

100-418, title V, §§ 5115(b)(1), 5122(a)(1), Aug. 23, 1988, 102 Stat. 1433, 1438.)

#### PRIOR PROVISIONS

A prior section 8 of Pub. L. 96-480 was renumbered section 9 and is classified to section 3707 of this title.

#### AMENDMENTS

1988—Subsec. (b). Pub. L. 100-418, § 5115(b)(1), substituted “Assistant Secretary” for “Director”.

### § 3707. National Science Foundation Cooperative Research Centers

#### (a) Establishment and provisions

The National Science Foundation shall provide assistance for the establishment of Cooperative Research Centers. Such Centers shall be affiliated with a university, or other nonprofit institution, or a group thereof. The objective of the Centers is to enhance technological innovation as provided in section 3705(a) of this title through the conduct of activities as provided in section 3705(b) of this title.

#### (b) Planning grants

The National Science Foundation is authorized to make available nonrenewable planning grants to universities of nonprofit institutions for the purpose of developing the plan, as described under section 3705(c)(3) of this title.

#### (c) Terms and conditions

Grants, contracts, and cooperative agreements entered into by the National Science Foundation in execution of the powers and duties of the National Science Foundation under this chapter shall be governed by the National Science Foundation Act of 1950 [42 U.S.C. 1861 et seq.] and other pertinent Acts.

(Pub. L. 96-480, § 9, formerly § 8, Oct. 21, 1980, 94 Stat. 2316; Pub. L. 99-502, § 9(b)(11), (12), (e)(2)(B), Oct. 20, 1986, 100 Stat. 1796, 1797; renumbered § 9, Pub. L. 100-418, title V, § 5122(a)(1), Aug. 23, 1988, 102 Stat. 1438; Pub. L. 106-404, § 7(4), Nov. 1, 2000, 114 Stat. 1745.)

#### REFERENCES IN TEXT

The National Science Foundation Act of 1950, referred to in subsec. (c), is act May 10, 1950, ch. 171, 64 Stat. 149, as amended, which is classified generally to chapter 16 (§ 1861 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1861 of Title 42 and Tables.

#### PRIOR PROVISIONS

A prior section 9 of Pub. L. 96-480 was renumbered section 10 and is classified to section 3708 of this title.

#### AMENDMENTS

2000—Subsecs. (a), (b). Pub. L. 106-404 made technical amendments to references in original act which appear in text as references to section 3705 of this title.

1986—Subsec. (a). Pub. L. 99-502 substituted “Cooperative Research Centers” for “Centers for Industrial Technology” and struck out last sentence which read as follows: “The provisions of sections 3705(e) and 3705(f) of this title shall apply to Centers established under this section.”

### § 3708. Administrative arrangements

#### (a) Coordination

The Secretary and the National Science Foundation shall, on a continuing basis, obtain the

advice and cooperation of departments and agencies whose missions contribute to or are affected by the programs established under this chapter, including the development of an agenda for research and policy experimentation. These departments and agencies shall include but not be limited to the Departments of Defense, Energy, Education, Health and Human Services, Housing and Urban Development, the Environmental Protection Agency, National Aeronautics and Space Administration, Small Business Administration, Council of Economic Advisers, Council on Environmental Quality, and Office of Science and Technology Policy.

#### (b) Cooperation

It is the sense of the Congress that departments and agencies, including the Federal laboratories, whose missions are affected by, or could contribute to, the programs established under this chapter, should, within the limits of budgetary authorizations and appropriations, support or participate in activities or projects authorized by this chapter.

#### (c) Administrative authorization

(1) Departments and agencies described in subsection (b) of this section are authorized to participate in, contribute to, and serve as resources for the Centers and for any other activities authorized under this chapter.

(2) The Secretary and the National Science Foundation are authorized to receive moneys and to receive other forms of assistance from other departments or agencies to support activities of the Centers and any other activities authorized under this chapter.

#### (d) Cooperative efforts

The Secretary and the National Science Foundation shall, on a continuing basis, provide each other the opportunity to comment on any proposed program of activity under section 3705, 3707, 3710, 3710d, 3711a, or 3712 of this title before funds are committed to such program in order to mount complementary efforts and avoid duplication.

(Pub. L. 96-480, § 10, formerly § 9, Oct. 21, 1980, 94 Stat. 2316; Pub. L. 99-502, § 9(e)(2)(C), Oct. 20, 1986, 100 Stat. 1797; Pub. L. 100-107, § 3(b), Aug. 20, 1987, 101 Stat. 727; renumbered § 10 and amended Pub. L. 100-418, title V, § 5122(a)(1), (c), Aug. 23, 1988, 102 Stat. 1438, 1439; Pub. L. 102-240, title VI, § 6019, Dec. 18, 1991, 105 Stat. 2183.)

