I

103D CONGRESS
1ST SESSION

H. R. 1432

To establish missions for Department of Energy research and development laboratories, provide for the evaluation of laboratory effectiveness in accomplishing such missions, and reorganize and consolidate Department of Energy technology transfer activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 1993

Mr. BROWN of California (for himself, Mrs. LLOYD, Mr. VALENTINE, Mr. BOUCHER, and Mr. WYDEN) introduced the following bill; which was referred jointly to the Committees on Science, Space, and Technology and Armed Services

SEPTEMBER 15, 1993

Additional sponsors: Mr. BACCHUS of Florida, Mr. INSLEE, Ms. FURSE, Mr. WAXMAN, Mr. MILLER of California, Ms. PELOSI, Mr. DELLUMS, Ms. ESHOO, and Mr. SCOTT

A BILL

To establish missions for Department of Energy research and development laboratories, provide for the evaluation of laboratory effectiveness in accomplishing such missions, and reorganize and consolidate Department of Energy technology transfer activities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Department of Energy Laboratory Technology Act of 1993''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) the Department of Energy maintains an extensive system of laboratories which are engaged in research and development work in fields such as energy development and energy efficiency, national security, hazardous waste cleanup, high energy physics, and information technologies;

(2) departmental laboratories represent a national resource, comprised of sophisticated scientific instrumentation, unique research facilities, and a dedicated, multi-disciplinary work force of scientists and engineers;

(3) the end of the Cold War has created a significant challenge to the departmental nuclear weapons laboratories, since the nature and level of national security activities conducted at these laboratories are changing rapidly;

(4) the United States faces serious national security, economic, and environmental challenges toward which the resources of departmental laboratories could be applied in a more concerted fashion;

(5) in order to contribute to United States economic competitiveness, departmental laboratories will need to cooperate with industry on an unprecedented scale;

(6) United States industry appears to have a strong interest in developing cooperative research and development agreements, and other joint research programs, with departmental laboratories, although the legislative and bureaucratic frameworks for cooperative efforts between departmental laboratories and industry remain cumbersome;

(7) independent reviews of departmental laboratories over the past two decades uniformly have emphasized the importance of maintaining well defined missions at these laboratories, in order to provide coherence and direction;

(8) as the missions of departmental laboratories, and other Federal laboratories, change in response to evolving national needs, the activities of these laboratories should be coordinated to the maximum extent possible and should be rigorously evaluated in order to ensure that they are meeting their intended objectives;

(9) there currently exists no Government-wide process for evaluating and coordinating the missions

and research and development activities among the Federal laboratories;

(10) the Federal Coordinating Council for Science, Engineering, and Technology, which is chaired by the Director of the Office of Science and Technology Policy, is responsible for conducting cross-cutting reviews of science and technology in the United States Government, and should serve to coordinate activities at the Federal laboratories and to ensure that such activities are meeting established technical milestones and other performance goals; and

(11) if certain Federal laboratories, or portions thereof, have completed the mission or missions for which they were established, and are no longer contributing to other important national objectives, then such laboratories, or portions thereof, should be closed.

SEC. 3. DEFINITIONS.

For the purposes of this Act—

(1) the term ''Committee'' means the Federal Laboratory Mission Evaluation and Coordination Committee established under section 9;

(2) the term ''Council'' means the Federal Coordinating Council for Science, Engineering, and Technology;

(3) the term ''Department'' means the Department of Energy;

(4) the term ''departmental laboratory'' means any research and development laboratory or center that is owned or leased by the Department, and whose operations are substantially funded by the Department, whether operated by the Government or by a contractor;

(5) the term ''departmental multiprogram laboratories'' means the Argonne National Laboratory, the Brookhaven National Laboratory, the Idaho National Engineering Laboratory, the Lawrence Berkeley National Laboratory, the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, the National Renewable Energy Laboratory, the Oak Ridge National Laboratory (including research and development activities located at the Y–12 Plant), the Pacific Northwest Laboratory, the Sandia National Laboratories, and any other laboratory which the Secretary designates as a departmental multiprogram laboratory;

