

SEP 4 1986

MEMORANDUM FOR: Robert L. Fonner
Office of the General Counsel

FROM: C. James Holloway, Jr., Acting Director
License Fee Management Staff, ADM

SUBJECT: COLLEGE OF THE HOLY CROSS' REQUEST FOR AN EXEMPTION
FROM FEES

Enclosed is a copy of a letter dated June 23, 1986, from the College of the Holy Cross requesting an exemption from fees for License No. 20-19748-01. Because the research performed under the authority of the license is not limited to the teaching and training of students, the license is not currently exempt from fees and the College has paid all of the fees required in the past. However, the College is requesting an exemption for grant-supported faculty research on the premise that the grants come primarily (emphasis added) through the National Science Foundation Program on Research in Undergraduate Institutions "designed to provide a stimulating environment for undergraduate science education."

As you know, we have in the past exempted educational institutions pursuant to 170.11(a)(4) only when the use of licensed material is limited to the teaching and training of students. It appears that the grant-supported faculty research mentioned is only indirectly related to the teaching and training of students and that other faculty research might not be related at all to student education. We would appreciate your opinion on this matter.

~~Signature of C. James Holloway, Jr.~~

C. James Holloway, Jr.
Acting Director
License Fee Management Staff
Office of Administration

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Enclosure:
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