

shall provide for programs, projects, and activities that encourage the development of new technology in the field of semiconductors.

(b) Budget categories

The programs, projects, and activities described in subsection (a) shall be included in the budget for general science and research activities of the Department of Energy, except that any programs, projects, and activities that directly support and directly benefit the defense activities of the Department shall be included in the budget for atomic energy defense activities of the Department of Energy.

(Pub. L. 100-180, div. C, title I, §3146, Dec. 4, 1987, 101 Stat. 1243.)

§ 4627. Cost-sharing agreements

(a) Permitted provisions

The director of each national laboratory of the Department of Energy that is participating in the Initiative or the contractor operating any such national laboratory, in carrying out programs under a contract with the Department of Energy, may include in any research and development agreement entered into with a domestic firm in connection with such Initiative a cooperative provision for the domestic firm to pay a portion of the cost of the research and development activities.

(b) Limitations

(1) Not more than an amount equal to 1 percent of any national laboratory's annual budget shall be received from nonappropriated funds derived from contracts entered into under the Initiative in any fiscal year, except to the extent approved in advance by the Secretary of Energy.

(2) No Department of Energy national laboratory may receive more than \$10,000,000 of nonappropriated funds under any cooperative research and development agreement entered into under this subsection in connection with the Initiative, except to the extent approved in advance by the Secretary of Energy.

(Pub. L. 100-180, div. C, title I, §3147, Dec. 4, 1987, 101 Stat. 1244.)

§ 4628. Department of Energy oversight of cooperative agreements relating to Initiative

(a) Provisions relating to disapproval and modification of agreements

If the Secretary of Energy desires an opportunity to disapprove or require the modification of any agreement under section 4627 of this title, the agreement shall provide a 90-day period within which such action may be taken, beginning on the date the agreement is submitted to the Secretary.

(b) Record of agreements

Each national laboratory shall maintain a record of all agreements entered into under this section.

(Pub. L. 100-180, div. C, title I, §3148, Dec. 4, 1987, 101 Stat. 1244.)

§ 4629. Avoidance of duplication

In carrying out the Initiative, the Secretary of Energy shall ensure that unnecessary duplica-

tive research is not performed at the research facilities (including the national laboratories of the Department of Energy) that are participating in the Initiative.

(Pub. L. 100-180, div. C, title I, §3149, Dec. 4, 1987, 101 Stat. 1244.)

§ 4630. Authorization of appropriations

There is authorized to be appropriated to the Department of Energy for fiscal year 1988 the sum of \$25,000,000 for general science and research activities of the Department of Energy under the Initiative.

(Pub. L. 100-180, div. C, title I, §3150, Dec. 4, 1987, 101 Stat. 1244.)

§ 4631. Technology transfer

(a) In general

The Secretary of Energy shall adopt procedures to provide for timely and efficient transfer of semiconductor technology developed under the Initiative pursuant to applicable laws, Executive orders, and regulations.

(b) Plan for commercialization enhancement

(1) Not later than one year after the date on which funds are first appropriated to conduct the Initiative, the Secretary of Energy shall transmit to the committees of Congress named in paragraph (2) a plan for the transfer of semiconductor technology and information generated by the Initiative.

(2) The committees of Congress referred to in paragraph (1) are the Committees on Armed Services of the Senate and House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives.

(Pub. L. 100-180, div. C, title I, §3151, Dec. 4, 1987, 101 Stat. 1244; Pub. L. 103-437, §5(b)(6), Nov. 2, 1994, 108 Stat. 4582.)

AMENDMENTS

1994—Subsec. (b)(2). Pub. L. 103-437 substituted "Committee on Science, Space, and Technology" for "Committee on Science and Technology".

§ 4632. Semiconductor research and development

(a) Short title

This section may be cited as the "National Advisory Committee on Semiconductor Research and Development Act of 1988".

(b) Findings and purposes

(1) The Congress finds and declares that—

(A) semiconductor technology is playing an ever-increasing role in United States industrial and commercial products and processes, making secure domestic sources of state-of-the-art semiconductors highly desirable;

(B) modern weapons systems are highly dependent on leading edge semiconductor devices, and it is counter to the national security interest to be heavily dependent upon foreign sources for this technology;

(C) governmental responsibilities related to the semiconductor industry are divided among many Federal departments and agencies; and

(D) joint industry-government consideration of semiconductor industry problems is needed at this time.

(2) The purposes of this section are—

(A) to establish the National Advisory Committee on Semiconductors; and

(B) to assign to such Committee the responsibility for devising and promulgating a national semiconductor strategy, including research and development, the implementation of which will assure the continued leadership of the United States in semiconductor technology.