(6) the term ''departmental nuclear weapons laboratories'' means the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, and the Sandia National Laboratories;

(7) the term ''Federal laboratory'' means any research and development laboratory or center that is owned or leased by the Federal Government, and whose operations are substantially funded by the Federal Government, whether operated by the Government or by a contractor;

(8) the term ''green technology'' means any technology aimed at reducing the generation of hazardous or nonhazardous waste or pollution, or reducing the consumption of energy or materials, while contributing to sustainable United States economic growth;

(9) the term ''mission'' means a clear statement of purpose to focus research and development activity at a Federal laboratory on specified objectives;

(10) the term ''Secretary'' means the Secretary of Energy; and

(11) the term ''technology transfer'' means—

(A) any process by which federally owned or originated technology, or the intellectual property rights associated with such technology,

are transferred to private industry, State or local governments, or universities or other nonprofit organizations; and

(B) any collaborative effort involving a Federal laboratory and private industry, State or local governments, or universities or other nonprofit organizations, whose goal is—

(i) to enhance the potential use by private industry, State or local governments, or universities or other nonprofit organizations, of the results of research and development sponsored by the Federal Government; or

(ii) to jointly develop new scientific or technical information or generic, precompetitive technology.

SEC. 4. MISSIONS OF DEPARTMENTAL LABORATORIES.

(a) GENERAL AUTHORITY.—The Department is authorized to maintain departmental laboratories for the purpose of pursuing the following missions:

(1) Enhancing the Nation's understanding of energy production and use, with emphasis on energy efficiency, conservation, and renewable energy production, with the goal of reducing the Nation's reliance on imported and nonrenewable energy sources

and minimizing the environmental impacts of energy use.

(2) Advancing nuclear science and technology for national security purposes, with the goal of helping ensure a safe and reliable nuclear arsenal for as long as the Nation maintains nuclear weapons.

(3) Assisting with the dismantlement of nuclear weapons, working to curb the proliferation of nuclear weapons, and conducting research on and the development of technologies needed for the effective verification of international arms control agreements, with the goal of reducing the threat of nuclear war.

(4) Conducting fundamental research in energy-related science and technology, including construction and operation of unique scientific instruments for use by the Federal Government, academia, industry, and other appropriate non-Federal institutions, with the goal of expanding the Nation's basic understanding of the scientific principles of nature.

(5) Developing technologies and techniques for the safe disposal of hazardous waste (including radioactive waste) resulting from nuclear materials production, weapons production and surveillance programs, and naval nuclear propulsion programs,

with the goal of accelerating the schedule of, and reducing the total cost of, cleaning up the hazardous waste sites associated with nuclear weapons production and other nuclear materials programs funded by the Department.

(6) Working with industry and other Federal agencies to develop generic, precompetitive green technologies, with the goal of protecting environmental quality and enhancing the United States economy.

(7) Except as provided in subsection (b)(2), conducting technology transfer activities with the goal of helping to enhance the ability of the departmental laboratories to meet their other mission responsibilities and also, to the extent practicable, contributing to sustainable United States economic growth.

(8) Utilizing the scientific, technical, and human resources at such laboratories to support the national goal of improving the quality of science, mathematics, and engineering education in the United States.

(b) ADDITIONAL MISSIONS.—(1) Departmental laboratories are authorized to pursue additional missions be-

yond those identified in subsection (a) only to the extent that—

(A) such laboratories possess substantial technical capabilities that can be devoted to such missions;

(B) such additional mission activities do not interfere with the pursuit of the missions identified in subsection (a);

(C) involvement in such additional mission activities is coordinated with any other Federal agency or agencies which carry out such mission activities; and

(D) such additional mission activities are consistent with the implementation of the process developed by the Committee pursuant to section 9(d)(2) of this Act.

(2) No more than 10 percent of the annual budget of a departmental laboratory may be committed to technology transfer activities that do not directly support the pursuit of missions identified in subsection (a).

