



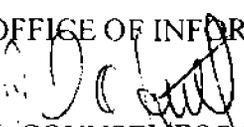
## Department of Energy

Washington, DC 20585

DATE: FEBRUARY 9, 2007

MEMORANDUM FOR: INGRID KOLB  
DIRECTOR, OFFICE OF MANAGEMENT

THRU: WALTER HOWES  
ACTING DIRECTOR, OFFICE OF INFORMATION RESOURCES

FROM: PAUL A. GOTTLIEB   
ASSISTANT GENERAL COUNSEL FOR TECHNOLOGY  
TRANSFER AND INTELLECTUAL PROPERTY

SUBJECT: Notice of Intent to Revise and Recertify DOE M 483.1-1, *DOE Cooperative Research and Development Agreements Manual* (CRADA Manual)

PURPOSE: The Office of General Counsel is requesting to revise the CRADA Manual to: 1) reflect a change in policy with regard to what constitutes the required consultation with the Office of the U.S. Trade Representative [USTR] when a DOE Laboratory is considering whether to enter into a CRADA with an entity controlled by citizens of a foreign country, and, 2) to make the Product Liability language in the CRADA Manual consistent with the Product Liability language in the DOE M 481.1-1A, *Reimbursable Work for Non-Federal Sponsors Process Manual*.

Additionally, it is also time to recertify this Directive, because the four year certification has expired (as of January 12, 2005).

JUSTIFICATION: The revision will streamline the necessary consultation with the USTR, such that there will be fewer delays in approvals of CRADAs. Also, in view of the Class Deviation that was approved on August 11, 2006 [Policy Flash 2006-47 and Acquisition Letter AL-2006-10] to revise 48 C.F.R. clauses 970.5227-2 and 970.5227-3, the proposed revisions will conform the Manual to the revised provisions in the clauses. This revision will also promote consistency in DOE's technology transfer activities. *This Directive action is included in the Office of General Counsel's Review and Certification Directives. A proposed Schedule is attached and we are requesting Track 2 (60-day processing).*

The proposed revised Directive does not duplicate existing laws, regulations or national standards and it does not create undue burden on the Department.

IMPACT:

This revision is expected to significantly reduce the amount of time that a USTR consultation requires. The Directive will also be rendered consistent with the language in DOE M 481.1-1A, thus resulting in two Directives with different Product Liability provisions now having the same terms.

CONTACT:

Michael P. Hoffman, Office of the Assistant General Counsel for Technology Transfer and Intellectual Property, at 202-586-3441.

DECISION:

Concur: \_\_\_\_\_

Nonconcur: \_\_\_\_\_

Timeframe: \_\_\_ 30 days \_\_\_ 60 days \_\_\_ 90 days \_\_\_ 120 days

Date: \_\_\_\_\_

## SCHEDULE

Provide revised Directive to MA-1:	March 1, 2007
Directive to be coordinated on RevCom:	March 21, 2007
Expected Date of Approval:	April 10, 2007