

#### **§ 474. Director of Office of Technology Assessment**

##### **(a) Appointment; term; compensation**

The Director of the Office of Technology Assessment shall be appointed by the Board and shall serve for a term of six years unless sooner removed by the Board. He shall receive basic pay at the rate provided for level III of the Executive Schedule under section 5314 of title 5.

##### **(b) Powers and duties**

In addition to the powers and duties vested in him by this chapter, the Director shall exercise such powers and duties as may be delegated to him by the Board.

##### **(c) Deputy Director; appointment; functions; compensation**

The Director may appoint with the approval of the Board, a Deputy Director who shall perform such functions as the Director may prescribe and who shall be Acting Director during the absence or incapacity of the Director or in the event of a vacancy in the office of Director. The Deputy Director shall receive basic pay at the rate provided for level IV of the Executive Schedule under section 5315 of title 5.

##### **(d) Restrictions on outside employment activities of Director and Deputy Director**

Neither the Director nor the Deputy Director shall engage in any other business, vocation, or employment than that of serving as such Director or Deputy Director, as the case may be; nor shall the Director or Deputy Director, except with the approval of the Board, hold any office in, or act in any capacity for, any organization, agency, or institution with which the Office makes any contract or other arrangement under this chapter.

(Pub. L. 92-484, § 5, Oct. 13, 1972, 86 Stat. 799.)

#### **§ 475. Powers of Office of Technology Assessment**

##### **(a) Use of public and private personnel and organizations; formation of special ad hoc task forces; contracts with governmental, etc., agencies and instrumentalities; advance, progress, and other payments; utilization of services of voluntary and uncompensated personnel; acquisition, holding, and disposal of real and personal property; promulgation of rules and regulations**

The Office shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this chapter, including, but without being limited to, the authority to—

(1) make full use of competent personnel and organizations outside the Office, public or private, and form special ad hoc task forces or make other arrangements when appropriate;

(2) enter into contracts or other arrangements as may be necessary for the conduct of the work of the Office with any agency or instrumentality of the United States, with any State, territory, or possession or any political subdivision thereof, or with any person, firm, association, corporation, or educational institution, with or without reimbursement, without performance or other bonds, and without regard to section 6101 of title 41;

(3) make advance, progress, and other payments which relate to technology assessment without regard to the provisions of section 3324(a) and (b) of title 31;

(4) accept and utilize the services of voluntary and uncompensated personnel necessary for the conduct of the work of the Office and provide transportation and subsistence as authorized by section 5703 of title 5, for persons serving without compensation;

(5) acquire by purchase, lease, loan, or gift, and hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for or resulting from the exercise of authority granted by this chapter; and

(6) prescribe such rules and regulations as it deems necessary governing the operation and organization of the Office.

##### **(b) Recordkeeping by contractors and other parties entering into contracts and other arrangements with Office; availability of books and records to Office and Comptroller General for audit and examination**

Contractors and other parties entering into contracts and other arrangements under this section which involve costs to the Government shall maintain such books and related records as will facilitate an effective audit in such detail and in such manner as shall be prescribed by the Office, and such books and records (and related documents and papers) shall be available to the Office and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination.

##### **(c) Operation of laboratories, pilot plants, or test facilities**

The Office, in carrying out the provisions of this chapter, shall not, itself, operate any laboratories, pilot plants, or test facilities.

##### **(d) Requests to executive departments or agencies for information, suggestions, estimates, statistics, and technical assistance; duty of executive departments and agencies to furnish information, etc.**

The Office is authorized to secure directly from any executive department or agency information, suggestions, estimates, statistics, and technical assistance for the purpose of carrying out its functions under this chapter. Each such executive department or agency shall furnish the information, suggestions, estimates, statistics, and technical assistance directly to the Office upon its request.

##### **(e) Requests to heads of executive departments or agencies for detail of personnel; reimbursement**

On request of the Office, the head of any executive department or agency may detail, with or without reimbursement, any of its personnel to assist the Office in carrying out its functions under this chapter.

##### **(f) Appointment and compensation of personnel**

The Director shall, in accordance with such policies as the Board shall prescribe, appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this chapter.

(Pub. L. 92-484, § 6, Oct. 13, 1972, 86 Stat. 799.)