(c) ANNUAL REPORT.—The Secretary, in consultation with appropriate departmental advisory boards and laboratory officials, shall submit to Congress annually before February 1 a report which shall include for each departmental laboratory—

(1) a statement of mission or missions which is sufficiently clear and specific to guide the Department and the departmental laboratory in setting goals against which the performance of the departmental laboratory will be evaluated, along with a statement of such goals;

(2) an explanation for any proposed modifications in the mission or missions for the departmental laboratory;

(3) a general assessment of the performance of the departmental laboratory over the preceding 12-month period in meeting its assigned mission or missions; and

(4) a technology transfer plan, describing how collaborative efforts between the laboratory and private industry, State or local governments, or universities or other nonprofit organizations are being coordinated and directed, based on the technical strengths of the laboratory, to enhance the impact of such collaborations.

SEC. 5. CONSOLIDATION OF DEPARTMENTAL NUCLEAR WEAPONS LABORATORIES.

The Secretary, in consultation with the Secretary of Defense and other appropriate Federal officers, shall submit to Congress by March 31, 1994, a plan for the phased

consolidation of the nuclear weapons research, development, engineering, and test-related activities of the departmental nuclear weapons laboratories. The plan shall—

(1) provide for reducing the cost of the Department's nuclear weapons research, development, engineering, and test-related programs by eliminating unnecessary redundancies within the departmental nuclear weapons laboratories;

(2) seek to ensure that the Nation retains the caliber and level of nuclear weapons research, development, engineering, and test-related capabilities and activities that it needs for national security purposes, consistent with section 507 of the Energy and Water Development Appropriations Act, 1993 (Public Law 102–377);

(3) include a plan for maintaining peer review of nuclear weapons design activities;

(4) provide a plan, including budgetary and programmatic information, for redirecting one or more of the departmental nuclear weapons laboratories to civilian missions, consistent with section 4; and

(5) include an assessment of any workforce retraining, environmental clean-up, or other conversion

costs that would be required to carry out the plan submitted under this section.

SEC. 6. AMENDMENTS TO THE DEPARTMENT OF ENERGY ORGANIZATION ACT.

(a) ORGANIZATION OF THE DEPARTMENT.—The Department of Energy Organization Act (42 U.S.C. 7101 et seq.) is amended—

(1) in section 2, by adding at the end the following new subsection:

''(d) As used in this Act—

''(1) the term 'cooperative research and development agreement' has the meaning given such term in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1));

''(2) the term 'departmental laboratory' means any research and development laboratory or center that is owned or leased by the Department, and whose operations are substantially funded by the Department, whether operated by the Government or by a contractor;

''(3) the term 'departmental multiprogram laboratories' means the Argonne National Laboratory, the Brookhaven National Laboratory, the Idaho National Engineering Laboratory, the Lawrence Berke-

ley National Laboratory, the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, the National Renewable Energy Laboratory, the Oak Ridge National Laboratory (including research and development activities located at the Y–12 Plant), the Pacific Northwest Laboratory, the Sandia National Laboratories, and any other laboratory which the Secretary designates as a departmental multiprogram laboratory; and

''(4) the term 'technology transfer' means—

''(A) any process by which federally owned or originated technology, or the intellectual property rights associated with such technology, are transferred to private industry, State or local governments, or universities or other nonprofit organizations; and

''(B) any collaborative effort involving a Federal laboratory and private industry, State or local governments, or universities or other nonprofit organizations, whose goal is—

''(i) to enhance the potential use by private industry, State or local governments, or universities or other nonprofit organizations, of the results of research

and development sponsored by the Federal Government; or

''(ii) to jointly develop new scientific or technical information or generic, precompetitive technology.'';

(2) in section 202(a), by striking ''Under Secretary'' and inserting in lieu thereof ''Under Secretaries'';

(3) by amending section 202(b) to read as follows:

