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104TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 104–231

NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1995

AUGUST 4, 1995.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WALKER, from the Committee on Science, submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

and

THE TRANSCRIPT FROM THE LEGISLATIVE MARKUPS OF THE SUBCOMMITTEE ON BASIC RESEARCH AND THE COMMITTEE ON SCIENCE

[To accompany H.R. 1852]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science, to whom was referred the bill (H.R. 1852) to authorize appropriations for the National Science Foundation, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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I. AMENDMENT

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Science Foundation Authorization Act of 1995".

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term "Director" means the Director of the Foundation;

(2) the term "Foundation" means the National Science Foundation;

(3) the term "institution of higher education" has the meaning given such term in section 1201(a) of the Higher Education Act of 1965;

(4) the term "national research facility" means a research facility funded by the Foundation which is available, subject to appropriate policies allocating access, for use by all scientists and engineers affiliated with research institutions located in the United States; and

(5) the term "United States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

TITLE I—NATIONAL SCIENCE FOUNDATION AUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) FINDINGS.—The Congress finds that—

(1) the programs of the Foundation are important for the Nation to strengthen basic research and develop human resources in science and engineering, and that those programs should be funded at an adequate level;

(2) the primary mission of the Foundation continues to be the support of basic scientific research and science education and the support of research fundamental to the engineering process and engineering education; and

(3) the Foundation's efforts to contribute to the economic competitiveness of the United States should be in accord with that primary mission.

(b) FISCAL YEAR 1996.—There are authorized to be appropriated to the Foundation $3,126,000,000 for fiscal year 1996, which shall be available for the following categories:

(1) Research and Related Activities, $2,226,300,000, which shall be available for the following subcategories:

(A) Mathematical and Physical Sciences, $632,200,000.
(B) Engineering, $311,600,000.
(C) Biological Sciences, $293,300,000.
(D) Geosciences, $408,800,000.
(E) Computer and Information Science and Engineering, $249,500,000.
(F) Social, Behavioral, and Economic Sciences, $111,300,000.
(G) United States Polar Research Programs, $156,000,000.
(H) United States Antarctic Logistical Support Activities, $62,600,000.
(I) Critical Technologies Institute, $1,000,000.

(2) Education and Human Resources Activities, $600,000,000.
(3) Major Research Equipment, $70,000,000.
(4) Academic Research Facilities Modernization, $100,000,000.
(5) Salaries and Expenses, $120,000,000.
(6) Office of Inspector General, $4,500,000.
(7) Headquarters Relocation, $5,200,000.

(c) FISCAL YEAR 1997.—There are authorized to be appropriated to the Foundation $3,171,400,000 for fiscal year 1997, which shall be available for the following categories:

(1) Research and Related Activities, $2,286,200,000.
(2) Education and Human Resources Activities, $600,000,000.
(3) Major Research Equipment, $55,000,000.
(4) Academic Research Facilities Modernization, $100,000,000.
(5) Salaries and Expenses, $120,000,000.
(6) Office of Inspector General, $5,000,000.
(7) Headquarters Relocation, $5,200,000.

SEC. 102. PROPORTIONAL REDUCTION OF RESEARCH AND RELATED ACTIVITIES AMOUNTS.

If the amount appropriated pursuant to section 101(b)(1) is less than the amount authorized under that paragraph, the amount authorized for each subcategory under that paragraph shall be reduced by the same proportion.

SEC. 103. CONSULTATION AND REPRESENTATION EXPENSES.

From appropriations made under authorizations provided in this Act, not more than $10,000 may be used in each fiscal year for official consultation, representation, or other extraordinary expenses at the discretion of the Director. The determination of the Director shall be final and conclusive upon the accounting officers of the Government.

SEC. 104. REPROGRAMMING.

(a) $500,000 OR LESS.—In any given fiscal year, the Director may transfer appropriated funds among the subcategories of Research and Related Activities, so long as the net funds transferred to or from any subcategory do not exceed $500,000.

(b) GREATER THAN $500,000.—In addition, the Director may propose transfers to or from any subcategory exceeding $500,000. An explanation of any proposed transfer under this subsection must be transmitted in writing to the Committee on Science of the House of Representatives, and the Committees on Labor and Human Resources and Commerce, Science, and Transportation of the Senate. The proposed transfer may be made only when 30 calendar days have passed after transmission of such written explanation.

SEC. 105. FURTHER AUTHORIZATIONS.

Nothing in this Act shall preclude further authorization of appropriations for the National Science Foundation for fiscal year 1996: *Provided*, That authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67, and approved by Congress, allow for such further authorizations.

TITLE II—GENERAL PROVISIONS

SEC. 201. ANNUAL REPORT.

Section 3(f) of the National Science Foundation Act of 1950 (42 U.S.C. 1862(f)) is amended to read as follows:

"(f) The Foundation shall provide an annual report to the President which shall be submitted by the Director to the Congress at the time of the President's annual budget submission. The report shall—

"(1) contain a strategic plan, or an update to a previous strategic plan, which—

"(A) defines for a three-year period the overall goals for the Foundation and specific goals for each major activity of the Foundation, including each scientific directorate, the education directorate, and the polar programs office; and

"(B) describe how the identified goals relate to national needs and will exploit new opportunities in science and technology;

"(2) identify the criteria and describe the procedures which the Foundation will use to assess progress toward achieving the goals identified in accordance with paragraph (1);

"(3) review the activities of the Foundation during the preceding year which have contributed toward achievement of goals identified in accordance with paragraph (1) and summarize planned activities for the coming three years in the context of the identified goals, with particular emphasis on the Foundation's planned contributions to major multi-agency research and education initiatives;

"(4) contain such recommendations as the Foundation considers appropriate; and

"(5) include information on the acquisition and disposition by the Foundation of any patents and patent rights.".

SEC. 202. NATIONAL RESEARCH FACILITIES.

(a) FACILITIES PLAN.—The Director shall provide to Congress annually, as a part of the report required under section 3(f) of the National Science Foundation Act of 1950, a plan for the proposed construction of, and repair and upgrades to, national research facilities. The plan shall include estimates of the cost for such construction, repairs, and upgrades, and estimates of the cost for the operation and maintenance of existing and proposed new facilities. For proposed new construction and for major upgrades to existing facilities, the plan shall include funding profiles by fiscal year and milestones for major phases of the construction. The plan shall include cost estimates in the categories of construction, repair, and upgrades for the year in which the plan is submitted to Congress and for not fewer than the succeeding 4 years.

(b) LIMITATION ON OBLIGATION OF UNAUTHORIZED APPROPRIATIONS.—No funds appropriated for any project which involves construction of new national research facilities or construction necessary for upgrading the capabilities of existing national research facilities shall be obligated unless the funds are specifically authorized for such purpose by this Act or any other Act which is not an appropriations Act, or unless the total estimated cost to the Foundation of the construction project is less than $50,000,000. This subsection shall not apply to construction projects approved by the National Science Board prior to June 30, 1994.

SEC. 203. ELIGIBILITY FOR RESEARCH FACILITY AWARDS.

Section 203(b) of the Academic Research Facilities Modernization Act of 1988 is amended by striking the final sentence of paragraph (3) and inserting in lieu thereof the following: "The Director shall give priority to institutions or consortia that have not received such funds in the preceding 5 years, except that this sentence shall not apply to previous funding received for the same multiyear project.".

SEC. 204. ADMINISTRATIVE AMENDMENTS.

(a) NATIONAL SCIENCE FOUNDATION ACT OF 1950 AMENDMENTS.—The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is amended—

(1) by redesignating the subsection (k) of section 4 (42 U.S.C. 1863(k)) that was added by section 108 of the National Science Foundation Authorization Act of 1988 as subsection (l);

(2) in section 5(e) (42 U.S.C. 1864(e)) by amending paragraph (2) to read as follows:

"(2) Any delegation of authority or imposition of conditions under paragraph (1) shall be promptly published in the Federal Register and reported to the Committees on Labor and Human Resources and Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.";

(3) by inserting "be entitled to" between "shall" and "receive", and by inserting ", including traveltime," after "Foundation" in section 14(c) (42 U.S.C. 1873(c));

(4) by striking section 14(j) (42 U.S.C. 1873(j)); and

(5) by striking "Atomic Energy Commission" in section 15(a) (42 U.S.C. 1874(a)) and inserting in lieu thereof "Secretary of Energy".

(b) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976 AMENDMENTS.—Section 6(a) of the National Science Foundation Authorization Act, 1976 (42 U.S.C. 1881a(a)) is amended by striking "social," the first place it appears.

(c) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1988 AMENDMENTS.—(1) Section 117(a)(1)(B)(v) of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1881b(1)(B)(v)) is amended to read as follows:

"(v) from schools established outside the several States and the District of Columbia by any agency of the Federal Government for dependents of its employees.".

(2) Section 117(a)(3)(A) of such Act (42 U.S.C. 1881b(3)(A)) is amended by striking "Science and Engineering Education" and inserting in lieu thereof "Education and Human Resources".

(d) EDUCATION FOR ECONOMIC SECURITY ACT AMENDMENTS.—Section 107 of Education for Economic Security Act (20 U.S.C. 3917) is repealed.

(e) TECHNICAL AMENDMENT.—The second subsection (g) of section 3 of the National Science Foundation Act of 1950 is repealed.

SEC. 205. INDIRECT COSTS.

(a) MATCHING FUNDS.—Matching funds required pursuant to section 204(a)(2)(C) of the Academic Research Facilities Modernization Act of 1988 (42 U.S.C. 1862c(a)(2)(C)) shall not be considered facilities costs for purposes of determining indirect cost rates.

(b) REPORT.—The Director of the Office of Science and Technology Policy, in consultation with other relevant agencies, shall prepare a report analyzing what steps would be needed to—

(1) reduce by 10 percent the proportion of Federal assistance to institutions of higher education that are allocated for indirect costs; and

(2) reduce the variance among indirect cost rates of different institutions of higher education,

including an evaluation of the relative benefits and burdens of each option on institutions of higher education. Such report shall be transmitted to the Congress no later than December 31, 1995.

SEC. 206. RESEARCH INSTRUMENTATION AND FACILITIES.

The Foundation shall incorporate the guidelines set forth in Important Notice No. 91, dated March 11, 1983 (48 Fed. Reg. 15754, April 12, 1983), relating to the use and operation of Foundation-supported research instrumentation and facilities, in its notice of Grant General Conditions, and shall examine more closely the adherence of grantee organizations to such guidelines.

SEC. 207. FINANCIAL DISCLOSURE.

Persons temporarily employed by or at the Foundation shall be subject to the same financial disclosure requirements and related sanctions under the Ethics in Government Act of 1978 as are permanent employees of the Foundation in equivalent positions.

SEC. 208. EDUCATIONAL LEAVE OF ABSENCE FOR ACTIVE DUTY.

In order to be eligible to receive funds from the Foundation after September 30, 1995, an institution of higher education must provide that whenever any student of the institution who is a member of the National Guard, or other reserve component of the Armed Forces of the United States, is called or ordered to active duty, other than active duty for training, the institution shall grant the member a military leave of absence from their education. Persons on military leave of absence from their institution shall be entitled, upon release from military duty, to be restored to the educational status they had attained prior to their being ordered to military duty without loss of academic credits earned, scholarships or grants awarded, or tuition and other fees paid prior to the commencement of the military duty. It shall be the duty of the institution to refund tuition or fees paid or to credit the tuition and fees to the next semester or term after the termination of the educational military leave of absence at the option of the student.

SEC. 209. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this Act shall be available for any activity whose purpose is to influence legislation pending before the Congress, provided that this

shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 210. SCIENCE STUDIES INSTITUTE.

(a) AMENDMENT.—Section 822 of the National Defense Authorization Act for Fiscal 1991 (42 U.S.C. 6686) is amended—

(1) by striking "Critical Technologies Institute" in the section heading and in subsection (a), and inserting in lieu thereof "Science Studies Institute";

(2) in subsection (b) by striking "As determined by the chairman of the committee referred to in subsection (c), the" and inserting in lieu thereof "The";

(3) by striking subsection (c), and redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f), respectively;

(4) in subsection (c), as so redesignated by paragraph (3) of this subsection—

(A) by inserting "science and" after "developments and trends in" in paragraph (1);

(B) by striking "with particular emphasis" in paragraph (1) and all that follows through the end of such paragraph and inserting in lieu thereof "and developing and maintaining relevant informational and analytical tools.";

(C) by striking "to determine" and all that follows through "technology policies" in paragraph (2) and inserting in lieu thereof "with particular attention to the scope and content of the Federal science and technology research and develop portfolio as it affects interagency and national issues";

(D) by amending paragraph (3) to read as follows:

"(3) Initiation of studies and analysis of alternatives available for ensuring the long-term strength of the United States in the development and application of science and technology, including appropriate roles for the Federal Government, State governments, private industry, and institutions of higher education in the development and application of science and technology.";

(E) by inserting "science and" after "Executive branch on" in paragraph (4)(A); and

(F) by amending paragraph (4)(B) to read as follows:

"(B) to the interagency committees and panels of the Federal Government concerned with science and technology.";

(5) in subsection (d), as so redesignated by paragraph (3) of this subsection, by striking "subsection (d)" and inserting in lieu thereof "subsection (c)"; and

(6) by amending subsection (f), as so redesignated by paragraph (3) of this subsection, to read as follows:

"(f) SPONSORSHIP.—The Director of the Office of Science and Technology Policy shall be the sponsor of the Institute.".

(b) CONFORMING USAGE.—All references in Federal law or regulations to the Critical Technologies Institute shall be considered to be references to the Science Studies Institute.

SEC. 211. EDUCATIONAL IMPACT.

(a) FINDINGS.—The Congress finds that—

(1) Federal research funds made available to institutions of higher education often create incentives for such institutions to emphasize research over undergraduate teaching and to narrow the focus of their graduate programs; and

(2) National Science Foundation funds for Research and Related Activities should be spent in the manner most likely to improve the quality of undergraduate and graduate education in institutions of higher education.

(b) EDUCATIONAL IMPACT.—(1) The impact that a grant or cooperative agreement by the National Science Foundation would have on undergraduate and graduate education at an institution of higher education shall be a factor in any decision whether to award such grant or agreement to that institution.

(2) Paragraph (1) shall be effective with respect to any grant or cooperative agreement awarded after September 30, 1996.

(c) REPORT.—The Director shall provide a plan for the implementation of subsection (b) of this section, no later than December 31, 1995, to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Labor and Human Resources of the Senate.

SEC. 212. DIVISIONS OF THE FOUNDATION.

(a) AMENDMENT.—Section 8 of the National Science Foundation Act of 1950 (42 U.S.C. 1866) is amended by inserting "The Director may appoint, in consultation with the Board, not more than 6 Assistant Directors to assist in managing the Divisions." after "time to time determine.".

(b) REPORT.—By November 15, 1995, the Director shall transmit to the Congress a report on the reorganization of the National Science Foundation required as a result of the amendment made by subsection (a).

SEC. 213. LIMITATION ON APPROPRIATIONS.

(a) EXCLUSIVE AUTHORIZATION FOR FISCAL YEAR 1996.—Notwithstanding any other provision of law, no sums are authorized to be appropriated for fiscal year 1996 for the activities of the National Science Foundation unless such sums are specifically authorized to be appropriated by this Act.

(b) SUBSEQUENT FISCAL YEARS.—No sums are authorized to be appropriated for any fiscal year after fiscal year 1996 for the activities of the National Science Foundation unless such sums are specifically authorized to be appropriated by Act of Congress with respect to such fiscal year.

SEC. 214. ELIGIBILITY FOR AWARDS.

(a) IN GENERAL.—The Director shall exclude from consideration for awards of financial assistance made by the National Science Foundation after fiscal year 1995 any person who received funds, other than those described in subsection (b), appropriated for a fiscal year after fiscal year 1995, from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this section shall be effective for a period of 5 years after the person receives such Federal funds.

(b) EXCEPTION.—Subsection (a) shall not apply to awards to persons who are members of a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

II. SUMMARY

PURPOSE OF BILL

The bill authorizes appropriations for the major activities and budget categories of the National Science Foundation (NSF) for fiscal years 1996 and 1997. In addition, the bill establishes new requirements for NSF preparation of a strategic plan; eliminates one or more of NSF's directorates; places a funding ban on institutions which receive appropriations earmarks; requires options for a 10% reduction in the proportion of Federal indirect costs; prohibits expenditure of unauthorized funds for construction of major national research facilities; subjects temporary NSF employees to the same financial disclosure requirements as permanent employees; directs NSF to consider the impact of research grants on undergraduate science education; and redesignates the Critical Technologies institute as the Science Studies Institute, with a refined mission, and places limits on NSF funding.

BUDGET EXPLANATION

H.R. 1852, as amended, authorizes appropriations to NSP for fiscal year 1996 in the amount of $3,126,000,000 and for fiscal year 1997 in the amount of $3,171,400,000 as follows:

Budget Activities—Authorizations fiscal year 1996

Research and related activities:	
Biological sciences	$293,300,000
Computer and Information Sciences and Engineering	249,500,000
Engineering	311,600,000
Geosciences	408,800,000
Mathematical and Physical Sciences	632,200,000
Social, Behavioral, and Economic Sciences	111,300,000

U.S. Polar Research Programs	156,000,000
U.S. Antarctic Logistical Support Activities	62,600,000
Critical Technologies Institute	1,000,000
Subtotal	2,226,300,000
Education and Human Resources	600,000,000
Major Research Equipment	70,000,000
Academic Research Facilities Modernization Program	100,000,000
Salaries and Expenses	120,000,000
Office of the Inspector General	4,500,000
NSF Headquarters Relocation	5,200,000
Total	3,126,000,000
Budget Activities—Authorizations fiscal year 1997	
Research and Related Activities	2,286,200,000
Subtotal	2,286,200,000
Education and Human Resources	600,000,000
Major Research Equipment	55,000,000
Academic Research Facilities Modernization Program	100,000,000
Salaries and Expenses	120,000,000
Office of the Inspector General	5,000,000
NSF headquarters relocation	5,200,000
Total	3,171,400,000

OTHER PROVISIONS

H.R. 1852, as amended, imposes new requirements on the NSF for long-range program planning and organization. The NSF Act of 1950 is amended by transforming the existing NSF annual report to Congress into a 3-year strategic plan to be updated annually. In addition, NSF is required to prepare and submit annually to Congress a 5-year plan for new construction, repair, and upgrades to National Research Facilities (major research facilities and equipment, such as telescopes, which are available for use by researchers throughout the world). The bill prohibits obligation of funds appropriated for national facilities costing in excess of $50 million, unless the project for which the funds are to be expended has been explicitly authorized.

H.R. 1852, as amended, establishes eligibility criteria for certain NSF program activities. With certain exceptions, the Director shall exclude from consideration for awards made by NSF after fiscal year 1995 any person who receives Federal funds for a project that was not subjected to a competitive, merit-based award process. Relative to awards from NSF, H.R. 1852 requires that grant documents include a statement of the current NSF policy that NSF-supported research facilities should not be used in fee-for-service competition with private companies that provide equivalent services.

III. Committee Actions

Prior to introduction of H.R. 1852, the Subcommittee on Basic Research held authorization hearings for NSF on February 22 and March 2, 1995. In addition to the Director of NSF, testimony was received from witnesses representing institutions of higher education and several major scientific societies. The NSF research and education programs were reviewed, with emphasis on their overall

contributions to the nation. Recommendations were received on several aspects of the NSF's activities, including requests to bolster involvement in undergraduate and K thru 12 education, to support academic facilities renewal, and to review and revise outdated rules and regulations of the Foundation. In addition, long-term goals for the NSF were discussed.

Following the hearings, a draft authorization bill was prepared, and the Subcommittee met on June 8, 1995 for consideration of Subcommittee Chairman Schiff's mark. The major provisions of the bill, as reported by the Subcommittee are as follows: provides authorizations for 2 years (fiscal years 1996, 1997); specifies that $3,126,000,000 million is authorized to be appropriated for the NSF program in fiscal year 1996, and $3,171,400,000 million for the program in fiscal year 1997; establishes ineligibility for NSF awards to persons who have received funds that were not based on a competitive, merit-based award process; transforms the existing NSF annual report to Congress into a 3-year strategic plan to be updated annually; requires an annually updated 5-year plan for new construction, repair, and upgrades to NSF-funded national research facilities; and prohibits obligation of unauthorized funds appropriated for national facilities costing in excess of $50 million.

The full Committee then met, on June 28, 1995, to mark up H.R. 1852. Chairman Walker offered an en bloc amendment to the Subcommittee mark. The en bloc amendment makes the following changes: requires the Office of Science and Technology Policy, in consultation with other relevant agencies such as OMB, NIH and ONR, to prepare a report on reducing, the proportion, by 10 percent, of Federal assistance to institutions of higher education that are allocated to indirect costs and reduce the variance among indirect costs rates among institutions which receive Federal research assistance; requires the Director to reduce NSF from 7 Directorates to not more than 6 and present a report to the Congress on the new organization by November 15, 1995; places limits on appropriated funds for NSF; requires the Director to exclude from consideration, for a period of 5 years, persons who received awards that were not subject to a merit review process, unless those persons meet exceptions stipulated in H.R. 1852.

Mr. Brown offered an amendment to the en bloc amendment, which was accepted, clarifying the lobbying prohibition section of H.R. 1852, as it relates to Government employees.

Mr. Boehlert offered an amendment to the en bloc amendment requiring the OSTP to include the relative benefits and burdens of the recommendations put forth in OSTP's indirect costs report. The amendment was accepted.

The Committee approved Mr. Walker's amendment as amended. After further consideration, the bill was ordered reported as amended by voice vote.

IV. Section-by-Section Analysis of H.R. 1852, as Reported

The en bloc amendment for H.R. 1852 adopted by the Committee is incorporated in the beginning of this report.

A bill to authorize appropriations for the National Science Foundation, and for other purposes.

Section 1 is the short title of the bill, the "National Science Foundation Authorization Act of 1995."

Section 2 contains definitions of terms in the bill.

TITLE I—NATIONAL SCIENCE FOUNDATION AUTHORIZATIONS

AUTHORIZATIONS OF APPROPRIATIONS

Section 101 contains the authorization of appropriations for the NSF's principal activities for fiscal years 1996 and 1997. Section 101(b) authorizes an appropriation of $3,126,000,000 to the NSF for fiscal year 1996 in the following subcategories:

1. Research and Related Activities within the following areas:
   - Biological Sciences
   - Computer and Information Sciences and Engineering
   - Engineering
   - Geosciences
   - Mathematical and Physical Sciences
   - Social, Behavioral, and Economic Sciences
   - U.S. Polar Research Programs
   - U.S. Antarctic Logistical Support Activities
   - Critical Technologies Institute
2. Education and Human Resources
3. Major Research Equipment
4. Academic Research Facilities Modernization Program
5. Salaries and Expenses
6. Office of the Inspector General
7. NSF Headquarters Relocation

Section 101(c) authorizes an appropriation of $3,171,400,000 to NSF for fiscal year 1997 in the following categories:

1. Research and Related Activities
2. Education and Human Resources
3. Academic Research Facilities Modernization Program
4. Major Research Equipment
5. Salaries and Expenses
6. Office of the Inspector General
7. NSF Headquarters Relocation

Section 102 specifies if the amount appropriated pursuant to the authorization is less than the amount authorized, the amount authorized for each subcategory under that subparagraph shall be reduced by the same proportion.

