

hand in hand with improved productivity, lower costs, and increased profitability;

“(3) strategic planning for quality and quality improvement programs, through a commitment to excellence in manufacturing and services, are becoming more and more essential to the well-being of our Nation’s economy and our ability to compete effectively in the global marketplace;

“(4) improved management understanding of the factory floor, worker involvement in quality, and greater emphasis on statistical process control can lead to dramatic improvements in the cost and quality of manufactured products;

“(5) the concept of quality improvement is directly applicable to small companies as well as large, to service industries as well as manufacturing, and to the public sector as well as private enterprise;

“(6) in order to be successful, quality improvement programs must be management-led and customer-oriented and this may require fundamental changes in the way companies and agencies do business;

“(7) several major industrial nations have successfully coupled rigorous private sector quality audits with national awards giving special recognition to those enterprises the audits identify as the very best; and

“(8) a national quality award program of this kind in the United States would help improve quality and productivity by—

“(A) helping to stimulate American companies to improve quality and productivity for the pride of recognition while obtaining a competitive edge through increased profits,

“(B) recognizing the achievements of those companies which improve the quality of their goods and services and providing an example to others,

“(C) establishing guidelines and criteria that can be used by business, industrial, governmental, and other organizations in evaluating their own quality improvement efforts, and

“(D) providing specific guidance for other American organizations that wish to learn how to manage for high quality by making available detailed information on how winning organizations were able to change their cultures and achieve eminence.

“(b) PURPOSE.—It is the purpose of this Act [enacting this section, amending section 3708 of this title, and enacting provisions set out as a note under section 3701 of this title] to provide for the establishment and conduct of a national quality improvement program under which (1) awards are given to selected companies and other organizations in the United States that practice effective quality management and as a result make significant improvements in the quality of their goods and services, and (2) information is disseminated about the successful strategies and programs.”

### § 3711b. Conference on advanced automotive technologies

Not later than 180 days after December 18, 1991, the Secretary of Commerce, through the Under Secretary of Commerce for Technology, in consultation with other appropriate officials, shall convene a conference of domestic motor vehicle manufacturers, parts suppliers, Federal laboratories, and motor vehicle users to explore ways in which cooperatively they can improve the competitiveness of the United States motor vehicle industry by developing new technologies which will enhance the safety and energy savings, and lessen the environmental impact of domestic motor vehicles, and the results of such conference shall be published and then submitted to the President and to the Committees on Science, Space, and Technology and Public Works and Transportation of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(Pub. L. 96–480, §18, as added Pub. L. 102–240, title VI, §6019, Dec. 18, 1991, 105 Stat. 2183.)

#### CHANGE OF NAME

Committee on Public Works and Transportation of House of Representatives treated as referring to Committee on Transportation and Infrastructure of House of Representatives by section 1(a) of Pub. L. 104–14, set out as a note preceding section 21 of Title 2.

### § 3711c. Advanced motor vehicle research award

#### (a) Establishment

There is established a National Award for the Advancement of Motor Vehicle Research and Development. The award shall consist of a medal, and a cash prize if funding is available for the prize under subsection (c) of this section. The medal shall be of such design and materials and bear inscriptions as is determined by the Secretary of Transportation.

#### (b) Making and presenting award

The Secretary of Transportation shall periodically make and present the award to domestic motor vehicle manufacturers, suppliers, or Federal laboratory personnel who, in the opinion of the Secretary of Transportation, have substantially improved domestic motor vehicle research and development in safety, energy savings, or environmental impact. No person may receive the award more than once every 5 years.

#### (c) Funding for award

The Secretary of Transportation may seek and accept gifts of money from private sources for the purpose of making cash prize awards under this section. Such money may be used only for that purpose, and only such money may be used for that purpose.

(Pub. L. 96–480, §19, as added Pub. L. 102–240, title VI, §6019, Dec. 18, 1991, 105 Stat. 2184.)

### § 3712. Personnel exchanges

The Secretary, the Secretary of Energy, and the Director of the National Science Foundation, jointly, shall establish a program to foster the exchange of scientific and technical personnel among academia, industry, and Federal laboratories. Such program shall include both (1) federally supported exchanges and (2) efforts to stimulate exchanges without Federal funding.

(Pub. L. 96–480, §20, formerly §13, Oct. 21, 1980, 94 Stat. 2320; renumbered §17, Pub. L. 99–502, §2, Oct. 20, 1986, 100 Stat. 1785; renumbered §16, Pub. L. 99–502, §9(e)(1), Oct. 20, 1986, 100 Stat. 1797; renumbered §17, Pub. L. 100–107, §3(a), Aug. 20, 1987, 101 Stat. 725; renumbered §18, Pub. L. 100–418, title V, §5122(a)(1), Aug. 23, 1988, 102 Stat. 1438; renumbered §20, Pub. L. 102–240, title VI, §6019, Dec. 18, 1991, 105 Stat. 2183; Pub. L. 109–58, title X, §1009(c), Aug. 8, 2005, 119 Stat. 936.)

#### AMENDMENTS

2005—Pub. L. 109–58 substituted “, the Secretary of Energy, and the Director of the National Science Foundation” for “and the National Science Foundation”.

### § 3713. Authorization of appropriations

(a)(1) There is authorized to be appropriated to the Secretary for the purposes of carrying out

sections 3710(g) and 3711 of this title not to exceed \$3,400,000 for the fiscal year ending September 30, 1988.

(2) Of the amount authorized under paragraph (1) of this subsection, \$2,400,000 is authorized only for the Office of Productivity, Technology, and Innovation; and \$500,000 is authorized only for the patent licensing activities of the National Technical Information Service.