''(b) There shall be in the Department an Under Secretary and a General Counsel, who shall perform such functions and duties as the Secretary shall prescribe, and an Under Secretary for Science and Technology, who shall be assigned duties and responsibilities in accordance with subsection (c). These 3 officers shall be appointed by the President, by and with the advice and consent of the Senate. The Under Secretaries shall be compensated at the rate for level III of the Executive Schedule under section 5314 of title 5, United States Code, and the General Counsel shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.'';

(4) by inserting after section 202(b) the following new subsection:

''(c) The functions which the Secretary shall assign to the Under Secretary for Science and Technology shall include—

''(1) oversight and management of all departmental laboratories;

''(2) oversight of basic energy sciences, high energy and nuclear physics, fusion energy, and all other nondefense research and development programs of the Department, including nondefense aspects of dual use research and technology development programs;

''(3) coordination of missions and programmatic activities among all departmental laboratories;

''(4) advising the Secretary with respect to the well-being and management of all departmental laboratories;

''(5) advising the Secretary on issues of science and technology;

''(6) management of the Department's technology transfer program, pursuant to section 204;

''(7) coordination of the Department's research and development programs with the research and development programs of other Federal agencies; and

''(8) developing and instituting a system that incorporates total quality management into the man-

agement and operations of departmental laboratories.'';

(5) by redesignating sections 203, 204, 205, 206, 207, 209, 210, and 211 as sections 205, 206, 207, 208, 209, 210, 211, and 212, respectively;

(6) by inserting after section 202 the following new sections:

''TECHNOLOGY DEVELOPMENT ADVISORY BOARD AND INDUSTRIAL ADVISORY GROUPS AT DEPARTMENTAL MULTIPROGRAM LABORATORIES

''SEC. 203. (a)(1) The Secretary shall establish within the Department an advisory board to be known as the 'Technology Development Advisory Board', to provide the Secretary with advice regarding the Department's activities aimed at collaborating with industry in the areas of research, technology development, and technology transfer.

''(2) A majority of the membership of the Technology Development Advisory Board shall consist of prominent representatives of United States industry, with the remaining members being representatives of educational institutions and professional and technical societies in the United States. All members shall be individuals qualified to provide the Secretary with advice described in paragraph (1).

''(3) The Technology Development Advisory Board shall request comment and suggestions from departmental multiprogram laboratories, from United States industry, and from educational institutions and professional and technical societies in the United States, to assist the Board in providing advice to the Secretary described in paragraph (1).

''(b) The director of each departmental multiprogram laboratory shall establish an advisory group consisting of representatives of United States industry, and of educational institutions and professional and technical societies in the United States, who have experience in the industrial sector to—

''(1) evaluate new initiatives proposed by the departmental multiprogram laboratory and identify opportunities for collaborative efforts with United States industry on those initiatives; and

''(2) evaluate ongoing programs at the departmental multiprogram laboratory from the perspective of United States industry.

''(c) The Secretary or the director of a departmental multiprogram laboratory may utilize existing advisory boards to achieve the purposes of this section.

''(d) Section 14 of the Federal Advisory Committee Act shall not apply to any advisory board or group established under this section.

''OFFICE OF TECHNOLOGY DEVELOPMENT

''SEC. 204. (a) There shall be within the Department an Office of Technology Development, to be headed by a Director, who shall report to the Under Secretary for Science and Technology. This office shall be established through consolidation of the functions and budgetary authority of the Defense Laboratory Technology Transfer Program, the Energy Research Laboratory Technology Transfer Program, and the Office of Technology Utilization. The Director of the Office shall—

''(1) work with all Assistant Secretaries, Office Directors, and other Department officials with responsibilities for managing research and development programs to ensure that technology transfer considerations are fully integrated into the planning and conduct of all research and development conducted at departmental laboratories;

''(2) develop and issue departmental policies for technology transfer activities, with the goal of creating a stable and consistent policy framework for departmental collaborations with private industry, State or local governments, or universities or other nonprofit organizations;

''(3) coordinate the management of Department funding for departmental collaborations with private industry, State or local governments, or universities or other nonprofit organizations;

