2. That, the intra- and interagency committees and other activities undertaken by my office to implement the Federal Technology Transfer Act continue to proceed while the new office is under consideration.

3. That, given the proposed new PTI structure (with three constituent units) and the greatly enhanced Congressional and private sector attention to the role of technology and innovation, we believe the position of Deputy Assistant Secretary (DAS) for PTI should be filled, possibly by a career officer. Departmental Order 10-1 provides the authority for that DAS. In the meantime, I hope to have my de facto deputy, Jack Williams, designated as Acting DAS.

(signed)
D. B. Merrifield

D. Bruce Merrifield

Attachment

OPTI/Williams/mb/5/28/87
bc: Dr. Merrifield
Chron

OFFICE OF FEDERAL TECHNOLOGY MANAGEMENT

SECTION 1. PURPOSE

This Order prescribes the organization and the functions of the Office of Federal Technology Management.

SECTION 2. STATUS AND LINE OF AUTHORITY

The Office of Federal Technology Management, a constituent operating unit of the Department, shall be headed by a Director who shall report to and be responsible to the Assistant Secretary for Productivity, Technology and Innovation.

SECTION 3. FUNCTIONS

The Office of Federal Technology Management shall be the principal unit in the Department on issues and policies relating to technology developed in Federal laboratories, developed with Federal funding, or utilized by Federal programs and activities. In carrying out these responsibilities, the Office shall:

a. Assist the A/S for PTI to advise the Under Secretary for Economic Affairs and other Department officials on important policy questions and problems relating to private sector use of Federal technology.

b. Enhance the flow of Federally funded technologies to the private sector and minimize adverse effects of Federal programs on Federal technology developed by the private sector.

c. Assist the A/S for PTI to advise the Under Secretary for Economic Affairs in performing the lead agency functions delegated by the Secretary, concerning Federal technology management policy under Public Laws 96-480, 96-517, 98-620, 98-622, and 99-502 and Executive Orders 10096 and 12591 and the President's patent policy memorandum, including coordinating, monitoring, gathering relevant data, evaluating relevant programs and activities, developing uniform Government-wide standards for implementing Federal patent policy, preparing reports, disseminating information, making recommendations, and taking other actions necessary to assure maximium private sector opportunity for commercializing technology resulting from projects performed by Federal agencies or financed with Federal Government funds.

(1) Provide advice and assistance as requested by other Federal agencies on model agreements and cooperative research and development projects as authorized by paragraph 10(g)(1) of P.L. 99-502.

(2) Develop the biennial report required by subparagraph 10(g)(2) of P.L. 99-502 to the President and Congress on Government-wide use of the authorities provided in the Act.

(3) Issue, interpret, and maintain regulations under P.L. 96-517 and 98-620 on ownership of Government funded inventions (37 CFR Part 401) and licensing of Government-owned inventions (37 CFR Ch.IV).

(4) Interpret and administer the Government Employee Inventor Program under E.O. 10096, including recommendations for changing the Order if necessary to conform with new legislation.

(5) Interpret and administer Sections 1, 5 and 7 of the technology transfer program under Executive Order 12591.

(6) Work with agencies to help take advantage of the Statutory Invention Recording process authorized by P.L. 98-622 and develop the required annual report.

(7) Analyze, review and propose new legislation or other policies including Government-wide regulations on Federal agency management of technology developed by the Government or with Government funding, including preparation of the report to Congress and the President required by paragraph 10(g)(3) of P.L. 99-502.

d. Serve as Executive Director to the Chairman of the Federal Coordinating Council on Science, Engineering, and Technology Committee on Intellectual Property for Technology Transfer.

e. Develop a Government-wide policy on technical data used or developed at Government expense.

f. Develop training materials and programs for helping Federal laboratories or Federally-funded laboratories improve their technology transfer capabilities.

g. Chair the Commerce Committee on Laboratory Technology Management, to coordinate implementation of authorities delegated to DOC laboratories under subsection 11(a); the awards program authorized by section 12 of P.L. 99-502 and the distribution of royalties under Section 13 of P.L. 99-502.

