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DIRECTIVE AND LEGISLATION ESTABLISHING

THE OFFICE OF NAVAL RESEARCH

Enclosure (A)

[REDACTED]

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**DIRECTIVE AND LEGISLATION ESTABLISHING  
THE OFFICE OF NAVAL RESEARCH**

As will be noted by the following sections of this enclosure, the forerunner of the present Office of Naval Research was the Office of Research and Inventions which was authorized in May, 1945 by General Order No. 2-19. The activity of this Office continued under this directive until the Act of 1 August 1946 at which time Public Law 398 was passed by the 79th Congress establishing the Office of Naval Research. On 21 August 1946 the Secretary of the Navy put this Act into operation by a letter to all Bureaus, Boards and Offices of the Navy Department and the Commandant, U. S. Marine Corps.

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**THE SECRETARY OF THE NAVY**

**Washington**

19 May 1945

To: Rear Admiral Harold G. Bowen, U.S.N.

1. You are hereby appointed Chief of the Office of Research and Inventions.

/s/ JAMES FORRESTAL

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19 May 1945

GENERAL ORDER

No. 219

1. General Orders Nos. 150 and 159 are hereby  
cancelled.

/s/ JAMES FORRESTAL

OGC/PHH:hg/vc

19 May 1945

To: All Bureaus, Boards and Offices of the Navy Department.  
The Commandant, U. S. Marine Corps  
The Commandant, U. S. Coast Guard

Subj: Office of Research and Inventions.

1. There is hereby established, in the Office of the Secretary of the Navy, the Office of Research and Inventions at the head of which shall be a Chief and an Assistant Chief, appointed by the Secretary of the Navy and designated, respectively, the Chief and the Assistant Chief of Research and Inventions. In addition to reporting directly to the Secretary of the Navy, the Chief of Research and Inventions shall also report to the Chief of Naval Operations. The orders of the Chief of Research and Inventions shall be considered as emanating from the Secretary of the Navy and shall have full force and effect as such.

2. The Chief of Research and Inventions shall:

- (a) coordinate, and from time to time disseminate to all bureaus full information with respect to, all naval research, experimental, test and developmental activities;
- (b) undertake upon his own initiative, or at the direction of the Commander in Chief, United States Fleet, or of the Chief of Naval Operations, or at the request of any bureau or office of the Navy Department, studies of specific instrumentalities and techniques for the purpose of outlining research, experimental, test, or developmental projects;
- (c) maintain a continuous survey of research, experimental, test, and developmental work conducted by other governmental agencies, corporations, educational and scientific institutions, and represent the Navy Department in dealings therewith in regard to such work;
- (d) supervise and administer all activities within or on behalf of the Navy Department relating to patents, inventions, trade marks, copyrights, royalty payments and similar matters, and correlate such activities with the research, experimental and developmental activities of the Navy;
- (e) advise the Secretary of the Navy on all matters covered hereby.

3. The Naval Research Laboratory and the Special Devices Division of the Bureau of Aeronautics are hereby transferred to the Office of Research and Inventions.

4. To assist the Chief of Research and Inventions in the performance of his duties hereunder, all addressees shall submit to him such information relating to their research, experimental, test or developmental projects and programs as he may request.

5. The Chief of Research and Inventions may establish such offices in the bureaus, shore establishments, shore areas and laboratories, or elsewhere, as he shall deem necessary to carry out the provisions of paragraph 2(d) hereof and he shall assign to them such duties and functions as he may deem to be desirable in the interest of efficient administration. Naval activities not provided with representatives of the Office of Research and Inventions shall refer all questions as to the matters covered by paragraph 2(d) hereof directly to said Office unless otherwise directed by the Chief of Research and Inventions.

6. The Chief of Research and Inventions is hereby authorized to execute, on behalf of the United States, contracts which shall have been prepared and approved in compliance with existing directives and which relate to facilities, equipment, supplies or matters hereby transferred to the cognizance of the Office of Research and Inventions.

7. The authority hereby delegated to the Chief of Research and Inventions may be further delegated by him to the extent that he shall deem necessary or desirable.

