

**CHAPTER 72—SEMICONDUCTOR RESEARCH****SUBCHAPTER I—COOPERATIVE RESEARCH PROGRAM**

- Sec.  
 4601. Findings, purposes, and definitions.  
 4602. Grants to Sematech.  
 4603. Semiconductor Technology Council.  
 4603a. Study and report by Semiconductor Technology Council.  
 4604. Repealed.  
 4605. Export of semiconductor manufacturing.  
 4606. Protection of information.

**SUBCHAPTER II—DEPARTMENT OF ENERGY SEMICONDUCTOR TECHNOLOGY RESEARCH EXCELLENCE INITIATIVE**

4621. Findings.  
 4622. Establishment of semiconductor manufacturing technology research initiative.  
 4623. Participation of national laboratories of Department of Energy.  
 4624. Personnel exchanges.  
 4625. Other Department of Energy resources.  
 4626. Budgeting for semiconductor manufacturing technology research.  
 4627. Cost-sharing agreements.  
 4628. Department of Energy oversight of cooperative agreements relating to Initiative.  
 4629. Avoidance of duplication.  
 4630. Authorization of appropriations.  
 4631. Technology transfer.  
 4632. Semiconductor research and development.

**SUBCHAPTER I—COOPERATIVE RESEARCH PROGRAM****§ 4601. Findings, purposes, and definitions****(a) Findings**

The Congress finds that it is in the national economic and security interests of the United States for the Department of Defense to provide financial assistance to the industry consortium known as Sematech for research and development activities in the field of semiconductor manufacturing technology.

**(b) Purposes**

The purposes of this subchapter are—

(1) to encourage the semiconductor industry in the United States—

(A) to conduct research on advanced semiconductor manufacturing techniques; and

(B) to develop techniques to use manufacturing expertise for the manufacture of a variety of semiconductor products; and

(2) in order to achieve the purpose set out in paragraph (1), to provide a grant program for the financial support of semiconductor research activities conducted by Sematech.

**(c) Definitions**

In this subchapter:

(1) The terms “Semiconductor Technology Council” and “Council” mean the advisory council established by section 4603 of this title.

(2) The term “Sematech” means a consortium of firms in the United States semiconductor industry established for the purposes of (A) conducting research concerning advanced semiconductor manufacturing techniques, and (B) developing techniques to adapt manufacturing expertise to a variety of semiconductor products.

(Pub. L. 100–180, div. A, title II, § 271, Dec. 4, 1987, 101 Stat. 1068; Pub. L. 103–160, div. A, title II, § 263(c)(1), Nov. 30, 1993, 107 Stat. 1610.)

**AMENDMENTS**

1993—Subsec. (c)(1). Pub. L. 103–160 substituted “Semiconductor Technology Council” for “Advisory Council on Federal Participation in Sematech”.

**§ 4602. Grants to Sematech****(a) Authority to make grants**

The Secretary of Defense shall make grants, in accordance with section 6304 of title 31, to Sematech in order to defray expenses incurred by Sematech in conducting research on and development of semiconductor manufacturing technology. The grants shall be made in accordance with a memorandum of understanding entered into under subsection (b) of this section.

**(b) Memorandum of understanding**

The Secretary of Defense shall enter into a memorandum of understanding with Sematech for the purposes of this subchapter. The memorandum of understanding shall require the following:

(1) That Sematech have—

(A) a charter agreed to by all representatives of the semiconductor industry that are participating members of Sematech; and

(B) an annual operating plan that is developed in consultation with the Secretary of Defense and the Semiconductor Technology Council.

(2) That the total amount of funds made available to Sematech by Federal, State, and local government agencies for any fiscal year for the support of research and development activities of Sematech under this section may not exceed 50 percent of the total cost of such activities.

(3) That Sematech, in conducting research and development activities pursuant to the memorandum of understanding, cooperate with and draw on the expertise of the national laboratories of the Department of Energy and of colleges and universities in the United States in the field of semiconductor manufacturing technology.

(4) That an independent, commercial auditor be retained (A) to determine the extent to which the funds made available to Sematech by the United States for the research and development activities of Sematech have been expended in a manner that is consistent with the purposes of this subchapter, the charter of Sematech, and the annual operating plan of Sematech, and (B) to submit to the Secretary of Defense, Sematech, and the Comptroller General of the United States an annual report containing the findings and determinations of such auditor.

(5) That (A) the Secretary of Defense be permitted to use intellectual property, trade secrets, and technical data owned and developed by Sematech in the same manner as a participant in Sematech and to transfer such intellectual property, trade secrets, and technical data to Department of Defense contractors for use in connection with Department of Defense requirements, and (B) the Secretary not be