#### PRIOR PROVISIONS

A prior section 10 of Pub. L. 96-480 was renumbered section 11 and is classified to section 3710 of this title.

Another prior section 10 of Pub. L. 96-480 related to National Industrial Technology Board and was classified to section 3709 of this title, prior to repeal by section 9(a) of Pub. L. 99-502.

#### AMENDMENTS

1991—Subsec. (d). Pub. L. 102-240 made technical amendment to reference to section 3712 of this title to reflect renumbering of corresponding section of original act.

1988—Subsec. (d). Pub. L. 100-418, § 5122(c), made technical amendment to references to sections 3705, 3707, 3710, 3710d, 3711a, and 3712 of this title to reflect renumbering of corresponding sections of original act.

1987—Subsec. (d). Pub. L. 100-107 inserted reference to section 3711a of this title.

1986—Subsec. (d). Pub. L. 99-502 inserted references to sections 3710 and 3710d of this title.

**§ 3709. Repealed. Pub. L. 99-502, § 9(a), Oct. 20, 1986, 100 Stat. 1795**

Section, Pub. L. 96-480, § 10, Oct. 21, 1980, 94 Stat. 2317, related to establishment, duties, membership, and terms of National Industrial Technology Board.

**§ 3710. Utilization of Federal technology**

**(a) Policy**

(1) It is the continuing responsibility of the Federal Government to ensure the full use of the results of the Nation's Federal investment in research and development. To this end the Federal Government shall strive where appropriate to transfer federally owned or originated technology to State and local governments and to the private sector.

(2) Technology transfer, consistent with mission responsibilities, is a responsibility of each laboratory science and engineering professional.

(3) Each laboratory director shall ensure that efforts to transfer technology are considered positively in laboratory job descriptions, employee promotion policies, and evaluation of the job performance of scientists and engineers in the laboratory.

**(b) Establishment of Research and Technology Applications Offices**

Each Federal laboratory shall establish an Office of Research and Technology Applications. Laboratories having existing organizational structures which perform the functions of this section may elect to combine the Office of Research and Technology Applications within the existing organization. The staffing and funding levels for these offices shall be determined between each Federal laboratory and the Federal agency operating or directing the laboratory, except that (1) each laboratory having 200 or more full-time equivalent scientific, engineering, and related technical positions shall provide one or more full-time equivalent positions as staff for its Office of Research and Technology Applications, and (2) each Federal agency which operates or directs one or more Federal laboratories shall make available sufficient funding, either as a separate line item or from the agency's research and development budget, to support the technology transfer function at the agency and at its laboratories, including support of the Offices of Research and Technology Applications. Furthermore, individuals filling positions in an Office of Research and Technology Applications shall be included in the overall laboratory/agency management development program so as to ensure that highly competent technical managers are full participants in the technology transfer process.

**(c) Functions of Research and Technology Applications Offices**

It shall be the function of each Office of Research and Technology Applications—

(1) to prepare application assessments for selected research and development projects in which that laboratory is engaged and which in the opinion of the laboratory may have potential commercial applications;

(2) to provide and disseminate information on federally owned or originated products, processes, and services having potential application to State and local governments and to private industry;

(3) to cooperate with and assist the National Technical Information Service, the Federal Laboratory Consortium for Technology Transfer, and other organizations which link the research and development resources of that laboratory and the Federal Government as a whole to potential users in State and local government and private industry;

(4) to provide technical assistance to State and local government officials; and

(5) to participate, where feasible, in regional, State, and local programs designed to facilitate or stimulate the transfer of technology for the benefit of the region, State, or local jurisdiction in which the Federal laboratory is located.

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. No Office of Research and Technology Applications or other organizational structures performing the functions of this subsection shall substantially compete with similar services available in the private sector.

**(d) Dissemination of technical information**

The National Technical Information Service shall—

(1) serve as a central clearinghouse for the collection, dissemination and transfer of information on federally owned or originated technologies having potential application to State and local governments and to private industry;

(2) utilize the expertise and services of the National Science Foundation and the Federal Laboratory Consortium for Technology Transfer; particularly in dealing with State and local governments;

(3) receive requests for technical assistance from State and local governments, respond to such requests with published information available to the Service, and refer such requests to the Federal Laboratory Consortium for Technology Transfer to the extent that such requests require a response involving more than the published information available to the Service;

(4) provide funding, at the discretion of the Secretary, for Federal laboratories to provide the assistance specified in subsection (c)(3) of this section;

(5) use appropriate technology transfer mechanisms such as personnel exchanges and computer-based systems; and

(6) maintain a permanent archival repository and clearinghouse for the collection and dissemination of nonclassified scientific, technical, and engineering information.

**(e) Establishment of Federal Laboratory Consortium for Technology Transfer**

(1) There is hereby established the Federal Laboratory Consortium for Technology Transfer