(1) Draft Commerce regulations as may be necessary to comply with subsection 11(c) of P.L. 99-502.

required by paragraph 10(g)(3) of P.L. 99-502.

(2) Develop and administer policies for distributing royalty income within the Department of Commerce in accordance with subsection 13(a) of P.L. 99-502.

h. Chair the executive subcommittee and provide staff to the DOC Interagency Committee on Laboratory Technology Management to coordinate implementation authorities delegated to DOC under subsection 10(g) of P.L. 99-502.

i. Prepare the reports from the Secretary to the President and Congress as required in P.L. 99-502.

j. In carrying out these functions the office will coordinate its activities with the other constituent units of PTI.

DRAFT

MEMORANDUM FOR Director, NBS
Director, NTIS
Administrator, NOAA
A/S, NTIA

FROM: Robert Ortner
Under Secretary for Economic Affairs

SUBJECT: Authorization Under Section 11 of the Federal Technology Transfer Act

The Secretary of Commerce has delegated to me his authorities and responsibilities under Section 11 of the Federal Technology Transfer Act of 1986, (P.L. 99-502). Under the provisions of Section 11(a)(1) of that Act you are hereby authorized to enter into Cooperative Agreements between federally operated laboratories under your supervision and other federal agencies, units of state and local governments, industrial organizations, foundations, nonprofit organizations, and other persons. This authority is subject to limitations in Subsection 11(c) which are explained below.

Under agreements entered into pursuant to Subsection 11(a)(1), Government-operated Federal laboratories may accept, retain and use funds, personnel, services and property from collaborating parties, and in exchange may provide personnel, services and property, but not funds, to the collaborative effort. (See Subsection 11(b)(1)). The laboratories may also, in advance, grant licenses or assignments to collaborating parties for any invention made by a Federal employee under the agreement; and also in advance, may waive Federal government ownership to any inventions made by employees of the collaborating organization under the agreement. Licenses must be retained for Governmental use, however. (See Subsections 11(b)(2) and (3)). Under Subsection (11)(b)(4), where appropriate you should permit employees and former employees of laboratories to participate in the commercialization of inventions they made while in the service of the United States.

Your authority to enter into cooperative agreements under Subsection 11(a)(1) is subject to the provisions of Subsection 11(c). As provided for in Subsection 11(c)(1), the Department is preparing regulations on procedures for implementing this section. Implementation of Section 11, however, should not be delayed pending the issuance of these regulations. As required by Subsection 11(c)(3), the Department has reviewed its employee standards of conduct for conflict of interest, and has determined that no change is necessary. Any potential conflict of interest in a Federal laboratory arising from an agreement under Section 11 should be immediately reported to the Director, Office of Federal Technology Commercialization. Under Subsection 11(c)(4), in deciding what cooperative research and development agreements you enter, you should give special consideration to small business firms and consortia involving

small businesses, and should follow the requirements of Subsection 11(c)(4)(B) pertaining to preference for business units located in the United States.

In accord with Subsection 11(c)(5), any cooperative agreement entered into under Section 11(a)(1) should include a clause providing the Secretary of Commerce a 30-day period to disapprove or require the modification of the agreement. Please notify the Director, Office of Federal Technology Commercialization of the initiation of negotiations leading to a cooperative agreement under Section 11(a)(1). This notice should include:

1. Name of parties to the Proposed Agreement
2. Work Scope of Proposed Agreement
3. Resources to be made available by each participant
4. Disposition of Patent Rights

All royalties received under cooperative agreements negotiated under Section 11 of the Act shall be distributed as provided in Section 13. The Department does not intend to file an alternative plan for the sharing of royalties as provided by Subsection 13(a)(A)(ii).

In order to facilitate the drafting and negotiation of cooperative agreements, the Department plans a workshop in the near future to discuss model provisions and methods and options for commercialization available to DoC laboratories.

This memorandum does not apply to a procurement contract or cooperative agreement as these terms are used in 31 U.S.C. 6303, 6304, and 6305.