8. The Chief of Research and Inventions shall forthwith set up the Office of Research and Inventions, selecting such personnel presently assigned to the Office of Patents and Inventions and to the Coordinator of Research and Development, respectively, and appointing such other assistants as he may deem necessary for the performance of the duties and functions of the Office of Research and Inventions.

9. The Chief of Research and Inventions shall appoint qualified persons to serve as Patent Counsel and to furnish all necessary legal advice and services in regard to matters which relate solely to patents, inventions, trade-marks, copyrights, royalty payments and similar matters. The General Counsel for the Department of the Navy shall provide the Chief of Research and Inventions with all legal advice and services that may be necessary in regard to other matters.

10. Until separate funds shall be otherwise provided for the Office of Research and Inventions, allocations for such purpose shall be made to the Naval Procurement Fund from the appropriations of the Navy Department which are available for research, experimental or developmental work in such amounts as shall be directed by the Secretary of the

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Navy. Payments from the said allocations may be made without regard to the nature of any research, experiment, test or development with respect to which the payment is made. The Chief of Research and Inventions shall account to the Secretary of the Navy for the use made of any appropriations so allocated and appropriate adjustments in the allocations from the various appropriations may be made.

11. The Office of Patents and Inventions established by directive of the Secretary of the Navy dated October 19, 1944 (NPD 13,801-806) is hereby abolished. General Orders Nos. 150 and 159 have been canceled. All other prior orders and directives so far as they are inconsistent herewith are amended accordingly.

/s/ FORRESTAL

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Address Reply to  
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 And refer to initials  
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NAVY DEPARTMENT  
 WASHINGTON 25, D. C.

21 August 1946

From: Secretary of the Navy  
 To: All Bureaus, Boards and Offices of the Navy Department,  
 The Commandant, U. S. Marine Corps.

Subj: Office of Naval Research

Ref: (a) SecNav ltr dated 19 May 1945, (OGC:FEH:hg/vc)  
 (NPD Par. 13, 801).

Encl: (A) Act of 1 August 1946, Public Law 588, 79th Congress.

1. By the Act of 1 August 1946, Public Law 588, 79th Congress, enclosure (A) hereto, there was created and established in the Office of the Secretary of the Navy the Office of Naval Research, at the head of which there is a Chief of Naval Research.

2. Pursuant to that Act, the Chief of Naval Research is hereby charged with the duties of encouraging, promoting, planning, initiating, and coordinating naval research, and conducting naval research in augmentation of and in conjunction with the research and development conducted by the respective Bureaus and other agencies and offices of the Navy Department. The functions of the Chief of Naval Research in carrying out these shall be as follows:

- (a) The Chief of Naval Research shall be the principal adviser to the Secretary of the Navy on all research matters and such developments as may be expected from research.
- (b) The Chief of Naval Research shall keep the Chief of Naval Operations advised of findings, trends, and potentialities in research and shall disseminate information to interested Bureaus and offices within the Navy Department, and to other Governmental or private agencies as may be appropriate, on naval and other research.
- (c) The Chief of Naval Research shall be the principal representative of the Navy Department in dealings of Navy-wide interest on research matters with other Government agencies, corporations, educational and scientific institutions, and other organizations and individuals concerned with scientific research.

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- (d) The Chief of Naval Research shall survey the trends, potentialities, and achievements of scientific research and development and shall plan and coordinate research programs throughout the Naval Establishment.
- (e) The Chief of Naval Research shall study and collaborate with the Chief of Naval Operations and the Bureaus in the formulation of the principal development programs of the Navy.
- (f) All plans within the Navy Department for establishment of, abolishment of, or significant changes in, all laboratories concerned with research or development shall be referred to the Chief of Naval Research for comment and recommendation prior to final action.
- (g) The Chief of Naval Research shall supervise, administer, and control all activities within or on behalf of the Navy Department relating to patents, inventions, trademarks, copyrights, royalty payments, and similar matters, and correlate such activities with the research and development activities of the Navy.
- (h) The Chief of Naval Research shall undertake, (i) upon his own initiative, or at the direction of the Chief of Naval Operations, or at the request of any Bureau or office of the Navy Department, the development, design, maintenance, modification, and improvement of training devices and aids, and components thereof, and, (ii) at the request of the Chief of Naval Operations or any Bureau or office of the Navy Department, the production of training devices and aids, and components thereof, to the extent that appropriations are made available therefor.

