STATEMENT OF ADMINISTRATION POLICY

June 25, 1982
(Senate)

S. 1657 -- Uniform Science and Technology Research and Development Utilization Act
(Schmitt (R) NM and 5 others)

The Administration supports Senate passage of S. 1657, which extends to large businesses the same approach to the allocation of rights to inventions resulting from federally funded R&D as granted under P.L. 96-517 to small businesses and non-profit organizations.

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Addition to Schmitt Bill. S 1657

"(b) Technical data generated in performance of a contract and required to be submitted to the Government relating to a subject invention or to any product or process which includes a subject invention or relating to experimental, developmental or research work under a contract as defined in section 103 or relating to another agreement with the Government shall be the property of the contractor subject to a free license in the government for governmental purposes as specified in the contract and, together with other technical data submitted by the contractor, shall be exempt from mandatory public disclosure."

The term "technical data" as used in section _____ of the bill is as defined in regulations promulgated under The Export Administration Act, 50 U.S.C. App. section 2401 et.seq. and the Arms Export Control Act, 22 U.S.C. 2751 et. seq. "Governmental purposes" as used in section _____ in the bill is intended to cover those purposes the government is ordinarily authorized to undertake and as specified in the terms of the contract. The intent of the language is to preserve the right of the government to use the data for the purposes specified in the contract which relate to the reasons for the procurement while at the same time allowing the contractor sufficient right and incentive to pursue commercial application of the data.