''(4) develop appropriate criteria for measuring the success of departmental technology transfer programs, and ensure that all departmental technology transfer programs are evaluated on the basis of those criteria;

''(5) provide funding for cooperative research and development agreements;

''(6) support, to the extent funds are available for such purpose under subsection (b), generic, precompetitive research that advances research and development activities at departmental laboratories to the point of providing the potential basis for technology transfer;

''(7) for each cooperative research and development agreement entered into by a departmental laboratory or laboratories, prepare and make available to Congress a data sheet which provides the approximate date or dates on which the agreement went through each major stage of development, consideration, and disposition by the laboratory or laboratories and the Department;

''(8) promote and administer the National Technology Partnership Award established by section 8(a) of the Department of Energy Laboratory Technology Act of 1993; and

''(9) carry out such additional duties as are assigned to the Office of Technology Development by the Secretary relating to enhancing the technology transfer activities of the Department.

''(b) There are authorized to be appropriated to the Secretary, to be managed by the Office of Technology Development, for carrying out paragraphs (5) and (6) of subsection (a), $310,000,000 for fiscal year 1994, $400,000,000 for fiscal year 1995, $500,000,000 for fiscal year 1996, and $580,000,000 for fiscal year 1997, of which at least 5 percent for each fiscal year shall be for carrying out subsection (a)(6). The Office of Technology Development shall ensure that appropriated funding is available to all departmental laboratories without distinction as to whether the laboratory is involved in defense or nondefense activities.'';

(7) in section 211, as so redesignated by paragraph (5) of this section—

(A) by inserting the following at the end of subsection (a): ''Such Director shall report to

the Under Secretary for Science and Technology.''; and

(B) by amending subsection (b) to read as follows:

''(b) It shall be the duty and responsibility of the Director—

''(1) to manage high energy and nuclear physics, fusion energy, and supporting research and technical analysis programs, including basic energy sciences and university and science education programs;

''(2) to manage research and development on the health, safety, and environmental effects of energy technologies and programs;

''(3) to administer the Department's Small Business Innovation Research Program;

''(4) to manage the Department's program of grants and other forms of financial assistance in support of basic and applied energy research activities; and

''(5) to carry out such additional duties as are assigned to the Office by the Secretary.''; and

(8) by amending the table of contents to conform to the amendments made by this section.

SEC. 7. AMENDMENTS TO STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.

Section 12(c)(5) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)(5)) is amended—

(1) by amending subparagraph (C)(i) to read as follows:

''(C)(i) Except as provided in subparagraphs (D) and (E), any agency which has contracted with a non-Federal entity to operate a laboratory shall review and approve, request specific modifications to, or disapprove a joint work statement and cooperative research and development agreement that is submitted by the director of such laboratory within 30 days after such submission. In any case in which such an agency disapproves or requests the modification of a joint work statement or cooperative research and development agreement submitted under this section, the agency shall promptly transmit a written explanation of such disapproval or modification to the director of the laboratory concerned. In any case where an agency has requested specific modifications to a joint work statement or cooperative research and development agreement, the agency shall approve or disapprove any resubmission of such joint work statement or cooperative research and development agreement within 15 days after resubmission. No agreement may be entered into by a Government-

owned, contractor-operated laboratory under this section before approval of both the cooperative research and development agreement and a joint work statement.'';

(2) by striking clauses (ii), (iv), and (vi) of subparagraph (C);

(3) by redesignating clauses (iii) and (v) as clauses (ii) and (iv), respectively;

(4) by inserting after subparagraph (C)(ii) the following new clause:

''(iii) Any cooperative research and development agreement involving a Federal commitment of $500,000 or more shall contain technical milestones and other appropriate performance goals and evaluation criteria, with an anticipated schedule for meeting such milestones, goals, and criteria. Each sponsoring Federal agency shall conduct annual reviews of the work conducted within such cooperative research and development agreements and shall determine whether such cooperative research and development agreements—

''(I) generally are meeting established technical milestones, performance goals, and evaluation criteria;

''(II) require budget modifications in order to achieve the technical milestones and other performance goals and evaluation criteria of the agreement;

