

In the Senate of the United States,

February 7, 1996.

Resolved, That the bill from the House of Representatives (H.R. 2196) entitled “An Act to amend the Stevenson-Wydler Technology Innovation Act of 1980 with respect to inventions made under cooperative research and development agreements, and for other purposes.”, do pass with the following

AMENDMENTS:

1 **(1)**Page 3, line 24, before “field” insert: *pre-negotiated*

2 **(2)**Page 5, line 4, strike out all after “only” down to and

3 including “finds” in line 5 and insert: *in exceptional cir-*

4 *cumstances and only if the Government determines*

5 **(3)**Page 5, after line 15 insert:

6 *This determination is subject to administrative ap-*

7 *peal and judicial review under section 203(2) of title*

8 *35, United States Code.*

9 **(4)**Page 13, strike out lines 10 through 17 and insert:

1 *Section 11(i) of the Stevenson-Wydler Technology In-*
2 *novation Act of 1980 (15 U.S.C. 3710(i)) is amended by*
3 *inserting “loan, lease, or” before “give”.*

4 **(5)**Page 21, strike out all after line 22 over to and includ-
5 ing line 3 on page 22 and insert:

6 *“(13) to coordinate Federal, State, and local*
7 *technical standards activities and conformity assess-*
8 *ment activities, with private sector technical stand-*
9 *ards activities and conformity assessment activities,*
10 *with the goal of eliminating unnecessary duplication*
11 *and complexity in the development and promulgation*
12 *of conformity assessment requirements and meas-*
13 *ures.”.*

14 **(6)**Page 22, lines 5 and 6, strike out **[**by January 1,
15 1996,**]** and insert: *within 90 days after the date of enact-*
16 *ment of this Act,*

17 **(7)**Page 22, strike out all after line 7, over to and includ-
18 ing line 5 on page 23 and insert:

19 *(d) UTILIZATION OF CONSENSUS TECHNICAL STAND-*
20 *ARDS BY FEDERAL AGENCIES; REPORTS.—*

21 *(1) IN GENERAL.—Except as provided in para-*
22 *graph (3) of this subsection, all Federal agencies and*
23 *departments shall use technical standards that are de-*
24 *veloped or adopted by voluntary consensus standards*

1 *bodies, using such technical standards as a means to*
2 *carry out policy objectives or activities determined by*
3 *the agencies and departments.*

4 (2) *CONSULTATION; PARTICIPATION.—In carry-*
5 *ing out paragraph (1) of this subsection, Federal*
6 *agencies and departments shall consult with vol-*
7 *untary, private sector, consensus standards bodies*
8 *and shall, when such participation is in the public*
9 *interest and is compatible with agency and depart-*
10 *mental missions, authorities, priorities, and budget*
11 *resources, participate with such bodies in the develop-*
12 *ment of technical standards.*

13 (3) *EXCEPTION.—If compliance with paragraph*
14 *(1) of this subsection is inconsistent with applicable*
15 *law or otherwise impractical, a Federal agency or de-*
16 *partment may elect to use technical standards that*
17 *are not developed or adopted by voluntary consensus*
18 *standards bodies if the head of each such agency or*
19 *department transmits to the Office of Management*
20 *and Budget an explanation of the reasons for using*
21 *such standards. Each year, beginning with fiscal year*
22 *1997, the Office of Management and Budget shall*
23 *transmit to Congress and its committees a report*
24 *summarizing all explanations received in the preced-*
25 *ing year under this paragraph.*

1 (4) *DEFINITION OF TECHNICAL STANDARDS.—As*
2 *used in this subsection, the term “technical stand-*
3 *ards” means performance-based or design-specific*
4 *technical specifications and related management sys-*
5 *tems practices.*

Attest:

Secretary.

104TH CONGRESS
2^D SESSION

H. R. 2196

AMENDMENTS