3. The orders of the Chief of Naval Research shall be considered as emanating from the Secretary of the Navy and shall have full force and effect as such.

4. To assist the Chief of Naval Research in the performance of his duties hereunder, all addressees shall submit to him such information relating to their research, experimental, test or development projects and programs as he may request.

5. The several component organizations of the Office of Research and Inventions, including the Naval Research Laboratory and the Special Devices Division, together with their functions, personnel, property and records are

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transferred to the Office of Naval Research. The Chief of Naval Research may allocate such functions, personnel, property, and records among such component organizations in such manner as he shall deem necessary in order to carry out his duties hereunder.

6. The Chief of Naval Research may establish such field offices as he shall deem necessary to carry out the provisions hereof. In addition, the Chief of Naval Research shall establish such offices in the Bureaus or other naval activities as he shall deem necessary to carry out his functions with respect to the control of patent and related matters under the provisions of paragraph 2(g) hereof.

7. The Chief of Naval Research is hereby authorized, in accordance with directives, to negotiate, enter into, and execute contracts, and amendments and modifications of contracts, for services and materials necessary for the making and securing of reports, tests, models, apparatus, and for the conducting of research.

8. The authority delegated hereunder to the Chief of Naval Research, except for that delegated under paragraph 7, may be further delegated by him to the extent that he shall deem necessary or desirable; Provided, That orders, instructions, and delegations of the Chief of Research and Inventions in force at the time this directive takes effect shall, to the extent consistent with this directive, remain in full force and effect as if reissued by the Chief of Naval Research until modified, superseded, or rescinded by the Chief of Naval Research or other competent authority.

9. The Chief of Naval Research shall appoint qualified persons to serve as Patent Counsel and to furnish all necessary legal advice and services in regard to matters which relate solely to patents, inventions, trademarks, copyrights, royalty payments and similar matters. The General Counsel for the Department of the Navy shall provide the Chief of Naval Research with all legal advice and services that may be necessary in regard to other matters.

10. Reference (a), which established the Office of Research and Inventions, is rescinded.

/s/ W. JOHN KENNEDY  
Acting Secretary of the Navy

Navy Standard Distribution List 11

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[Public Law 533—79th Congress]

[Chapter 727—2d Session]

[H. R. 5911]

AN ACT

To establish an Office of Naval Research in the Department of the Navy; to plan, foster, and encourage scientific research in recognition of its paramount importance as related to the maintenance of future naval power, and the preservation of national security; to provide within the Department of the Navy a single office, which, by contract and otherwise, shall be able to obtain, coordinate, and make available to all bureaus and activities of the Department of the Navy, world-wide scientific information and the necessary services for conducting specialized and imaginative research; to establish a Naval Research Advisory Committee consisting of persons preeminent in the fields of science and research, to consult with and advise the Chief of such Office in matters pertaining to research.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created and established in the Office of the Secretary of the Navy an Office of Naval Research, which shall be charged with such duties relating to (1) the encouragement, promotion, planning, initiation, and coordination, of naval research; (2) the conduct of naval research in augmentation of and in conjunction with the research and development conducted by the respective bureaus and other agencies and offices of the Navy Department; and (3) the supervision, administration, and control of activities within or on behalf of the Department of the Navy relating to patents, inventions, trade-marks, copyrights, royalty payments, and matters connected therewith; as may be prescribed by the Secretary of the Navy. All of the duties of this Office shall be performed under the authority of the Secretary of the Navy and its orders shall be considered as emanating from him and shall have full force and effect as such.