(c) Creation of Committee

There is hereby created in the executive branch of the Government an independent advisory body to be known as the National Advisory Committee on Semiconductors (hereafter in this section referred to as the "Committee").

(d) Functions

(1) The Committee shall—

(A) collect and analyze information on the needs and capabilities of industry, the Federal Government, and the scientific and research communities related to semiconductor technology;

(B) identify the components of a successful national semiconductor strategy in accordance with subsection (b)(2)(B);

(C) analyze options, establish priorities, and recommend roles for participants in the national strategy;

(D) assess the roles for government and national laboratories and other laboratories supported largely for government purposes in contributing to the semiconductor technology base of the Nation, as well as to access the effective use of the resources of United States private industry, United States universities, and private-public research and development efforts; and

(E) provide results and recommendations to agencies of the Federal Government involved in legislative, policymaking, administrative, management, planning, and technology activities that affect or are part of a national semiconductor strategy, and to the industry and other nongovernmental groups or organizations affected by or contributing to that strategy.

(2) In fulfilling this responsibility, the Committee shall—

(A) monitor the competitiveness of the United States semiconductor technology base;

(B) determine technical areas where United States semiconductor technology is deficient relative to international competition;

(C) identify new or emerging semiconductor technologies that will impact the national defense or United States competitiveness or both;

(D) develop research and development strategies, tactics, and plans whose execution will assure United States semiconductor competitiveness; and

(E) recommend appropriate actions that support the national semiconductor strategy.

(e) Membership and procedures

(1)(A) The Committee shall be composed of 13 members, 7 of whom shall constitute a quorum.

(B) The Secretary of Defense, the Secretary of Commerce, the Secretary of Energy, the Director of the Office of Science and Technology Policy, and the Director of the National Science Foundation, or their designees, shall serve as members of the Committee.

(C) The President, acting through the Director of the Office of Science and Technology Policy, shall appoint, as additional members of the Committee, 4 members from outside the Federal Government who are eminent in the semiconductor industry, and 4 members from outside the Federal Government who are eminent in the fields of technology, defense, and economic development.

(D) One of the members appointed under subparagraph (C), as designated by the President at the time of appointment, shall be chairman of the Committee.

(2) Funding and administrative support for the Committee shall be provided to the Office of Science and Technology Policy through an arrangement with an appropriate agency or organization designated by the Committee, in accordance with a memorandum of understanding entered into between them.

(3) Members of the Committee, other than full-time employees of the Federal Government, while attending meetings of the Committee or otherwise performing duties at the request of the Chairman while away from their homes or regular places of business, shall be allowed travel expenses in accordance with subchapter I of chapter 57 of title 5.

(4) The Chairman shall call the first meeting of the Committee not later than 90 days after August 23, 1988.

(5) At the close of each fiscal year the Committee shall submit to the President and the Congress a report on its activities conducted during such year and its planned activities for the coming year, including specific findings and recommendations with respect to the national semiconductor strategy devised and promulgated under subsection (b)(2)(B). The first report shall include an analysis of those technical areas, including manufacturing, which are of importance to the United States semiconductor industry, and shall make specific recommendations regarding the appropriate Federal role in correcting any deficiencies identified by the analysis. Each report shall include an estimate of the length of time the Committee must continue before the achievement of its purposes and the issuance of its final report.

(f) Authorization of appropriations

There are authorized to be appropriated to carry out the purposes of this section such sums as may be necessary for the fiscal years 1988, 1989, 1990, 1991, 1992, and 1993.

(Pub. L. 100-418, title V, § 5142, Aug. 23, 1988, 102 Stat. 1444; Pub. L. 102-245, title I, § 105(f), Feb. 14, 1992, 106 Stat. 12.)

CODIFICATION

Section was enacted as part of the Technology Competitiveness Act and as part of the Omnibus Trade and Competitiveness Act of 1988, and not as part of part D of title I of division C of Pub. L. 100-180 which comprises this subchapter.

AMENDMENTS

1992—Subsec. (f). Pub. L. 102-245 substituted “1990, 1991, 1992, and 1993” for “and 1990”.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (e)(5) of this section relating to submitting annual report to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 178 of House Document No. 103-7.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

CHAPTER 73—EXPORT ENHANCEMENT

SUBCHAPTER I—FAIR TRADE IN AUTO PARTS

Sec.
4701 to 4704. Omitted.

SUBCHAPTER I-A—FAIR TRADE IN AUTOMOTIVE PARTS

4705 to 4705c. Omitted.

