

(4) to implement a program and secure necessary facilities for the collection, collation, analysis, and interpretation of data and information as required in order to carry out the public information functions under this chapter; and

(5) to undertake such other studies, reviews, activities, and to make such recommendations and reports as may be required to carry out the functions of the Center.

(Pub. L. 94-136, title II, §205, Nov. 28, 1975, 89 Stat. 739.)

#### **§ 2416. Contracts and other funding arrangements**

##### **(a) Qualification of contracts or arrangements**

No contracts or other funding arrangements may be entered into under this chapter unless—

(1) such contracts or other funding arrangements will be consistent with the policies and purposes of this chapter and of potential benefit to other users in the public or private sectors;

(2) provisions are made to evaluate the demonstration program and maintain improvement data, such evaluation either to be implemented by the participating parties in accordance with specifications established by the Center, or to be implemented by or on behalf of the Center; and

(3) the participating parties agree that all information relating to any innovation or achievement generated in the course of any Center-funded demonstration program shall be public information.

##### **(b) Duration of contracts or arrangements**

No contract or other funding arrangement shall be made or entered into pursuant to the provisions of this chapter for a period of more than three years.

##### **(c) Non-Federal share of project in cash or in kind**

Any non-Federal share of a project may be in cash or in kind, fairly evaluated, including, but not limited to, plant, equipment, or services.

(Pub. L. 94-136, title II, §206, Nov. 28, 1975, 89 Stat. 739.)

#### **§ 2417. Criteria for participating parties**

##### **(a) Establishment of criteria by regulation**

The Center shall prescribe by regulation, after consultation with appropriate agencies and officials of Federal, State, and local governments, basic criteria for the participating parties under this chapter.

##### **(b) Reallocation of funds**

If the Center determines, on the basis of information available to it during any fiscal year, that a portion of the funds provided to a participating party for that fiscal year will not be required by the party or will become available by virtue of the application of regulations established by the Center to govern noncompliance by a participating party, that portion shall be available for reallocation under this section.

##### **(c) Establishment of criteria for determination of noncompliance**

The Center shall by regulation prescribe the basic criteria for determination of noncompli-

ance by participating parties including appropriate provisions for notice and hearing with respect to such determination.

(Pub. L. 94-136, title II, §207, Nov. 28, 1975, 89 Stat. 739.)

#### **§ 2418. Annual report**

##### **(a) Contents**

Not later than December 31 of each year, the Center shall report to the President and to the Congress on activities pursuant to the provision of this subchapter during the preceding fiscal year; such reports shall include a detailed statement of all public and private funds received and expended together with such recommendations as the Center deems appropriate. Such report shall include an analysis of the extent to which each agency of the Federal Government which has significant responsibilities for assisting in the improvement of productivity is carrying out such responsibilities consistent with the provisions of this chapter, including (A) an accounting of all funds expended or obligated by such agencies for activities and projects to improve productivity growth, (B) an assessment of the extent to which such expenditures or obligations have furthered the policies of the Center, and (C) the Center's recommendations on how these expenditures and obligations can be better coordinated to accomplish the purposes of this chapter.

##### **(b) Referral to appropriate committees**

Each report required to be submitted to the Congress by this chapter shall be referred to the standing committee or committees having jurisdiction over any part of the subject matter of the report.

(Pub. L. 94-136, title II, §208, Nov. 28, 1975, 89 Stat. 740.)

#### **SUBCHAPTER III—FEDERAL AGENCY COORDINATION AND LIAISON WITH CENTER**

#### **§ 2431. Liaison with Center**

##### **(a) Designee**

Each department, agency, and independent establishment of the Federal Government shall designate a qualified individual to serve as liaison with the Center and to assist the Center in carrying out its functions pursuant to this chapter.

##### **(b) Consultation with departments, agencies, and independent establishments of Federal Government**

Each department, agency, and independent establishment of the Federal Government shall keep the Center currently informed of its programs, policies, and initiatives to improve productivity which relate to the responsibilities of the Center, and shall consult with the Center prior to the obligation or expenditure of funds for activities or projects to improve productivity growth.

##### **(c) Access to information**

Each Federal department, agency, and independent establishment of the Federal Government is authorized and directed to furnish or