OFFICE OF FEDERAL TECHNOLOGY MANAGEMENT

SECTION 1. PURPOSE

This Order prescribes the organization and the functions of the Office of Federal Technology Management.

SECTION 2. STATUS AND LINE OF AUTHORITY

The Office of Federal Technology Management, a constituent operating unit of the Department, shall be headed by a Director who shall report to and be responsible to the Assistant Secretary for Productivity, Technology and Innovation (PTI).

SECTION 3. FUNCTIONS

The Office of Federal Technology Management shall be the principal unit in the Department on issues and policies relating to technology developed in Federal laboratories, developed with Federal funding, or utilized by Federal programs and activities. In carrying out these responsibilities, the Office shall:

a. Assist the Assistant Secretary for PTI to advise the Under Secretary for Economic Affairs and other Department officials on important policy questions and problems relating to private sector use of Federal technology.

b. Enhance the flow of Federally funded technologies to the private sector and minimize adverse effects of Federal programs on Federal technology developed by the private sector.

c. Assist the Assistant Secretary for PTI to advise the Under Secretary for Economic Affairs in performing the lead agency functions delegated by the Secretary, concerning Federal technology management policy under Public Laws 96-480, 96-517, 98-620, 98-622, and 99-502, Executive Orders 10096 and 12591, and the President's Patent Policy Memorandum of February 18, 1983. The lead agency functions include coordinating, monitoring, gathering relevant data, evaluating relevant programs and activities, developing uniform Government-wide standards for implementing Federal patent policy, preparing reports, disseminating information, making recommendations, and taking other actions necessary to assure maximium private sector opportunity for commercializing technology resulting from projects performed by Federal agencies or financed with Federal Government funds. Specific responsibilities include the following:

(1) Provide advice and assistance as requested by other Federal agencies on model agreements and cooperative research and development projects as authorized by paragraph 10(g)(1) of P.L. 99-502.

(2) Develop the biennial report to the President and Congress required by subparagraph 10(g)(2) of P.L. 99-502 on Government-wide use of the authorities provided in the Act.

(3) Issue, interpret, and maintain regulations under P.L. 96-517 and 98-620 on ownership of Government funded inventions (37 CFR Part 401) and licensing of Government-owned inventions (37 CFR Ch.IV).

(4) Serve as Government spokesperson, in consultation with the Department of State and other agencies, in the disposition of rights to ownership of Federal technology under the intellectual property clauses of science and technology agreements with foreign countries.

(5) Interpret and administer the Government Employee Inventor Program under E.O. 10096, including recommendations for changing the Order if necessary to conform with new legislation.

(6) Interpret and administer Sections 1, 5 and 7 of Executive Order 12591 on the transfer of Federally funded technology to the private sector.

(7) Work with agencies to help take advantage of the Statutory Invention Recording process authorized by P.L. 98-622 and develop the required annual report.

(8) Analyze, review and propose new legislation or other policies including Government-wide regulations on Federal agency management of technology developed by the Government or with Government funding.

(9) Prepare the report from the Secretary to the President and Congress on copyright and other barriers to the transfer of Federally-funded computer software and the feasibility of maintaining an inventory of Federally-funded training software as required in P.L. 99-502.

d. Serve as Executive Director to the Chairman of the Federal Coordinating Council on Science, Engineering, and Technology Committee on Intellectual Property for Technology Transfer.

e. Develop a Government-wide policy on technical data used or developed at Government expense.

[illegible] agencies to help take advantage of

f. Develop training materials and programs for helping Federal laboratories or Federally-funded laboratories improve their technology transfer capabilities.

g. Chair the Commerce Committee for Implementing the Federal Technology Transfer Act, whose purpose is to coordinate implementation of authorities delegated to DOC laboratories under subsection 11(a) of P. L. 99-502, the awards program authorized by section 12 of the same Act, and the distribution of royalties under Section 13 of the same Act.

h. Draft Commerce regulations as may be necessary to comply with subsection 11(c) of P.L. 99-502 on cooperative research and development agreements.

i. Develop and administer policies for distributing royalty income within the Department of Commerce in accordance with subsection 13(a) of P.L. 99-502.

j. Chair the executive subcommittee and provide staff to the Interagency Committee for Federal Laboratory Technology Transfer to coordinate implementation authorities delegated to DOC under subsection 10(g) of P.L. 99-502.

k. In carrying out these functions the office will coordinate its activities with the other constituent units of the office of the Assistant Secretary for PTI.