#### Editorial Notes

##### CODIFICATION

In subsec. (a)(2), “section 6101 of title 41” substituted for “section 3709 of the Revised Statutes (41 U.S.C. 5)” on authority of Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

In subsec. (a)(3), “section 3324(a) and (b) of title 31” substituted for “section 3648 of the Revised Statutes (31 U.S.C. 529)” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

#### § 476. Technology Assessment Advisory Council

##### (a) Establishment; composition

The Office shall establish a Technology Assessment Advisory Council (hereinafter referred to as the “Council”). The Council shall be composed of the following twelve members:

- (1) ten members from the public, to be appointed by the Board, who shall be persons eminent in one or more fields of the physical, biological, or social sciences or engineering or experienced in the administration of technological activities, or who may be judged qualified on the basis of contributions made to educational or public activities;
- (2) the Comptroller General; and
- (3) the Director of the Congressional Research Service of the Library of Congress.

##### (b) Duties

The Council, upon request by the Board, shall—

- (1) review and make recommendations to the Board on activities undertaken by the Office or on the initiation thereof in accordance with section 472(d) of this title;
- (2) review and make recommendations to the Board on the findings of any assessment made by or for the Office; and
- (3) undertake such additional related tasks as the Board may direct.

##### (c) Chairman and Vice Chairman; election by Council from members appointed from public; terms and conditions of service

The Council by majority vote, shall elect from its members appointed under subsection (a)(1) of this section a Chairman and a Vice Chairman, who shall serve for such time and under such conditions as the Council may prescribe. In the absence of the Chairman, or in the event of his incapacity, the Vice Chairman shall act as Chairman.

##### (d) Terms of office of members appointed from public; reappointment

The term of office of each member of the Council appointed under subsection (a)(1) shall be four years except that any such member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. No person shall be appointed a member of the Council under subsection (a)(1) more than twice. Terms of the members appointed under subsection (a)(1) shall be staggered so as to establish a rotating membership

according to such method as the Board may devise.

##### (e) Payment to Comptroller General and Director of Congressional Research Service of travel and other necessary expenses; payment to members appointed from public of compensation and reimbursement for travel, subsistence, and other necessary expenses

(1) The members of the Council other than those appointed under subsection (a)(1) shall receive no pay for their services as members of the Council, but shall be allowed necessary travel expenses (or, in the alternative, mileage for use of privately owned vehicles and payments when traveling on official business at not to exceed the payment prescribed in regulations implementing section 5702 and in<sup>1</sup> 5704 of title 5), and other necessary expenses incurred by them in the performance of duties vested in the Council, without regard to the provisions of subchapter 1 of chapter 57 and section 5731 of title 5, and regulations promulgated thereunder.

(2) The members of the Council appointed under subsection (a)(1) shall receive compensation for each day engaged in the actual performance of duties vested in the Council at rates of pay not in excess of the daily equivalent of the highest rate of basic pay set forth in the General Schedule of section 5332(a) of title 5, and in addition shall be reimbursed for travel, subsistence, and other necessary expenses in the manner provided for other members of the Council under paragraph (1) of this subsection.

(Pub. L. 92-484, § 7, Oct. 13, 1972, 86 Stat. 800; Pub. L. 99-234, title I, § 107(a), Jan. 2, 1986, 99 Stat. 1759.)

#### Editorial Notes

##### AMENDMENTS

1986—Subsec. (e)(1). Pub. L. 99-234 substituted “payments when traveling on official business at not to exceed the payment prescribed in regulations implementing section 5702 and in” for “a per diem in lieu of subsistence at not to exceed the rate prescribed in sections 5702 and”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-234 effective on effective date of regulations to be promulgated not later than 150 days after Jan. 2, 1986, or 180 days after Jan. 2, 1986, whichever occurs first, see section 301(a) of Pub. L. 99-234, set out as a note under section 5701 of Title 5, Government Organization and Employees.

##### TERMINATION OF ADVISORY COUNCILS

Advisory councils in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided by law. See sections 1001(2) and 1013 of Title 5, Government Organization and Employees.

##### REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General

<sup>1</sup> So in original. Probably should be followed by “section”.