''(III) require modifications in the established technical milestones and other performance goals and evaluation criteria; or

''(IV) warrant termination.'';

(5) in subparagraph (C)(iv), as so redesignated by paragraph (3) of this section—

(A) by striking ''under clause (iv) within'' and inserting in lieu thereof ''of a cooperative research and development agreement under clause (i) within'';

(B) by striking ''successive 30-day period'' and inserting in lieu thereof ''successive 10-day period''; and

(C) by striking ''under clause (iv).'' and inserting in lieu thereof ''under clause (i).'';

(6) by redesignating subparagraph (D) as subparagraph (E); and

(7) by inserting after subparagraph (C) the following new subparagraph:

''(D)(i) A Federal agency may permit the director of any of its Government-owned, contractor-operated laboratories to enter into a cooperative research and development agreement involving a Federal commitment of $500,000 or less, without the specific approval of the

agency for the cooperative research and development agreement.

''(ii) A laboratory director who is granted authority by a Federal agency to enter into a cooperative research and development agreement pursuant to clause (i) shall provide the Federal agency with all relevant materials associated with the decision to enter into such an agreement, including an explanation of how the agreement will complement and contribute to the laboratory's missions and activities.''.

SEC. 8. NATIONAL TECHNOLOGY PARTNERSHIP AWARD.

(a) ESTABLISHMENT.—There is established a National Technology Partnership Award, which shall be evidenced by a medal or trophy bearing the inscription ''National Technology Partnership Award''. The medal or trophy shall be of such design and materials and bear such additional inscriptions as the Secretary may prescribe.

(b) PRESENTATION OF AWARD.—(1) The President shall periodically make the award to private sector or Federal Government organizations or individuals recommended by the review committee established under subsection (e) which in the judgment of the President have substantially benefited the economic or social well-being of the United States through public sector-private sector collaboration involving technology development or tech-

nology transfer, and which as a consequence are deserving of special recognition.

(2) The presentation of the award shall be made by the President with such ceremonies as the President may deem proper.

(3) An organization to which an award is made under this section may publicize its receipt of such award and use the award in its advertising, but it shall be ineligible to receive another such award in the same category for a period of 5 years.

(c) CATEGORIES IN WHICH AWARD MAY BE GIVEN.—(1) Subject to paragraphs (2) and (3) and the availability of appropriations or other funding, separate awards shall be made to qualifying organizations or individuals in each of the following categories:

(A) An organization or individual involved in a collaboration that led to the development or transfer of a technology that contributed substantially to the economic competitiveness of United States industry.

(B) An officer or employee of the Federal Government, or of a Federal laboratory, who has demonstrated unique foresight by integrating industry participation into a program in a fashion that added considerable value to the Federal investment.

(C) An organization or individual involved in a collaboration that led to the development or transfer of a technology that contributed substantially toward protection of the environment.

(2) The Secretary may at any time expand, subdivide, or otherwise modify the list of categories under paragraph (1), except that any such expansion, subdivision, or modification shall not be effective unless the Secretary has submitted a detailed description thereof to the Congress and a period of 30 days has elapsed since that submission.

(3) Not more than 2 awards may be made within any category in any year, and no award shall be made within any category if there are no qualifying candidates in that category.

(d) CRITERIA FOR QUALIFICATION.—An organization, officer, or employee of the Federal Government, or of a Federal laboratory, may qualify for an award under this section only if nominated in writing by the appropriate senior official of a Federal agency. A private sector organization or individual may qualify for an award under this section only if it applies to the Secretary in writing for the award, or is nominated in writing by the appropriate senior official of a Federal agency.

(e) REVIEW COMMITTEE.—(1) The Secretary shall establish and chair a review committee that shall meet an-

nually to review nominations and applications for the National Technology Partnership Award, and to recommend to the President organizations or individuals that are qualified to receive the Award.

