

## APPENDIX II

### LEGISLATIVE HISTORY OF THE NATIONAL SCIENCE FOUNDATION ACT OF 1950

The report made on June 14, 1949 by the Committee on Interstate and Foreign Commerce of the House of Representatives, accompanying H. R. 4846 (Report No. 796, 81st Congress, 1st Session) summarizes the legislative history of the National Science Foundation Act as follows:

"The history of the Science Foundation legislation begins on November 17, 1944 when President Roosevelt wrote a letter to Dr. Vannevar Bush, Director of the wartime Office of Scientific Research and Development, asking him to prepare for him a report on a postwar science program.

"President Roosevelt had passed away when Dr. Bush submitted his report in July 1945. His report was entitled Science, the Endless Frontier. It became the basis for the Science Foundation legislation which is being considered today.

"Shortly after the submission of the report and essentially based on its recommendations, identical Science Foundation bills were introduced in the Seventy-ninth Congress by Senator Magnuson and Representative Mills. Other measures were introduced by Senators Kilgore and Fulbright.

"When, in September of 1945, President Truman called Congress into special session to enact a 21-point postwar domestic program, one of the points urged the establishment of a single Federal Research agency. Following the President's request, hearings were begun in the Senate on the various Science Foundation bills which continued through October of 1945.

"Several points were in dispute. Among them were the type of organization of the Foundation and what kind of patent provisions should be included in the bill.

"In the following year, the Senate Committee reported out S. 1850, which would have made extensive changes in the patent laws of the United States with respect to inventions made with the financial support of the Federal Government. The bill also would have placed considerable control in the President of the United States.

"This committee, late in 1946, held hearings on H.R. 6448, introduced by Representative Mills. This bill was a revised version of his original Science Foundation bill.

"In July 1946 the Senate passed S. 1850 by a vote of 48 to 18. The House took no action and all bills died with the close of the Seventy-ninth Congress.

"During the Eightieth Congress S. 526 was sponsored by a bipartisan group of six Senators and the House had also before it a number of Science Foundation bills. The Senate bill was passed by the Senate in May by a vote of 79 to 8.

"In the House this committee held extensive hearings and, as a result of the hearings, H.P. 4102 was introduced, reported favorably by the committee, and passed by the House, its text being substituted for that of S. 526.

"S. 526 then went to conference and both Houses approved the conference report. The bill died by pocket veto. President Truman stated in a memorandum of August 6, 1947, that he had vetoed the bill with great reluctance for he was convinced of the urgent need for the establishment of a National Science Foundation, but he felt that the bill passed by Congress vested the determination of vital national policies and the expenditure of large public funds in a group of individuals who would be essentially private citizens. This, the President stated, was a marked departure from the sound principles for the administration of public affairs to which he could not give his approval.

"In 1948, during the second session of the Eightieth Congress, new bills were introduced both in the Senate and in the House - S. 2385 and H.R. 6007. These bills were identical and constituted a compromise worked out

following conferences between some Members of Congress and presidential advisers. In May 1948 the Senate passed the new measure by a voice vote. In the House this committee held brief hearings and reported favorably H.R. 6007, which differed in a few respects from S. 2385, passed earlier by the Senate. The bill failed to reach the House floor and, therefore, the Science Foundation legislation did not materialize during the Eightieth Congress.

"In the Eighty-first Congress, in the Senate, there was introduced S. 247 which is identical with S. 2385, the last Science Foundation bill passed by the Senate during the second session of the Eightieth Congress. This bill passed the Senate without amendment and in the House was referred to this committee. In the House seven bills were introduced which fall into three categories. Four of these bills were identical with H.R. 6007, reported favorably by this committee during the Eightieth Congress, which differ in some respects from S. 247. These bills are H.R. 12, H.R. 185, H.R. 311, and H.R. 2751.

"The second category consists of H.R. 1845 and H.R. 2308 which are in all respects identical with S. 247.

"The third category consists of a single bill, H.R. 359, which differs substantially from the bills in the first two categories with respect to the organization of the Foundation and patent provisions.

"Although the 4-year history of proposed legislation on this subject encompasses over 1,200 pages of testimony by 150 of the Nation's leading authorities in science, education, and medicine, the committee further reviewed the legislation in public hearing, on March 31 and April 1, 4, 5, and 26, 1949. In the light of this additional information the committee has rewritten the Science Foundation bill that it reported favorably during the Eightieth Congress, primarily to clarify the bill still further. As a result, a new bill, H.R. 4846, has been introduced by Mr. Priest, whose subcommittee on Public Health, Science, and Commerce held hearings on this subject. The committee believes that H.R. 4846, as amended, is a better bill with respect to form, as well as content, than any bill on the subject heretofore proposed, and that it meets the objections expressed by the President in his memorandum of August 6, 1947, with respect to S. 526."

Concurrently with the consideration of H.R. 4846 in the House, the Senate considered and passed a similar although not identical bill, S. 247. Following adoption of H.R. 4846, the House, by amendment, substituted the provisions of H.R. 4846 for those of S. 247. Following a conference a revised version of S. 247 was reported out in both houses and passed, receiving the approval of the President on May 10, 1950 as Public Law 507, 81st Congress, the National Science Foundation Act of 1950.