

AMENDMENTS

1976—Subsec. (a). Pub. L. 94-283, §115(f)(1), struck out references to sections 608, 610, 611, 613, 614, 615, 616, and 617 of title 18.

Subsec. (b)(2). Pub. L. 94-283, §115(f)(2), struck out references to sections 608, 610, 611, and 613 of title 18.

EFFECTIVE DATE

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as an Effective Date of 1974 Amendment note under section 431 of this title.

§ 456. Repealed. Pub. L. 94-283, title I, § 111, May 11, 1976, 90 Stat. 486

Section, Pub. L. 92-225, title IV, §407, as added Pub. L. 93-443, title III, §302, Oct. 15, 1974, 88 Stat. 1290, gave Commission additional enforcement authority by providing for disqualification of candidates for Federal office from elections for Federal office for a period of time following a finding by Commission that candidate failed to file a required report.

SAVINGS PROVISION

Repeal by Pub. L. 94-283 not to release or extinguish any penalty, forfeiture, or liability incurred under this section or penalty, with this section or penalty to be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of any penalty, forfeiture, or liability, see section 114 of Pub. L. 94-283, set out as a note under section 441 of this title.

CHAPTER 15—OFFICE OF TECHNOLOGY ASSESSMENT

- Sec.
471. Congressional findings and declaration of purpose.
472. Office of Technology Assessment.
 (a) Creation.
 (b) Composition.
 (c) Functions and duties.
 (d) Initiation of assessment activities.
 (e) Availability of information.
473. Technology Assessment Board.
 (a) Membership.
 (b) Execution of functions during vacancies; filling of vacancies.
 (c) Chairman and vice chairman; selection procedure.
 (d) Meetings; powers of Board.
474. Director of Office of Technology Assessment.
 (a) Appointment; term; compensation.
 (b) Powers and duties.
 (c) Deputy Director; appointment; functions; compensation.
 (d) Restrictions on outside employment activities of Director and Deputy Director.
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.
 (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.
 (c) Operation of laboratories, pilot plants, or test facilities.

Sec.

- (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.
- (e) Requests to heads of executive departments or agencies for detail of personnel; reimbursement.
- (f) Appointment and compensation of personnel.
476. Technology Assessment Advisory Council.
 (a) Establishment; composition.
 (b) Duties.
 (c) Chairman and Vice Chairman; election by Council from members appointed from public; terms and conditions of service.
 (d) Terms of office of members appointed from public; reappointment.
 (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.
477. Utilization of services of Library of Congress.
 (a) Authority of Librarian to make available services and assistance of Congressional Research Service.
 (b) Scope of services and assistance.
 (c) Services or responsibilities performed by Congressional Research Service for Congress not altered or modified; authority of Librarian to establish within Congressional Research Service additional divisions, etc.
 (d) Reimbursement for services and assistance.
478. Utilization of services of General Accounting Office.
 (a) Authority of General Accounting Office to furnish financial and administrative services.
 (b) Scope of services and assistance.
 (c) Services or responsibilities performed by General Accounting Office for Congress not altered or modified.
 (d) Reimbursement for services and assistance.
479. Coordination of activities with National Science Foundation.
480. Omitted.
481. Authorizations of appropriations; availability of appropriations.

§ 471. Congressional findings and declaration of purpose

The Congress hereby finds and declares that:

- (a) As technology continues to change and expand rapidly, its applications are—
 (1) large and growing in scale; and
 (2) increasingly extensive, pervasive, and critical in their impact, beneficial and adverse, on the natural and social environment.
- (b) Therefore, it is essential that, to the fullest extent possible, the consequences of technological applications be anticipated, understood, and considered in determination of public policy on existing and emerging national problems.
- (c) The Congress further finds that:
 (1) the Federal agencies presently responsible directly to the Congress are not designed

to provide the legislative branch with adequate and timely information, independently developed, relating to the potential impact of technological applications, and

(2) the present mechanisms of the Congress do not and are not designed to provide the legislative branch with such information.

(d) Accordingly, it is necessary for the Congress to—

(1) equip itself with new and effective means for securing competent, unbiased information concerning the physical, biological, economic, social, and political effects of such applications; and

(2) utilize this information, whenever appropriate, as one factor in the legislative assessment of matters pending before the Congress, particularly in those instances where the Federal Government may be called upon to consider support for, or management or regulation of, technological applications.