1986

Office of Productivity, Technology and Innovation

Objective

Commercialization of Federal Technology

Resources required

The cost of this project is $840,000. Present resources are sufficient to carry out this project. (Obligations and outlays are the same.)

	FY 1986	FY 1987	FY 1988
Cost	$240,000	$300,000	$300,000
Staff years	4	4.5	4.5

Significance

Increased technology transfer from Federally-supported R&D to the private sector is an essential part of increasing U.S. international competitiveness and economic growth. In the past the Federal Government has had a very poor record of commercializing the many important discoveries made under its sponsorship. OPTI seeks to redress this problem through encouraging decentralized management of inventions for closer cooperation with the private sector.

Federal technology commercialization is a component of Departmental sub-goals C-1, promoting private sector capital formation, job creation, and new and expanding industries; and C-2, promoting the development and application of science and technology in U.S. business and industry.

Method of Accomplishment

OPTI will continue its lead agency function of promotng a closer collaboration between Federally-funded R&D establishments and U.S. business. Because the Government now funds $55 billion of R&D annually (half of the U.S. total) and more than 70 percent of U.S. basic research, transferring scientific and technical discoveries to the private sector for development will have a major impact on American innovation, job creation, and international competitiveness. Through lack of efficient management of these discoveries many important inventions are currently allowed to escape overseas.

To ensure closer cooperation between Federally-funded R&D and the

[illegible] competitiveness and economic [illegible]

private sector the major objective for FY 1987 will be the implementation of OPTI-initiated legislation allowing Federally owned and operated laboratories to better manage their inventions. This new law opens up a tremendous source of new technologies for commercialization to the private sector if properly implemented.

An interagency committee will be formed under OPTI leadership to assist agencies in increasing technology transfer from their Federally owned and operated laboratories. OPTI will develop an internal laboratory systems plan helping to take discoveries from ideas to commercialized products. A review will be made of Executive Order 10096 concerning disposition of inventions made by Federal employees to ensure its consistency with the new law, and appropriate modifications made to that order.

OPTI will make a major training effort for Federal laboratory technology managers to smooth the way for laboratory collaboration with the private sector. These efforts will favor domestic development of Federally-funded discoveries whenever possible.

OPTI intends to review the new law and make recommendations, if necessary, for expeditious implementation.

Another continuing project from last year is the creation of uniform Federal policies guiding the agencies in handling technical data brought into, or generated under, Federal R&D efforts. This area includes such important technologies as computer software, and must be carefully managed to encourage maximum commercialization of important products.

Management Responsibility

Commercializing Federal Technology-- Norman Latker, Director, Federal Technology Management Policy Division, 4837 HCHB, 377-0659.

UNITED STATES DEPARTMENT OF COMMERCE
The Assistant Secretary for Productivity, Technology and Innovation
Washington, D.C. 20230
(202) 377-1984

November 9, 1987

Dr. Alan Chambers
Special Assistant to the Deputy Director
Office of Science and Technology Policy
Executive Office of the President
New Executive Office Bldg., Room 5005
Washington, D. C. 20506

Dear Alan,

At our meeting on Friday, November 6, 1987, you asked about general Department assignments governing management of federally-funded technology. The enclosed memorandum should assist you and your staff in that regard.

If you have any specific questions, you should direct them to Barry Beringer, who was introduced to you at the Friday, November 6, meeting, but left prior to your inquiry. He is the Department official responsible for the area and can be reached on 377-3709.

