

Public Law 99-73  
99th Congress

An Act

To authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1986, and for other purposes.

July 29, 1985

[H.R. 1617]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Bureau of Standards Authorization Act for Fiscal Year 1986".*

National Bureau  
of Standards  
Authorization  
Act for Fiscal  
Year 1986.

AUTHORIZATIONS FOR PROGRAM ACTIVITIES

SEC. 2. (a) There are authorized to be appropriated to the Secretary of Commerce (hereinafter referred to as the "Secretary") for fiscal year 1986, to carry out activities performed by the National Bureau of Standards, the sums set forth in the following line items:

- (1) Measurement Research and Standards, \$36,843,000.
- (2) Materials Science and Engineering, \$21,943,000.
- (3) Engineering Measurements and Standards, \$33,555,000.
- (4) Computer Science and Technology, \$9,657,000.
- (5) Center for Fire Research, \$5,827,000.
- (6) Technical Competence Fund, \$8,481,000.
- (7) Central Technical Support, \$8,179,000.

(b) Notwithstanding any other provision of this or any other Act for fiscal year 1986—

(1) of the total of the amounts authorized under paragraphs (1), (2), (3), and (6) of subsection (a), \$2,000,000 is authorized only for steel technology;

(2) of the total amount authorized under paragraph (3) of subsection (a), \$3,895,000 is authorized only for the Center for Building Technology, and \$50,000 is authorized only for the purpose of assisting the creation and maintenance of data bases on structural failures; and

(3) of the total of the amounts authorized under paragraphs (1), (2), (7), and (8) of subsection (a), \$2,575,000 is authorized for transfer to the Working Capital Fund.

(c)(1) Funds may be transferred among the line items listed in subsection (a) so long as the net funds transferred to or from any line item do not exceed 10 percent of the amount authorized for that line item in such subsection.

(2) In addition, the Secretary may propose transfers to or from any line item exceeding 10 percent of the amount authorized for that line item in subsection (a); but a full and complete explanation of any such proposed transfer and the reason therefor must be transmitted in writing to the Speaker of the House of Representatives, the President of the Senate, and the appropriate authorizing committees of the House of Representatives and the Senate, and the proposed transfer may be made only when 30 calendar days have passed after the transmission of such written explanation.

(3) No transfer described in paragraph (1) or (2) may have the effect of reducing the amount available for any of the particular

Prohibitions.

purposes set forth in subsection (b) below the applicable dollar amount specified in that subsection; and none of the funds transferred under either such paragraph may be used for the construction of the Cold Neutron Source Facility.

Research and  
development.

(d) The National Bureau of Standards shall seek reimbursements of not less than \$500,000 from other Federal agencies to expand its efforts in support of basic scientific research on the atmospheric, climatic, and environmental consequences of nuclear explosions and nuclear exchanges.

#### AUTHORIZATION FOR EXPENSES OUTSIDE THE UNITED STATES

SEC. 3. In addition to the sums authorized in section 2, there are authorized to be appropriated to the Secretary for fiscal year 1986 such sums as may be necessary for expenses of the National Bureau of Standards incurred outside the United States, to be paid for in foreign currencies that the Secretary of the Treasury determines to be excess to the normal requirements of the United States.

#### AUTHORIZATION FOR SALARY ADJUSTMENTS

SEC. 4. In addition to the sums authorized in the preceding provisions of this Act, there are authorized to be appropriated to the Secretary for fiscal year 1986 such additional sums as may be necessary to restore the salary, pay, retirement, and other employee benefits of the National Bureau of Standards to the levels in effect at the end of fiscal year 1985 and to make any adjustments in the Bureau's salary, pay, retirement, and other employee benefits which may be provided for by law.

#### COST RECOVERY AUTHORITY

SEC. 5. (a) Section 12(f) of the Act of March 3, 1901 (15 U.S.C. 278b(f)), is amended—

(1) by striking out "first"; and

(2) by inserting immediately before the period at the end thereof the following: ", and to ensure the availability of working capital necessary to replace equipment and inventories".