Section 103 allows the Director to pay for consultation and representation expenses from appropriations made under authorizations provided in this Act. Not more than $10,000 may be used in each fiscal year for official consultation, representation, or other extraordinary expenses at the discretion of the Director. The determination of the Director shall be final and conclusive upon the accounting officers of the Government.

Section 104 gives Director authority to transfer funds within the NSF budget. For any given fiscal year the Director may transfer to or from any subcategory described in section 101(b) up to a maximum of $500,000. In addition, the Director may propose transfers to or from any subcategory in Section 101(b) exceeding $500,000 provided the Committee receives proper notification and after a 30 day period.

Section 105 provides that additional authorizations to the Foundation may be made, if called for in the Conference Report to the Concurrent Resolution on the Budget for Fiscal Year 1996.

TITLE II—GENERAL PROVISIONS

Section 201 amends Section 3(f) of the National Science Foundation Act of 1950 to read as follows:

> The Director shall submit an annual report to the President at the time of the Administration's annual budget submission. The report shall include a strategic three year plan outlining overall goals specific to each major activity of the Foundation, how the Foundation will meet and exploit such goals, a review of the past year's activities, summary of upcoming three year activities, recommendations for the Foundation, and information on the disposition on patents and patent rights.

Section 202 stipulates that the Director shall provide to Congress, annually, a plan covering a five year period for construction of, repair and upgrades to, and operations and maintenance costs for, national research facilities. Only funds which are specifically authorized to be appropriated shall be obligated for any project of new national research facilities, unless the total estimated cost is less than $50,000,000.

Section 203 requires that for the Academic Research Facilities Modernization Program, the Director give priority to institutions or consortia that have not received such funds in the preceding 5 years, except for previous funding received for the same multi-year project.

Section 204 amends sections of the National Science Foundation Act of 1950, the National Science Foundation Authorization Act of 1976, and the National Science Foundation Act of 1988 for administrative and technical purposes.

Section 205 stipulates that matching funds required of the Academic Research Facilities Modernization Act of 1988 shall not be considered facilities costs for purposes of determining indirect cost rates. Also, the Office of Science and Technology Policy, and other relevant agencies such as OMB, NIH and ONR, shall report to the Congress on how to reduce by 10 percent the Proportion of Federal research funds used for indirect costs by institutions of higher education.

Section 206 requires the Foundation to incorporate the guidelines relating to the use and operation of Foundation-supported research instrumentation and facilities in its notice of Grant General Conditions.

Section 207 requires persons temporarily employed by or at the Foundation to be subject to the same financial disclosure requirements under the Ethics in Government Act of 1978 as are permanent employees of the Foundation.

Section 208 stipulates that, in order to be eligible to receive a grant, an institution of higher education must provide a member of the National Guard or other reserve component of the Armed Forces called or ordered to active duty to be restored to the educational status they had attained prior to their being ordered to

military duty without loss of academic credit, scholarships, or tuition and other fees.

Section 209 prohibits funds authorized by this Act to be used in any way to promote public support or opposition to any legislative proposal on which congressional action is not complete.

Section 210 redesignates the Critical Technologies Institute as the Science Studies Instituted, disestablishes the CTI operating committee; and modifies the duties of the new Institute.

Section 211 requires the NSF to consider the impact of any grant on the undergraduate and graduate education at an institution, when considering a grant request. This will apply to all awards after September 30, 1996. The Director shall provide a plan to the Congress for the implementation of this section by December 31, 1995.

Section 212 requires the Director to maintain not more than 6 Assistant Directors and transmit to Congress a report by November 15, 1995 on the reorganization of NSF resulting from this provision.

Section 213 disallows authorization of funds which are not specifically authorized to be appropriated by this Act for FY 96 or by an Act of Congress in succeeding fiscal years.

Section 214 requires the Director to exclude, for a period of 5 years, any person who received funds for a project not subject to a competitive, merit-based review process after fiscal year 1995. This is not applicable to awards to persons who are members of a class specified by law for which assistance is awarded according to formula provided by law.

V. Committee Views

1. THE FUTURE OF THE NATIONAL SCIENCE FOUNDATION

Background

The NSF budget is only four percent of the total Federal R&D budget, but makes an important contribution to the nation's science and technology enterprise. The NSF is the premiere Federal agency for support of research in the physical and mathematical sciences at universities. The Foundation is often credited with having made a major contribution over the past 40 years to establishing the internationally recognized research excellence of U.S. universities and to the training of scientists and engineers of the highest caliber.

The NSF Act of 1950 authorizes and directs NSF to initiate and support basic research and programs to strengthen research potential and education at all levels in the sciences and engineering. The Act reinforces that basic research and education have traditionally constituted the heart of the NSF's mission.

Committee view

The Committee strongly asserts that the mission statement for the NSF as contained in section 3 of the NSF Act of 1950 requires that the NSF continue its focus on support of basic research and education in science and engineering. The Committee further asserts that the NSF mission may be altered only by amendment of the NSF Act of 1950, and consequently, the Committee expects the

NSF's programs and activities to conform to the functions authorized by the 1950 Act, as amended.

The Committee's purpose in section 201 of the bill, which establishes the requirement for an annually updated strategic plan, is to (1) clarify the connections between NSF programs and national needs, and (2) identify the criteria and procedures that the Foundation will use to assess the progress and achievements of its research and education programs. The Committee intends that the evaluation criteria identified be consistent with the assessment of research programs which have multi-year lifetimes associated with fundamental research. The Committee understands that methodology for assessment of basic research is not well established but, strongly believes that the NSF must make every effort to develop methodology that will provide a sound basis for justifying current and future Federal support for the NSF, as required by the Government Performance and Results Act (PL 103–62).

2. ACADEMIC RESEARCH FACILITIES

Background

In the United States, universities are the major performers of basic research in the sciences and engineering. The research capabilities of U.S. universities, which includes an extensive physical infrastructure, has been built up with large public expenditures over the past 40 years and represents a key component of the nation's science and technology enterprise. The condition of academic research facilities is an important determinant of the kinds of research that may be done and how productive will be the research pursued.

A 1986 White House Science Council report, "A Renewed Partnership," called attention to a serious deterioration in academic research facilities, which if not addressed, could significantly reduce the ability of universities to conduct leading edge research. An NSF survey from the same year revealed that more than 80 percent of research administrators at doctorate-granting universities reported that outmoded research facilities limited the scope of research that could be carried out. The White House Science Council report recommended the establishment of a Federal program to provide $5 billion over 10 years for merit-reviewed academic research facilities on the basis of a 50/50 match with non-federal funds.

Committee view

The Committee notes that the President's budget request for fiscal year 1996 provides only $100 million for academic infrastructure improvement, compared with the Congress' appropriation of $250 million in fiscal year 1995, which was consistent with the amount required to fulfill the White House Science Council recommendation. President Clinton's decision not to follow this recommendation by creating an interagency modernization program and the resulting automatic $132 million rescission, signaled to Congress that support of this program is not a high priority. Nevertheless, the Committee feels support of this program has merit. The bill authorizes $100 million for the NSF Academic Research Facilities Modernization Program for fiscal year 1996, and $100

million for fiscal year 1997. This program is consistent with the Foundation's major role in support of research at institutions of higher education and justified in light of the academic facilities problem. The Committee continues to support the creation of an interagency program.

The Committee notes that of the total amount requested for NSF's Academic Research Infrastructure activity, only one half is designated for the Academic Research Facilities Modernization Program, with the remainder allocated for major research instrumentation. The Committee supports the rational for the instrumentation program but does not accept that funds allotted for the instrumentation program contribute to meeting the goals of the facilities program. The authorizations in the bill for improvement of academic facilities are explicitly for the Academic Research Facilities Modernization Program established by Public Law 100–570.

The Committee is also concerned that NSF's biennial survey of academic research facilities needs, mandated by Public Law 99–159, has not focused adequately on the needs of undergraduate institutions. The Committee reminds NSF that undergraduate institutions are included among the categories of institutions eligible for awards under the Academic Research Facilities Modernization Program. The Committee expects future biennial surveys to provide data on the needs of all categories of institutions eligible to participate in the Academic Research Facilities Modernization Program.

The Committee recognizes that NSF alone should not have to provide the Federal share of academic research infrastructure improvement. Many Federal agencies support academic research and all must contribute to facilities improvement. The Committee strongly urges the Office of Science and Technology Policy to take the lead in organizing and initiating a coordinated Federal response to the facilities problem. Modification of the R&D and other tax credits should also be explored as a way to encourage private sector investment in academic infrastructure.

3. NATIONAL RESEARCH FACILITIES

Background

NSF supports the construction and operation of major research facilities which are available for use by U.S. researchers on a competitive basis. Included among these facilities are optical and radio telescopes, the academic research fleet, the National High Magnetic Field Laboratory, and high energy particle accelerators.

The Committee has questioned in the past the priorities the Foundation has established among new facilities construction, facilities maintenance and operation, and research project support.

Committee view

The Committee has included the requirement in section 202 of the bill for an annual national facilities report in order to track the full costs of facilities construction, operations and maintenance, and to have a multi-year plan for projected capital costs and construction milestones. The Committee believes that the process implied by NSF's establishment of the Major Research Equipment (MRE) activity will contribute to the preparation of the formal fa-

cilities plan requested by the bill. As the current MRE account decreases with the phase-down funding for the Laser Interferometer Gravitational Wave Observatory (LIGO), funding for any new approved major construction projects should be made available out of other NSF resources but through the MRE account.

4. UNDERGRADUATE EDUCATION

Committee view

The Committee continues to be concerned that Federal research grants to colleges and universities have shifted the focus of faculty away from one of their primary obligations—undergraduate teaching. Federally funded research should enhance, not detract from, the educational experience of undergraduate and graduate students. The Committee believes that the NSF and other federal agencies must do more to ensure that Federal grants are indeed improving the quality of science and engineering education at our nation's colleges and universities.

The bill requires the NSF to submit a report to the Committee by December 31, 1995 describing what actions the agency will take to ensure that educational impact is a factor in awarding grants. The report should describe in detail the actions the agency will take, and how and when they will be implemented. Educational impact must be a factor in award-making by no later than the beginning of fiscal year 1997. Additional requirements placed on NSF applicants should be enforceable and should be significant enough to produce a noticeable improvement in the commitment to education at colleges and universities.

5. COMPETITION WITH PRIVATE LABORATORIES

Background

On March 11, 1983, NSF published Important Notice 91 (48 Fed. Reg. 15754), "Principles Related to the Use and Operation of National Science Foundation-Supported Research Instrumentation and Facilities." The Notice was issued to make clear that NSF-supported instruments and facilities are not to be used "to provide services for a fee in direct competition with private companies that provide equivalent services." NSF, however, has continued to receive complaints from private companies concerning this issue.

Committee view

The Office of the Inspector General's second Semi-Annual Report to Congress (Oct. 31, 1989—March 31, 1990) included recommendations to improve the implementation of Important Notice 91. Among the Inspector General's recommendations was "examining more closely grantee institutions' regulations on Important Notice 91 and their handling of alleged violations." The Committee expects NSF to broaden notification to universities and researchers to closely adhere to Important Notice 91.

6. COMPUTER SECURITY

Committee view

The Committee notes that the use of the Internet and other computer networks is growing at an unprecedented rate, with 500 million users expected to be on-line by the year 2000. As these networked systems become larger and more complex, however, the frequency and severity of unauthorized intrusions into computers connected to these networks has become an increasingly serious problem. Unless the associated risk and vulnerabilities are properly addressed, the full potential of networking will not be realized.

The National Science Foundation is turning over the principle responsibility for providing network information services for the academic and research communities to the private sector. The Committee strongly supports this development. Nevertheless, traditional security measures will not be sufficient to assure that valuable or sensitive information stored or processed on computer networks will not be lost, stolen, corrupted or misused. The Committee is therefore pleased that the NSF is collaborating with the Software Engineering Institute's Computer Emergency Response Team (CERT) Coordination Center to raise the awareness of security issues among service providers so that security becomes a standard business practice. By implementing enhanced security practices at the network access point and service provider levels, CERT and the NST will reach a wide set of end users and will also make the Internet a more viable medium for the security conscious end user community.

7. U.S. ANTARCTIC PROGRAM

Committee view

The Committee recognizes the unique value of the research activities supported under the U.S. Antarctic Program (USAP) managed by NSF and understands that these activities are possible only because of the critical logistical support provided, on a reimbursable basis, by the Department of Defense (DOD) through the Navy. The Committee is aware that the DOD is considering terminating some of the logistical support it has historically provided and has recommended that the NSF seek alternative means of support, possibly from the private sector.

The Committee supports changes in the current arrangements for logistical support for the USAP is they result in improved efficiency, cost savings or other tangible benefits to the USAP. The Committee would object to any change which would degrade the safety of Antarctic operations or significantly reduce the level of support service available for research activities. In particular, the Committee would view the withdrawal of the DOD from aircraft operations and support as an extremely serious step that should not be undertaken unless it can be satisfactorily documented that alternative organizations exist which can provide this nation with the capability to maintain an active and influential presence as well as meet the high standards for training, aircrew proficiency, and aircraft maintenance which have characterized the Navy's flight activities in Antarctica. The Committee expects the DOD to

continue to provide, on a reimbursable basis, air operations support for the USAP until such as time the Committee has received assurance that the DOD's withdrawal is in the best interests of the USAP.

The Committee has been and remains a strong supporter of the U.S. Antarctic Program. The Committee recognizes the need for this nation to retain an active and influential presence on the continent. This presumes that Presidential Memorandum 6642 still represents the Administration's policy with respect to the funding, operation and management of the U.S. Antarctic Program. In that light, the Committee applauds the Foundation's long standing support and management of this important national program.

A number of important issues continue to face this program and are likely to increase in significance over the next few years. Therefore, the Committee requests the Foundation to prepare a status report on the program and submit this report by October 1, 1996. In this report, the Committee expects the Foundation to discuss its privatization plans and progress with respect to the U.S. Antarctic program. For example, the Committee regrets an update on what activities are being, or have been transferred from DOD to the private sector, along with a schedule for the balance of activities to be privatized. For those activities which are not scheduled to be privatized, the NSF should explain the rationale behind that position. The Committee expects this report to address the plans and progress to date of the Foundation's environmental clean up activities and how they relate to implementation of the Antarctic environmental protocol. Finally, the Committee recognizes the need to consider the future for the South Pole Station. As such, the Committee expects this report to address the need, options, plans, cost estimates, and time line for the redevelopment of the South Pole Station.

8. FINANCIAL DISCLOSURE

Background

In reviewing the most recent Inspector General report, the Committee notes reports of possible conflict of interest with persons employed through the Intergovernmental Personnel Act (IPA) serving in the Foundation. Currently, IPA employees are not subject to the same financial disclosure requirements as permanent Federal employees.

Committee view

To avoid any appearance of conflict of interest, the Committee expects all personnel, temporary and permanent, to fully comply with the Ethics in Government Act and Financial Disclosure requirements.

9. EDUCATIONAL LEAVE OF ABSENCE FOR ACTIVE DUTY

Background

The Committee has received reports of universities not willing to reimburse Reservists called to active duty. The current downsizing of active duty forces is placing greater responsibility on the Reserve and the National Guard Forces.

Committee view

The Committee feels service to the Nation's armed forces is commendable. Furthermore, the Committee believes a member of the armed services should not be punished financially because that member is ordered to active duty.

10. GRANT REVIEW PROCESS

Committee view

The Committee demands that taxpayers' resources be maximized to the greatest extent. Should a grant be awarded which duplicates or competes with work done by the private sector, and this is brought to the attention of the Director in a timely manner, the Director is responsible for taking appropriate action to end this conflict.

The Committee is aware that the Foundation has extensive merit review and appeal procedures to guide the Foundation, potential principal investigators, and their institutions through the proposal and grant process. However, the Committee is concerned that NSF lacks a formal mechanism to review and act accordingly on substantive concerns which may be raised after an award is made. In the Committee's view, substantive concerns might include clear duplication of research already performed, or support for an activity that results in unfair competition with a service or activity provided by the private sector. The Committee, therefore, directs NSF to review and develop an appropriate set of procedures to be employed to handle and remedy such claims. The Committee requests NSF to submit a report to the Committee outlining its procedures by December 31, 1995.

11. PROHIBITION OF LOBBYING ACTIVITIES

Committee view

The Committee is committed to ensuring that awards for research and education are used solely for those purposes. Funds should not be used for any purpose other than that specified in that award. However, the Committee clarifies that the provisions of Section 209 prohibiting the use of funds for influencing legislation do not exclude appropriate communication between the Administration and the Congress. Such communication "through proper channels" means formal documentation and support of legislation and appropriations requested by the President.

12. DUPLICATION OF FEDERAL RESOURCES

Committee view

The Committee notes that the Department of Energy programs dealing with generic precollege education, teacher and university faculty training, science literacy, scientific and technical manpower development, university instrumentation support and fellowship programs (such as the Albert Einstein Distinguished Educator Fellowship) are overlapping with and duplicative of efforts of the National Science Foundation. In H.R. 1816, the Department of Energy Civilian Research and Development Act of 1995, the Committee recommended the termination of these programs. The Committee

directs NSF to review these phase-out DOE programs and to consider adopting those programs or aspects of those programs, if any, that are worthwhile. The Director, therefore, is encouraged to work with the Secretary of Energy to reach an agreement that will make available the Department's facilities for Foundation support of any of these generic activities, on a reimbursable basis, that are consistent with the Foundation's mission.

13. THE SCIENCE STUDIES INSTITUTE

Committee view

The Committee believes that reconstituting and renaming the Critical Technologies Institute as the Science Studies Institute (SSI) reflects a more proper and appropriate role at the direction of the White House Office of Science and Technology Policy (OSTP).

Further, the Committee intends for the budget support of SSI to be multi-agency. The FY 96 Authorization limits NSF support of SSI to one million dollars, but the Committee would not object if SSI received appropriations from other agencies to supplement this amount, consistent with its mission. For FY 97, the Committee believes OSTP should further reduce NSF's share as other agencies provide support for SSI. Beginning with the President's Budget for FY 97, funding requests for SSI should be included as part of OSTP's request.

14. AFFIRMATIVE ACTION

Committee view

The Committee is aware that the NSF has recently come under strong criticism and litigation for its conduct, or the conduct of its contractors/grantees, of one program designed to increase the number of minorities in science. While the Committee continues to support the overall goal of such programs, it does not condone discrimination in any form. In particular, the Committee does not support the use of race, sex, color, ethnicity, or national origin as the sole criterion for granting preferential treatment for admission to NSF-sponsored research or education programs.

The NSF currently spends approximately $80 million annually to support encouraging participation of women and minorities in science, engineering, and math. In keeping with the tradition of the Foundation, where merit is the standard for evaluating proposals, the Committee expects the Foundation to critically review these programs to ensure merit is also of overriding importance in their administration.

The Committee will closely monitor the NSF's response to the recent U.S. Supreme Court decision, the ongoing Administration review of affirmative action programs, and the NSF's response to ongoing litigation in these matters to determine if the NSF is fully complying with the law and the Committee's guidance prohibiting discrimination.

15. REORGANIZATION OF NSF

Committee view

The Committee is aware that NSF has been evaluating its management organization as part of the National Performance Review, and should now incorporate the new probable funding profile in its further analysis. With the Salaries and Expenses account at NSF reduced by $4 million from FY95, and projected to be constant (and therefore decreased due to inflation) annually thereafter, it is timely that the NSF examine its management structure. The management organization necessary to accomplish NSF's mission to support basic scientific and engineering research and education should be re-evaluated not only in light of this probable out year funding profile, but also the changing requirements of NSF's "customer"—the basic research and education community.

The Committee urges NSF to focus more of its future management resources at the levels closest to the customer and, therefore, is limiting the number of Assistant Directors to not more than six (a decrease of one from the current number). The Committee directs the Director, in consultation with the National Science Board, to deliver a report, including reprogramming requests, to the Committee by November 15, 1995, on how it intends to reorganize its management structure to accomplish its mission in the 21st Century.

In evaluating the NSF organization, it is the view of the Committee that the current Social, Behavioral and Economics (SBE) Directorate should be examined to determine if its current program level reflects sound priorities for overall science funding. The Committee is concerned that, while the activities and proposals of SBE are merit reviewed, as are other programs of the NSF, they appear to reflect trends toward support of more applied research and research in areas that in tight budget times are of a lower scientific priority. As the newest and smallest Directorate, and one whose research areas are crosscutting, SBE is the prime candidate for integration into other research Directorates. SBE programs should directly compete for research funds with other disciplines to assure that scarce research dollars are allocated in the national interest.

16. TWO YEAR AND COMMUNITY COLLEGE PROGRAMS

Committee view

The Committee commends the Foundation for improving the education of science and engineering technicians at two-year and community colleges under the authority of P.L. 102–476. The Committee supports the efforts of associate degree-granting institutions working in partnership with secondary schools, colleges and universities and with business and industry to develop more support for these programs and to put in place appropriate mechanisms to assess the effectiveness of the programs.

17. INDIRECT COST

Committee view

The Committee continues to be concerned that too great a share of academic research funds are allocated to indirect costs. Accord-

ing to the President's budget, fully one-quarter of the $12 billion the government spends on research at universities and colleges are used to cover indirect costs. While the government has a responsibility to reimburse that portion of the overhead directly associated with carrying out Federally sponsored research, the Committee is concerned that the current system of indirect cost payments is consuming too large a share of a limited research budget and may not be justified.

The bill directs the Office of Science and Technology Policy (OSTP) to develop a menu of options to reduce by at least 10 percent the proportion of Federal assistance to universities that is allocated for indirect costs, and to reduce the variation among indirect cost rates at different institutions. The report must also evaluate the benefits and other impacts that each option would have on colleges and universities. OSTP should work with other relevant agencies, particularly the Office of Management and Budget, the Office of Naval Research, the Department of Health and Human Services, and the National Institutes of Health in preparing the report. The report is due by December 31, 1995.

The Committee understands that negotiations are underway between the Administration and representatives of universities to limit indirect cost payments. The Committee encourages the negotiators to move as quickly as possible to develop an indirect cost system that would achieve the goals referenced in this report. The Committee believes that any resultant savings in indirect cost payments should be used to increase overall Federal research support.

18. EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH (ESPCOR)

Background

The Experiment Program to Stimulate Competitive Research (EPSCoR) is a merit-based program designed to expand the scientific and technological capacities of states with developing research infrastructures. EPSCoR, which was initiated by this Committee in 1978, currently funds research in 18 states (Arkansas, Maine, Montana, South Carolina, West Virginia, Alabama, Kentucky, Nevada, North Dakota, Oklahoma, Vermont, Wyoming, Idaho, Louisiana, Mississippi, South Dakota, Kansas and Nebraska) and the Commonwealth of Puerto Rico.

In addition to NSF, EPSCoR or similar programs are now being implemented in the Department of Energy, the Department of Agriculture, the Department of Defense, the National Aeronautics and Space Administration, the Environmental Protection Agency, and the National Institutes of Health. Many of these efforts are in their infancy, and it will be several years before they are full-fledged programs.

Committee view

Since its inception, EPSCoR has made great strides toward developing the research infrastructure of the participating states. The Committee supports the program because future private-sector economic development depends upon scientific and technical infrastructure.

