

### **U.S. Department of State Approach to International** Collaboration **Cole Donovan Advanced Technology Coordinator U.S. Department of State**

## State Department's Role in International Science

"... The Secretary of State... shall have primary responsibility for coordination and oversight with respect to all major science or science and technology agreements and activities between the United States and foreign countries, international organizations, or commissions of which the United States and one or more foreign countries are members."

### 22 USC 2656d

"Notwithstanding any other provision of law, an international agreement may not be signed or otherwise concluded on behalf of the United States without prior consultation with the Secretary of State. Such consultation may encompass a class of agreements rather than a particular agreement."

### 1 U.S.C. § 112b(c)





# State Department's Role in International Science



Keith Kratch Under Secretary of State for Economic Growth, Energy, and the Environment Under Secretary of State for Economic Growth, Energy, and the Environment

Bureau of Oceans and International Environmental and Scientific Affairs

**Office of Science and Technology Cooperation** 



Ambassador Marcia Bernicat Principal Deputy Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs

International Interests



# What tools do agencies use for collaboration?

#### **Informal Arrangement**

#### Contract

Fastest to implement, does not require State approval, does not necessarily provide protection for things like intellectual property, can sometimes take the form of a public statement or press release

#### Binding under U.S. law, fast, but not necessarily compatible with laws of international partners, IP protection done under U.S. law

#### **Non-Binding Arrangement**

**Relatively quick to** implement, does not necessarily provide protection for things like intellectual property

#### **Binding Agreement**

Most time consuming, ensures interoperability between partner laws and U.S. laws, provides protection for intellectual property and resolution of disputes



### What we consider

- How does this agreement impact the United States' relationships with international partners?
  - What benefit does this relationship have to the United States?
  - How many agencies could this collaboration impact (and if many, should this be a government-wide agreement)?
  - Is there advantage to having a more formal agreement, politically or administratively?
  - How similar is this to other types of international collaborations?
  - What precedent does this collaboration set that might impact the United States elsewhere?