A POSITIVE LOOK AT THE STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980 -- PL 96-480*

†George F. Linsteadt
†D. M. DelaBarre

PREFACE

When the Wright brothers got their contraption off the ground, a 'group' in the back row said it would never catch on because there were no facilities for a stewardess. When Ford came out with the Model T, there was a similar 'group' which said it would not sell without power windows and a sun roof. And, when the Stevenson-Wydler Technology Innovation Act of 1980 (PL 96-480) was passed, the respite until the 'group' was revived was short indeed. In each of these situations there were people that took a positive step while another group kept telling us why it would not work. PL 96-480 will not solve all the problems in achieving our objectives of optimum utilization of technology and industrial innovation, but we do believe it is a beginning.

The mood of the Congress and Administration leave little hope for PL 96-480 budget appropriation; the law has no teeth; a career ladder still does not exist for the professionals in this field -- the list of the cynic goes on. The natural question then becomes, "HOW CAN YOU BE POSITIVE ABOUT PL 96-480?" We would all like a wand to be waved, or a law to be passed, that would take away the frustrations associated with our line of work. PL 96-480 offers some interesting opportunities on which to capitalize. Special emphasis should be placed on Section 11 of the Act, "Utilization of Federal Technology", for two very important reasons:

First, a clear statement of policy regarding technology transfer from the federal government is established; and

Second, implementation of Section 11 with regard to the federal laboratories is not dependent upon budget appropriation.

We will explore these opportunities and hopefully, convince you this article was not written by Pollyanna.

*The opinions or assertions contained herein are those of the authors and are not to be construed as official or reflecting the views of the Department of the Navy.
†Mr. Linsteadt is the Executive Director of the Federal Laboratory Consortium.
†Mr. DelaBarre is President of DelaBarre & Associates.
By way of introduction, it should be noted that since the federal government's decision to develop scientific and technological resources to assist in the improvement of our nation's quality of life, many programs have been developed to allow the public and private sectors to access these resources. This attempt to allow the full use of federal research and development (R&D) resources was addressed by former President Nixon in his address to Congress on science and technology in 1972; in former President Carter's memorandum on intergovernmental cooperation in 1977, and his science and technology message to Congress in 1979; and the recent Executive memorandum on state and local government needs in federal R&D. However, all efforts have been hampered by the lack of a clear policy position and, in fact, the existence of legislation that serves as a negative incentive (i.e., the Mansfield Act).

State and local government officials, public interest groups, as well as many scientific organizations, have advocated the full application of federal R&D. It does not seem necessary to discuss the multitude of complex problems facing our nation today. It does seem necessary, however, to remind ourselves that the solution to these problems should not create an undue burden on the taxpayer because we are unable to effectively take advantage of existing technology through active transfer programs.

The people of this nation judge the effectiveness of the government by everyday events in their lives. Considering the large sums of taxpayer dollars used to develop highly sophisticated science and technology resources, it is not surprising that great advances have been made in areas such as medicine. On the other hand, can the government provide assistance to help the citizen in such unsophisticated areas as better methods of collecting garbage, filling pot holes in the streets, and removing ice from roads and highways? Possible solutions to some of these mundane problems may also reside in the expertise found in the governments' laboratories.

Recent legislation, the Stevenson-Wydler Technology Innovation Act of 1980 (S1250), passed both Houses of Congress in September, and was signed into law (PL 96-480) by the President on October 21, 1980. Section 11 of this law provides the impetus to apply the results of work accomplished in government laboratories to the public and private sectors. Section 11 provides a policy for the federal government which states "it is the continuing responsibility of the federal government to ensure the full use of the results of the Nation's Federal investment in research and development". The stated intent of the policy is to "provide a basis for the inclusion of technology transfer programs in the mission requirements of every federal agency engaged in R&D activities".

Section 11 establishes specific requirements for the federal laboratories.

1. Establishment of the Research and Technology Application Office (ORTA)

Each federal laboratory is required to establish an ORTA to perform an active technology transfer function. If laboratories have existing, organized technology transfer structures, they may combine the ORTA with the existing structure. In the latter situation, there is to be a designation of what organization is to perform the