EPSCoR contributes to increasing regional and institutional research capacity by ensuring that money is available for merit-based awards for proposals from states with a developing research base. EPSCoR offers the mechanism to help institutions in these states improve their competitive positions in selected research specialities and fields, including the development of the infrastructure necessary to sustain these new capabilities. Progress in building new research capability does not occur overnight, but results from long-term investments in people and facilities. Consequently, the Committee expects continued NSF participation in EPSCoR and continued leadership from NSF to encourage both cooperation among the departments and agencies supporting EPSCoR programs and adherence to the important infrastructure components of the original efforts.

19. ANTI-EARMARKING

Committee view

The Committee strongly believes in awards based on a competitive, merit-based process. Merit review allows taxpayers' dollars to be spent in the most cost effective manner. Although Federal agencies may have concerns on specific awards programs, the Committee feels that proper prior planning, clearly stated missions, and structuring the programs to meet the intent of the Committee is possible.

The Committee does provide an exception for awards to persons who are members of a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

VI. COMMITTEE COST ESTIMATE

Clause 2(l)(3)(B) of rule XI of the House of Representatives requires each committee report that accompanies a measure providing new budget authority, new spending authority, or new credit authority or changing revenue or tax expenditure to contain a cost estimate, as required by section 308(a)(1) of the Congressional Budget Act of 1974, as amended, and, when practicable with respect to estimates of new budget authority, a comparison of the total estimated funding relevant program (or programs) to the appropriate levels under current law.

Clause 7(a) of rule XIII requires each committee report accompanying each bill or joint resolution of public character to contain the Committee's cost estimates, which include, where practicable, a comparison of the total estimated funding level for the relevant program (or programs) with the appropriate levels under current law.

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office, pursuant to section 403 of the Congressional Budget Act of 1974.

VII. Congressional Budget Office Cost Estimate

U.S. Congress,
Congressional Budget Office,
Washington, DC, July 11, 1995.

Hon. Robert S. Walker,
Chairman, Committee on Science, House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1852, the National Science Foundation Authorization Act of 1995, as ordered reported by the House Committee on Science on June 8, 1995.

Enactment of H.R. 1852 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Kathleen Gramp.

Sincerely,

James L. Blum
(For June E. O'Neill).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 1852.

2. Bill title: National Science Foundation Authorization Act of 1995.

3. Bill status: As ordered reported by the House Committee on Science on June 28, 1995.

4. Bill purpose: H.R. 1852 would authorize appropriations for the National Science Foundation (NSF) for fiscal years 1996 and 1997 and revise certain policies regarding NSF's grants and administration. One provision would modify the eligibility criteria for receiving NSF funds by requiring institutions of higher education to allow students who are members of the National Guard or reserves of the Armed Forces to recover tuition or fees if called to active duty. The bill also would direct the President's Office of Science and Technology Policy (OSTP) to report to Congress on ways to reduce the level and variance of funding allocated to indirect costs in grants to academic institutions. Another provision would transfer sponsorship of the Critical Technologies Institute (CTI) from NSF to OSTP.

5. Estimated cost to the Federal Government: This bill would authorize a total of $3.1 billion for fiscal year 1996 and $3.2 billion for 1997 for NSF's activities, as shown in the following table. According to officials at OSTP, the cost of conducting the study on indirect costs is not expected to be significant.

[By fiscal year, in millions of dollars]

	1995	1996	1997	1998	1999	2000
Spending Under Current Law:						
Budget authority [1]	3,360	0	0	0	0	0
Estimated outlays	2,877	1,836	753	364	143	65
Proposed Changes:						
Authorization level	0	3,126	3,171	0	0	0
Estimated outlays	0	2,383	2,223	896	373	287

[By fiscal year, in millions of dollars]

	1995	1996	1997	1998	1999	2000
Spending Under H.R. 1852:						
Authorization level [1]	3,360	3,126	3,171	0	0	0
Estimated outlays	2,877	4,219	2,976	1,260	516	353

[1] The 1995 amount represents funds appropriated for that year.

The costs of this bill fall within budget functions 050 and 250.

6. Pay-as-you-go considerations: None.

7. Estimated cost to state and local governments: The provision that would make eligibility for NSF funding contingent upon policies regarding students called to active duty could reduce income to some state institutions of higher education, but the loss of income is not expected to be significant. According to information provided by the Department of Defense, about 16 percent of the nation's roughly 1.1 million selected reservists are enrolled in classes at four-year colleges or graduate schools. Contingency operations like the recent operation in Haiti involved roughly 4,500 reservists, suggesting that about 700 students nationwide could have their education disrupted by involuntary duty for such contingencies. The potential loss of income to NSF-funded schools would depend on a variety of factors, including whether the affected reservists request compensation, the extent and cost of their coursework, and existing institutional policies.

8. Estimate comparison: None.

9. Previous CBO estimate: None.

10. Estimate prepared by: Kathleen Gramp.

11. Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

VIII. Effects of Legislation on Inflation

Clause 2(l)(4) of rule XI requires each committee report on a bill or joint resolution of a public character to include an analytical statement describing what impact enactment of the measure would have on prices and costs in the operation of the national economy. The Committee has determined that H.R. 1852 has no inflationary impact on the national economy.

IX. Oversight Findings and Recommendations

Clause 2(l)(3)(A) of rule XI requires each committee report to contain oversight findings and recommendations required pursuant to clause 2(b)(1) of rule X. The Committee has no oversight findings.

X. Oversight Findings and Recommendations by the Committee on Government Reform and Oversight

Clause 2(l)(3)(D) of rule XI requires each committee report to contain a summary of the oversight findings and recommendations made by the Government Reform and Oversight Committee pursuant to clause 4(c)(2) of rule X, whenever such findings have been timely submitted. The Committee on Science has received no such findings or recommendations from the Committee on Government Reform and Oversight.

XI. Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

NATIONAL SCIENCE FOUNDATION ACT OF 1950

* * * * * * *

FUNCTIONS OF THE FOUNDATION

SEC. 3. (a) * * *

* * * * * * *

[(f) The Foundation shall render an annual report to the President for submission on or before the 15th day of April of each year to the Congress, summarizing the activities of the Foundation and making such recommendations as it may deem appropriate. Such report shall include information as to the acquisition and disposition by the Foundation of any patents and patent rights.]

(f) The Foundation shall provide an annual report to the President which shall be submitted by the Director to the Congress at the time of the President's annual budget submission. The report shall—

(1) contain a strategic plan, or an update to a previous strategic plan, which—

(A) defines for a three-year period the overall goals for the Foundation and specific goals for each major activity of the Foundation, including each scientific directorate, the education directorate, and the polar programs office; and

(B) describe how the identified goals relate to national needs and will exploit new opportunities in science and technology;

(2) identify the criteria and describe the procedures which the Foundation will use to assess progress toward achieving the goals identified in accordance with paragraph (1);

(3) review the activities of the Foundation during the preceding year which have contributed toward achievement of goals identified in accordance with paragraph (1) and summarize planned activities for the coming three years in the context of the identified goals, with particular emphasis on the Foundation's planned contributions to major multi-agency research and education initiatives;

(4) contain such recommendations as the Foundation considers appropriate; and

(5) include information on the acquisition and disposition by the Foundation of any patents and patent rights.

* * * * * * *

[(g) In carrying out subsection (a)(4), the Foundation is authorized to foster and support access by the research and education communities to computer networks which may be used substantially for purposes in addition to research and education in the sciences and engineering, if the additional uses will tend to in-

crease the overall capabilities of the networks to support such research and education activities.]

NATIONAL SCIENCE BOARD

SEC. 4. (a) * * *

* * * * * * *

[(k)] *(l)* Members of the Board shall be required to file a financial disclosure report under title II of the Ethics in Government Act of 1978 (5 U.S.C. App. 92 Stat. 1836), except that such reports shall be held confidential and exempt from any law otherwise requiring their public disclosure.

DIRECTOR OF THE FOUNDATION

SEC. 5. (a) * * *

* * * * * * *

(e)(1) * * *

[(2) Any delegation of authority or imposition of conditions under the preceding sentence shall be effective only for such period of time, not exceeding two years, as the Board may specify, and shall be promptly published in the Federal Register and reported to the Committees on Labor and Human Resources and Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives. On October 1 of each odd-numbered year the Board shall submit to the Congress a concise report which explains and justifies any actions taken by the Board under this subsection to delegate its authority or impose conditions within the preceding two years. The provisions of this subsection shall cease to be effective at the end of fiscal year 1989.]

(2) Any delegation of authority or imposition of conditions under paragraph (1) shall be promptly published in the Federal Register and reported to the Committees on Labor and Human Resources and Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

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DIVISIONS WITHIN THE FOUNDATION

SEC. 8. There shall be within the Foundation such Divisions as the Director, in consultation with the Board, may from time to time determine. *The Director may appoint, in consultation with the Board, not more than 6 Assistant Directors to assist in managing the Divisions.*

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MISCELLANEOUS PROVISIONS

SEC. 14. (a) * * *

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(c) The members of the Board and the members of each special commission shall *be entitled to* receive compensation for each day engaged in the business of the Foundation, *including traveltime,* at a rate fixed by the Chairman but not exceeding the rate specified

for the daily rate for GS–18 of the General Schedule under section 5332 of title 5, United States Code, and shall be allowed travel expenses as authorized by section 5703 of title 5, United States Code.

* * * * * * *

[(j) Starting with fiscal year 1990, the Foundation shall submit to the Congress in each fiscal year, at the time of the release of the President's budget, a three-year budget estimate for the Foundation. The three-year budget shall include funding estimates for each major activity, including each scientific directorate, the United States Antarctic Program, the Science and Engineering Education Directorate, and the Program Development and Management activity.]

SECURITY PROVISIONS

SEC. 15. (a) The Foundation shall not support any research or development activity in the field of nuclear energy, nor shall it exercise any authoriity pursuant to section 11(e) in respect to that field, without first having obtained the concurrence of the [Atomic Energy Commission] *Secretary of Energy* that such activity will not adversely affect the common defense and security. To the extent that such activity involves restricted data as defined in the Atomic Energy Act of 1954 the provisions of that Act regarding the control of the dissemination of restricted data and the security clearance of those individuals to be given access to restricted data shall be applicable. Nothing in this Act shall supersede or modify any provision of the Atomic Energy Act of 1954.

* * * * * * *

SECTION 203 OF THE ACADEMIC RESEARCH FACILITIES MODERNIZATION ACT OF 1988

ESTABLISHMENT OF PROGRAM

SEC. 203. (a) * * *
(b)(1) * * *

* * * * * * *

(3) The Director shall, in making awards under the Program, consider the extent to which that institution or consortium has received funds for the repair, renovation, construction, or replacement of academic facilities from any other Federal funding source within the 5-year period immediately preceding the application. [The Director shall give priority to institutions or consortia that have not received such funds in the preceding 5 years.] *The Director shall give priority to institutions or consortia that have not received such funds in the preceding 5 years, except that this sentence shall not apply to previous funding received for the same multiyear project.*

* * * * * * *

SECTION 6 OF THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976

SEC. 6. (a) The National Science Foundation is authorized to establish the Alan T. Waterman Award for research or advanced study in the mathematical, physical, medical, biological, engineering, behavioral, [social,] social, or other sciences. The award authorized by this section shall consist of a suitable medal and a grant to support further research or study by the recipient. The National Science Board will periodically establish the amounts and terms of such grants under this section.

* * * * * * *

SECTION 117 OF THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1988

PRESIDENTIAL AWARDS FOR TEACHING EXCELLENCE

SEC. 117. (a)(1)(A) * * *

(B) Each year the President is authorized to make no fewer than 108 awards under subparagraph (A). In selecting teachers for an award authorized by this subsection, the President shall select at least two teachers—

(i) * * *

* * * * * * *

[(v) from the United States Department of Defense Dependents' School.]

(v) from schools established outside the several States and the District of Columbia by any agency of the Federal Government for dependents of its employees.

* * * * * * *

(3)(A) Funds to carry out this subsection for any fiscal year shall be made available from amounts appropriated pursuant to annual authorization of appropriations for the Foundation for [Science and Engineering Education] *Education and Human Resources.*

* * * * * * *

SECTION 107 OF EDUCATION FOR ECONOMIC SECURITY ACT

[SCIENCE AND ENGINEERING EDUCATION STRATEGIC PLAN

[SEC. 107. The Foundation shall develop a five-year strategic plan for science and engineering education, to be up-dated on an annual basis, and submitted to the Committee on Labor and Human Resources of the Senate, and the Committee on Science and Technology of the House of Representatives by November 30 of each year.]

SECTION 822 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL 1991

SEC. 822. [CRITICAL TECHNOLOGIES INSTITUTE] *SCIENCE STUDIES INSTITUTE*

(a) ESTABLISHMENT.—There shall be established a federally funded research and development center to be known as the "[Critical Technologies Institute] *Science Studies Institute*" (hereinafter in this section referred to as the "Institute").

(b) INCORPORATION.—[As determined by the chairman of the committee referred to in subsection (c), the] *The* Institute shall be—

(1) administered as a separate entity by an organization currently managing another federally funded research and development center; or

(2) incorporated as a nonprofit membership corporation.

[(c) OPERATING COMMITTEE.—(1) The Institute shall have an Operating Committee composed of six members as follows:

[(A) The Director of the Office of Science and Technology Policy, who shall chair the committee.

[(B) The Director of the National Institutes of Health.

[(C) The Under Secretary of Commerce for Technology.

[(D) The Director of the Advanced Research Projects Agency.

[(E) The Director of the National Science Foundation.

[(F) The Under Secretary of Energy having responsibility for science and technology matters.

[(2) The Operating Committee shall meet not less than four times each year.

[(d)] *(c)* DUTIES.—The duties of the Institute shall include the following:

(1) The assembly of timely and authoritative information regarding significant developments and trends in *science and* technology research and development in the United States and abroad, [with particular emphasis on information relating to the technologies identified in the most recent biennial report submitted to Congress by the President pursuant to section 603(d) of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6683(d)).] *and developing and maintaining relevant informational and analytical tools.*

(2) Analysis and interpretation of the information referred to in paragraph (1) [to determine whether such developments and trends are likely to affect United States technology policies] *with particular attention to the scope and content of the Federal science and technology research and develop portfolio as it affects interagency and national issues.*

[(3) Initiation of studies and analyses (including systems analyses and technology assessments) of alternatives available for ensuring long-term leadership by the United States in the development and application of the technologies referred to in paragraph (1), including appropriate roles for the Federal Government, State governments, private industry, and institutions of higher education in the development and application of such technologies.]

(3) Initiation of studies and analysis of alternatives available for ensuring the long-term strength of the United States in the development and application of science and technology, including appropriate roles for the Federal Government, State governments, private industry, and institutions of higher education in the development and application of science and technology.

(4) Provision, upon the request of the Director of the Office of Science and Technology Policy, of technical support and assistance—

(A) to the committees and panels of the President's Council of Advisers on Science and Technology that provide advice to the Executive branch on *science and* technology policy; and

[(B) to the committees and panels of the Federal Coordinating Council for Science, Engineering, and Technology that are responsible for planning and coordinating activities of the Federal Government to advance the development of critical technologies and sustain and strengthen the technology base of the United States.]

(B) to the interagency committees and panels of the Federal Government concerned with science and technology.

[(e)] *(d)* CONSULTATION ON INSTITUTE ACTIVITIES.—In carrying out the duties referred to in [subsection (d)] *subsection (c),* personnel of the Institute shall—

(1) consult widely with representatives from private industry, institutions of higher education, and nonprofit institutions; and

(2) to the maximum extent practicable, incorporate information and perspectives derived from such consultations in carrying out such duties.

[(f)] *(e)* ANNUAL REPORTS.—The committee shall submit to the President an annual report on the activities of the committee under this section. Each report shall be in accordance with requirements prescribed by the President.

[(g) SPONSORSHIP.—(1) The Director of the National Science Foundation shall be the sponsor of the Institute.

[(2) The Director of the National Science Foundation, in consultation with the chairman of the committee, shall enter into a sponsoring agreement with respect to the Institute. The sponsoring agreement shall require that the Institute carry out such functions as the chairman of the committee may specify consistent with the duties referred to in subsection (d). The sponsoring agreement shall be consistent with the general requirements prescribed for such a sponsoring agreement by the Administrator for Federal Procurement Policy.]

(f) SPONSORSHIP.—The Director of the Office of Science and Technology Policy shall be the sponsor of the Institute.

XII. ADDITIONAL VIEWS

The Committee's evident intent to eliminate NSF's Social, Behavioral and Economic Sciences (SBE) Directorate is a particularly ill-advised step, taken without the benefit of hearings or opportunities for comment. For the reasons noted below, we cannot support this aspect of the Committee's action.

As amended by the Committee, the bill itself directs NSF to limit to six the number of assistant directors authorized for the National Science Foundation (NSF), presumably by eliminating one directorate. While the legislative report states that this provision is necessary so that NSF can accommodate the reduction in funding authorized for the agency's Salaries and Expenses account, it also goes on to suggest that research supported by the Social, Behavioral and Economics Sciences (SBE) Directorate is of a low priority and too applied in nature, and that the programs of the SBE Directorate should be integrated into the other scientific directorates.

NSF should explore ways to streamline its organization and reduce its administrative expenses. But the Committee has held no hearings or conducted other oversight investigations to determine whether the single method mandated in H.R. 1852—eliminating one assistant director, and by implication eliminating one NSF directorate—will provide the necessary cost savings without damaging NSF's ability to function effectively. Pruning blindly may damage an agency that is far from being a bloated bureaucracy. Between fiscal years 1983 and 1993, NSF's full time staff positions remained constant, while its budget nearly tripled and its workload, measured by numbers of proposals processed, more than doubled. In the current fiscal year, the cost of operating NSF is 3.8 percent of the total budget, which is a modest amount of administrative overhead.

We proposed an alternative in which NSF would carry out a study and then report back to the Committee on the best ways to achieve the required savings before instructing the agency how to reorganize. This proposal was rejected. However, section 212 of the bill still requires NSF to report to Congress on its reorganization resulting from the requirement to eliminate an assistant director. In developing this report, NSF should provide information to assist Congress in evaluating the impacts of the mandated reorganization. In particular, the report should consider a wide range of administrative changes that could contribute to cost reductions and document the projected cost savings, benefits, and potential shortcomings of the reorganization option which is selected. If the Director determines that elimination of one directorate will cause a reduction in the effectiveness of NSF's operations, he should document in the report the basis for this conclusion and provide suggestions for alternative administrative changes that will result in cost

savings equivalent to savings anticipated from elimination of a directorate.

We object to the unfavorable characterization in the Committee View of the value and content of the research sponsored by the SBE Directorate because the Committee has no hearing record or other oversight investigation to support these statements. In fact, the most recent testimony received by the Committee concerning the social sciences, which was obtained in hearings before the Basic Research Subcommittee on March 2, 1995, the Science Subcommittee on May 20, 1993 and the Science, Research and Technology Subcommittee on March 14, 1989, all document the important contributions of research in the social, behavioral and economic sciences. None of these hearings provides a basis for questioning the priority or basic nature of the research sponsored by NSF in these fields.

For example, one accomplishment of basic research in the social sciences described in the March 2, 1995 hearing was the development of game theory, which deals with the study of rational behavior in situations involving interdependence. Recently, this body of knowledge provided the basis for the design of the ground rules for the auction by the Federal Communications Commission (FCC) of the radio spectrum for personal communications services. Special rules were needed because, unlike traditional auctions in which goods are sold one at a time in sequence, the licenses had to be sold all at once in a series of rounds since the value of a particular license was dependent on what other licenses a particular bidder could obtain. The benefit to the government of the auction is apparent from the Explanation of the Conference Agreement on the Budget (H. Con. Res. 67), which in the discussion of Function 950, Undistributed Offsetting Receipts, states that, "The conference agreement assumes the FCC is provided sufficient authority to recover value from the spectrum amounting to $14 billion over seven years".

Moreover, the importance of the social and behavioral sciences have been affirmed broadly by the scientific community. The NSF Director in a May 22, 1995 letter to the Committee stated:

> I am, however, concerned that we have not been more effective in informing the Congress about the important role played by the social, behavioral, and economic sciences in the Nation's basic research enterprise. These areas of science have been an integral part of the portfolio of research that we have funded since the 1950s, and are important to our mission to maintain the health of the Nation's science and engineering enterprise. These disciplines have contributed significant advances in research.

Dr. Bruce Alberts, the President of the National Academy of Sciences, recently stated that:

> The National Academy of Sciences strongly affirms that the social and behavioral sciences are important disciplines in which independent scholarship and basic research have made significant contributions to mankind's store of knowledge and to the ability to meet critical societal challenges . . . The National Institutes of Health and

> the National Science Foundation, through competitively awarded research grants, provide financial support for the generation of the basic scientific knowledge needed to devise solutions to . . . pressing [social] problems. These programs are particularly valuable for the quality of the science they produce.

And finally, in a June 1, 1995 letter to the Committee, Rita Colwell, President of the American Association for the Advancement of Science, stated:

> These [social science] disciplines are an integral part of the U.S. research and development enterprise, as important to the Nation's future as physics, chemistry, engineering, and biology. They have been part of NSF's research portfolio for over four decades and have contributed in important ways to our growing understanding of the natural and human environment, to the improvement of our health and standard of living, and to the structure of our economy and government.

We believe that there is no basis for singling out the SBE Directorate as a target for elimination in meeting the requirement to reduce the number of assistant directors. We urge NSF to give equal scrutiny to all of its programs and activities in determining the best reorganization plan for reducing administrative expenses, while maintaining operational effectiveness.

ZOE LOFGREN.
JAMES A. TRAFICANT.
SHEILA JACKSON LEE.
ALCEE L. HASTINGS.
DAVID MINGE.
EDDIE BERNICE JOHNSON.
GEORGE E. BROWN, Jr.
JOHN W. OLVER.
LYNN N. RIVERS.
MICHE F. DOYLE.
KAREN MCCARTHY.
MIKE WARD.
TIM ROEMER.
LLOYD DOGGETT.

XIII. PROCEEDINGS FROM THE SUBCOMMITTEE MARKUP

SUBCOMMITTEE MARKUP—H.R. 1852, THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1996 AND 1997

WEDNESDAY, JUNE 14, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
SUBCOMMITTEE ON BASIC RESEARCH,
Washington, DC.

The Subcommittee met, pursuant to call, at 9:40 a.m. in Room 2318 of the Rayburn House Office Building, the Honorable Steven H. Schiff, Chairman of the Subcommittee, presiding.

Mr. SCHIFF. Ladies and gentlemen, I would like to call the Subcommittee to order. I would like to welcome everyone to the first markup in this new Subcommittee on Basic Research.

I have some brief opening remarks and then I will recognize my Ranking Member for opening remarks, and the Chairman and Ranking Member of the Full Committee, if they are here for this markup, for their opening remarks.

I would invite any other Member and ask unanimous consent that any other Member can provide opening remarks in writing into the record.

[No response.]

Mr. SCHIFF. Without objection, it is so ordered.

Today we are marking up two bills:

The National Science Foundation Authorization Act and the United States Fire Administration Authorization Act, both for fiscal years 1996 and 1997.

I wish to take up first the National Science Foundation bill.