Sincerely,

Norman J. Latker
Director, Office of Federal
Technology Management

Enclosure

UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary for Economic Affairs
Washington, D.C. 20230

OCT 30

MEMORANDUM FOR: ALL ECONOMIC AFFAIRS UNITS

FROM: Robert Ortner
Under Secretary for Economic Affairs

SUBJECT: Associate Under Secretary Beringer
Director of Congressional Affairs Sawyer

Effective October 27, D. Michael Sawyer is the Director of Congressional Affairs for the Under Secretary for Economic Affairs. All units of Economic Affairs should report to him regarding any activity concerning members or staffs of Congress. All meetings with members of Congress or their staffs should be coordinated through Mr. Sawyer's office. This means that Mr. Sawyer will arrange for the time, date, and place of the meeting. No meetings should take place without Mr. Sawyer's advance coordination and approval.

Mr. Sawyer is replacing Barry Beringer who became Associate Under Secretary for Economic Affairs on August 30. Mr. Beringer manages on behalf of the Under Secretary the authorities delegated by the Department to the Under Secretary for:

1. The National Material and Mineral Policy Research and Development Act of 1980.

2. The Japanese Technical Literature Act of 1986.

3. Federal Technology Transfer Act of 1986.

Mr. Beringer is responsible for the policy management, implementation planning, intra-departmental coordination, inter-agency coordination, and business liaison duties associated with these Acts.

Mr. Beringer also establishes objectives for staffs assigned to implement these laws and participates in the performance evaluation of relevant staffs.

Shortly, the Office of Federal Technology Management will be established to provide organizational recognition of the Department's responsibilities under the Federal Technology Transfer Act of 1986. For purposes of organizational clarity and in order to maintain the cluster of technology-related

activities within a single organization, the new office will be formally designated as a constituent unit of the Office of the Assistant Secretary for Productivity, Technology and Innovation. Since Mr. Beringer will be responsible for the policy direction of the office, the director of the office will report to the Assistant Secretary for Productivity, Technology and Innovation through Mr. Beringer.

Mr. Beringer shall also undertake other duties as assigned by the Under Secretary.

United States of America DEPARTMENT OF COMMERCE	DEPARTMENT ORGANIZATION ORDER 10-1	
DEPARTMENT ORGANIZATION ORDER SERIES	DATE OF ISSUANCE June 26, 1984	EFFECTIVE DATE January 22, 1984

SUBJECT

ASSISTANT SECRETARY FOR PRODUCTIVITY, TECHNOLOGY AND INNOVATION

SECTION 1. PURPOSE.

.01 This Order prescribes the scope of authority and the functions of the Assistant Secretary for Productivity, Technology and Innovation.

.02 This revision reflects the transfer of the Office of Competitive Assessment's functions to the International Trade Administration; a change in the reporting relationships to have the Office of Strategic Resources directly responsible to the Under Secretary for Economic Affairs; and incorporates outstanding amendments to the Order.

SECTION 2. ADMINISTRATIVE DESIGNATION AND LINE OF AUTHORITY.

.01 The position of Assistant Secretary of Commerce, established by the Act of February 16, 1962, (15 U.S.C. 1507), shall be designated as the Assistant Secretary for Productivity, Technology and Innovation (the "Assistant Secretary"). The Assistant Secretary is appointed by the President, by and with the advice and consent of the Senate.

.02 The Assistant Secretary shall report and be responsible to the Under Secretary for Economic Affairs.

.03 The Assistant Secretary shall be assisted principally by a Deputy Assistant Secretary for Productivity, Technology and Innovation, who shall perform such duties as the Assistant Secretary shall prescribe and shall perform the functions of the Assistant Secretary during the latter's absence.

SECTION 3. DELEGATION OF AUTHORITY.