(2) The membership of the review committee shall consist of one representative each from the Federal organizations which comprise the Council, and an equal number of prominent representatives from private industry, State or local governments, or universities or other nonprofit organizations, who are qualified to evaluate and judge the merits of proposed candidates for the National Technology Partnership Award.

(3) Members of the review committee shall receive no compensation for service on the review committee other than travel expenses and per diem in lieu of subsistence.

(4) Section 14 of the Federal Advisory Committee Act shall not apply to the review committee established under this subsection.

(f) FUNDING.—The Secretary is authorized to seek and accept gifts from public and private sources to carry out the program under this section.

SEC. 9. FEDERAL LABORATORY MISSION EVALUATION AND COORDINATION COMMITTEE.

(a) ESTABLISHMENT.—The President, through the Council, shall establish a Federal Laboratory Mission

Evaluation and Coordination Committee. The Committee shall carry out Council functions under section 401 of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6651) relating to evaluation and coordination of activities carried out at Federal laboratories.

(b) MEMBERSHIP.—The Committee shall consist of the Director of the Office of Science and Technology Policy, who shall chair the Committee, and one representative each from—

(1) the Department of Agriculture;

(2) the Department of Commerce;

(3) the Department of Defense;

(4) the Department of Education;

(5) the Department of Energy;

(6) the Department of Health and Human Services;

(7) the Department of Housing and Urban Development;

(8) the Department of the Interior;

(9) the Department of State;

(10) the Department of Transportation;

(11) the Department of Veterans Affairs;

(12) the Environmental Protection Agency;

(13) the National Aeronautics and Space Administration;

(14) the National Economic Council;

(15) the National Science Foundation;

(16) the National Security Council

(17) the Office of Management and Budget; and

(18) such other agencies and departments of the United States as the President considers appropriate.

Such representatives shall be high ranking officials of their agency or department, wherever possible the head of the portion of that agency or department that is most relevant to the functions of the Committee.

(c) SUPPORT PERSONNEL.—The Chairperson of the Council shall seek to have Federal employees detailed to the Council for purposes of working on business of the Committee, and shall have the authority to make personnel decisions regarding such employees. An Executive Secretary shall be appointed by the Chairperson of the Committee, with the approval of the Committee, to provide coordination and administrative support to the Committee. The Executive Secretary shall be a permanent employee of one of the agencies or departments represented on the

Committee, and shall remain in the employ of such agency or department.

(d) FUNCTIONS.—The Committee shall—

(1) review the missions of, activities conducted at, and scientific, technical, and human resources at, Federal laboratories, with the goals of—

(A) improving the efficiency and effectiveness of the overall Federal laboratory system;

(B) ensuring that research and development conducted at Federal laboratories is coordinated to maximize its contribution to United States economic growth, environmental protection, national security, expansion of human knowledge, and other important national goals; and

(C) ensuring, to the maximum extent practicable, that between 10 and 20 percent of the budgets of Federal laboratories are devoted to collaborative activities with private industry and State or local governments;

(2) develop and implement a process for assigning missions to the Federal laboratories with the best scientific, technical, and human capabilities for successfully addressing such missions;

(3) develop and ensure implementation, as appropriate, of a cross-cutting program evaluation system for research and development activities at the Federal laboratories including, where appropriate, the establishment of technical milestones and other measures for performance evaluation for major activities at Federal laboratories;

(4) serve as a forum for review and development of Government-wide policies and procedures for collaborative activities between Federal laboratories and private industry, State or local governments, or universities or other nonprofit organizations;

(5) work to ensure that technology transfer considerations are integrated into the planning of Federal laboratory research and development activities;

(6) annually evaluate and report to Congress on the progress of all appropriate Federal laboratories toward achieving the goal stated in paragraph (1)(C); and

(7) prepare, and submit to the President within 1 year after the date of enactment of this Act, recommendations regarding the advisability of the establishment of a Commission to determine whether

specific Federal laboratories should be realigned, consolidated, closed, or otherwise altered in order to meet the goals stated in subparagraphs (A), (B), and (C) of paragraph (1).

○

HR 1432 SC——2

HR 1432 SC——3