In this new Congress we changed the name of this Subcommittee from the Subcommittee on Science to the Subcommittee on Basic Research. I believe this name change is significant because it exemplifies that the leadership of this Committee believes that the focus of Federal research and development should be at the basic level.

The National Science Foundation is the principal supporter of fundamental research conducted at colleges and universities in the fields of mathematics, science, and engineering.

The National Science Foundation accomplishes this through grants and contracts to more than 2000 colleges, universities, and other research institutions in all parts of the United States.

The Foundation accounts for approximately 25 percent of Federal support to academic institutions for basic research. Let me state that I believe that the National Science Foundation is a well-run agency with a well-defined mission. Any large organization may have issues and questions raised about it, including the National Science Foundation.

The Subcommittee should examine these concerns and work with the individuals who raise them, and with the National Science Foundation.

But recognizing overall that the National Science Foundation has a fine reputation, I will conduct oversight of its operations. I do not propose substantial changes in its authorization at this time.

I am aware from the large volume of letters I have been receiving that particular attention has been focused on the activities of the social, behavioral, and economic programs. At this time I am recommending that the social, behavioral, and economic programs continue to receive support. However, I do intend to ensure that research in these areas is truly fundamental and warrants Federal support.

Before I briefly outline the different sections of this NSF bill, I would like to point out that in these difficult fiscal times the National Science Foundation was cut very little by the Budget Committee in comparison with other departments and activities.

Moreover, the House Budget Committee's assumptions provided for the growth in research and related accounts at the Foundation, 3 percent per year after 1996 to the year 2002.

While many programs that were reduced were frozen, the research and related activities were provided with real growth after 1996. This is due in large measure to the efforts of the Chairman of the Science Committee, Congressman Bob Walker.

The research community and this Subcommittee should both be thankful to the support given by the Budget Committee for basic research. It was unique in this year's Resolution to see any growth in a discretionary program.

I am proposing that our Subcommittee endorse that growth today.

With that said, I want to get into the specifics of the bill I am presenting to the Subcommittee today:

The National Science Foundation bill is a two-year authorization. It provides for approximately a 3 percent growth in the Research and Related Activities Account in the second year.

With respect to allocating monies within the Research Account, this bill treats all directorates equally and with the priorities contained in the Administration's request.

This bill provides slightly more money for education and human resources than the Administration's request, and follows the President's request in several other accounts, including Major Research and Equipment, Instruments and Facilities, and the Office of Inspector General.

I realize the National Science Foundation runs a lean organization compared to many other government agencies; however, the American public have made their voices heard. They want less government and smaller bureaucracies. Therefore, we expect the Salaries and Expense Account of the National Science Foundation to decrease from the Fiscal Year 1995 level of $124 million to $120 million in both Fiscal Year 1996 and 1997.

I believe this is a reasonable expectation of these difficult fiscal times, and it may necessitate some reorganization at the National Science Foundation.

The different sections of this bill support this Committee's views on responsibilities of government. We ask the NSF to provide the Subcommittee with a strategic plan so the Subcommittee can better formulate out-year projections for the directorates and research facilities.

The Committee expects universities to be responsible in accounting for their indirect costs and not in competition with the private sector with regard to use of research instrumentation and facilities.

We expect universities to be understanding of the commitment of Reserve and National Guard personnel ordered to Active Duty.

Finally, we expect the funds authorized by these programs to go into research and not to be used in funding lobbying activities. That concept may sound strange to people inside the Beltway, but I know taxpayers outside the Beltway expect their research dollars to go into research.

Before I recognize the Ranking Minority Member, Mr. Geren, for his opening statements, I would like to personally express my thanks to Mr. Geren and to his staff, who worked with us on a regular basis in presenting this bill today.

I would like now to recognize the Ranking Member of the Subcommittee from Texas, Mr. Geren.

[The prepared statement of Mr. Schiff follows:]

Honorable Steve Schiff
Opening Statement- NSF Authorization Act
June 14, 1995

I want to welcome everyone to the first mark-up in the new Subcommittee on Basic Research.

Today, we are marking-up two bills, the National Science Foundation Authorization Act and the U. S. Fire Administration Authorization Act, both for fiscal years 1996 and 1997.

I wish to first take up the NSF bill.

In this new Congress, we changed the name of this Subcommittee from the Subcommittee on Science to the Subcommittee on Basic Research.

I believe this name change is significant because it exemplifies that the leadership of this Committee believes the focus of the Federal R&D should be at the basic level.

The National Science Foundation is the principle supporter of fundamental research conducted at colleges and universities in the fields of mathematics, science, and engineering.

NSF accomplishes this through grants and contracts to more than 2,000 colleges, universities, and other research institutions in all parts of the United States. The Foundation accounts for approximately 25 percent of the Federal support to academic institutions for basic research.

Let me state that I believe that NSF is a well-run agency, with a well-defined mission. While I will conduct oversight of its operations, I do not want to make substantial reforms at this time.

Before I briefly outline the different sections of this NSF bill, I would like to point out that in these difficult fiscal times, the House Budget Committee's assumptions provided for growth in

the Research and Related Accounts at the Foundation-- 3 percent per year after 1996.

When many programs were reduced or frozen, the Research and Related Activities were provided with real growth. This is due in large measure to the efforts of the Chairman of the Science Committee, Bob Walker.

The Research Community should be thankful for the support given by the Budget Committee. It was unique in this year's resolution to see any growth in a discretionary program. I am proposing that our Subcommittee endorse that growth today.

With that said, I want to get into the specifics of the bill I am presenting to the Subcommittee today.

This NSF bill is a two year authorization bill. It provides for approximately 3% growth in the Research and Related Activities Account in the second year. With respect to allocating monies within the Research Account, this bill treats all directorates equally and with the priorities contained in the Administration's request.

I am aware from the large volume of letters I have been receiving that particular attention has been focused on the activities of Social, Behavioral and Economic programs.

At this time, I am recommending that the Social, Behavioral and Economic programs continue to receive support. However, I intend to ensure that research in these areas is truly fundamental and warrants Federal support.

This bill provides slightly more money for Education and Human Resources than the President's Request, and follows the President's request in several other accounts, including Major Research and Equipment, Instruments and Facilities, and the Office of the Inspector General.

I realize the National Science Foundation runs a lean organization

compared to many other government agencies; however, the American public have made their voices heard -- they want less government and smaller bureaucracies. Therefore, we expect the salaries and expenses account at NSF to decrease from the FY 95 level of $124 million to $120 million in both FY 96 and FY 97. I believe this is a reasonable expectation in these difficult fiscal times, and it may necessitate some reorganization at NSF.

The different sections of this bill support this Committees' views of the responsibilities of government.

We ask NSF to provide the Subcommittee with a strategic plan, so the Subcommittee can better formulate out-year projections for the Directorates and Research Facilities.

The Committee expects Universities to be responsible in accounting for their indirect cost and not in competition with the private sector with regard to use of research instrumentation and facilities.

We expect Universities to be understanding of the commitment of Reserve and National Guard personnel ordered to active duty.

Finally, we expect the funds authorized by these programs to go into research and not to be used in funding lobbying activities. That concept may sound strange to people inside the beltway, but I know taxpayers outside the beltway expect their research dollars to go into research.

Before I recognize the Ranking Minority Member, Mr. Geren, for his opening statement, I want to express my thanks to him and his staff for their efforts in drafting this bill.

I now recognize Mr. Geren for his opening remarks.

[Recognize, Mr. Walker.]
[Recognize, Mr. Brown.]

I will now recognize other Members of the Subcommittee for opening statements.

Mr. GEREN. Thank you, Mr. Chairman.

The National Science Foundation plays a key role in developing and sustaining the academic research enterprise of our Nation. Its programs support research in science and engineering; operation of national research facilities in such fields as astronomy and oceanography; the acquisition of scientific instruments and the modernization of research facilities; and science education at all levels.

These wide-ranging activities underpin the technological strength of the Nation through both the generation of new knowledge and the education of scientists and engineers.

The Chairman has made the best of a difficult situation. Although the bill before us represents a decrease in funding for NSF, it is a fair allocation that provides relatively gentle treatment for NSF in a year in which many Federal science and technology programs authorized by the Committee have experienced, or are facing, the prospect of severe cuts.

I am pleased that some funding increases are provided by the bill in the second year that will bring the NSF Research Directorates back to the Fiscal Year 1995 levels.

I share the commitment of my colleague from New Mexico to achieve a balanced budget over the next seven years, and realize that even the most valuable Federal programs must bear some of the pain of achieving this goal.

I commend the Chairman on his efforts, and I support his bill. I also want to acknowledge his efforts in working with the Minority in developing the legislation, and I look forward to continued cooperation as the bill moves forward in Committee and on the Floor.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Geren follows:]

OPENING STATEMENT

MARKUP OF THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION BILL
BY
THE HONORABLE PETE GEREN (D-TX)
RANKING DEMOCRATIC MEMBER
SUBCOMMITTEE ON BASIC RESEARCH

June 14, 1995

THANK YOU MR. CHAIRMAN, THE NATIONAL SCIENCE FOUNDATION PLAYS A KEY ROLE IN DEVELOPING AND SUSTAINING THE ACADEMIC RESEARCH ENTERPRISE OF THE NATION. ITS PROGRAMS SUPPORT RESEARCH IN SCIENCE AND ENGINEERING, THE OPERATION OF NATIONAL RESEARCH FACILITIES IN SUCH FIELDS AS ASTRONOMY AND OCEANOGRAPHY, THE ACQUISITION OF SCIENTIFIC INSTRUMENTS AND THE MODERNIZATION OF RESEARCH FACILITIES, AND SCIENCE EDUCATION AT ALL LEVELS OF INSTRUCTION. THESE WIDE-RANGING ACTIVITIES UNDERPIN THE TECHNOLOGICAL STRENGTH OF THE NATION THROUGH BOTH THE GENERATION OF NEW KNOWLEDGE AND THE EDUCATION OF SCIENTISTS AND ENGINEERS.

THE CHAIRMAN HAS MADE THE BEST OF A DIFFICULT SITUATION; AND, ALTHOUGH THE BILL BEFORE US REPRESENTS A DECREASE IN FUNDING FOR NSF, IT IS A FAIR ALLOCATION THAT PROVIDES RELATIVELY GENTLE TREATMENT FOR NSF IN A YEAR IN WHICH MANY FEDERAL SCIENCE AND TECHNOLOGY PROGRAMS

AUTHORIZED BY THE COMMITTEE HAVE EXPERIENCED, OR ARE FACING THE PROSPECT OF, SEVERE CUTS. I AM PLEASED THAT SOME FUNDING INCREASES ARE PROVIDED BY THE BILL IN THE SECOND YEAR THAT WILL BRING THE NSF RESEARCH DIRECTORATES BACK TO THE FISCAL YEAR 1995 LEVELS.

I SHARE THE COMMITMENT OF MY COLLEAGUE FROM NEW MEXICO TO ACHIEVE A BALANCED BUDGET OVER THE NEXT SEVEN YEARS AND REALIZE THAT EVEN THE MOST VALUABLE FEDERAL PROGRAMS MUST BEAR SOME OF THE PAIN OF ACHIEVING THIS GOAL.

I COMMEND THE CHAIRMAN ON HIS EFFORTS, AND I SUPPORT HIS BILL. I ALSO WANT TO ACKNOWLEDGE HIS EFFORTS IN WORKING WITH THE MINORITY IN DEVELOPING THE LEGISLATION, AND I LOOK FORWARD TO CONTINUED COOPERATION AS THE BILL MOVES FORWARD IN COMMITTEE AND TO THE FLOOR.

Mr. SCHIFF. Thank you, Mr. Geren.

Before recognizing our Committee Chairman, I just want to say that my first chair in Congress in a Subcommittee was Marilyn Lloyd, who served this institution for 20 years on the Democratic side of the aisle. Mrs. Lloyd made it clear in the Subcommittee she chaired that partisan politics have no place in the Science Committee. And, to the best of my human ability, I want to follow that philosophy here in this Subcommittee.

I now recognize the Chairman of the Science Committee, Congressman Walker.

Chairman WALKER. I thank you, Mr. Chairman.

I do not have a prepared statement, but I do want to congratulate you for the work that has gone into the markup you bring before the Subcommittee today.

I believe it does represent precisely the kinds of priorities that we have been attempting to achieve—namely, emphasis on basic science, and largely on basic science done through the university sector.

I believe that this set of priorities is in fact what the Nation is asking us to do as we make a judgment about our science programs, and I look forward to helping you bring this bill before the Full Committee, and ultimately, to the House.

Mr. SCHIFF. Thank you, Chairman Walker. I want to express my appreciation for your leadership now as Chairman, and previously as our Ranking Member on the Full Committee.

I would now like to recognize the Ranking Member of the Full Committee, Congressman Brown.

Mr. BROWN. Thank you, very much, Mr. Chairman.

I anticipate that this Committee will continue with the record that it has had for bipartisan cooperation on important basic research issues.

I want to commend you for the start that you are making as Chairman of the Subcommittee; I have a great deal of confidence that you, working with the Ranking Minority Member, will be able to maintain a smooth course on the issues before this Subcommittee and I am looking forward to working with you closely.

Mr. SCHIFF. Thank you very much, Congressman Brown.

Unanimous consent has already been given for all Members to give an opening statement in writing. However, I would like to ask. Does any Member of the Subcommittee have a pressing desire to make an oral opening statement at this time?

Seeing no requests, I ask unanimous consent to call up the Committee Print of the National Science Foundation Authorizing Act to be used in lieu of a bill for markup purposes.

[No response.]

Mr. SCHIFF. Without objection, it is so ordered.

I also ask unanimous consent that the Chair have the authority to recess the Subcommittee.

[No response.]

Mr. SCHIFF. Without objection, it is also so ordered.

The Clerk will read the bill.

Mr. CADENA. "A BILL To authorize appropriations for the National Science Foundation, and for other purposes."

Mr. SCHIFF. The Chair—excuse me—the Chair asks unanimous consent that the bill be considered as read and open to amendments at any point.

[No response.]

Mr. SCHIFF. Without objection, it is so ordered.

The bill is now open for amendment and discussion. It is the intention of the Chair to begin the amendment process by following the roster which is printed in the amendment package which should be with each Member.

[The documents follow:]

SUBCOMMITTEE PRINT

JUNE 9, 1995

104TH CONGRESS
1ST SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

Mr. Schiff introduced the following bill; which was referred to the Committee on _____

A BILL

To authorize appropriations for the National Science Foundation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Science Foundation Authorization Act of 1995".

SEC. 2. DEFINITIONS.

For purposes of this Act—

1 (1) the term "Director" means the Director of
2 the Foundation;
3 (2) the term "Foundation" means the National
4 Science Foundation;
5 (3) the term "institution of higher education"
6 has the meaning given such term in section 1201(a)
7 of the Higher Education Act of 1965;
8 (4) the term "national research facility" means
9 a research facility funded by the Foundation which
10 is available, subject to appropriate policies allocating
11 access, for use by all scientists and engineers affili-
12 ated with research institutions located in the United
13 States; and
14 (5) the term "United States" means the several
15 States, the District of Columbia, the Commonwealth
16 of Puerto Rico, the Virgin Islands, Guam, American
17 Samoa, the Commonwealth of the Northern Mariana
18 Islands, and any other territory or possession of the
19 United States.

20 **TITLE I—NATIONAL SCIENCE**
21 **FOUNDATION AUTHORIZATION**

22 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**
23 (a) FINDINGS.—The Congress finds that—
24 (1) the programs of the Foundation are impor-
25 tant for the Nation to strengthen basic research and

1 develop human resources in science and engineering,
2 and that those programs should be funded at an
3 adequate level;
4 (2) the primary mission of the Foundation con-
5 tinues to be the support of basic scientific research
6 and science education and the support of research
7 fundamental to the engineering process and engi-
8 neering education; and
9 (3) the Foundation's efforts to contribute to the
10 economic competitiveness of the United States
11 should be in accord with that primary mission.
12 (b) FISCAL YEAR 1996.—There are authorized to be
13 appropriated to the Foundation $3,126,000,000 for fiscal
14 year 1996, which shall be available for the following cat-
15 egories:
16 (1) Research and Related Activities,
17 $2,226,300,000, which shall be available for the fol-
18 lowing subcategories:
19 (A) Mathematical and Physical Sciences,
20 $632,200,000.
21 (B) Engineering, $311,600,000.
22 (C) Biological Sciences, $293,300,000.
23 (D) Geosciences, $408,800,000.
24 (E) Computer and Information Science
25 and Engineering, $249,500,000.

1 (F) Social, Behavioral, and Economic
2 Sciences, $111,300,000.
3 (G) United States Polar Research Pro-
4 grams, $156,000,000.
5 (H) United States Antarctic Logistical Ac-
6 tivities, $62,600,000.
7 (I) Critical Technologies Institute,
8 $1,000,000.
9 (2) Education and Human Resources Activities,
10 $600,000,000.
11 (3) Major Research Equipment, $70,000,000.
12 (4) Academic Research Facilities Moderniza-
13 tion, $100,000,000.
14 (5) Salaries and Expenses, $120,000,000.
15 (6) Office of Inspector General, $4,500,000.
16 (7) Headquarters Relocation, $5,200,000.
17 (c) FISCAL YEAR 1997.—There are authorized to be
18 appropriated to the Foundation $3,171,400,000 for fiscal
19 year 1997, which shall be available for the following cat-
20 egories:
21 (1) Research and Related Activities,
22 $2,286,200,000.
23 (2) Education and Human Resources Activities,
24 $600,000,000.
25 (3) Major Research Equipment, $55,000,000.

1 (4) Academic Research Facilities Moderniza-
2 tion, $100,000,000.
3 (5) Salaries and Expenses, $120,000,000.
4 (6) Office of Inspector General, $5,000,000.
5 (7) Headquarters Relocation, $5,200,000.

6 **SEC. 102. PROPORTIONAL REDUCTION OF RESEARCH AND**
7 **RELATED ACTIVITIES AMOUNTS.**

8 If the amount appropriated pursuant to section
9 101(b)(1) is less than the amount authorized under that
10 paragraph, the amount authorized for each subcategory
11 under that paragraph shall be reduced by the same pro-
12 portion.

13 **SEC. 103. CONSULTATION AND REPRESENTATION EX-**
14 **PENSES.**

15 From appropriations made under authorizations pro-
16 vided in this Act, not more than $10,000 may be used
17 in each fiscal year for official consultation, representation,
18 or other extraordinary expenses at the discretion of the
19 Director. The determination of the Director shall be final
20 and conclusive upon the accounting officers of the Govern-
21 ment.

22 **SEC. 104. REPROGRAMMING.**

23 (a) $500,000 OR LESS.—In any given fiscal year, the
24 Director may transfer appropriated funds among the
25 subcategories of Research and Related Activities, so long

1 as the net funds transferred to or from any subcategory
2 do not exceed $500,000.
3 (b) GREATER THAN $500,000.—In addition, the Di-
4 rector may propose transfers to or from any subcategory
5 exceeding $500,000. An explanation of any proposed
6 transfer under this subsection must be transmitted in
7 writing to the Committee on Science of the House of Rep-
8 resentatives, and the Committees on Labor and Human
9 Resources and Commerce, Science, and Transportation of
10 the Senate. The proposed transfer may be made only when
11 30 calendar days have passed after transmission of such
12 written explanation.

13 **TITLE II—GENERAL PROVISIONS**

14 **SEC. 201. ANNUAL REPORT.**

15 Section 3(f) of the National Science Foundation Act
16 of 1950 (42 U.S.C. 1862(f)) is amended to read as fol-
17 lows:
18 "(f) The Foundation shall provide an annual report
19 to the President which shall be submitted by the Director
20 to the Congress at the time of the President's annual
21 budget submission. The report shall—
22 "(1) contain a strategic plan, or an update to
23 a previous strategic plan, which—
24 "(A) defines for a three-year period the
25 overall goals for the Foundation and specific

1 goals for each major activity of the Foundation,
2 including each scientific directorate, the edu-
3 cation directorate, and the polar programs of-
4 fice; and
5 "(B) describe how the identified goals re-
6 late to national needs and will exploit new op-
7 portunities in science and technology;
8 "(2) identify the criteria and describe the proce-
9 dures which the Foundation will use to assess
10 progress toward achieving the goals identified in ac-
11 cordance with paragraph (1);
12 "(3) review the activities of the Foundation
13 during the preceding year which have contributed to-
14 ward achievement of goals identified in accordance
15 with paragraph (1) and summarize planned activities
16 for the coming three years in the context of the
17 identified goals, with particular emphasis on the
18 Foundation's planned contributions to major multi-
19 agency research and education initiatives;
20 "(4) contain such recommendations as the
21 Foundation considers appropriate; and
22 "(5) include information on the acquisition and
23 disposition by the Foundation of any patents and
24 patent rights.".

1 **SEC. 202. NATIONAL RESEARCH FACILITIES.**

2 (a) FACILITIES PLAN.—The Director shall provide to
3 Congress annually, as a part of the report required under
4 section 3(f) of the National Science Foundation Act of
5 1950, a plan for the proposed construction of, and repair
6 and upgrades to, national research facilities. The plan
7 shall include estimates of the cost for such construction,
8 repairs, and upgrades, and estimates of the cost for the
9 operation and maintenance of existing and proposed new
10 facilities. For proposed new construction and for major
11 upgrades to existing facilities, the plan shall include fund-
12 ing profiles by fiscal year and milestones for major phases
13 of the construction. The plan shall include cost estimates
14 in the categories of construction, repair, and upgrades for
15 the year in which the plan is submitted to Congress and
16 for not fewer than the succeeding 4 years.

17 (b) LIMITATION ON OBLIGATION OF UNAUTHORIZED
18 APPROPRIATIONS.—No funds appropriated for any project
19 which involves construction of new national research facili-
20 ties or construction necessary for upgrading the capabili-
21 ties of existing national research facilities shall be obli-
22 gated unless the funds are specifically authorized for such
23 purpose by this Act or any other Act which is not an ap-
24 propriations Act, or unless the total estimated cost to the
25 Foundation of the construction project is less than
26 $50,000,000. This subsection shall not apply to construc-

1 tion projects approved by the National Science Board
2 prior to June 30, 1994.

3 **SEC. 203. ELIGIBILITY FOR RESEARCH FACILITY AWARDS.**

4 Section 203(b) of the Academic Research Facilities
5 Modernization Act of 1988 is amended by striking the
6 final sentence of paragraph (3) and inserting in lieu there-
7 of the following: "The Director shall give priority to insti-
8 tutions or consortia that have not received such funds in
9 the preceding 5 years, except that this sentence shall not
10 apply to previous funding received for the same multiyear
11 project.".

