



The Secretary of Energy
Washington, DC 20585

June 28, 2007

MEMORANDUM FOR THE DEPUTY SECRETARY
UNDER SECRETARY
UNDER SECRETARY FOR SCIENCE
UNDER SECRETARY FOR NUCLEAR
SECURITY
ASSISTANT SECRETARY FOR POLICY
AND INTERNATIONAL AFFAIRS
GENERAL COUNSEL
DIRECTOR, OFFICE OF MANAGEMENT

FROM:

SAMUEL W. BODMAN

SUBJECT:

Technology Transfer Coordinator and
Technology Transfer Policy Board

Section 1001(a) of the Energy Policy Act of 2005 ("Act") requires the appointment of a Technology Transfer Coordinator who, among other duties, is to be the principal advisor to the Secretary of Energy on all matters relating to technology transfer and commercialization. In light of the significance of technology transfer activities to the Department of Energy's mission and because of the other complementary duties specified by law for the Under Secretary for Science, I hereby appoint the Under Secretary for Science as the Department of Energy's Technology Transfer Coordinator. I direct him to perform the duties of the Coordinator specified in section 1001 of the Act, and he also shall be responsible for ensuring that the other activities specified in section 1001 are carried out, including the establishment of the Technology Transfer Working Group and the preparation of a technology transfer execution plan for submission to Congress. The Under Secretary for Science shall be responsible for overseeing and for advising the Secretary on all technology transfer and commercialization activities performed by the DOE National Laboratories, single-purpose research facilities, and other DOE facilities authorized to conduct technology transfer activities.

To assist the Under Secretary for Science and to establish an enduring framework for continuity and uniformity of technology transfer activities throughout the DOE complex, the Under Secretary for Science shall chair a "Technology Transfer Policy Board" comprised of the following, all of whom shall be DOE employees: two persons designated by each of the Under Secretary for Science, the Under Secretary for Nuclear Security, and the General Counsel; one person designated by the Assistant Secretary for Policy and International Affairs; one person designated by the Director of the Office of Management; and four people



designated by the Under Secretary. In addition, the Under Secretary for Science may invite other Principal Secretarial Officers to designate representatives to serve on the Board. Because continuity and extensive knowledge of technology transfer activities within the DOE complex will be critical to the Board's effective functioning, I encourage the designation of career DOE employees for membership on the Board, rather than non-career employees.

The Board will meet periodically with appropriate Departmental officials to discuss key issues related to technology transfer activities conducted at laboratories and facilities under their cognizance. The Board will develop policy recommendations for the Technology Transfer Coordinator and monitor the overall technology transfer activities of the DOE National Laboratories, single-purpose research facilities and other DOE facilities authorized to conduct technology transfer activities. The activities of the Coordinator and the Board must comply with applicable provisions of the National Nuclear Security Administration Act.

Among other activities to be performed as requested by the Technology Transfer Coordinator, the Board shall:

- Consider the development of a Secretarial policy statement concerning the purpose and goals of the Department's technology transfer mission;
- Develop the technology transfer execution plan and annual update required by the Section 1001(g) of the Energy Policy Act of 2005;
- Oversee the activities of the Technology Transfer Working Group authorized by the Energy Policy Act of 2005, which shall consist of representatives from the National Laboratories, single-purpose research facilities and other DOE facilities authorized to conduct technology transfer activities, and from field elements responsible for overseeing the technology transfer activities conducted in the National Laboratories and DOE facilities;
- Oversee and develop proposed policies governing the use of overhead funds used to conduct technology transfer activities at a Laboratory or facility pursuant to the Technology Transfer Mission clause set forth in DEAR 970.5227-3;
- Conduct oversight activities of each technology transfer ombudsman appointed pursuant to the Technology Transfer Mission clause of DEAR 970.5227-3(p);
- Oversee and encourage efforts to engage private sector entities, including venture capital companies;
- Develop the Technology Transfer Annual report required by 35 U.S.C. 3710(f);
- Provide recommendations to the Coordinator regarding the appointment of a DOE representative to the Federal Laboratory Consortium (established by 35 U.S.C. 3710) and the Interagency Technology Transfer Working Group;

- Be responsible for oversight of, and for proposing any appropriate change to, DOE Order 482.1 DOE Facilities Partnering Programs, DOE Order 483.1 DOE Cooperative Research and Development Agreements, DOE Manual 483.1-1 DOE Cooperative Research and Development Agreements Manual, that part of DOE Order 481.1A applicable to reimbursable work for Non-Federal Sponsors, and DOE Manual 481.1A Reimbursable Work for Non-Federal Sponsors Manual;
- Develop proposed policies intended to promote consistency and uniformity applicable to User Agreements; and
- Provide recommendations to cognizant Principal Secretarial Officers on measuring the success of technology transfer programs and advise the Technology Transfer Coordinator on the oversight of and success of the Department's technology transfer program.