

**STRATEGIC DEFENSE INITIATIVE ORGANIZATION (SDIO)
CIVIL APPLICATIONS PROGRAM
TECHNOLOGY APPLICATIONS ADVISORS
GUIDELINES AND PROCEDURES**

1. **PURPOSE:** This paper sets forth the guidelines and procedures for the conduct of SDIO Civil Applications (SDIO/CA) Technology Applications Advisors.

2. **POLICY** The SDIO Civil Applications programs will be conducted consistent with existing guidelines on security and protection of militarily critical technologies. The program will operate within existing policy and procedures for the exchange of commercial rights of contractors involved, but will also recognize the rights of the Government obtained under the technical data and patent rights clauses included in contracts between the Government and the owners of the rights in innovations. Unclassified and non-proprietary information regarding new technologies will be provided to qualified American corporations, small businesses, universities, and entrepreneurs to assist them in identifying the sources of new SDI technology. Entrepreneurs who have a commercial interest in technology applications will be encouraged to negotiate proprietary rights and patent matters with the owner(s) of the technology information.

3. TECHNOLOGY APPLICATIONS PANELS:

(a) Technology Applications Panels will be established under the auspices of the SDIO Civil Applications Advisory Committee which is a subcommittee of the SDIO Advisory Committee. Members will consist of representatives from federal agencies, universities, private non-profit institutes, research institutes, corporations, professional associations and other segments of the private sector who will serve without remuneration except for reimbursement of travel and per diem under invitational travel orders.

(b) Technology Applications Panels will assist in reformatting SDIO technology synopses into industrial technology profiles, identifying potential applications, and reviewing technology client inquiries. Panel members will be encouraged to promote the diffusion of unclassified technologies within the institution, corporation, or agency which they represent with the expressed intent of identifying and transfusing technology for Federal and civil applications including research and commercialization.

(c) Panels will be established in the following generic technology areas:

- (1) Biomedical Applications
- (2) Electronics, Communications and Computer Applications
- (3) Power Generation, Storage and Transmission Applications
- (4) Materials and Industrial Process Applications

4. SECURITY

All advisors to the Civil Applications Program will be required to be U.S. Citizens, have a minimum of a Secret security clearance, and execute a Militarily Critical Technology Agreement. In general, these individuals will not need regular access to classified information; however, it may be necessary for them to review classified areas in order to identify innovations which in themselves are part of a larger classified technology area, but could be designated as unclassified and made available for dissemination through the Civil Applications program. All unclassified SDIO technology information in the aggregate will be protected as militarily critical technology until released from that status by appropriate authority.

5. PROPRIETARY/ PATENT RIGHTS AND CONFLICT OF INTEREST

SDIO generated technology and the resultant innovations will be protected under existing contract provisions regarding technical data, patent rights and rights in innovations. Because there will be governmental applications as well as civil applications of SDIO technology and the U.S. Government has rights to government use of proprietary/patent information, members of the Technology Applications Panels as agents (non-paid consultants) of SDIO will be provided access to proprietary information for the purposes outlined in paragraph 3.b. above. The panel members must not disclose any proprietary information to others who would not otherwise be able to have access to it for commercial purposes. Dissemination of unclassified, synoptic, non-proprietary data regarding SDIO technology is both permitted and encouraged, but this information must first be entered in the unclassified, modem-accessible Technology Applications Data Base so that it is available to all qualified U.S. contractors and thus does not provide an unfair advantage to any one corporation or institution. Similarly, technology client inquiries and problem statements disclosing the ideas of inventors and entrepreneurs will be considered proprietary by all panel members.

Nondisclosure Agreement For Advisors to the SDI Civil Applications Program

I have read and understood the SDIO Civil Applications Program's Guidelines and Procedures attached hereto. I appreciate that the purpose of the SDI Civil Applications Program is to transfer SDIO technology to the private sector so long as this can be accomplished without harming the national security or infringing the rights of third parties with respect to their proprietary and trade secrets information. I also understand that I will be a Special Government Employee as defined at Section 202 of Title 18 of the United States Code with respect to my work with the SDI Civil Applications Program and that my responsibility is to serve the best interest of the United States as opposed to my individual interests, the interests of my employer, or the interests of any other entity in which I have a financial interest or am associated. Further, I appreciate that the unauthorized release of a third party's proprietary or trade secrets information could result in the following: criminal prosecution under Section 1905 of Title 18 of the United States Code; substantial harm to the business position of the owner of the technology or trade secret; and denial of valuable technology information to the SDI Civil Applications Program in the future.

Therefore in consideration of my participation in the SDI Civil Applications Program and in appreciation of my status as a Special Government Employee, I hereby agree as follows:

To protect classified information in accordance with the applicable classification laws and regulations.

To protect militarily critical technology in accordance with the applicable directives and regulations.

To protect the proprietary and trade secrets information provided me as a representative of the U.S Government by third parties and any other information provided to the government in confidence.

To utilize any information coming to my attention as a representative of the SDI Civil Applications Program for any purpose outside the SDI Civil Applications Program purposes only at such time as the information is 1) made available to me for such use by its government custodian or private owner and 2) the cognizant SDIO official has determined that access to this information is reasonably available to the public.

Date

Signature

Name (Printed or Typed)