SUBCHAPTER II—GENERAL PROVISIONS

4711. Repealed.
4712. Barter and countertrade.

SUBCHAPTER III—EXPORT PROMOTION

4721. United States and Foreign Commercial Service.
4722. Transferred.
4723. Market Development Cooperator Program.
4723a. United States Commercial Centers.
4724. Trade shows.
4725. United States and Foreign Commercial Service Pacific Rim initiative.
4726. Indian tribes export promotion.
4727. Trade Promotion Coordinating Committee.
4727a. Implementation of primary objectives of TPCC.
4728. Environmental trade promotion.
4729. Report on export policy.

SUBCHAPTER I—FAIR TRADE IN AUTO PARTS

§§ 4701 to 4704. Omitted

CODIFICATION

Sections 4701 to 4704 were omitted pursuant to section 4704 which provided that the authorities under this subchapter expired on Dec. 31, 1998.

Section 4701, Pub. L. 100-418, title II, §2122, Aug. 23, 1988, 102 Stat. 1325, defined “Japanese markets”.

Section 4702, Pub. L. 100-418, title II, §2123, Aug. 23, 1988, 102 Stat. 1326, established initiative on auto parts sales to Japan.

Section 4703, Pub. L. 100-418, title II, §2124, Aug. 23, 1988, 102 Stat. 1326, established Special Advisory Committee on auto parts sales in Japan.

Section 4704, Pub. L. 100-418, title II, §2125, Aug. 23, 1988, 102 Stat. 1327; Pub. L. 103-236, title V, §510(a), Apr. 30, 1994, 108 Stat. 465, provided that the authorities under this subchapter expire on Dec. 31, 1998.

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-261, div. C, title XXXVIII, §3801, Oct. 17, 1998, 112 Stat. 2275, provided that title XXXVIII of div.

C of Pub. L. 105-261, enacting former subchapter I-A of this chapter, could be cited as the “Fair Trade in Automotive Parts Act of 1998”.

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-392, title IV, §401, Oct. 22, 1994, 108 Stat. 4099, provided that: “This title [amending section 4728 of this title] may be cited as the ‘Environmental Export Promotion Act of 1994’.”

SHORT TITLE

Pub. L. 100-418, title II, §2001, Aug. 23, 1988, 102 Stat. 1325, provided that: “This title [see Tables for classification] may be referred to as the ‘Export Enhancement Act of 1988’.”

Pub. L. 100-418, title II, §2121, Aug. 23, 1988, 102 Stat. 1325, provided that this subchapter could be referred to as the “Fair Trade in Auto Parts Act of 1988”.

SUBCHAPTER I-A—FAIR TRADE IN AUTOMOTIVE PARTS

§§ 4705 to 4705c. Omitted

CODIFICATION

Sections 4705 to 4705c were omitted pursuant to section 4705c which provided that the authority under this subchapter expired on Dec. 31, 2003.

Section 4705, Pub. L. 105-261, div. C, title XXXVIII, §3802, Oct. 17, 1998, 112 Stat. 2275, contained definitions.

Section 4705a, Pub. L. 105-261, div. C, title XXXVIII, §3803, Oct. 17, 1998, 112 Stat. 2276, related to re-establishment of initiative on automotive parts sales to Japan.

Section 4705b, Pub. L. 105-261, div. C, title XXXVIII, §3804, Oct. 17, 1998, 112 Stat. 2276, established Special Advisory Committee on automotive parts sales in Japanese and other Asian markets.

Section 4705c, Pub. L. 105-261, div. C, title XXXVIII, §3805, Oct. 17, 1998, 112 Stat. 2277, provided that the authority under this subchapter expire on Dec. 31, 2003.

SUBCHAPTER II—GENERAL PROVISIONS

§ 4711. Repealed. Pub. L. 107-228, div. A, title VI, § 671(1), Sept. 30, 2002, 116 Stat. 1407

Section, Pub. L. 100-418, title II, §2202, Aug. 23, 1988, 102 Stat. 1327; Pub. L. 104-188, title I, §1954(b)(2), Aug. 20, 1996, 110 Stat. 1928, required the Secretary of State to report annually on the economic policy and trade practices of each country with which the United States has an economic or trade relationship.

§ 4712. Barter and countertrade

(a) Interagency group

(1) Establishment

The President shall establish an interagency group on countertrade, to be composed of representatives of such departments and agencies of the United States as the President considers appropriate. The Secretary of Commerce shall be the chairman of the interagency group.

(2) Functions

It shall be the function of the interagency group to—

(A) review and evaluate—

(i) United States policy on countertrade and offsets, in light of current trends in international countertrade and offsets and the impact of those trends on the United States economy;

(ii) the use of countertrade and offsets in United States exports and bilateral United States foreign economic assistance programs; and