15 USC 275c.

(b) Fees for calibration services, standard reference materials, and other comparable services provided by the National Bureau of Standards shall be at least sufficient to meet the requirements set forth in the amendments made by subsection (a), and any funds recovered in excess of such requirements shall be returned to the Treasury of the United States.

(c) The amendments made by subsection (a) (and the provisions of subsection (b)) shall be effective October 1, 1984.

Effective date.  
15 USC 275c  
note.

#### COMPENSATION OF DIRECTOR

SEC. 6. (a) Section 5 of the Act of March 3, 1901 (15 U.S.C. 274), is amended—

(1) by striking out "He" at the beginning of the second, third, and fourth sentences and inserting in lieu thereof "The Director"; and

(2) by adding at the end thereof the following new sentence: "The Director shall be compensated at the rate now or hereafter in effect for Level IV of the Executive Schedule under section 5315 of title 5, United States Code."

(b)(1) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following new item:

“Director, National Bureau of Standards, Department of Commerce.”.

(2) Section 5316 of title 5, United States Code, is amended by striking out “Director, National Bureau of Standards, Department of Commerce.”.

(c) The amendments made by this section shall be effective October 1, 1985.

Effective date.  
5 USC 5315 note.

#### STRUCTURAL FAILURES

SEC. 7. The National Bureau of Standards, on its own initiative but only after consultation with local authorities, may initiate and conduct investigations to determine the causes of structural failures in structures which are used or occupied by the general public. No part of any report resulting from such investigation shall be admitted as evidence or used in any suit or action for damages arising out of any matter mentioned in such report.

15 USC 281a.

#### SCIENTIFIC POSITIONS

SEC. 8. In order to maintain a highly qualified scientific staff at the National Bureau of Standards, a goal of 20 positions is established for the Senior Scientists Program at the National Bureau of Standards.

#### OFFICE OF PRODUCTIVITY, TECHNOLOGY, AND INNOVATION

SEC. 9. In addition to the sums authorized in the preceding provisions of this Act, there is authorized to be appropriated to the Secretary for fiscal year 1986 the sum of \$2,715,000 for the activities of the Office of Productivity, Technology, and Innovation.

#### NATIONAL TECHNICAL INFORMATION SERVICE

SEC. 10. In addition to the sums authorized in the preceding provisions of this Act, there is authorized to be appropriated to the Secretary for fiscal year 1986 the sum of \$537,000 for the patent licensing activities of the National Technical Information Service.

#### AVAILABILITY OF APPROPRIATIONS

SEC. 11. Appropriations made under authority provided in this Act shall remain available for obligation, for expenditure, or for obligation and expenditure for such periods as may be specified in the Acts making such appropriations.

#### COST REDUCTION REPORT

SEC. 12. Within 90 days after the enactment of this Act, the Director of the National Bureau of Standards shall review the recommendations of the President's Private Sector Survey on Cost Control and such other recommendations as may be included in the Office of Management and Budget report entitled “Management of the United States Government—1986”, and shall submit a report to

the Speaker of the House of Representatives, the President of the Senate, and the appropriate committees of the House and Senate on the implementation status of each such recommendation which affects the National Bureau of Standards and which is within the authority and control of the Director.

Approved July 29, 1985.

**LEGISLATIVE HISTORY—H.R. 1617 (S. 796):**

**HOUSE REPORTS:** No. 99-43 (Comm. on Science and Technology) and No. 99-187 (Comm. of Conference).

**SENATE REPORT** No. 99-31 accompanying S. 796 (Comm. on Commerce, Science, and Transportation).

**CONGRESSIONAL RECORD**, Vol. 131 (1985):

Apr. 18, considered and passed House.

Apr. 23, considered and passed Senate, amended, in lieu of S. 796.

July 15, House and Senate agreed to conference report.