

***In the Senate of the United States,***

*October 5 (legislative day, September 22), 2000.*

*Resolved*, That the bill from the House of Representatives (H.R. 209) entitled “An Act to improve the ability of Federal agencies to license federally owned inventions.”, do pass with the following

**AMENDMENT:**

1 Page 21, after line 2, insert:

2 ***SEC. 11. TECHNOLOGY PARTNERSHIPS OMBUDSMAN.***

3 *(a) APPOINTMENT OF OMBUDSMAN.—The Secretary of*  
4 *Energy shall direct the director of each national laboratory*  
5 *of the Department of Energy, and may direct the director*  
6 *of each facility under the jurisdiction of the Department*  
7 *of Energy, to appoint a technology partnership ombudsman*  
8 *to hear and help resolve complaints from outside organiza-*  
9 *tions regarding the policies and actions of each such labora-*  
10 *tory or facility with respect to technology partnerships (in-*  
11 *cluding cooperative research and development agreements),*  
12 *patents, and technology licensing.*

1           (b) *QUALIFICATIONS.*—*An ombudsman appointed*  
2 *under subsection (a) shall be a senior official of the national*  
3 *laboratory or facility who is not involved in day-to-day*  
4 *technology partnerships, patents, or technology licensing,*  
5 *or, if appointed from outside the laboratory or facility,*  
6 *function as such a senior official.*

7           (c) *DUTIES.*—*Each ombudsman appointed under sub-*  
8 *section (a) shall—*

9                   (1) *serve as the focal point for assisting the pub-*  
10 *lic and industry in resolving complaints and disputes*  
11 *with the national laboratory or facility regarding*  
12 *technology partnerships, patents, and technology li-*  
13 *censing;*

14                   (2) *promote the use of collaborative alternative*  
15 *dispute resolution techniques such as mediation to fa-*  
16 *cilitate the speedy and low-cost resolution of com-*  
17 *plaints and disputes, when appropriate; and*

18                   (3) *report quarterly on the number and nature*  
19 *of complaints and disputes raised, along with the om-*  
20 *budsman’s assessment of their resolution, consistent*  
21 *with the protection of confidential and sensitive infor-*  
22 *mation, to—*

23                                   (A) *the Secretary;*

24                                   (B) *the Administrator for Nuclear Security;*

1                   (C) *the Director of the Office of Dispute*  
2                   *Resolution of the Department of Energy; and*

3                   (D) *the employees of the Department re-*  
4                   *sponsible for the administration of the contract*  
5                   *for the operation of each national laboratory or*  
6                   *facility that is a subject of the report, for consid-*  
7                   *eration in the administration and review of that*  
8                   *contract.*

Attest:

*Secretary.*



106TH CONGRESS  
2D SESSION

**H. R. 209**

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**AMENDMENT**