12 **SEC. 204. ADMINISTRATIVE AMENDMENTS.**

13 (a) NATIONAL SCIENCE FOUNDATION ACT OF 1950
14 AMENDMENTS.—The National Science Foundation Act of
15 1950 (42 U.S.C. 1861 et seq.) is amended—

16 (1) by redesignating the subsection (k) of sec-
17 tion 4 (42 U.S.C. 1863(k)) that was added by sec-
18 tion 108 of the National Science Foundation Au-
19 thorization Act of 1988 as subsection (l);

20 (2) in section 5(e) (42 U.S.C. 1864(e)) by
21 amending paragraph (2) to read as follows:

22 "(2) Any delegation of authority or imposition of con-
23 ditions under paragraph (1) shall be promptly published
24 in the Federal Register and reported to the Committees
25 on Labor and Human Resources and Commerce, Science,

1 and Transportation of the Senate and the Committee on
2 Science of the House of Representatives.";
3 (3) by inserting "be entitled to" between
4 "shall" and "receive", and by inserting ", including
5 traveltime," after "Foundation" in section 14(c) (42
6 U.S.C. 1873(c));
7 (4) by striking section 14(j) (42 U.S.C.
8 1873(j)); and
9 (5) by striking "Atomic Energy Commission" in
10 section 15(a) (42 U.S.C. 1874(a)) and inserting in
11 lieu thereof "Secretary of Energy".
12 (b) NATIONAL SCIENCE FOUNDATION AUTHORIZA-
13 TION ACT, 1976 AMENDMENTS.—Section 6(a) of the Na-
14 tional Science Foundation Authorization Act, 1976 (42
15 U.S.C. 1881a(a)) is amended by striking "social," the
16 first place it appears.
17 (c) NATIONAL SCIENCE FOUNDATION AUTHORIZA-
18 TION ACT OF 1988 AMENDMENTS.—(1) Section
19 117(a)(1)(B)(v) of the National Science Foundation Au-
20 thorization Act of 1988 (42 U.S.C. 1881b(1)(B)(v)) is
21 amended to read as follows:
22 "(v) from schools established outside the several
23 States and the District of Columbia by any agency
24 of the Federal Government for dependents of its em-
25 ployees.".

1 (2) Section 117(a)(3)(A) of such Act (42 U.S.C.
2 1881b(3)(A)) is amended by striking "Science and Engi-
3 neering Education" and inserting in lieu thereof "Edu-
4 cation and Human Resources".

5 (d) EDUCATION FOR ECONOMIC SECURITY ACT
6 AMENDMENTS.—Section 107 of Education for Economic
7 Security Act (20 U.S.C. 3917) is repealed.

8 (e) NATIONAL AERONAUTICS AND SPACE ADMINIS-
9 TRATION AUTHORIZATION ACT, FISCAL YEAR 1993 RE-
10 PEAL.—Section 217 of the National Aeronautics and
11 Space Administration Authorization Act, Fiscal Year
12 1993 is repealed.

13 **SEC. 205. INDIRECT COSTS.**

14 Matching funds required pursuant to section
15 204(a)(2)(C) of the Academic Research Facilities Mod-
16 ernization Act of 1988 (42 U.S.C. 1862c(a)(2)(C)) shall
17 not be considered facilities costs for purposes of determin-
18 ing indirect cost rates.

19 **SEC. 206. RESEARCH INSTRUMENTATION AND FACILITIES.**

20 The Foundation shall incorporate the guidelines set
21 forth in Important Notice No. 91, dated March 11, 1983
22 (48 Fed. Reg. 15754, April 12, 1983) relating to the use
23 and operation of Foundation-supported research instru-
24 mentation and facilities, in its notice of Grant General

1 Conditions, and shall examine more closely the adherence
2 of grantee organizations to such guidelines.

3 **SEC. 207. FINANCIAL DISCLOSURE.**

4 Persons temporarily employed by or at the Founda-
5 tion shall be subject to the same financial disclosure re-
6 quirements and related sanctions under the Ethics in Gov-
7 ernment Act of 1978 as are permanent employees of the
8 Foundation in equivalent positions.

9 **SEC. 208. EDUCATIONAL LEAVE OF ABSENCE FOR ACTIVE**
10 **DUTY.**

11 In order to be eligible to receive funds from the Foun-
12 dation after September 30, 1995, an institution of higher
13 education must provide that whenever any student of the
14 institution who is a member of the National Guard, or
15 other reserve component of the Armed Forces of the Unit-
16 ed States, is called or ordered to active duty, other than
17 active duty for training, the institution shall grant the
18 member a military leave of absence from their education.
19 Persons on military leave of absence from their institution
20 shall be entitled, upon release from military duty, to be
21 restored to the educational status they had attained prior
22 to their being ordered to military duty without loss of aca-
23 demic credits earned, scholarships or grants awarded, or
24 tuition and other fees paid prior to the commencement of
25 the military duty. It shall be the duty of the institution

1 to refund tuition or fees paid or to credit the tuition and
2 fees to the next semester or term after the termination
3 of the educational military leave of absence at the option
4 of the student.

5 **SEC. 209. PROHIBITION OF LOBBYING ACTIVITIES.**

6 None of the funds authorized by this Act shall be
7 available for any activity, or the publication or distribution
8 of literature, that in any way tends to promote public sup-
9 port for or opposition to any legislative proposal on which
10 congressional action is not complete.

11 **SEC. 210. SCIENCE AND TECHNOLOGY POLICY INSTITUTE.**

12 The Critical Technologies Institute is hereby renamed
13 the "Science and Technology Policy Institute".

COMMITTEE ON SCIENCE
SUBCOMMITTEE ON BASIC RESEARCH

SUBCOMMITTEE MARKUP - JUNE 14, 1995

AMENDMENT ROSTER

H.R. , NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1996 & 1997

-- Motion to report Subcommittee print of bill as amended - Adopted by voice vote
-- Motion to introduce clean bill - Adopted by voice vote

No.	Sponsor	Description	Results
1.	Mr. Schiff	Technical amendment to the lobbying prohibition section	Adopted by Voice Vote
2.	Mr. Boehlert	An amendment to ensure that the impact a grant would have on undergraduate and graduate education be taken into consideration during any award decision	Adopted by Voice Vote
3.	Mr. Geren	An amendment to raise authorizations subject to final budget resolution	Schiff substitute accepted
3.a.	Mr. Schiff	Substitute to the Amendment offered by Mr. Geren	Adopted by roll call vote Y-12 N-9, 1 Present
4.	Mr. Doggett	An amendment that raises the Chairman's authorization levels	Defeated by roll call vote Y-8, N-15
5.	Mr. Barton	An amendment which will rename the National Science Foundation to the National Science and Engineering Foundation and which will rename the National Science Board to the National Science and Engineering Board	Withdrawn by unanimous consent

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. SCHIFF

Page 13, lines 7 through 10, strike "available for any" and all that follows through "is not complete" and insert in lieu thereof "used to pay the salaries or expenses of any grant or contract recipient, or agent acting for such recipient, relating to any activity designed to influence legislation pending before the Congress".

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. BOEHLERT

Page 13, after line 13, insert the following new section:

1 SEC. 211. EDUCATIONAL IMPACT.

2 (a) FINDINGS.—The Congress finds that—

3 (1) Federal research funds made available to
4 institutions of higher education often create incen-
5 tives for such institutions to emphasize research over
6 undergraduate teaching and to narrow the focus of
7 their graduate programs; and

8 (2) National Science Foundation funds for Re-
9 search and Related Activities should be spent in the
10 manner most likely to improve the quality of under-
11 graduate and graduate education in institutions of
12 higher education.

13 (b) EDUCATIONAL IMPACT.—(1) The impact that a
14 grant or cooperative agreement by the National Science
15 Foundation would have on undergraduate and graduate
16 education at an institution of higher education shall be
17 a factor in any decision whether to award such grant or
18 agreement to that institution.

1 (2) Paragraph (1) shall be effective with respect to
2 any grant or cooperative agreement awarded after Sep-
3 tember 30, 1996.

4 (c) REPORT.—The Director shall provide a plan for
5 the implementation of subsection (b) of this section, no
6 later than December 31, 1995, to the Committee on
7 Science of the House of Representatives and the Commit-
8 tee on Commerce, Science, and Transportation and the
9 Committee on Labor and Human Resources of the Senate.

AMENDMENT TO SUBCOMMITTEE PRINT
OFFERED BY MR. GEREN

Page 6, after line 12, insert the following new section:

1 SEC. 105. ALTERNATIVE AUTHORIZATION --

2 (a) In General. -- Notwithstanding any other provision of this Act, if the concurrent
3 resolution approved by the House of Representatives and the Senate on the budget for fiscal
4 year 1996 is based on an assumption of a tax cut of less than $350,000,000,000, the total
5 amount authorized by section 101(b) shall be increased by the amount equal to $234,000,000
6 multiplied by the fraction whose numerator is $350,000,000,000 minus the amount of the tax
7 cut reflected in the concurrent resolution and whose denominator is $350,000,000,000.

8 (b) Application of Increase. -- The total amount available for increased authorization
9 for fiscal year 1996 under subsection (a) shall be allocated to each category and subcategory
10 authorized in section 101(b) in proportion to the amount authorized for each such category
11 and subcategory.

12 (c) Notwithstanding any other provision of this Act, the total amount authorized to be
13 appropriated for fiscal year 1997 under subsection 101(c) shall equal the total amount
14 authorized for fiscal year 1996 under subsection 101(b) as may be adjusted by this section.
15 Any increase in the total amount available for authorization for fiscal year 1997 shall be
16 allocated to each category and subcategory authorized in section 101(c) in proportion to the
17 amount authorized for each such category and subcategory.

AMENDMENT TO THE SUBCOMMITTEE PRINT

OFFERED BY MR. SCHIFF

Page 6 after line 12, insert the following new section:

Sec. 105. FURTHER AUTHORIZATIONS

"Nothing in this Act shall preclude further authorization of appropriations for ~~civilian research, development, demonstration, and commercial application activities of~~ the National Science Foundation for fiscal year 1996; Provided, that authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67, and approved by Congress, allow for such further authorizations.

104th Congress
Committee on Science

SUBCOMMITTEE ON BASIC RESEARCH - 104TH CONGRESS ** ROLL CALL

SUBJECT: Schiff Substitute Amendment

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2404	56316	Mr. Schiff, R-NM			X		
2246	53665	Mr. Boehlert, R-NY			X		
2264	52002	Mr. Barton, R-TX	X				
1724	57880	Mr. Baker, R-CA					
1717	53831	Mr. Ehlers, R-MI			X		
425	52472	Mr. Gutknecht, R-MN			X		
106	55341	Mrs. Morella, R-MD			X		
2452	52011	Mr. Weldon, R-PA			X		
322	52721	Mr. Bartlett, R-MD			X		
423	53271	Mr. Wamp, R-TN			X		
216	53671	Mr. Weldon, R-FL			X		
1429	55301	Mr. Graham, R-SC			X		
114	56831	Mr. Hilleary, R-TN			X		
509	51976	Mrs. Myrick, R-NC					
2369	52656	Mr. Walker, R-PA*			X		
2448	55071	Mr. Geren, D-TX				X	
1039	51313	Mr. Hastings, D-FL				X	
1116	56261	Ms. Rivers, D-MI				X	
126	54865	Mr. Doggett, D-TX				X	
1419	52271	Mr. Luther, D-MN				X	
1027	55335	Mr. Olver, D-MA				X	
118	53072	Ms. Lofgren, D-CA					
1218	52135	Mr. Doyle, D-PA				X	
1520	53816	Ms. Jackson-Lee, D-TX				X	
2300	56161	Mr. Brown, D-CA*				X	
		TOTAL	1		12	9	

Attest: Chuck Cadenza (Clerk)

*Ex Officio Members

AMENDMENT TO THE SUBCOMMITTEE PRINT

OFFERED BY MR. DOGGETT

Page 3, line 12, through page 5, line 5, amend subsections (b) and (c) to read as follows:

1 (b) FISCAL YEAR 1996.—There are authorized to be
2 appropriated to the Foundation $3,245,000,000 for fiscal
3 year 1996, which shall be available for the following cat-
4 egories:
5 (1) Research and Related Activities,
6 $2,345,300,000, which shall be available for the fol-
7 lowing subcategories:
8 (A) Mathematical and Physical Sciences,
9 $667,000,000.
10 (B) Engineering, $328,600,000.
11 (C) Biological Sciences, $309,300,000.
12 (D) Geosciences, $430,900,000.
13 (E) Computer and Information Science
14 and Engineering, $263,200,000.
15 (F) Social, Behavioral, and Economic
16 Sciences, $117,700,000.
17 (G) United States Polar Research Pro-
18 grams, $165,000,000.
19 (H) United States Antarctic Logistical Ac-
20 tivities, $62,600,000.

1 (I) Critical Technologies Institute,
2 $1,000,000.
3 (2) Education and Human Resources Activities,
4 $600,000,000.
5 (3) Major Research Equipment, $70,000,000.
6 (4) Academic Research Facilities Modernization,
7 $100,000,000.
8 (5) Salaries and Expenses, $120,000,000.
9 (6) Office of Inspector General, $4,500,000.
10 (7) Headquarters Relocation, $5,200,000.
11 (c) FISCAL YEAR 1997.—There are authorized to be
12 appropriated to the Foundation $3,245,000,000 for fiscal
13 year 1997, which shall be available for the following cat-
14 egories:
15 (1) Research and Related Activities,
16 $2,344,800,000.
17 (2) Education and Human Resources Activities,
18 $600,000,000.
19 (3) Major Research Equipment, $70,000,000.
20 (4) Academic Research Facilities Modernization,
21 $100,000,000.
22 (5) Salaries and Expenses, $120,000,000.
23 (6) Office of Inspector General, $5,000,000.
24 (7) Headquarters Relocation, $5,200,000.

104th Congress
Committee on Science

SUBCOMMITTEE ON BASIC RESEARCH - 104TH CONGRESS ** ROLL CALL

SUBJECT: Doggett Amendment - Page 3

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2404	56316	Mr. Schiff, R-NM				X	
2246	53665	Mr. Boehlert, R-NY				X	
2264	52002	Mr. Barton, R-TX				X	
1724	57880	Mr. Baker, R-CA				X	
1717	53831	Mr. Ehlers, R-MI					
425	52472	Mr. Gutknecht, R-MN				X	
106	55341	Mrs. Morella, R-MD				X	
2452	52011	Mr. Weldon, R-PA				X	
322	52721	Mr. Bartlett, R-MD				X	
423	53271	Mr. Wamp, R-TN				X	
216	53671	Mr. Weldon, R-FL				X	
1429	55301	Mr. Graham, R-SC				X	
114	56831	Mr. Hilleary, R-TN				X	
509	51976	Mrs. Myrick, R-NC					
2369	52656	Mr. Walker, R-PA*				X	
2448	55071	Mr. Geren, D-TX				X	
1039	51313	Mr. Hastings, D-FL			X		
1116	56261	Ms. Rivers, D-MI			X		
126	54865	Mr. Doggett, D-TX			X		
1419	52271	Mr. Luther, D-MN				X	
1027	55335	Mr. Olver, D-MA			X		
118	53072	Ms. Lofgren, D-CA			X		
1218	52135	Mr. Doyle, D-PA			X		
1520	53816	Ms. Jackson-Lee, D-TX			X		
2300	56161	Mr. Brown, D-CA*			X		
		TOTAL			8	15	

Attest: Cheryl Cardonna (Clerk)

*Ex Officio Members

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. BARTON OF TEXAS

Page 13, after line 13, insert the following new section:

1 SEC. 211. NATIONAL SCIENCE AND ENGINEERING FOUNDA-
2 TION.

3 The National Science Foundation and the National
4 Science Board are hereby renamed as the National Science
5 and Engineering Foundation and the National Science
6 and Engineering Board, respectively, and all references
7 thereto in Federal law or regulation shall be deemed to
8 refer to the National Science and Engineering Foundation
9 or the National Science and Engineering Board, as appro-
10 priate.

SECTION-BY-SECTION

THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1996 AND 1997

Section 1. Short Title

Cites the Act as the "National Science Foundation Authorization Act of 1995."

Section 2. Definitions

Contains definitions of the terms used in the Act.

Title I National Science Foundation Authorization

Section 101. Authorization of Appropriations

(b)Authorizes $3,126,000,000 for the National Science Foundation (NSF) for fiscal year 1996 of which:

(A) $2,226,300,000 is authorized to be appropriated for Research and Related Activities as follows:

(i) Biological Sciences, $293,500,000
(ii) Computer & Information Science and Engineering, $249,500,000
(iii) Engineering, $311,800,000
(iv) Geosciences, $409,000,000
(v) Mathematical & Physical Sciences, $632,500,000
(vi) Social, Behavioral, and Economic Sciences, $111,300,000
(vii) United States Polar Research Programs, $156,100,000
(viii) United States Antarctic Logistical Activities, $62,600,000.
(viv) Critical Technologies Institute, $1,000,000

(B) Education & Human Resources, $600,000,000.
(C) Major Research Equipment, $70,000,000.
(D) Academic Research Facilities Modernization Program, $100,000,000.
(E) Salaries & Expenses, $120,000,000.
(F) Office of Inspector General, $4,500,000.
(G) Headquarters Relocation, $5,200,000.

(c)Authorized $3,171,400,000 to be appropriated for the National Science Foundation for fiscal year 1997 as follows:

(A) Research & Related Activities, $2,286,200,000.
(B) Education & Human Resources, $600,000,000.

(C) Major Research Equipment, $55,000,000.
(D) Academic Facilities Modernization Program,$100,000,000.
(E) Salaries & Expenses, $120,000,000.
(F) Office of Inspector General, $5,000,000.
(G) Headquarters Relocation, $5,200,000.

Section 102. Proportional Reduction of Research and Related Activities

If the amount appropriated pursuant to the Authorization is less than the amount authorized, the amount authorized for each subcategory under that subparagraph shall be reduced by the same proportion.

Section 103. Consultation and Representation Expenses

From appropriations made under authorizations provided in this Act, not more than $10,000 may be used in each fiscal year for official consultation, representation, or other extraordinary expenses at the discretion of the Director. The determination of the Director shall be final and conclusive upon the accounting officers of the Government.

Section 104. Reprogramming

(a) $500,000 OR LESS. For any given fiscal year the Director may propose transfers to or from any category described in section 101(b) up to a maximum of $500,000 of the amount authorized for that category.
(b) GREATER THAN $500,000. In addition, the Director may propose transfers to or from Sec101(b) exceeding $500,000 of the amount authorized for that authorization category provided the Committee receives proper notification.

Title II General Provisions

Section 201. Annual Report

Amends Section 3(f) of the National Science Foundation Act of 1950 as follows:

The Director shall submit an annual report to the President at the time of the Administration's annual budget submission. The report shall include a strategic three year plan outlining overall goals specific to each major activity of the Foundation, how the Foundation will meet and exploit such goals, a review of the past years' activities, summary of upcoming three year activities, recommendations for the Foundation, and information on the disposition on patents and patent rights.

Section 202. Nation Research Facilities

(a) FACILITIES PLAN. The Director shall provide to Congress, annually, a plan for construction of, and repair and upgrades to, national research facilities.
(b) LIMITATION ON OBLIGATION OF UNAUTHORIZED APPROPRIATIONS. Only funds which are specifically authorized to be appropriated shall be obligated for any project of new national research facilities, unless the total estimated cost is less than $50,000,000.

Section 203. Eligibility for Research Facility Awards.

The Director shall give priority to institutions or consortia that have not received such funds in the preceding 5 years, except that this sentence shall not apply to previous funding received for the same multi-year project.

Section 204. Administrative Amendments

Amends sections of the National Science Foundation Act of 1950, the National Science Foundation Authorization Act of 1976, and the National Science Foundation Act of 1988.

Section 205. Indirect Costs

Matching funds required of the academic research facilities Modernization Act of 1988 shall not be considered facilities cost for purposes of determining indirect cost rates.

Section 206. Research Instrumentation and Facilities

The Foundation shall incorporate the guidelines relating to the use and operation of Foundation-supported research instrumentation and facilities in its notice of Grant General Conditions.

Section 207. Financial Disclosure

Persons temporarily employed by or at the Foundation shall be subject to the same financial disclosure requirements under the Ethics in Government Act of 1978 as are permanent employees of the Foundation.

Section 208. Educational Leave of Absence for Active Duty

In order to be eligible to receive a grant, an institution of higher education must provide a member of the National Guard or other reserve component of the Armed Forces called or ordered to active duty to be restored to the educational status they had attained prior to their being ordered to military duty without loss of academic credit, scholarships, or tuition and other fees.

Section 209. Prohibition of Lobbying Activities

No funds authorized by this Act shall be used in any way to promote public support or opposition to any legislative proposal on which congressional action is not complete.

Sec. 210 Science and Technology Policy Institute

The Critical Technologies Institute is renamed the Science and Technology Policy Institute.

NSF BUDGET PROPOSAL ($ millions)

NSF PROGRAM ACTIVITY	Appro. FY 95	Request FY 96	Difference FY 96 Req. vs. FY 95 Appro. $	%	Schiff Auth. Proposal FY 96	Difference FY 96 Schiff vs. FY 95 Appro. $	%	Schiff Auth. Proposal FY 97	% Diff. FY 97 vs FY 96
Research -- Total	2280.0	2454.0	174.0	7.6	2226.3	-53.7	-2.4	2286.2	2.7
Biological Sci	301.0	324.0	23.0	7.6	293.3	-7.7	-2.6		
CISE	258.3	275.6	17.3	6.7	249.5	-8.8	-3.4		
Engineering	319.5	344.2	24.7	7.7	311.6	-7.9	-2.5		
Geosciences	419.5	451.5	32.0	7.6	408.8	-10.7	-2.6		
Math & Phys. Sci	644.6	698.3	53.7	8.3	632.2	-12.4	-1.9		
Social, Behav.& Econ.	113.8	122.9	9.1	8.0	111.3	-2.5	-2.2		
Polar Research Pgms	158.8	172.3	13.5	8.5	156.0	-2.8	-1.8		
Antarctic Logistics	62.6	62.6	0.0	0.0	62.6	0.0	0.0		
Critical Tech. Inst.	2.0	2.8	0.8	40.0	1.0	-1.0	-50.0		
Education	606.0	599.0	-7.0	-1.2	600.0	-6.0	-1.0	600.0	0.0
Inst/Facilities	250.0[1]	100.0	-150.0	-60.0	100.0	-150.0	-60.0	100.0	0.0
Major Research Equip.	126.0	70.0[2]	-56.0	-44.4	70.0[2]	-56.0	-44.4	55.0[2]	-20.0
Salaries & Expenses	124.0	127.3	3.3	2.7	120.0	-4.0	-3.2	120.0	0.0
IG	4.4	4.5	0.1	2.3	4.5	0.1	2.5	5.0	11.1
NSF Relocation	5.2	5.2	0.0	0.0	5.2	0.0	0.0	5.2	0.0
Total	3395.6	3360.0	-35.6	-1.0	3126.0	-269.6	-7.9	3171.4	1.5

[1] Rescission of $132 million requested by the Administration; pending in FY 1995 supplemental appropriations bill.

[2] Activity includes only LIGO for FY 1996, FY 1997; GEMINI telescopes were fully funded for FY 1995.

Mr. SCHIFF. I want to say that the Chair has a technical amendment, which is the first listed in the roster, which the Chair would like to call up at this time, and I ask the Clerk to—the amendment is in the packets already?

Mr. CADENA. Yes, sir.

Mr. SCHIFF. I believe the amendment is already in your packets. It is designated "number 1".

I would like the Clerk to read the amendment.

Mr. CADENA. "Amendment to the Subcommittee Print Offered by Mr. Schiff".

Mr. SCHIFF. I would ask unanimous consent that the amendment be considered as read.

[No response.]

Mr. SCHIFF. Without objection, so ordered.

This amendment is an intent to clarify the anti-lobbying provision that is found in the bill which is intended to direct that recipients of Federal money in grants not use that money for the purpose of lobbying Congress for more grant money, or for any other purpose.