(Pub. L. 92-484, § 2, Oct. 13, 1972, 86 Stat. 797.)

SHORT TITLE

Section 1 of Pub. L. 92-484 provided: “That this Act [enacting this chapter and amending section 1862 of Title 42, The Public Health and Welfare] may be cited as the ‘Technology Assessment Act of 1972.’”

TERMINATION OF OFFICE OF TECHNOLOGY ASSESSMENT

Pub. L. 104-53, title I, §§ 113, 114, Nov. 19, 1995, 109 Stat. 526, provided that:

“SEC. 113. Upon enactment of this Act [Nov. 19, 1995] all employees of the Office of Technology Assessment for 183 days preceding termination of employment who are terminated as a result of the elimination of the Office and who are not otherwise gainfully employed may continue to be paid by the Office of Technology Assessment at their respective salaries for a period not to exceed 60 calendar days following the employee's date of termination or until the employee becomes otherwise gainfully employed whichever is earlier. Any day for which a former employee receives a payment under this section shall be counted as Federal service for purposes of determining entitlement to benefits, including retirement, annual and sick leave earnings, and health and life insurance. A statement in writing to the Director of the Office of Technology Assessment or his designee by any such employee that he was not gainfully employed during such period or the portion thereof for which payment is claimed shall be accepted as prima facie evidence that he was not so employed.

“SEC. 114. Notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 471 et seq.], or any other provision of law, upon the abolition of the Office of Technology Assessment, all records and property of the Office (including the Unix system, all computer hardware and software, all library collections and research materials, and all photocopying equipment), shall be under the administrative control of the Architect of the Capitol. Not later than December 31, 1995, the Architect shall submit a proposal to transfer such records and property to appropriate support agencies of the Legislative Branch which request such transfer, and shall carry out such transfer subject to the approval of the Committees on Appropriations of the House of Representatives and the Senate.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 472 of this title.

§ 472. Office of Technology Assessment

(a) Creation

In accordance with the findings and declaration of purpose in section 471 of this title, there

is hereby created the Office of Technology Assessment (hereinafter referred to as the “Office”) which shall be within and responsible to the legislative branch of the Government.

(b) Composition

The Office shall consist of a Technology Assessment Board (hereinafter referred to as the “Board”) which shall formulate and promulgate the policies of the Office, and a Director who shall carry out such policies and administer the operations of the Office.

(c) Functions and duties

The basic function of the Office shall be to provide early indications of the probable beneficial and adverse impacts of the applications of technology and to develop other coordinate information which may assist the Congress. In carrying out such function, the Office shall:

(1) identify existing or probable impacts of technology or technological programs;

(2) where possible, ascertain cause-and-effect relationships;

(3) identify alternative technological methods of implementing specific programs;

(4) identify alternative programs for achieving requisite goals;

(5) make estimates and comparisons of the impacts of alternative methods and programs;

(6) present findings of completed analyses to the appropriate legislative authorities;

(7) identify areas where additional research or data collection is required to provide adequate support for the assessments and estimates described in paragraph (1) through (5) of this subsection; and

(8) undertake such additional associated activities as the appropriate authorities specified under subsection (d) of this section may direct.

(d) Initiation of assessment activities

Assessment activities undertaken by the Office may be initiated upon the request of:

(1) the chairman of any standing, special, or select committee of either House of the Congress, or of any joint committee of the Congress, acting for himself or at the request of the ranking minority member or a majority of the committee members;

(2) the Board; or

(3) the Director, in consultation with the Board.

(e) Availability of information

Assessments made by the Office, including information, surveys, studies, reports, and findings related thereto, shall be made available to the initiating committee or other appropriate committees of the Congress. In addition, any such information, surveys, studies, reports, and findings produced by the Office may be made available to the public except where—

(1) to do so would violate security statutes; or

(2) the Board considers it necessary or advisable to withhold such information in accordance with one or more of the numbered paragraphs in section 552(b) of title 5.

(Pub. L. 92-484, § 3, Oct. 13, 1972, 86 Stat. 797.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 476 of this title.