.01 Pursuant to the authority vested in the Secretary of Commerce by law, and subject to such policies and directives as the Secretary and the Under Secretary for Economic Affairs may prescribe, the Assistant Secretary is hereby delegated the following authorities vested in the Secretary.

a. The Act of February 14, 1903, as amended (15 U.S.C. 1512 et seq., 15 U.S.C. 171 et seq.), to foster, promote and develop the foreign and domestic commerce of the United States, to the extent necessary for the performance of the Assistant Secretary's functions.

b. Sections 5, 6 and 11 of the Stevenson-Wydler Technology Innovation Act of 1980 (P.L. 96-480) relating to studies of technological development in the United

States, cooperative technology arrangements, and the transfer of industrial technology from the Federal Government to the private sector.

c. Section 18 of the Office of Management and Budget Circular A-124, dated February 19, 1982, issued pursuant to P.L. 96-517, assigning to the Department lead agency responsibility with respect to the implementation of Federal patent policy.

d. Section 759(f) of Title 40, U.S.C., insofar as is required to: (1) exercise the functions of the Secretary of Commerce under provisions in Federal Information Processing Standards authorizing the Secretary to waive compliance with requirements of the standards; (2) issue interpretative guidelines concerning the waiver provisions of the standards; and (3) join with the Director, National Bureau of Standards, in recommending to the Secretary the establishment of uniform Federal automatic data processing standards.

e. Title 15 U.S.C. 171 et seq. as it relates to the collection and dissemination of statistical information.

.02 The Assistant Secretary may exercise other authorities of the Secretary as applicable to performing the functions assigned in this Order.

.03 The authorities delegated to the Assistant Secretary in this Order may be redelegated, subject to conditions as may be prescribed by the Secretary.

SECTION 4. FUNCTIONS.

The Assistant Secretary shall serve as a principal deputy to the Under Secretary for Economic Affairs, and as the principal Departmental advisor on issues of productivity and technological innovation as they relate to public policy and the performance of the U.S. economy. In this capacity, the Assistant Secretary shall:

a. Advise the Under Secretary for Economic Affairs and other Department officials on important policy questions and problems relating to productivity and technological innovation;

b. Coordinate Departmental programs relating to productivity, technology and innovation, and any other efforts within the Department to stimulate research and development activities in the private sector;

c. Identify and analyze barriers to productivity improvement and technological growth in the U.S. economy, and provide leadership and assistance in developing policies and programs designed to foster greater private sector use of productivity measurement and improvement techniques, enhance the flow of Federally funded technologies to the private sector, and facilitate cooperative research and development arrangements;

e. Perform lead agency functions concerning Federal patent policy, including coordinating, monitoring, gathering relevant data, evaluating relevant programs and activities, developing uniform Government-wide standards for implementation of Federal patent policy, preparing reports, disseminating information, making recommendations, and taking other actions necessary to assure maximum private

United States of America DEPARTMENT OF COMMERCE	DEPARTMENT ORGANIZATION ORDER 10-1 ~~Amendment 1~~	
DEPARTMENT ORGANIZATION ORDER SERIES	DATE OF ISSUANCE March 1, 1985	EFFECTIVE DATE February 26, 1985

SUBJECT

ASSISTANT SECRETARY FOR PRODUCTIVITY, TECHNOLOGY AND INNOVATION

Department Organization Order 10-1, dated January 22, 1984 is hereby amended as shown below. The purpose of this amendment is to delegate the Secretary's authorities under P.L. 98-620, the Bayh-Dole Act, and P.L. 98-622, the Patent Improvements Act of 1984.

SECTION 3. DELEGATION OF AUTHORITY. New subparagraphs .01f. and .01g. are added to read as follows:

"f. The functions prescribed by TitleV of P.L. 98-620, 35 U.S.C. 200 et seq., (35 U.S.C. 206, 207(b), and 208) regarding the authority of the Secretary of Commerce (a) to issue regulations which may be made applicable to Federal agencies implementing the provisions of Sections 202, 203 and 204, Chapter 18 of Title 35 U.S.C.; (b) to establish standard funding agreement provisions required under Chapter18; (c) to ensure effective management of Government-owned inventions; and (d) to promulgate regulations specifying the terms and conditions upon which inventions may be licensed.

"g. The responsibility in P.L. 98-622 to prepare for the Secretary's signature, an annual report on the Statutory Invention Registration procedure as prescribed by 35 U.S.C. 157(d)."