We worked with our Minority Party colleagues on this, and they and the National Science Foundation both felt that the wording in the Committee Print was overly broad. They proposed narrowing it and clarifying that. We have introduced this amendment which is intended to do so, and I believe this amendment is acceptable to the Minority.

I recognize Mr. Geren to respond on this amendment.

Mr. GEREN. Yes, Mr. Chairman. I appreciate the opportunity to work with you and our staffs on this amendment and I have no objections to it, and I urge my colleagues to support it.

Mr. SCHIFF. Is there any further discussion of this amendment?

[No response.]

Mr. SCHIFF. Seeing no further discussion, I now call for a vote on the amendment which the Chair has offered.

All in favor of the amendment, please signify by saying aye.

[Chorus of ayes.]

Mr. SCHIFF. Opposed, please say no.

[No response.]

Mr. SCHIFF. In the opinion of the Chair, the ayes have it and the amendment is agreed to.

The second amendment on the roster is prepared by Mr. Boehlert and is in your package.

The Clerk will read the amendment.

Mr. CADENA. "Amendment to"

Mr. BOEHLERT. Mr. Chairman, I ask that the revised amendment be distributed at this time. There is just a very modest technical correction over the one in the package, and that the amendment be considered as read.

[The amendment follows:]

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. BOEHLERT

Page 13, after line 13, insert the following new section:

1 **SEC. 211. EDUCATIONAL IMPACT.**

2 (a) FINDINGS.—The Congress finds that—

3 (1) Federal research funds made available to
4 institutions of higher education often create incen-
5 tives for such institutions to emphasize research over
6 undergraduate teaching and to narrow the focus of
7 their graduate programs; and

8 (2) National Science Foundation funds for Re-
9 search and Related Activities should be spent in the
10 manner most likely to improve the quality of under-
11 graduate and graduate education in institutions of
12 higher education.

13 (b) EDUCATIONAL IMPACT.—(1) The impact that a
14 grant or cooperative agreement by the National Science
15 Foundation would have on undergraduate and graduate
16 education at an institution of higher education shall be
17 a factor in any decision whether to award such grant or
18 agreement to that institution.

1 (2) Paragraph (1) shall be effective with respect to
2 any grant or cooperative agreement awarded after Sep-
3 tember 30, 1996.

4 (c) REPORT.—The Director shall provide a plan for
5 the implementation of subsection (b) of this section, no
6 later than December 31, 1995, to the Committee on
7 Science of the House of Representatives and the Commit-
8 tee on Commerce, Science, and Transportation and the
9 Committee on Labor and Human Resources of the Senate.

Mr. SCHIFF. All right. Without objection, the revised amendment will be considered as read, and I ask the Clerk to please distribute the revised amendment.

[The amendment is distributed.]

Mr. BOEHLERT. And may I proceed, Mr. Chairman?

Mr. SCHIFF. The gentleman is recognized for five minutes on his amendment.

Mr. BOEHLERT. The amendment I am offering grows out of a concern for our scientific future—indeed, a concern for the fundamental basis of that future, our Nation's students. I will be brief in my discussion of this amendment because it is just the latest in a long line of efforts by this Committee to strengthen the link between research and education. That link continues to need strengthening.

We routinely say that NSF support is important in part because it benefits the Nation's students, but we don't do nearly enough to ensure that that is more than just a ritual utterance.

At the undergraduate level, the focus on Federal grants continues to create inadvertent disincentives for faculty to spend time on education. As the National Academy of Sciences recently noted. At the graduate level the growth of research assistantships often means that the needs of graduate students take a back seat to the needs of faculty research.

There is no reason that research and teaching have to be at odds. But they only will be complementary if the Federal funding agencies make it clear that they must be. This amendment is designed to do just that.

This amendment is quite open-ended—far less demanding than previous versions that have been approved by this Committee. It allows NSF and the academic community to work out the means to accomplish this goal which everyone claims to share. Quite frankly, what we want to do is have teachers teach and not focus exclusively on research. They can do both.

I want to note that the National Science Foundation has been taking some steps in this direction already. But I do want to be very clear. NSF must come back to this Committee with more than a defense of the status quo. If we are still looking at the same system and the same problems two years from now, you will see me come back with far more prescriptive language.

In this budget climate, every program and every institution is under close scrutiny. I urge my friends in the research community to act now to prove that our educational institutions can indeed be the world's research leaders without giving short shrift to their primary mission. preparing the next generation of students.

Thank you, Mr. Chairman.

Mr. SCHIFF. Thank you, Mr. Boehlert.

The Chair notes your concern, your long-standing concern, over the quality of undergraduate education. The Chair also notes that I saw a national television program which raised the issue that research at universities was detracting from undergraduate education.

Now the universities with whom I've conferred deny that that is the case, but I think a sufficient concern has been raised on the issue that I urge the adoption of Mr. Boehlert's amendment and

will now recognize any other Member who desires to speak on Mr. Boehlert's amendment.

Mr. BROWN. Mr. Chairman?

Mr. SCHIFF. Mr. Brown.

Mr. BROWN. I rise in support of Mr. Boehlert's amendment. I would caution that there must be a good-faith effort to implement this kind of requirement in the most effective and flexible way. I am sure the gentleman recognizes that need.

There has been a good deal of media attention. There was one "60 Minutes" segment focused on teaching and research at the University of Arizona, for example, which caused some consternation at the University of Arizona for implying that teaching was getting short shrift, and there was a little sense of guilt about it, too, because I think they recognized the truth in some of the segment.

But the point that I would like to make is. An outstanding researcher need not neglect teaching under the proper interpretation of "teaching." He may not spend say the same equivalent number of hours in a classroom, although there is no reason why he shouldn't, but the actual process of research itself is a major teaching and learning experience if it is properly designed to do that.

What this amendment will do, I think, is to focus the attention of researchers on the need to design their projects so that it conveys the maximum amount of teaching value within the structure of the university, and I hope it will accomplish that goal.

Mr. SCHIFF. Thank you, Mr. Brown.

Is there any further discussion of Mr. Boehlert's amendment?

[No response.]

Mr. SCHIFF. Seeing no requests for discussion, the motion is now on the amendment.

All in favor of the amendment will signify by saying aye.

[Chorus of ayes.]

Mr. SCHIFF. All opposed will say no.

[No response.]

Mr. SCHIFF. In the opinion of the Chair the ayes have it. The ayes have it, and the amendment is adopted.

The next amendment on the list is submitted by Mr. Geren.

Mr. Geren is recognized for five minutes on the amendment.

Mr. GEREN. Mr. Chairman, my amendment is printed behind the summary of the amendments. It is amendment number 3.

This amendment would increase the authorization of appropriations for the NSF above the level in the Committee mark in the event that the tax cut provided in the Final Budget Resolution is less than that provided by the House-passed Budget Resolution.

The increase in funding authorized for Fiscal Year 1996 is calculated as follows:

First the fraction is determined by which the House-passed tax cut is reduced by the Concurrent Budget Resolution. Then the fraction is multiplied by the difference between the NSF Budget Request for Fiscal Year 1996 and the authorization level provided in the Committee Mark.

For Fiscal Year 1996 the amendment freezes the authorization levels at the new 1996 level.

The rationale for Chairman Walker's budget allocations to the Subcommittees of the Science Committee is that we must keep au-

thorizations for the science agencies within the envelope for balancing the budget—something that I strongly support.

However, the House-passed Budget Resolution may provide less generous spending targets in the final conference report on the budget since the Senate-passed Budget Resolution assumes a smaller tax cut.

This amendment will provide a higher authorization level for NSF, and a portion of the amount of the reduction in the House-passed tax cut.

I think it is important that we do this at this time. I think there is a consensus in this Committee that we are not doing enough for science, but also a commitment to balancing the budget.

This provides us a vehicle for in the event we do have a budget that looks a little different than what passed on the House Floor; that we do ensure that we can put additional funding into NSF; that we can make a stronger commitment to science, which is so important for this country and this country's future, and I urge my colleagues to support this amendment.

Mr. SCHIFF. Thank you, Mr. Geren.

I neglected to ask that the amendment be read.

Mr. Geren. would you like to offer a unanimous consent suggestion that it be considered as read?

Mr. GEREN. I ask unanimous consent that the amendment be considered as read.

Mr. SCHIFF. All right. Thank you, Mr. Geren.

The Chair has a substitute amendment at the desk. I do not believe it is in your packet, so I will ask the clerks to distribute it.

I will recognize myself for five minutes on my substitute.

I want to say first that with respect to Mr. Geren's proposed amendment, I am in a great deal of sympathy with what he is trying to do here.

I want to point out that I personally voted against the tax cut. I didn't vote against it because I agreed with some of the arguments that were made against it; I voted against it because I think that balancing the budget is the first priority, and I would have preferred to see some actual history accomplished of heading towards deficit reduction before we implement a major tax cut.

Nevertheless, I think that the gentleman's amendment is not the best way to achieve additional authorization. It is too speculative, and it locks us in maybe worse than we could possibly come out.

For example, if there is less of a tax cut and more money is available for programs, I think that we in the science community—which I include the Members of this Committee—should strive for more than a proportional share of that fund based upon the importance of scientific research to the Nation as a whole.

Second, the amendment is limited to the concept of money freed up because of no tax cut. Money could be freed up in the budget conference between the elimination of other programs.

So in other words, the amendment by Mr. Geren does not address the possibility that there could be money available for the different committees to apply for, if you will, based upon other circumstances. This is why I offer my substitute.

My substitute merely says that nothing we are doing today precludes our seeking additional authorization if the figures for

science are made larger in the Budget Resolution, and doesn't specify exactly how those figures might be made higher.

I think that that is more in keeping with all of the possibilities, and it really shares the gentleman from Texas' intent here.

I would be glad to recognize again the gentleman from Texas to respond to my substitute.

Mr. GEREN. Thank you, Mr. Chairman.

I appreciate and respect your commitment to do everything we can to dedicate more resources to science. I think we all recognize that we are not doing as much as we would like to see done.

My concern about your substitute is it assumes that we would have the opportunity to come back and do an additional authorization bill, and I don't think that is realistic. I believe that once we get into the press of the budget process and we get into the Fall, the chances of coming back here and actually reauthorizing and going through all the challenges that face us in trying to put together a Committee markup, I just don't think it is going to happen.

So the amendment that I'll offer avoids the necessity for another authorization bill. It sets us up to receive additional monies, and if in fact there are monies in excess of that available, well, nothing precludes us coming back and doing another authorization bill just as your amendment proposes.

So I see the amendment that I offer giving us a receptacle to receive any additional funds that might be available through the budget process, and it does not preclude what your amendment offers, and that is an option to do another authorization bill.

There is nothing in the bill that would keep us from doing another authorization bill. So I don't think that your substitute really adds anything to the process, other than an option that is present even after my amendment passes.

So I urge my colleagues to support it. This is an opportunity to be ready to receive. And, absent that, I am afraid we would not have the opportunity to take advantage of additional funds that might be made available.

Mr. SCHIFF. I thank the gentleman for his response. And again, our difference is in approach and not in intent here, which we share.

Before recognizing other Members, I have a unanimous consent request. I am just informed that the language that I submitted on my amendment was proposed by the Department of Energy for a broader purpose, broader than we are doing here with respect to reauthorizing the National Science Foundation.

Therefore I ask unanimous consent to strike the words "civilian research, development, demonstration, and commercial application activities of".

With those words stricken, the substitute I am offering will read:

"Nothing in this Act shall preclude further authorization of appropriations for the National Science Foundation" and go on from there just exactly as written.

[No response.]

Mr. SCHIFF. Without objection, the substitute will be considered amended.

Does any other Member desire recognition on either the amendment or the substitute?

Mr. BROWN. Mr. Chairman?

Mr. SCHIFF. Mr. Brown.

Mr. BROWN. Again I rise in support of Mr. Geren's amendment, but I think the larger importance here is that we all on this Subcommittee and Committee come to a realistic understanding of shall we say the volatility of the situation that we are in, and I think we all recognize that.

We have as guidelines for our activities in this authorization bill a House-passed Budget Resolution, a Senate-passed Budget Resolution, a Presidential budget, which the President just last night modified somewhat to have a different set of projections, and any action that we take is contingent upon subsequent action that will be taken by the budget committees in their conference. So this is a volatile situation.

I might say that there is nothing in the Budget Resolution that the House passed or that the Senate passed that would preclude a larger authorization than we have here. I personally would support such a larger authorization, but I don't think it is politically prudent to do so.

If there is a—as a result of the budget conference and other circumstances—a substantial change in the environment, I think we all recognize that not only could we introduce another authorization, but again as Mr. Geren has indicated, that is somewhat impractical just from the standpoint of gaining time scheduled on the Floor to act on an additional authorization, if nothing else.

But there is of course going to be further action on the Floor. There will be similar action in the Senate. There will be a conference between the two Houses, assuming we both pass an authorization and a final conference report, which probably will not come up until quite late in the session anyway, as much as I would like to see it progress much more smoothly.

I am making these comments just to indicate to those who may not have been through this process quite as often as others that we could make some changes even at the stage of the conference report between the House and Senate on this bill if the circumstances warrant it at that time.

I believe that that would be feasible. Despite having said that, I still feel that Mr. Geren's amendment faithfully portrays the potential for further changes and the need to readjust this authorization, and I therefore feel that it would be prudent to adopt that language as part of this bill.

Mr. SCHIFF. Thank you, Mr. Brown.

Mr. Walker?

Chairman WALKER. Mr. Chairman, let me congratulate you for your amendment and rise in support of that as opposed to the Geren amendment because it does give us some flexibility as we move through this process to assure that if funds are freed up we could in fact use them for additional authorizations for the National Science Foundation.

However, under the approach taken by Mr. Geren's amendment, the fact is that we would have the kind of inflexibility that it seems to me does not reflect what we want to do as a Committee.

Under the language as I understand it in the Geren amendment, the money that would be freed up as a result of any kind of reduction in the tax cut package would come back into Function 250 but could be used only for the National Science Foundation.

Now the National Science Foundation is one area of our budget that, despite stringent problems, we treated reasonably well. There are areas in NASA, and in the Energy Department where we made far more severe cuts.

It seems to me that, if we have money freed up in Function 250, we want to be able to use some of that money to help with some of the problems in NASA and in the Energy Department.

Under the Geren amendment, we would not be able to do that. All the money would have to come back and be used only for the National Science Foundation.

It seems to me that we want the flexibility to make additional authorizations in this arena, but that we ought not end up with a situation where this is the only arena where we could make additional authorizations.

Your amendment allows us the flexibility to do a much broader, better job of determining priorities, so therefore I would urge its adoption.

Mr. SCHIFF. Thank you, Mr. Walker.

Does any other Member seek recognition on either the amendment or the substitute?

Mr. GEREN. Mr. Chairman?

Mr. SCHIFF. Mr. Geren.

Mr. GEREN. I would like to respond to comments made by Chairman Walker.

One, my amendment if adopted would be no more inflexible than the bill as written. It provides a mechanism for the money to flow in according to a prearranged formula with the same percentage going to the NSF as the Committee has—of that budget function going to NSF as already set out in the authorization bill.

What your substitute does, Mr. Chairman, is really restate where we are with or without my amendment. It says we can come back and do another authorization bill. We know we can do that.

My amendment is no less flexible than the Committee markup. It sets a mechanism in place to receive any additional funds. I think it would make sure that we continue to be a decision maker in how those funds are used.

As Chairman—or as Mr. Brown pointed out, we have got a long way to go in this budget process. We have seen in the past occasions where money, additional money was freed up and the appropriators get to make all the decisions on how that money is spent; they cut the authorizers out of it.

My amendment makes sure that we do have some say in how that money is spent, if indeed it does become available, and I urge my colleagues to support it and to reject your substitute.

Mr. SCHIFF. Any further requests for discussion of this, of either the amendment or the substitute?

Ms. JACKSON-LEE. Mr. Chairman?

Mr. SCHIFF. Ms. Jackson-Lee.

Ms. JACKSON-LEE. Thank you very much, Mr. Chairman.

As I listened to the debate and Congressman Geren's recent remarks, I am convinced to support his amendment primarily because in reading some of the news copy over the last couple of days there has been an issue raised about the potential increase, if you will, on Space Station costs as compared with maybe some numbers presented before, which gives me the sense that we need to be poised to fight overall for the particular programs that come under the overall Science Committee's jurisdiction.

And to be poised with particular numbers as offered by the Geren amendment for the National Science Foundation, I think it puts us in better stead, one, for our commitment to the task of the National Science Foundation, but overall for what we will have to be prepared to do for the overall science programs of this Nation in general, which will include many aspects of what NASA does.

I think this allows us to, one, make a statement; but as well, clarify the tracking of the dollars; and I hope we will follow that process as we look at NASA's entire budget which includes the Space Station.

For if we don't stake out our claim, there are a variety of other issues that will certainly rise. I do realize that flexibility is important, but I also recognize in our past hearings how we have made a very firm statement on our commitment to science, and research, and the tasks that the National Science Foundation allows our institutions of higher education to perform, as well as our research scientists, and the benefit of the responsibilities of this particular Foundation.

So I would support it, for it claims a position on the dollars that may come back, and they are vital dollars for I think very important research that should be done.

Mr. SCHIFF. Thank you, Ms. Jackson-Lee.

The Chair would just briefly summarize and hope to go for a vote with the idea that our intent is the same. The Chair's view though is that the floor is also a ceiling, and that the Chair's substitute provides the flexibility in approach which will enable us to argue without limitation on how we should try to increase the authorization for the departments and agencies under the Science Committee which we all want to do.

Does any other Member seek recognition?

Mr. GEREN. Parliamentary inquiry, Mr. Chairman?

Mr. SCHIFF. Mr. Geren, what is your parliamentary inquiry, please.

Mr. GEREN. In order to vote on my amendment—the way it is set up, we will vote on yours. If yours passes, then my amendment won't be considered. So for mine to be considered, a "no" vote—I mean, yours will have to be rejected? Is that correct?

Mr. SCHIFF. Mr. Geren, that is correct.

I offered my amendment as a substitute for yours, and therefore if Members desire a straight vote on your amendment they would be advised to vote "no" on my amendment, or my substitute.

Mr. Brown, did you desire recognition?

Mr. GEREN. Thank you.

Mr. BROWN. Mr. Chairman, I was going to just ask for a clarification on that parliamentary point that Mr. Geren has just made, but let me just say in addition that I really appreciate the expression

of desire on the part of so many Members here to increase the authorization for NSF. I think that bodes well for NSF.

Mr. SCHIFF. Seeing no further requests for recognition, the Chair moves the vote on the substitute as presented.

All in favor of the substitute offered by the chair to the amendment offered by Mr. Geren will please signify by saying aye.

[Chorus of ayes.]

Mr. SCHIFF. All opposed will please say nay.

[Chorus of noes.]

Mr. SCHIFF. In the opinion of the Chair, the ayes have it; the ayes have it——

Mr. BROWN. Roll call vote.

Mr. SCHIFF. Mr. Brown requests a roll call vote. A roll call is ordered. The Clerk will call the roll, please.

Mr. CADENA. Mr. Schiff.

Mr. SCHIFF. Aye.

Mr. CADENA. Mr. Schiff votes yes. Mr. Boehlert.

Mr. BOEHLERT. Aye.

Mr. CADENA. Mr. Boehlert votes yes. Mr. Barton.

Mr. BARTON. Present.

Mr. CADENA. Mr. Barton votes present. Mr. Baker.

[No response.]

Mr. CADENA. Mr. Ehlers.

Mr. EHLERS. Aye.

Mr. CADENA. Mr. Ehlers votes yes. Mr. Gutknecht.

Mr. GUTKNECHT. Aye.

Mr. CADENA. Mr. Gutknecht votes yes. Mrs. Morella.

[No response.]

Mr. CADENA. Mr. Weldon of Pennsylvania.

Mr. WELDON [PA]. Aye.

Mr. CADENA. Mr. Weldon votes yes. Mr. Bartlett.

Mr. BARTLETT. Aye.

Mr. CADENA. Mr. Bartlett votes yes. Mr. Wamp.

Mr. WAMP. Yes.

Mr. CADENA. Mr. Wamp votes yes. Mr. Weldon of Florida.

Mr. WELDON [FL]. Yes.

Mr. CADENA. Mr. Weldon votes yes. Mr. Graham.

Mr. GRAHAM. Yes.

Mr. CADENA. Mr. Graham votes yes. Mr. Hilleary.

Mr. HILLEARY. Yes.

Mr. CADENA. Mr. Hilleary votes yes. Mrs. Myrick.

[No response.]

Mr. CADENA. Mr. Walker.

Chairman WALKER. Yes.

Mr. CADENA. Mr. Walker votes yes.

Mrs. MORELLA. Mr. Chairman?

Mr. CADENA. Mr. Geren.

Mrs. MORELLA. Sorry.

Mr. GEREN. No.

Mr. CADENA. Mr. Geren votes no. Mr. Hastings.

Mr. HASTINGS. No.

Mr. CADENA. Mr. Hastings votes no. Ms. Rivers.

Ms. RIVERS. No.

Mr. CADENA. Ms. Rivers votes no. Mr. Doggett.

Mr. DOGGETT. No.
Mr. CADENA. Mr. Doggett votes no. Mr. Luther.
Mr. LUTHER. No.
Mr. CADENA. Mr. Luther votes no. Mr. Olver.
Mr. OLVER. No.
Mr. CADENA. Mr. Olver votes no. Ms. Lofgren.
[No response.]
Mr. CADENA. Mr. Doyle.
Mr. DOYLE. No.
Mr. CADENA. Mr. Doyle votes no. Ms. Jackson-Lee.
Ms. JACKSON-LEE. No.
Mr. CADENA. Ms. Jackson-Lee votes no. Mr. Brown.
Mr. BROWN. No.
Mr. CADENA. Mr. Brown votes no.
Mrs. MORELLA. Mr. Chairman?
Mr. SCHIFF. Mrs. Morella.
Mrs. MORELLA. May I ask how I am recorded?
Mr. SCHIFF. How is Mrs. Morella recorded, please?
Mr. CADENA. Mrs. Morella is not recorded, Mr. Chairman.
Mr. SCHIFF. Mrs. Morella?
Mrs. MORELLA. Mrs. Morella votes yes.
Mr. CADENA. Mrs. Morella votes yes.
Mr. SCHIFF. Is there any other Member in the room who has not been recorded?
[No response.]
Mr. SCHIFF. The Clerk will report.
[Pause.]
Mr. CADENA. Mr. Chairman, the yes votes are 12; the no votes are 9; 1 present.
Mr. SCHIFF. By a vote of 12 to 9 with 1 present, the substitute is adopted. The vote now occurs on the Geren amendment as amended by the substitute.
All in favor of the amendment as amended, please signify by saying aye.
[Chorus of ayes.]
Mr. SCHIFF. All opposed, please say no.
[No response.]
Mr. SCHIFF. In the opinion of the Chair the ayes have it. The ayes have it, and the Geren amendment as amended by the Chair's substitute is adopted.
Mr. Doggett is now recognized for an amendment. The Clerk will designate the amendment.
Mr. CADENA. "Amendment offered by Mr. Doggett"
Mr. DOGGETT. Mr. Chairman, thank you. I would ask unanimous consent to consider the amendment as read.
Mr. SCHIFF. Without objection, the amendment is considered as read. The gentleman is recognized for five minutes on his amendment.
Mr. DOGGETT. Thank you, Mr. Chairman.
This amendment represents an attempt to continue the long bipartisan commitment on the Science Committee to invest in basic research and support the National Science Foundation as a true benefit for future American generations.

