

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).

(Pub. L. 96-480, § 23, formerly § 21, as added Pub. L. 101-510, div. A, title VIII, § 827(a), Nov. 5, 1990, 104 Stat. 1606; amended Pub. L. 102-190, div. A, title VIII, § 836, Dec. 5, 1991, 105 Stat. 1448; renumbered § 23, Pub. L. 102-240, title VI, § 6019, Dec. 18, 1991, 105 Stat. 2183; Pub. L. 106-404, § 9, Nov. 1, 2000, 114 Stat. 1747.)

#### REFERENCES IN TEXT

Section 1141(a) of title 20, referred to in subsecs. (a)(1) and (c), was repealed by Pub. L. 105-244, § 3, title I, § 101(b), title VII, § 702, Oct. 7, 1998, 112 Stat. 1585, 1616, 1803, effective Oct. 1, 1998. However, the term “institution of higher education” is defined in section 1001 of Title 20, Education.

#### CODIFICATION

Subsec. (b) of this section, which required the Secretary to include in each triennial report required under section 3704d of this title a discussion and evaluation of activities carried out pursuant to this section, was omitted because of the termination of the tri-

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