

vided for by law. See sections 3(2) and 14 of Pub. L. 92463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 5304, 5305 of this title.

### §5307. Authorization of appropriations

There are authorized to be appropriated to the Secretary for carrying out this chapter \$5,000,000 for each of the fiscal years 1991, 1992, 1993, 1994, 1995, 1996, and 1997, to be derived from such sums as are otherwise authorized under section 13451(e) of title 42.

(Pub. L. 101425, §8, Oct. 15, 1990, 104 Stat. 919; Pub. L. 102486, title XXI, §2106(b), Oct. 24, 1992, 106 Stat. 3070.)

#### AMENDMENTS

1992—Pub. L. 102486 substituted “1993, 1994, 1995, 1996, and 1997, to be derived from such sums as are otherwise authorized under section 13451(e) of title 42” for “and 1993”.

### §5308. Protection of proprietary rights

#### (a) Proprietary rights

No trade secrets or commercial or financial information that is privileged or confidential, under the meaning of section 552(b)(4) of title 5, which is obtained from a company as a result of activities under this chapter shall be disclosed.

#### (b) Commercial information

The Secretary, for a period of up to 5 years after the development of information that—

(1) results from research and development activities conducted under this chapter; and

(2) would be a trade secret or commercial or financial information that is privileged or confidential, under the meaning of section 552(b)(4) of title 5, if the information had been obtained from a company,

may provide appropriate protection against the dissemination of such information, including exemption from subchapter II of chapter 5 of title 5.

#### (c) Patent rights

With respect to patent rights, the Institutes shall be treated in the same manner as are non-profit organizations and small business firms under chapter 18 of title 35, notwithstanding any provisions to the contrary contained in that chapter.

(Pub. L. 101425, §9, Oct. 15, 1990, 104 Stat. 919.)

### §5309. Reporting

At the time the President's annual budget request for the Department is submitted, the Secretary shall provide to Congress a detailed review of the progress of the research and development activities authorized under this chapter.

(Pub. L. 101425, §10, Oct. 15, 1990, 104 Stat. 919.)

## CHAPTER 80—FASTENERS

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### §5401. Findings and purpose

#### (a) Findings

The Congress finds that—

(1) the American economy uses billions of fasteners each year;

(2) millions of mismarked, substandard, counterfeit, and other nonconforming fasteners have been sold in commerce to end-users in the United States, and their use has dramatically increased the risk of equipment and infrastructure failures;

(3) both the military and civilian sectors of the economy have encountered unnecessary, unwarranted, and dangerous equipment and construction failures, as well as extraordinary expenses, as a result of the use of nonconforming fasteners;

(4) the sale in commerce of nonconforming fasteners and the use of nonconforming fasteners in numerous critical applications have reduced the combat readiness of the Nation's military forces, endangered the safety of other Federal projects and activities, and cost both the public and private sectors large sums in connection with the retesting and purging of fastener inventories;