Our Committee has worked long and hard in the past to further the objectives of the National Science Foundation; to recognize that basic science rewards us with new jobs as basic scientific benefits are converted into practical products and services.

This is one of the areas where the Federal Government clearly has a vital national interest in making investments that the private sector often cannot afford to make because it cannot afford to fully recover the cost of that investment.

Already this country trails both Japan and Germany and most of our international competitors in our investment with reference to civilian research and development. We invest about 2 percent of the gross domestic product. They typically invest about 3 percent.

This budget as it has been approved in the Budget Resolution will cause even our present inadequate investment in research and development to plummet further.

We have been told that the National Science Foundation is actually being favored in this budget since it is only being maimed at this time rather than, like so many other research programs that have been sentenced to immediate capital punishment.

I know there are those who take great pride in proclaiming that the wound that is being inflicted on basic research is not a mortal wound, but I am not among them.

Some claim that the National Science Foundation should join in the current corporate fad of downsizing. While I recognize that further efficiencies should always be sought in every program, I wonder exactly what it is that the National Science Foundation is supposed to downsize, since already less than 5 percent of its funding goes to administration, with the rest mostly going to university grants for research and science education.

I think it is, rather, as The New York Times recently editorialized regarding the science budget in general as approved in the House Budget Resolution; that it represents an irresponsible gamble.

The Times warned that private companies will invest in research that is likely to raise their profit, but they are unwilling to invest in research whose benefits leak out to competitors. And of course that is only natural. By abandoning the government's historical role, the Times continued, the House Budget would undermine America's technological base.

A report that occurred about the same time in The Wall Street Journal documented huge reductions in the research budgets of American companies that traditionally have funded more research.

Now more than ever the private sector needs a Federal partner in doing basic research.

The amendment that I offer specifically would restore a portion of the very severe cuts imposed on the National Science Foundation. The original Clinton Administration budget held the National Science Foundation at the inflation rate—what some have called a "soft freeze."

That approach of the Clinton Administration, I must say, is substantially less than the increases that have been recommended in prior years for the National Science Foundation by Presidents Reagan and Bush.

The House Budget Resolution, on the other hand, mandates that investments like those in the National Science Foundation be cut sharply in Fiscal Year 1996, almost $270 million below fiscal year 1995, a cut of 7.9 percent below 1995 in current dollars, perhaps a little over 10 percent when you consider likely inflation.

The amendment that I am proposing seeks to strike a balance between the two. It would provide $3.245 billion in both Fiscal Years 1996 and 1997. In Fiscal Year 1996 it would provide $119 million more than the bill before us, but $115 million less than what the Administration proposed. It seeks to achieve a balance pretty close to the middle between the House Budget Resolution and the original Administration approach.

Admittedly, this is an amendment that itself cuts the National Science Foundation about $150 million below what it will get in Fiscal Year 1995; but it constitutes an attempt to achieve some moderation that could be supported by Republicans and Democrats alike, recognizing the great importance that prior Republican Administrations have placed on science, and that both Republicans and Democrats on this Committee have placed on science.

I believe that adoption of the amendment would send a clear signal that the National Science Foundation and basic research continue to be a very high priority of this whole Science Committee and I move its adoption.

Mr. SCHIFF. I thank the gentleman for his presentation. The Chair will recognize itself for five minutes.

The figures that are offered in the Committee Print for authorization for the National Science Foundation are figures derived from the Budget Resolution adopted by the House of Representatives.

We have tried to conform to the Budget Resolution because in the past, to be very frank about it, authorizers were not really players in the real game of appropriations because authorizations tended to be so wide of the appropriation marks, whatever they were, that the Appropriations Committee simply did all the work itself, and the authorizers could feel better by authorizing higher figures, but they were really meaningless because it was not ''real money.''

I want to note that I feel very strongly that the House Budget Resolution as adopted was too low, in my judgment, in the area of scientific research. I am very hopeful, and therefore entirely sympathetic with the gentleman offering the amendment, that the budget figures in conference will be raised and will allow us to return to the higher authorizations for this and other science bills.

But having said that, I want to emphasize that the figures in the Committee Print are based upon another document, the House Budget Resolution.

I would ask the gentleman who offers the amendment, with respect—and offer to yield to him—where the figures are coming from that he is offering in this amendment that raises the authorization.

I yield to the gentleman to respond. In other words, I am asking the gentleman how he came up with these figures.

Mr. DOGGETT. Mr. Chairman, they are an attempt to achieve some balance, as I indicated, between what the House proposed in

the Budget Resolution and what the Administration proposed with consideration to the past growth in appropriations for the National Science Foundation and, as I mentioned, the commitments of past Administrations to continue that growth looking toward, from the time of the Reagan years, to a doubling of the appropriations available for the National Science Foundation.

Mr. SCHIFF. I thank the gentleman for responding, and reclaiming my time, I want to ask—and I am not seeking to raise other debates—but when the gentleman refers to figures between the Committee Print and the President's budget, I assume the gentleman is referring to the President's budget as submitted earlier this year?

Mr. DOGGETT. I understand that the figures are essentially the same in the latest rendition to which the Chairman may be referring.

Mr. SCHIFF. Well, if the gentleman knows that, he knows more than I do because the President referred to a 20 percent cut in discretionary spending last night.

So I am assuming that the figures may be entirely different. I don't know that for a fact. I have only to go on what the President said last night.

Has the gentleman seen a new set of figures with respect to science from the Administration?

Mr. DOGGETT. I have made some inquiry about it. But let me assure you that I will be the last Member of the Committee to defend either of those budgets. I am only seeking to achieve some point of moderation between the historic growth that we have provided for basic research, which I think continues to be justified, and the approach taken which I do think, respectfully, has the effect of decimating our commitment to basic research.

Mr. SCHIFF. Let me conclude my time by saying I appreciate very much the gentleman's intent and his feelings, and I would like him to know that I share that view; I think we all do on this Subcommittee.

However, the Chair must recommend the rejection of the amendment on the grounds that the Chair believes that our staying with the Budget Resolution figures as they have been adopted as of now is the best approach for authorization if we are to have a meaningful and realistic and effective role in the actual appropriations process.

With that, the Chair will recognize any other Member seeking recognition on the gentleman's amendment.

Mr. Geren?

Mr. GEREN. Mr. Chairman, having voted for the budget, I personally feel bound to pass an authorization bill that is consistent with the Budget Resolution, but I understand very well the sentiments of my colleague, Mr. Doggett, and I believe that his feelings are shared across the Committee, Republican and Democrat, that we aren't doing enough for science.

It certainly would not be any major break with precedent for us to pass an authorization bill in excess of the budget amount. As you pointed out, that is something that has happened many times over the years and it is a way for an authorization committee to make a statement about priorities within our government.

And while I endorse the concept of Mr. Doggett's amendment, I personally don't feel I can support it because of my position on the budget vote. But I don't think that it should be rejected out of hand just based on the fact that it is an authorization bill that does not line up perfectly with where the budget agreement is; it is something that happens quite often in the authorization process.

Thank you, Mr. Chairman.

Mr. SCHIFF. Does any other Member seek recognition on Mr. Doggett's amendment?

Ms. LOFGREN. Mr. Chairman?

Mr. SCHIFF. Ms. Lofgren.

Ms. LOFGREN. Very briefly, I will support Mr. Doggett's amendment, but I did want to say that I would prefer an even greater augmentation to what is before us.

In April I spent most of the recess meeting with CEOs of high tech companies in Silicon Valley. One of the titans of industry, a founder of a company that would be a name known to everyone, in a candid moment said that they would rather do in the research and development tax credit, if that was necessary, to fully fund the National Science Foundation; that that was "the" most important thing to do for science in America and for the future of the country.

So I did want to say I will support it, but I—and I understand Mr. Doggett is searching for something that can be successful, so this is not a criticism of him—but I think we should actually go farther than the amendment provides.

Mr. SCHIFF. Okay. I have to tell you that the Chair, I hope, contributes many assets to the Congress, but vision is not necessarily one of them.

The gentleman is recognized.

Mr. OLVER. Thank you, Mr. Chairman.

I suffer from the same thing. Although my glasses don't look like tri-focals, they are, and sometimes it is very difficult to tell what I am looking at.

Mr. Chairman, it appeared that the premise for authorizing at the level that is here within the Budget Resolution is that such a low authorization will provide some sort of guarantee that the appropriation level will be at the authorization level.

I doubt very much, from my experience on the Appropriations Committee, I doubt very much that the Appropriations Committee will recognize any such obligation at all to—and it seems to me that our obligation here as members of the Science Committee and the Basic Research Subcommittee should be to authorize what we believe is in the best interests of the scientific development of this Nation.

It seems to me that basic research and the support for that by the Federal Government has been one of the critical ways—one of the critical edges that we have had over other nations. The amount of government research and support by the government for research that has gone into the universities has helped us to provide that critical edge.

So I am going to support the Doggett amendment. Again, I would say that I would be, as with Ms. Lofgren, more inclined to support a considerably higher amount. But any idea that providing a low authorization guarantees us an appropriation level that is going to

be closer to that authorization I think is illusory, completely illusory.

Chairman WALKER. Would the gentleman yield to me?

Mr. SCHIFF. Mr. Walker.

Chairman WALKER. I had not planned to speak, but I think that it is something that we have got to point out; that the times have changed since the gentleman served on the Appropriations Committee.

We do have new people operating there and new cardinals in place, and they have been very cooperative and forthcoming in working with this Committee and trying to match up our priorities and spending with what they are going to do.

I think that is a positive sign, and it is one that we ought to try to work with.

The fact is that when the Energy and Water numbers became public yesterday they are very, very close to what we adopted in this Committee. We have had a considerable influence on the work of that Subcommittee, and we are working in concert with them in terms of setting priorities.

I think that helps us as an authorizing committee to have some impact, and I think that it was fairly well recognized even by the media that covered it, that was indeed the situation that began to arise.

So we now have a clear path.

We have been in consultation with the people who will be marking up the bills in the area of the National Science Foundation at the Appropriations Committee. We have every reason to believe that they are being very, very sympathetic to some of the policy options that we have.

I would also remind the House that the authorizing chairmen now do have some power to go to the Floor and act against appropriations that do not properly follow authorizing committee intent.

So there are mechanisms by which we can enforce our will, if in fact we play in the same kind of ballpark that the appropriators do. But if we go wild and simply have figures that are totally beyond anything that is likely to happen in the appropriations process, then they have no reason to listen to us in terms of setting priorities; and they certainly have no reason to believe that anything we say relative to their numbers has any meaning when we try to enforce discipline on the Floor.

So I would say that the track record at the moment is looking reasonably good in terms of the cooperative approach, and I would like to think that this Committee would not try to stop that cooperation from taking place by taking us out of the ballgame.

[Simultaneous calls for recognition.]

Mr. SCHIFF. The Chair sees several requests for recognition. I think I am going to go down the row because I saw all the hands at once.

Congressman Hastings.

Mr. HASTINGS. Thank you very much, Mr. Chairman.

I wanted to return to the question that you put to Mr. Doggett and try to sharpen it as best I can with reference to the budget of the President.

The President's more recent of the budget proposals allows that the National Science Foundation's investment in basic research and education programs keep pace with inflation by adding $500 million a year by 2002. I think that was a figure you were searching for. I don't know whether it helps. My understanding is that the present proposal adds $240 million, but at least that is a figure that I think comports with my colleague, Mr. Doggett's recommendations and I rise in support of his amendment.

Mr. SCHIFF. The Chair would like to say, as tactfully as possible, that all of the Members would be grateful to see a complete budget document based upon the President's presentation last night so we're not trying to guess as to what the President's proposal presently is.

Ms. Rivers.

Ms. RIVERS. Thank you, Mr. Chairman.

I want to speak to the comments made by the Committee Chairman because the reality is not necessarily squaring with what we would hope would be the ideal relationship between the authorizing and appropriating committees.

For example, yesterday the appropriating committee dealt with, among other things, the lightwater reactor which our bill originally zeroed out. We added $14 million in funding on Mr. Bartlett's amendment, and yesterday the cardinals in the Appropriations Committee decided to spend $40 million on that particular endeavor and did not feel constrained by the message that we sent to them.

So I would be careful in embracing the idea that our view is being held in high esteem in the next committee, and I think we should strive to do what we think is the best thing for the science that we are deliberating on.

Thank you.

Mr. SCHIFF. Mr. Doyle.

Mr. DOYLE. Thank you, Mr. Chairman.

I would like to speak in favor of the Doggett Amendment. I think what Mr. Doggett is trying to do is similar to the substitute that we offered in the Energy and Environment Subcommittee. That is, to seek a middle ground.

Our substitute mirrored the Stenholm Budget Resolution. While I am not certain whether or not Mr. Doggett's numbers mirror that Budget Resolution, I think we are trying to make a statement here that there is a general consensus that when the Conference meets, the final numbers are going to be somewhat higher than the House Budget Resolution.

What we are trying to do is ensure that if and when that happens—and I think there is general agreement that is going to happen—that we get some money into the science budget.

I would also like to comment on what the Chairman of the Full Committee said, too. I think that the notion that we are influencing the appropriators by the statements we make here, I think is just the opposite.

These numbers—let's be clear about that—these House Budget Resolution numbers come down here, and we are backing into them. I mean, the notion that we are making a statement here, the only statement I see us making, is that we are submitted to the

House Budget Resolution and chopping whatever needs to be chopped to hit those numbers.

If we truly wanted to be a committee that made a statement, then we would say what we thought was necessary to maintain the science program in this country and have that something that the appropriators could then consider during the process.

I think it is just backwards. I think we are having no effect on the appropriators; we are just acquiescing to whatever numbers we are being told to get to.

Mr. SCHIFF. Mr. Olver?

Mr. OLVER. Thank you again, Mr. Chairman.

I would like to respond to the Chairman's comments in an equally low-key manner. If the amendment which has been offered by Mr. Doggett were indeed a wild or irresponsible increase in the number of dollars, there might be some validity to those comments.

The proposed amendment adds back roughly half of the difference between the two previous budgets—the President's budget and the President's recommendations and the Budget Resolution. Roughly half of that, or roughly half of the $237-some-million-dollar difference, which is really only about 2 or 3 percent of the $3 billion budget that we are talking about, authorization that we are talking about. And, given the evidence which I think corroborates what I had originally said, as Ms. Rivers has pointed out on the action of the Appropriations Committee in regard to the lightwater reactor, it seems to me our obligation here is all the stronger; that we should be coming forward with what we think is important for basic research, for the NSF, for the support of science in this country, and if there is indeed some degree of cooperation involved, that in fact we may have done a great service by increasing by that half of $234 million, or roughly half of the $234 million, by providing that additional amount of authorization for the appropriators to chew on.

Mr. SCHIFF. Does any other Member seek recognition on Mr. Doggett's amendment?

[No response.]

Mr. SCHIFF. Seeing no requests for recognition, the Chair just wants to state again that, although it agrees completely with the desire of all Members to increase authorizations, and while I hope we can do so, I believe that we should do so in conformance with an adopted budget resolution. And there is still yet to come the Conference Committee between the House and the Senate on a budget.

There may be further negotiations with the Administration, which I personally would welcome; and if the budget figures change favorably, then our authorizations can change.

But as the Budget Resolution stands now, the Chair must urge rejection of the amendment.

The Chair will now call for a vote on the gentleman's amendment.

All in favor of Mr. Doggett's amendment will please signify by saying aye.

[Chorus of ayes.]

Mr. SCHIFF. All opposed, please say no.

[Chorus of nays.]

Mr. DOGGETT. Mr. Chairman, I would ask for a record vote.

Mr. SCHIFF. The Chair was in doubt, so the gentleman's request is very timely.

The recorded vote is ordered. The Clerk will call the roll.

Mr. CADENA. Mr. Schiff.

Mr. SCHIFF. No.

Mr. CADENA. Mr. Schiff votes no. Mr. Boehlert.

Mr. BOEHLERT. No.

Mr. CADENA. Mr. Boehlert votes no. Mr. Barton.

Mr. BARTON. No.

Mr. CADENA. Mr. Barton votes no. Mr. Baker.

[No response.]

Mr. CADENA. Mr. Ehlers.

[No response.]

Mr. CADENA. Mr. Gutknecht.

Mr. GUTKNECHT. No.

Mr. CADENA. Mr. Gutknecht votes no.

Mrs. MORELLA. No.

Mr. CADENA. Ms. Morella votes no. Mr. Weldon of Pennsylvania.

Mr. WELDON [PA]. No.

Mr. CADENA. Mr. Weldon votes no. Mr. Bartlett.

Mr. BARTLETT. No.

Mr. CADENA. Mr. Bartlett votes no. Mr. Wamp.

Mr. WAMP. No.

Mr. CADENA. Mr. Wamp votes no. Mr. Weldon of Florida.

[No response.]

Mr. CADENA. Mr. Graham.

Mr. GRAHAM. No.

Mr. CADENA. Mr. Graham votes no. Mr. Hilleary.

Mr. HILLEARY. No.

Mr. CADENA. Mr. Hilleary votes no. Ms. Myrick.

[No response.]

Mr. CADENA. Mr. Walker.

Chairman WALKER. No.

Mr. CADENA. Mr. Walker votes no. Mr. Geren.

Mr. GEREN. No.

Mr. CADENA. Mr. Geren votes no. Mr. Hastings.

Mr. HASTINGS. Aye.

Mr. CADENA. Mr. Hastings votes yes. Ms. Rivers.

Ms. RIVERS. Yes.

Mr. CADENA. Ms. Rivers votes yes. Mr. Doggett.

Mr. DOGGETT. Aye.

Mr. CADENA. Mr. Doggett votes yes. Mr. Luther.

Mr. LUTHER. No.

Mr. CADENA. Mr. Luther votes no. Mr. Olver.

Mr. OLVER. Yes.

Mr. CADENA. Mr. Olver votes yes. Ms. Lofgren.

Ms. LOFGREN. Yes.

Mr. CADENA. Ms. Lofgren votes yes. Mr. Doyle.

Mr. DOYLE. Yes.

Mr. CADENA. Mr. Doyle votes yes. Ms. Jackson-Lee.

Ms. JACKSON-LEE. Yes.

Mr. CADENA. Ms. Jackson-Lee votes yes. Mr. Brown.

Mr. BROWN. Yes.

Mr. CADENA. Mr. Brown votes yes.

Mr. BAKER. Mr. Chairman, could a Member inquire—

Mr. SCHIFF. How was Mr. Baker recorded?

Mr. CADENA. Mr. Baker is not recorded.

Mr. SCHIFF. Mr. Baker?

Mr. BAKER. No.

Mr. CADENA. Mr. Baker votes no.

Mr. SCHIFF. How was Mr. Weldon of Florida recorded?

Mr. CADENA. Mr. Weldon of Florida is not recorded.

Mr. WELDON [FL]. No.

Mr. CADENA. Mr. Weldon votes no.

Mr. SCHIFF. Does any other Member in the room desire to be counted in this vote?

[No response.]

Mr. SCHIFF. The Clerk will report.

Mr. CADENA. Mr. Chairman?

Mr. SCHIFF. Mr. Clerk.

Mr. CADENA. The yes votes are 8; the no votes are 15.

Mr. SCHIFF. By a vote of 8 in the affirmative and 15 in the negative, the amendment was rejected.

The last amendment on the prepared list is by Mr. Barton of Texas. The Clerk will designate the amendment.

Mr. CADENA. "An amendment offered by Mr. Barton"

Mr. SCHIFF. Mr. Barton were you willing to request unanimous consent on this?

Mr. BARTON. Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

Mr. SCHIFF. Without objection, so ordered.

You are recognized for five minutes on your amendment.

Mr. BARTON. I thank you, Mr. Chairman. I want to thank you for the consideration of this amendment. I want the Committee to know, right off the bat, that I am an engineer. I was trained as an engineer in undergraduate school, and I am a registered professional engineer registered by the State Society of Professional Engineers in the State of Texas.

Back in 1985, the Mission Statement of the National Science Foundation was changed by statute. In those changes, Public Law 99–159, the National Science Foundation was directed to initiate and support research fundamental to the engineering process, and programs to strengthen engineering research potential and engineering education programs at all levels in the fields of engineering.

The statute also included explicit references to engineering being in the body of the statute, wherever science was referenced. The National Science Foundation is the principal grantor of small science and small engineering grants in the country.

There are approximately $3 billion expended in basic engineering research at our engineering universities. About half of that is funded by the Federal Government. And of that half that's funded by the Federal Government, about half of that is funded by the National Science Foundation.

For the last several years I have been approached by the National Society of Professional Engineers and asked for their support. They have asked me to support a name change.

Until this year I didn't feel the timing was right. I think the timing is right as we move into a new era. Engineering is a separate discipline. Science makes the basic discoveries. Engineers and engineering research tries to commercialize and apply those discoveries so that they are very complementary, but they are separate.

I think a name change would show great support for our engineering professions. I think it would show that we realize that not only do we have to do basic discovery, we also have to try to implement those discoveries.

There have been some questions about the cost of such a name change. I am told that there is one building in Virginia where the National Science Foundation has its principal headquarters. There are several—a handful of suboffices around the country.

If there is a concern about the cost of actually changing the names on the buildings, if it is ethical and legal I will raise the money to change the name. It won't cost the Federal taxpayer one dollar.

In terms of the letterhead, we can stipulate in the implementing language to use existing letterhead until it is exhausted and then, and only then, produce new letterhead with new name changes.

I think this is a good amendment. I hope it is noncontroversial. It would give us tremendous support amongst a group of people throughout the country that try to be the problem solvers, where we are looking at the Space Station or some of the other programs.

It is engineers who try to make the country work. I think it is long overdue, and I would hope that we would unanimously agree to this amendment.

Mr. SCHIFF. Would the gentleman yield to me for a minute?

Mr. BARTON. I would be happy to yield.

Mr. SCHIFF. I thank the gentleman from Texas.

On a previous vote, Mr. Geren of Texas voted against a particular amendment because it was inconsistent with his vote on the Budget Resolution, and I am in the same position today.

In a previous Congress, although I still feel bound by that, I co-sponsored the bill that would do exactly what the gentleman proposes to do today. I did so because, as the gentleman from Texas states, the word "engineering" appears a number of time in the Organic Act for the National Science Foundation.

So if the gentleman pursues the vote in Subcommittee, I personally will vote "yes."

However, I know that our Full Committee Chairman, who I will recognize in a moment, has felt on a broader argument that if you add the word "engineering," then people will ask you to add the word "technology" and the words "space" and so on and so forth without end, and in fact, of course, has moved our Full Committee back to the name "Science Committee," eliminating several terms.

I think there is a strong argument there that I did not consider when I co-sponsored the bill in a previous Congress.

With that, I would like to offer to recognize the Chairman, if he desires to be recognized.

Chairman WALKER. Well I thank the gentleman.

I understand the arguments being made by the gentleman from Texas, and the engineering community has in fact sought this recognition, and I found that in a number of instances, you know,

have brought to us the desirability of doing this in some other work that we are doing.

But engineering is one of the directorates that exist under the National Science Foundation. To single out this directorate and have its name raised to this level, it seems to me then suggests that things like the biological sciences and the geosciences and the math and physical sciences and so on are not as important as this one other directorate within the agency.

