

***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.*

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 2196**

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**AMENDMENTS**