SEC. 2. At the head of the Office of Naval Research there shall be a Chief of Naval Research, appointed by the President, by and with the advice and consent of the Senate, for a term of not to exceed three years, from among officers not below the grade of commander on the active list of the Navy. The Chief of Naval Research shall have the same rank and shall be entitled to the same pay, allowances, and privileges of retirement as are now or may hereafter be prescribed by or in pursuance of law for chiefs of bureaus in the Navy Department.

SEC. 3. An officer on the active list of the Navy may be detailed as Assistant Chief of Naval Research, and such officer shall receive the highest pay of his grade and in case of the death, resignation, absence, or sickness of the Chief of Naval Research, shall, until otherwise directed by the President as provided in Revised Statutes, section 179 (U. S. C., title 5, sec. 6), perform the duties of such chief until his successor is appointed or such absence or sickness shall cease.

ENCLOSURE (A)

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SEC. 4. The Secretary of the Navy is hereby authorized to establish a Naval Research Advisory Committee, which shall consist of not exceeding fifteen persons to be appointed by the Secretary from those persons in civilian life who are prominent in the fields of science, research, and development work. One member of such committee will be from the field of medicine. The members of such committee shall serve for such term or terms as the Secretary may specify, and shall meet at such times as may be specified by the Secretary to consult with and advise the Chief of Naval Operations and the Chief of the Office of Naval Research. Each member of such committee shall be entitled to compensation in the amount of \$50 for each day or part of a day he shall be in attendance at any regularly called meeting of the committee, together with reimbursement for all travel expenses incident to such attendance. Provided, that nothing contained in sections 41, 109, and 113 of the Criminal Code (U. S. C. title 18, secs. 93, 193, and 203); in Revised Statutes, section 190 (U. S. C. title 5, sec. 99); in section 19(a) of the Contract Settlement Act of 1944 (Public Law 395, Seventy-eighth Congress); or in any other provision of Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services; or the payment or receipt of compensation in connection with any claim proceeding, or matter involving the United States, shall apply to such persons solely by reason of their appointment to and membership on such committee.

SEC. 5. (a) There is hereby authorized to be appropriated such amounts as may be necessary for the Office of Naval Research to carry out its functions as provided for herein, including such sums as may be required for administrative expenses, and the conduct of research and development work in Government facilities and under contracts with private individuals, corporations, and educational or scientific institutions. Sufficient information relative to estimates of appropriations for research by the several bureaus and offices shall be furnished to the Chief of the Office of Naval Research to assist him in coordinating the Navy research program and the carrying out of such other duties as outlined in section 1.

(b) Any funds appropriated to enable the Office of Naval Research to carry out its functions as provided for herein shall, if obligated during the fiscal year for which appropriated, remain available for expenditure for four years following the expiration of the fiscal year for which appropriated. After such a four-year period, the unexpended balances of appropriations shall be carried to the surplus fund and covered into the Treasury.

SEC. 6. Within the limits of available appropriations, the Secretary of the Navy, and, by direction of the Secretary, the Chief of the Office of Naval Research and the chiefs of all bureaus of the Navy Department may enter into contracts, or amendments or modifications of contracts, for services and materials necessary for the making and securing of reports, tests, models, apparatus, and for the conducting of research, without performance or other bonds, and without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), section 3710 of the Revised Statutes (U. S. C., title 34, sec. 561), section 3719 of the revised Statutes (U. S. C., title 34, sec. 562), section 3720 of the

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Revised Statutes (U. S. C., title 34, sec. 563), section 3722 of the Revised Statutes (U. S. C., title 34, sec. 572), and may make advance, progress, and other payments with respect to such contracts without regard to the provisions of section 3648 of the Revised Statutes (U. S. C., title 31, sec. 529): Provided, That nothing herein shall be construed to authorize the use of the cost-plus-a-percentage-of-cost system of contracting.

SEC. 7. The Secretary of the Navy is authorized to transfer to the Office of Naval Research, as in his judgment may be necessary and appropriate, such research and development functions as are now assigned to the various bureaus and other agencies and offices of the Navy Department, together with any or all personnel, buildings, facilities, and other property used in the administration thereof, including without limitation the Special Devices Division and the Naval Research Laboratory.

Approved August 1, 1946,

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