(b) In addition to the authorization of appropriations provided under subsection (a) of this section, there is authorized to be appropriated to the Secretary for the purposes of carrying out section 3704a of this title not to exceed \$500,000 for the fiscal year ending September 30, 1988, \$1,000,000 for the fiscal year ending September 30, 1989, and \$1,500,000 for the fiscal year ending September 30, 1990.

(c) Such sums as may be appropriated under subsections (a) and (b) of this section shall remain available until expended.

(d) To enable the National Science Foundation to carry out its powers and duties under this chapter only such sums may be appropriated as the Congress may authorize by law.

(Pub. L. 96-480, §21, formerly §14, Oct. 21, 1980, 94 Stat. 2320; renumbered §18, Pub. L. 99-502, §2, Oct. 20, 1986, 100 Stat. 1785; renumbered §17, Pub. L. 99-502, §9(e)(1), Oct. 20, 1986, 100 Stat. 1797; renumbered §18, Pub. L. 100-107, §3(a), Aug. 20, 1987, 101 Stat. 725; renumbered §19 and amended Pub. L. 100-418, title V, §§5122(a)(1), 5152, Aug. 23, 1988, 102 Stat. 1438, 1449; renumbered §21, Pub. L. 102-240, title VI, §6019, Dec. 18, 1991, 105 Stat. 2183; Pub. L. 110-69, title III, §3002(c)(5), Aug. 9, 2007, 121 Stat. 586.)

#### AMENDMENTS

2007—Subsec. (a)(1). Pub. L. 110-69, §3002(c)(5)(A), substituted “sections 3710(g) and 3711” for “sections 3704, 3710(g), and 3711”.

Subsec. (a)(2). Pub. L. 110-69, §3002(c)(5)(B), struck out “\$500,000 is authorized only for the purpose of carrying out the requirements of the Japanese technical literature program established under section 3704(d) of this title;” after “Innovation;”.

1988—Subsec. (a). Pub. L. 100-418, §5152, amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “There is authorized to be appropriated to the Secretary for purposes of carrying out section 3705 of this title, not to exceed \$19,000,000 for the fiscal year ending September 30, 1981, \$40,000,000 for fiscal year ending September 30, 1982, \$50,000,000 for the fiscal year ending September 30, 1983, and \$60,000,000 for each of the fiscal years ending September 30, 1984, and 1985.”

Subsec. (b). Pub. L. 100-418, §5152, amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “In addition to authorizations of appropriations under subsection (a) of this section, there is authorized to be appropriated to the Secretary for purposes of carrying out the provisions of this chapter, not to exceed \$5,000,000 for the fiscal year ending September 30, 1981, \$9,000,000 for the fiscal year ending September 30, 1982, and \$14,000,000 for each of the fiscal years ending September 30, 1983, 1984, and 1985.”

#### § 3714. Spending authority

No payments shall be made or contracts shall be entered into pursuant to the provisions of this chapter (other than sections 3710a, 3710b, and 3710c of this title) except to such extent or in such amounts as are provided in advance in appropriation Acts.

(Pub. L. 96-480, §22, formerly §15, Oct. 21, 1980, 94 Stat. 2320; renumbered §19, Pub. L. 99-502, §2, Oct. 20, 1986, 100 Stat. 1785; renumbered §18, and amended Pub. L. 99-502, §9(b)(13), (e)(1), (4), Oct. 20, 1986, 100 Stat. 1796, 1797; renumbered §19, Pub. L. 100-107, §3(a), Aug. 20, 1987, 101 Stat. 725; renumbered §20, Pub. L. 100-418, title V, §5122(a)(1), Aug. 23, 1988, 102 Stat. 1438; renumbered §22, Pub. L. 102-240, title VI, §6019, Dec. 18, 1991, 105 Stat. 2183; Pub. L. 106-404, §7(8), Nov. 1, 2000, 114 Stat. 1746.)

#### AMENDMENTS

2000—Pub. L. 106-404 made technical amendments to references in original act which appear in text as references to sections 3710a, 3710b, and 3710c of this title.

1986—Pub. L. 99-502, §9(e)(4), made technical amendment to references to sections 3710a, 3710b, and 3710c of this title to reflect renumbering of corresponding sections of original act.

Pub. L. 99-502, §9(b)(13), inserted exception relating to sections 3710a, 3710b, and 3710c of this title.

#### § 3715. Use of partnership intermediaries

##### (a) Authority

Subject to the approval of the Secretary or head of the affected department or agency, the Director of a Federal laboratory, or in the case of a federally funded research and development center that is not a laboratory (as defined in section 3710a(d)(2) of this title), the Federal employee who is the contract officer, may—

(1) enter into a contract or memorandum of understanding with a partnership intermediary that provides for the partnership intermediary to perform services for the Federal laboratory that increase the likelihood of success in the conduct of cooperative or joint activities of such Federal laboratory with small business firms, institutions of higher education as defined in section 1141(a)<sup>1</sup> of title 20, or educational institutions within the meaning of section 2194 of title 10; and

(2) pay the Federal costs of such contract or memorandum of understanding out of funds available for the support of the technology transfer function pursuant to section 3710(b) of this title.

##### (b) Omitted

##### (c) “Partnership intermediary” defined

For purposes of this section, the term “partnership intermediary” means an agency of a State or local government, or a nonprofit entity owned in whole or in part by, chartered by, funded in whole or in part by, or operated in whole or in part by or on behalf of a State or local government, that assists, counsels, advises, evaluates, or otherwise cooperates with small business firms, institutions of higher education as defined in section 1141(a)<sup>1</sup> of title 20, or educational institutions within the meaning of section 2194 of title 10, that need or can make demonstrably productive use of technology-related assistance from a Federal laboratory, including State programs receiving funds under cooperative agreements entered into under section 5121(b) of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 2781 note).

<sup>1</sup> See References in Text note below.