the beginning of FY 1982. The substitute also has an agency reporting requirement regarding technology utilization which the SRT version does not have.

Amendment to S. 1250

Strike the last sentence of subsection (c) of the section titled "Utilization of Federal Technology" and insert in lieu thereof the following:

"Agencies which have established organizational structures outside their Federal laboratories which have as their principal purpose the transfer of Federally owned or originated technology to State and local government and to the private sector may elect to perform the functions of this subsection in such organizational structures. Neither Research and Technology Applications Offices nor other organizational structures performing the functions of this subsection shall substantially compete with similar services available in the private sector."

EXPLANATION

Some agencies, such as NASA, already have extensive technology transfer programs underway outside their Federal laboratories. This amendment would permit such agencies to continue their existing programs.

This amendment would not require any less effort from an agency than the original language, and it would not exempt any agency from the requirement of subsection (b) that each Federal laboratory have an Office of Research and Technology Applications.