Malcolm Baldrige
Secretary of Commerce

USCOMM-DC - 85-8954

TRANSMITTAL 810

United States of America DEPARTMENT OF COMMERCE	DEPARTMENT ORGANIZATION ORDER 10-1 Amendment 2	
DEPARTMENT ORGANIZATION ORDER SERIES	DATE OF ISSUANCE March 9, 1987	EFFECTIVE DATE March 5, 1987

SUBJECT

ASSISTANT SECRETARY FOR PRODUCTIVITY, TECHNOLOGY AND INNOVATION

Department Organization Order 10-1, dated January 22, 1984, is hereby further amended as shown below. The purpose of this amendment is to delete the delegation of the Secretary's authority under Sections 5, 6, and 11 of the Stevenson-Wydler Technology Innovation Act of 1980, which is now transferred to the Under Secretary of Economic Affairs (DOO 10-9).

SECTION 3. DELEGATION OF AUTHORITY. Subparagraph .01b. is deleted. In pen-and-ink, reletter subparagraphs .01c. through g. as b. through f.

Secretary of Commerce

USCOMM- DC - 87-8950

United States of America DEPARTMENT OF COMMERCE	DEPARTMENT ORGANIZATION ORDER 35-9	
DEPARTMENT ORGANIZATION ORDER SERIES	DATE OF ISSUANCE June 26, 1984	EFFECTIVE DATE January 22, 1984

SUBJECT

OFFICE OF PRODUCTIVITY, TECHNOLOGY AND INNOVATION

SECTION 1. PURPOSE.

.01 This Order prescribes the functions of the Office of Productivity, Technology and Innovation.

.02 This revision deletes reference to the National Productivity Advisory Committee, and incorporates new functions related to voluntary metric conversion and patent policy.

SECTION 2. STATUS AND LINE OF AUTHORITY.

The Office of Productivity, Technology and Innovation, a constituent operating unit of the Department, shall be headed by a Director who shall report and be responsible to the Assistant Secretary for Productivity, Technology and Innovation.

SECTION 3. FUNCTIONS.

The Office of Productivity, Technology and Innovation shall serve as the Departmental focus for policy and program activities relating to productivity improvement, technological development and innovation in the private sector. In carrying out these responsibilities, the Office shall:

a. Conduct studies on the effect which Federal policies, programs, legislation and regulations have on productivity growth, technological development and innovation in the private sector;

b. Coordinate the development of, and serve as the principal contact for, Departmental positions on Federal policies and program which affect private sector productivity growth, technological development and innovation;

c. Conduct programs designed to promote the understanding and use of productivity measurement and improvement techniques in the private sector, including:

1. Operation of a Departmental clearinghouse for the collection and dissemination of productivity related information to the private sector, and

2. Conduct of workshops, seminars and related outreach mechanisms to provide business decisionmakers with best practice productivity and technology information;

d. Administer Departmental responsibilities under the Stevenson-Wydler Technology Innovation Act of 1980 (P.L. 96-480), including:

1. Serving as the focal point for policy development and industry-government consultations designed to reduce institutional and other barriers to cooperative arrangements aimed at technological advance, and

2. Develop and implement policies and programs to foster greater private sector commercialization of Federally-owned patents and other Federally-funded technologies, including technologies developed by Federal laboratories and inventions developed under Federal contracts and grants.

e. Establish and provide staff support for Departmental task forces, committees and steering groups responsible for the coordination of Departmental research, data collection and other activities related to private sector productivity improvement;

f. Maintain liaison with domestic and foreign productivity centers, institutes, committees and related organizations on methods, techniques and innovations to enhance productivity growth; and

g. Provide liaison between the public and private sectors on voluntary metric conversion; assist and respond to inquiries from the private sector; coordinate the Federal Government's own metric conversion activities, including coordination of interagency committees; assist State and local governments in metric problems; and identify existing barriers to voluntary conversion and recommend appropriate action.

SECTION 4. EFFECT ON OTHER ORDERS.

This Order supersedes Department Organization Order 35-9, dated April 22, 1982.

Sidney L. Jones
Under Secretary for Economic Affairs

Approved:

Katherine M Bulow
Assistant Secretary for Administration

USCOMM-DC - 84-8995