OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OFFICE OF FEDERAL
PROCUREMENT POLICY

APR 15 1982

Mr. Ray Kline
Deputy Administrator
General Services Administrator
18th and F Streets, N.W.
Washington, D. C. 20405

Dear Mr. Kline: Ray,

I would like to bring to your attention our February 17, 1982 letter to Phil Read and his March 24, 1982 response. Both letters are enclosed for your reference.

Our letter requested that further consideration of a new addition to the Federal Procurement Regulations (FPR) to cover technical data and copyright ownership be set aside in favor of developing corresponding Federal Acquisition Regulation (FAR) coverage. The March 24 response not only appears to reject this request, but also substantially rejects our policy guidance in drafting the FAR.

The positions taken by Mr. Read are unacceptable to this office and we therefore, feel compelled to ask your assistance in assuring implementation of the guidance expressed in our February 17, 1982 letter. This is especially important in view of the rapidly approaching completion data for the FAR and our belief that the draft FPR suggests policies that would ultimately be resisted by contractors functioning under FAR.

We are available, of course, to discuss modification of any of the guidance to accommodate exceptions. However, we believe the general principles set out by our letter reflect policy positions that will find substantial acceptance in the user community and, therefore, should not be altered. For example, the definition of "protectible data" recommended on page 2 follows the Administration's public position whereas that of the draft FPR does not. Further, the draft FPR handling of copyright ownership is inconsistent with most agency policy in this area and there is virtually no indication that it need be changed. The handling of successful proposals as suggested by our letter is intended to rectify a long standing problem area whereas the FPR handling is an exacerbation of the status quo.

If there are any questions, please call Fred Dietrich on 395-6810.

Sincerely,

Donald E. Sowle
Administrator

cc: Mr. Read, GSA

EXPECTED ATTENDEES

PATENT COMMITTEE MEETING

April 20-22, 1982

Irwin Garfunkle	AVCO
William Christofore	Bendix
Bernard A. Donahue	Boeing
Radford W. Luther	Chandler-Evans
Al Crowder	E-Systems
Jim McFarland	Garrett
Derek Lawrence	General Electric
Paul Milliken	Goodyear
Paul Edgell	Gould
Richard Geib	Grumman
C. S. Haughey	Hughes
J. Jancin, Jr.	IBM
Billy G. Corber	Lockheed
Gay Chin	Martin Marietta
Pat Hogan	Martin Marietta
Jim Eisel	Martin Marietta
George W. Finch	McDonnell Douglas
John J. Peele, Jr.	Northrop
Patrick J. Schlesinger	Rohr
Howard Terry	Sperry
Robert Walker	UTC
James M. Cate	Vought
Thomas J. Coyne	Westinghouse
Franz O. Ohlson, Jr.	AIA
R. Alleman	Lockheed
D. Dillon	AIA