

(4) The Secretary, for a period of up to 5 years after the development of information that—

- (A) results from research and development activities conducted under this chapter; and
- (B) would be a trade secret or commercial or financial information that is privileged or confidential, as described in section 5104(a) of this title, if the information had been obtained from a domestic company,

may provide appropriate protections against the dissemination of such information, including exemption from subchapter II of chapter 5 of title 5.

(5) The plan shall assure basic research support, for the research carried out under the research plan, from independent laboratories, universities, and nonprofit organizations, by coordinating activities under the research plan with the basic research efforts of the Department of Energy, such as the Energy Conversion and Utilization Technologies Program and the Materials Processing and Sensor and Controls programs within the Office of Industrial Technologies.

(c) Priorities

Within 6 months after November 17, 1988, the Secretary shall publish an update of the research plan. In reviewing research and development activities for possible inclusion in the research plan, the Secretary shall consider the following:

(1) Steel projects

- (A) The direct production of liquid steel from domestic materials.
- (B) The production of near-net shape forms from liquid, powder, or solid steel.
- (C) The development of universal grades of steel.
- (D) The application of automatic processing technology.
- (E) The removal of residual elements from steel scrap.
- (F) The treatment and storage of waste materials and other byproducts from steel production and processing.
- (G) The development of super-plastic steel processing.
- (H) The development of advanced sheet and bar steels.
- (I) The development of technologies and equipment related to the production of steel that enhance the protection of the environment and the safety and health of workers.
- (J) Other steel technologies which, in the judgment of the Secretary, further the purposes of this chapter.
- (K) The development of technologies which reduce greenhouse gas emissions.

(2) Aluminum and other projects

- (A) The production of aluminum.
- (B) The application of automatic processing technology.
- (C) The treatment and storage of waste materials and other byproducts from aluminum production and processing.
- (D) The manufacture of aluminum mill products.
- (E) Aluminum recycling technologies.

(F) The development of technologies and equipment related to the production of aluminum that enhance the protection of the environment and the safety and health of workers.

(G) Aluminum, copper, and other metals technologies which, in the judgment of the Secretary, further the purposes of this chapter.

(d) Industry participation and review

The Secretary shall arrange for participation and review by representatives of each affected industry and by labor in the updating of the management and research plans and in the evaluation of the progress of research and development activities for their industry conducted under this chapter.

(Pub. L. 100-680, § 4, Nov. 17, 1988, 102 Stat. 4074; Pub. L. 102-486, title XXI, § 2106(a)(1), Oct. 24, 1992, 106 Stat. 3070; Pub. L. 110-229, title VI, § 602(b), May 8, 2008, 122 Stat. 853.)

REFERENCES IN TEXT

The Federal Nonnuclear Research and Development Act of 1974, referred to in subsec. (a), probably means the Federal Nonnuclear Energy Research and Development Act of 1974, Pub. L. 93-577, Dec. 31, 1974, 88 Stat. 1878, as amended, which is classified generally to chapter 74 (§5901 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 5901 of Title 42 and Tables.

AMENDMENTS

2008—Subsec. (c)(1)(H). Pub. L. 110-229, § 602(b)(1), substituted “sheet and bar steels” for “coatings for sheet steels”.

Subsec. (c)(1)(K). Pub. L. 110-229, § 602(b)(2), added subpar. (K).

1992—Subsec. (b)(5). Pub. L. 102-486 substituted “Industrial Technologies” for “Industrial Programs”.

§ 5104. Protection of proprietary rights

(a) Proprietary rights

No trade secrets or commercial or financial information that is privileged or confidential, under the meaning of section 552(b)(4) of title 5 which is obtained from a domestic company shall be disclosed in the conduct of the management plan or research plan, or as a result of activities under this chapter.

(b) Patent rights vested in United States

All patent rights from inventions developed under the management plan or the research plan implemented pursuant to this chapter shall be vested in accordance with section 5908 of title 42. (Pub. L. 100-680, § 5, Nov. 17, 1988, 102 Stat. 4075.)

§ 5105. Coordination

The Secretary shall coordinate the research and development conducted under this chapter with other research and development being conducted by the Department of Energy and other Federal agencies in order to increase efficiency and avoid duplication of effort.

(Pub. L. 100-680, § 6, Nov. 17, 1988, 102 Stat. 4076.)

§ 5106. Repealed. Pub. L. 110-229, title VI, § 602(c)(1), May 8, 2008, 122 Stat. 853

Section, Pub. L. 100-680, § 7, Nov. 17, 1988, 102 Stat. 4076, related to expanded steel and aluminum research