I am not so certain that that is the signal that we want to send, that in the title of the agency we are singling out one of the several directorates there for special recognition in the title.

I also think that the National Science Foundation has existed as an agency with some tradition now for a period of time, and that this would break a linkage with that tradition and, in my view, is a somewhat unnecessary diversion in the work that we are trying to do toward making it into a premiere, basic science agency.

Mr. BARTON. Would the gentleman yield? Would the distinguished Chairman yield?

Chairman WALKER. Sure. I'd be happy to yield.

Mr. BARTON. The Chairman knows this, but just to point it out to the other Members of the Committee, there is no other organized national group that's seeking a name change or a name addition. It's quite possible in the future they could; I would stipulate that, but at present they're not.

I'd again reiterate that engineering is a separate discipline. The other directorates in the National Science Foundation are subsets of general science.

I understand the distinguished Chairman's concerns; I would hope, though, in the spirit of change which we're all a part of that this could be a change that we could agree upon.

I yield back to the distinguished Chairman.

Mr. SCHIFF. Would the gentleman from Texas consider withdrawing his amendment, obviously with the privilege of reintroducing it at Full Committee, so the gentleman and the Chairman of the Committee might discuss this further and see if they could reach an agreement?

Mr. BARTON. My intention, Mr. Chairman, would be not to call for a roll call vote, but simply to ask for a voice vote, and perhaps a show of hands; and at that point in time, either way it goes, if it is the wish of the Chairman and the Full Committee Chairman, I would ask unanimous consent to withdraw.

I'm not going to put this to a recorded vote today with the concerns of the distinguished Chairman, but I do think it is something that is worthy of consideration.

I think engineering and engineers provide great benefits to our society, and I think they are worthy of having a name that is part of the National Science Foundation. But I don't want this to become a cat fight, so my intention would be a voice vote. If the voice vote sounds fairly even, a show of hands; and then, whichever way it goes, I would withdraw, or ask unanimous consent to withdraw after the show of hands.

Mr. BOEHLERT. Mr. Chairman?

Mr. SCHIFF. Who's seeking—Mr. Boehlert.

Mr. BOEHLERT. I always look for ways to support Mr. Barton and I do so today. I think that we can use the National Bureau of Standards' example. When they changed the name and broadened it to the National Institute of Standards and Technology, great things happened, and maybe even greater things will happen for the National Science Foundation if we give the proper and appropriate recognition to engineering. So I am supportive of my colleague from Texas, as I usually am.

[Laughter.]

Mr. SCHIFF. If I can just reiterate what the gentleman from Texas said, you are suggesting that after the vote, regardless of the outcome in the Subcommittee, you would request unanimous consent to withdraw?

Mr. BARTON. Yes, because I am very responsive to our Full Committee Chairman. But I would hope that we could continue the discussion and perhaps reach an accommodation at Full Committee.

Mr. SCHIFF. Well I thank the gentleman for your cooperation, and I think to gauge the situation I would call for—I am going to call for a show of hands——

Mr. BARTON. Okay.

Mr. SCHIFF [continuing]. In that situation.

I will ask the Clerk to count, once I do that.

Mr. BARTLETT. Mr. Chairman, might I say something before that?

Mr. SCHIFF. Mr. Bartlett. I beg your pardon, Mr. Bartlett, you are recognized.

Mr. BARTLETT. Thank you very much.

Congressman Barton is both a warm friend and an admired colleague, so I very reluctantly am going to say what I need to say.

I am a scientist with about 100 papers in the literature.

I also got over into the engineering world and have 20 patents in that world. So I kind of have a foot in both of those camps.

I have a lot of problems with changing this name. When one says "science," particularly with regard to NSF, one ordinarily thinks of basic science; and already I think that we have adulterated the program of the National Science Foundation by even including engineering.

The Congressman is exactly right. Engineering is a separate discipline. It has a happy home other places in Federal programs, and basic science is not engineering, and engineering is not basic science.

It is true that engineering grows out of basic science, but I think that we have already adulterated the programs of the National Science Foundation by including engineering in there, and I have just strong objections from my many years in both science and engineering, of further adulterating the mission of the National Science Foundation by including the word engineering there.

The engineers have a very happy home elsewhere, largely in NIES, and I think that we will do harm to our basic science program by changing this name.

Thank you.

Mr. SCHIFF. Does any other Member seek recognition on this amendment?

Mr. GEREN. Mr. Chairman?

Mr. SCHIFF. Mr. Geren.

Mr. GEREN. I would just want to suggest to my friend Mr. Barton that, while we've got Mr. Boehlert softened up, he might want to slip in something about the Super Glider into this amendment.

[Laughter.]

Mr. BARTON. He's not that soft.

[Laughter.]

Mr. SCHIFF. The Chair is going to do something a little different, based on advice of the Parliamentarian.

I am not going to call for a vote formally because there is a legal question whether you can by unanimous consent cancel a vote.

The Chair will call for an informal show of hands and invite the gentleman from Texas and the Chairman to, as appropriate, do their own counting just to get an idea of where we all stand.

All who are informally—

[Laughter.]

Mr. SCHIFF [continuing]. In favor of Mr. Barton's amendment, please raise your hand.

Mr. BARTON. Raise them high so we can count them.

[A show of hands.]

Mr. BARTON. I've got it.

Mr. SCHIFF. All those opposed to the gentleman's amendment will please raise their hands—informally.

[A show of hands.]

Mr. BARTON. Only raise one hand, please.

[Laughter.]

Mr. SCHIFF. Okay. All right, the gentleman is recognized for a unanimous consent request.

Mr. BOEHLERT. Could we have the informal count?

Mr. BARTON. My informal count was 3 ayes and 11 nays.

Mr. SCHIFF. I am not going to ask the Clerk to comment on that.

Mr. BARTON. No.

Mr. SCHIFF. It might never get us out of here tonight.

Mr. BOEHLERT. I can tell you're from Texas; there aren't that many people here.

[Laughter.]

Mr. BARTON. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

Mr. SCHIFF. The gentleman has asked unanimous consent to withdraw the amendment.

[No response.]

Mr. SCHIFF. Without objection, it is so ordered.

I have no other amendments on the prepared list. Does any other amendment—any other Member have an amendment to offer at this time?

[No response.]

Mr. SCHIFF. Seeing no amendments being offered, the question is now on the adoption of the Committee Print as amended.

All those in favor will vote aye at this time.

[Chorus of ayes.]

Mr. SCHIFF. All those opposed will vote nay.

[No response.]

Mr. SCHIFF. In the opinion of the Chair the ayes have it. The ayes have it, and the Committee Print is adopted.

Mr. Geren.

Mr. GEREN. Mr. Chairman, I move that a clean bill be prepared by the Chairman for introduction in the House and further consideration by the Committee.

Mr. SCHIFF. All in favor of Mr. Geren's motion will please signify by saying aye.

[Chorus of ayes.]

Mr. SCHIFF. All opposed will say nay.

[No response.]

Mr. SCHIFF. The ayes appear to have it. The ayes have it. The gentleman's motion is adopted.

This concludes our markup on the Committee Print on the National Science Foundation.

[Whereupon, at 11:01 a.m., the Subcommittee immediately proceeded to further business.]

XIV. PROCEEDINGS FROM THE COMMITTEE MARKUP

FULL COMMITTEE MARKUP—H.R. 1852, THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1996 AND 1997

WEDNESDAY, JUNE 28, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, DC.

The Committee met at 12:10 p.m. in Room 2318 of the Rayburn House Office Building, the Honorable Robert S. Walker, Chairman of the Committee, presiding.

The CHAIRMAN. Good afternoon. We will now consider measure H.R. 1852, the National Science Foundation Authorization Act. I ask unanimous consent that the bill be considered as read and open to amendment at any point.

I ask further for the members to proceed with amendments in the order of the roster that is before us.

Mr. SCHIFF. Mr. Chairman.

The CHAIRMAN. The gentleman from New Mexico.

Mr. SCHIFF. Mr. Chairman, I have a brief opening statement, but it's in writing. And in order to proceed, I would propose to ask unanimous consent that my opening statement be made part of the record.

The CHAIRMAN. The gentleman may proceed.

Mr. SCHIFF. I thought I just did, Mr. Chairman.

The CHAIRMAN. Did the gentleman ask unanimous consent? I'm sorry. Without objection.

[The prepared statement of Mr. Schiff follows:]

Honorable Steve Schiff
Opening Statement - NSF Authorization Act
Full Committee Mark-up
June 22, 1995

Thank you Mr. Chairman.

I believe the National Science Foundation's mission of supporting basic research is vital to the economic development and technological advancement of the Nation. I feel the authorization we have before us today is a good and well thought-out bill. It stays within the spending limits set by the Budget Committee and it enables the NSF to carry out its mission effectively.

Mr. Chairman, the Subcommittee on Basic Research completed consideration of a two-year reauthorization for the NSF on June 14, 1995. It provides for approximately 3% growth in the Research and Related Activities Account in the second year. With respect to allocating monies within the Research Account, this bill treats all directorates equally and with the priorities contained in the Administration's request.

The Subcommittee adopted several amendments to the bill. They include an amendment requiring the Foundation to consider, during award decisions, the impact a grant would have on undergraduate and graduate education at an institution, and an amendment which will allow for further authorizations for NSF pending the outcome of a budget conference resolution.

This bill provides slightly more money for Education and Human Resources than the President's Request, and follows the President's request in several other accounts, including Major Research and Equipment, Instruments and Facilities, and the Office of the Inspector General.

We ask NSF to provide the Subcommittee with a strategic plan, so the Subcommittee can better formulate out-year projections for the Directorates and Research Facilities.

The Committee expects Universities to be responsible in accounting for their indirect cost and not in competition with the private sector with regard to use of research instrumentation and facilities.

We expect Universities to be understanding of the commitment of Reserve and National Guard personnel ordered to active duty.

Further, we expect the funds authorized by these programs to go into research and not to be used in funding lobbying activities. That concept may sound strange to people inside the beltway, but I know taxpayers outside the beltway expect their research dollars to go into research.

Mr. Chairman, I want to reiterate a point I made in my opening statement at the Subcommittee mark-up of this bill. The Research Community should be thankful for the support given by the Budget Committee.
We are currently working to solve the Nation's very difficult fiscal crisis and we all know that must be kept in mind when considering any authorizations put before this Committee.

At a time when many programs were reduced or frozen, the Research and Related Activities Directorate within the NSF was provided with real growth. This is due in large measure to the efforts of the Chairman, Bob Walker.

In concluding Mr. Chairman, we have an authorization before us today which reflects the responsibility this Committee has to help return fiscal sanity to the budget process and which strongly supports the Foundation's central role in funding basic research. This is a well crafted bill that is highly beneficial for science and for the Nation.

Thank you Mr. Chairman.

The CHAIRMAN. The Chair also recognizes Mr. Geren.

Mr. GEREN. Thank you, Mr. Chairman.

Following the lead of my Chairman, I am going to submit the full text of my opening statement for the record.

[The prepared statement of Mr. Geren follows:]

OPENING STATEMENT

MARKUP OF H.R. 1852, THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1995
BY
THE HONORABLE PETE GEREN (D-TX)
RANKING DEMOCRATIC MEMBER
SUBCOMMITTEE ON BASIC RESEARCH

June 28, 1995

THE MEMBERS OF THE SCIENCE COMMITTEE ARE WELL AWARE OF THE KEY ROLE OF THE NATIONAL SCIENCE FOUNDATION IN DEVELOPING AND SUSTAINING THE ACADEMIC RESEARCH ENTERPRISE OF THE NATION. ITS PROGRAMS SUPPORT RESEARCH IN SCIENCE AND ENGINEERING, THE OPERATION OF NATIONAL RESEARCH FACILITIES, THE MODERNIZATION OF SCIENTIFIC INSTRUMENTS AND RESEARCH FACILITIES, AND SCIENCE EDUCATION AT ALL LEVELS OF INSTRUCTION. THESE WIDE-RANGING ACTIVITIES UNDERPIN THE TECHNOLOGICAL STRENGTH OF THE NATION THROUGH BOTH THE GENERATION OF NEW KNOWLEDGE AND THE EDUCATION OF SCIENTISTS AND ENGINEERS.

THE NSF AUTHORIZATION BILL REPORTED BY THE BASIC RESEARCH SUBCOMMITTEE, H.R. 1852, MAKES THE BEST OF A DIFFICULT SITUATION. ALTHOUGH THE BILL LOWERS FUNDING FROM FISCAL YEAR 1995 LEVELS, IT IS AN ALLOCATION THAT PROVIDES RELATIVELY GENTLE TREATMENT FOR NSF IN A

YEAR IN WHICH MANY FEDERAL SCIENCE AND TECHNOLOGY PROGRAMS AUTHORIZED BY THE COMMITTEE HAVE EXPERIENCED SEVERE CUTS. IN ADDITION, SOME FUNDING INCREASES ARE PROVIDED BY THE BILL IN THE SECOND YEAR THAT WILL BRING THE NSF RESEARCH DIRECTORATES BACK TO THE FISCAL YEAR 1995 LEVELS.

I SHARE THE COMMITMENT OF MY COLLEAGUE FROM NEW MEXICO TO ACHIEVE A BALANCED BUDGET OVER THE NEXT SEVEN YEARS AND REALIZE THAT EVEN THE MOST VALUABLE FEDERAL PROGRAMS, SUCH AS NSF'S RESEARCH ACTIVITIES, MUST BEAR SOME OF THE PAIN OF ACHIEVING THIS GOAL. HOWEVER, SHOULD THE CONFERENCE AGREEMENT ON THE BUDGET RESOLUTION BE APPROVED, I BELIEVE A PORTION OF THE $2 BILLION INCREASE FOR BUDGET FUNCTION 250 PROVIDED FOR IN THE AGREEMENT SHOULD BE MADE AVAILABLE FOR NSF. SINCE THE ADDITIONAL RESOURCES FOR BUDGET FUNCTION 250 ARE PROVIDED IN THE LAST 5 OF THE 7 YEARS COVERED BY THE BUDGET RESOLUTION, THE NSF AUTHORIZATION BILL WE ARE NOW CONSIDERING IS NOT AFFECTED, AND I WILL NOT OFFER MY CONTINGENT AUTHORIZATION AMENDMENT TO INCREASE THE NSF AUTHORIZATION LEVELS FOR FISCAL YEARS 1996 AND 1997. I WOULD EXPECT THE SUCCEEDING NSF AUTHORIZATION BILL TO REFLECT THE IMPROVED FUNDING ENVELOPE.

I COMMEND CHAIRMAN WALKER FOR BRINGING H.R. 1852 BEFORE THE COMMITTEE AND MR. SCHIFF ON HIS EFFORTS TO DEVELOP THE BILL. I SUPPORT THE BILL AND URGE ITS APPROVAL BY THE COMMITTEE.

Mr. GEREN. I do want to recognize Chairman Schiff for the way he handled this bill. He is very open to the participation of all members, and I want to thank him for the courtesies that he's shown us and the leadership he's shown dealing with this issue under very difficult budget circumstances. And I ask unanimous consent that my full statement be put in the record.

Mr. SCHIFF. Will the gentleman yield?

Mr. GEREN. I'll be glad to yield.

Mr. SCHIFF. I meant to add a couple of very quick comments. The first is my appreciation to you. I think we and our staffs worked well together, as all the members of the Subcommittee did. And where we didn't agree, we had our differences of opinion and resolved it as a matter of policy, not as a matter of personalities, which I very much appreciate.

And I just want to say, in a nutshell, the Subcommittee believes that the National Science Foundation is a very well-run organization. That by no means suggests that they don't have problems, like any other large organization would have problems, and the Subcommittee intends through oversight hearings to look into certain matters.

But by and large, we believe that we are bringing forward an authorization bill here for a very respected organization. We're pleased to be able to say that the figures that we're presenting, although representing a cut for next year, we can say that after next year—next fiscal year, I mean—we are under the budget resolution able to start increasing the budget back again. And that is unusual under the budget resolution of the House for a domestic discretionary program, and I think it shows the value that is placed in this program. With that, I yield back, Mr. Chairman.

Mr. GEREN. Reclaiming my time, Mr. Chairman, thank you for those kind words. I appreciate it very much. I also want to join you in commending the staff for their fine work in putting this bill together. Thank you, Mr. Chairman. I yield back the balance of my time.

The CHAIRMAN. Without objection, the gentleman's unanimous consent request is agreed to.

The Chair also has an opening statement, which he will submit for the record.

[The prepared statement of Chairman Walker follows:]

Honorable Bob Walker
Talking Points--National Science Foundation

I am calling up H.R. 1852, the National Science Foundation Authorization Act of 1995.

The National Science Foundation is the principle supporter of fundamental research and education conducted at colleges and universities in the fields of mathematics, science, and engineering.

NSF accomplishes this through grants and contracts to more than 2,000 colleges, universities, and other research institutions in all parts of the United States. The Foundation accounts for approximately 25 percent of the Federal support to academic institutions for basic research.

I want to thank the Subcommittee Chairman, Mr. Schiff, and the Ranking Minority Member, Mr. Geren, for their hard work in bringing this bill before the Committee.

As Chairman of this Committee and Vice-Chairman of the Budget Committee, I have voiced my strong support for basic research.
I would like to point out that in these difficult fiscal times, the National Science Foundation was cut very little by the Budget Committee.

Furthermore, the House Budget Committee's assumptions provided for growth in the Research and Related Accounts at the Foundation-- 3 percent per year after 1996 to the year 2002.

In these difficult times, I believe every program should undergo a review. In my opinion, some of the research conducted in the Social, Behavioral, and Economic Research Account has drifted into the realm of applied and away from basic research.

The Subcommittee Bill recommended freezing the Salaries and Expenses account at $120 million. With my intent of reducing the bureaucracy and increasing the focus on basic research, I am directing the Foundation to reduce by at least one Directorate.

Further, I am recommending that the Foundation go through a review of its programs and Directorates to determine if the Foundation is organized to meet the needs of its customer--the research community --into the 21st Century.

My belief is the programs in the SBER (S-B-E-R) account should be integrated into the other Directorates and compete for funds in those programs. I want to point out I have not zeroed out funds for these programs.

Pending the reorganization, I am leaving the authorizations recommended by the Subcommittee. I have spoken to Neal Lane, the Director of NSF, and have discussed my concerns.

In the past, Members of this Committee, on both sides of the aisle, have been strong supporters of the Foundation. I believe many other agencies should look to NSF and their model of merit based, peer review as a guide.

The CHAIRMAN. I do want to thank Mr. Schiff and Mr. Geren for their work on this bill, and point out with them that this does demonstrate the commitment for the basic research agenda that we have made. You are to be congratulated that it's within the budget numbers and yet does allow the National Science Foundation to experience some level of growth in the years just ahead.

The Chair would recognize Mr. Brown.

Mr. BROWN. Mr. Chairman, in an effort to continue the spirit of comity, I have an opening statement which I would like to request unanimous consent to insert in the record.

The CHAIRMAN. Without objection.

[The prepared statement of Mr. Brown follows:]

OPENING STATEMENT

MARKUP OF H.R. 1852, THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1995
BY
THE HONORABLE GEORGE E. BROWN, JR. (D-CA)
RANKING DEMOCRATIC MEMBER
COMMITTEE ON SCIENCE

June 28, 1995

THE NATIONAL SCIENCE FOUNDATION, WITH ITS PROGRAMS FOR SUPPORT OF BASIC RESEARCH AND EDUCATION IN SCIENCE AND ENGINEERING, HAS LONG ENJOYED THE BIPARTISAN SUPPORT OF MEMBERS OF THE SCIENCE COMMITTEE. NO ONE SERIOUSLY DISPUTES THE ESSENTIAL ROLE OF THE FEDERAL GOVERNMENT IN SUPPORT OF BASIC RESEARCH. ECONOMISTS HAVE SHOWN THAT RESOURCES EXPENDED ON BASIC RESEARCH BRING LARGE PUBLIC RETURNS, BUT RETURNS NOT EASILY CAPTURED BY THE RESEARCH PERFORMER. IT IS FOR THIS KEY REASON THAT THE PRIVATE SECTOR CANNOT BE RELIED UPON TO FUND BASIC RESEARCH AT A SCALE NECESSARY TO ENSURE THE NATION'S TECHNOLOGICAL PROGRESS.

BECAUSE OF THE IMPACT OF NSF'S PROGRAMS ON THE FUTURE WELL BEING OF ALL OUR CITIZENS, I VIEW H.R. 1852 WITH MIXED FEELINGS. ON THE ONE HAND, THE BILL MAKES RELATIVELY SMALL CUTS TO NSF'S BUDGET -- A BIT MORE THAN 4% FROM THE FISCAL YEAR 1995 APPROPRIATIONS LEVEL -- AND THEN ADDS BACK ONE-THIRD OF THE CUTS IN THE SECOND YEAR. COMPARED TO MANY OTHER R&D AGENCIES THIS YEAR, THAT DOES NOT LOOK TOO BAD.

ON THE OTHER HAND, THE APPROPRIATIONS LEVEL AUTHORIZED BY THE BILL REPRESENTS THE FIRST DECREASE IN FUNDING FOR NSF, EVEN IN INFLATION-ADJUSTED DOLLARS, IN ALMOST 15 YEARS. IN EFFECT, THE BILL SIGNALS AN END TO THE BIPARTISAN EFFORTS OF CONGRESS AND THE PAST THREE ADMINISTRATIONS TO GROW THE NSF BUDGET TO A SCALE COMMENSURATE WITH THE FOUNDATION'S WIDE RANGING RESPONSIBILITIES IN SUPPORT OF RESEARCH AND EDUCATION.

NATURALLY, I APPRECIATE THE POLITICAL PRESSURES TO

BALANCE THE BUDGET AND THE ASSOCIATED DRIVE TO FIND CONTRIBUTIONS TO SPENDING CUTS FROM ALL FEDERAL PROGRAMS AND ACTIVITIES. AT THE SAME TIME, I KNOW MANY MEMBERS OF THE COMMITTEE WOULD LIKE TO SEE GREATER RESOURCES PROVIDED FOR NSF BECAUSE THEY UNDERSTAND THAT NSF'S RESEARCH AND EDUCATION PROGRAMS TRULY ARE INVESTMENTS IN OUR FUTURE, FULLY AS IMPORTANT AS CONTROLLING FUTURE DEFICITS. I AM PLEASED THAT MR. DOGGETT WILL OFFER AN AMENDMENT THAT RESTORES SOME OF THE CUTS AND DOES SO IN A FISCALLY RESPONSIBLE MANNER.

I BELIEVE THE CHAIRMAN OF THE BASIC RESEARCH SUBCOMMITTEE, MR. SCHIFF, THE RANKING DEMOCRATIC MEMBER, MR. GEREN, AND OTHER MEMBERS OF THE BASIC RESEARCH SUBCOMMITTEE WORKED DILIGENTLY TO BRING A REASONABLE BILL BEFORE THE COMMITTEE IN WHAT IS A DIFFICULT BUDGET YEAR, AND I APPLAUD THEIR EFFORTS. I AND SOME OF MY COLLEAGUES ON THIS SIDE OF THE AISLE WILL OFFER AMENDMENTS WHICH I BELIEVE WILL IMPROVE THE BILL. I LOOK

FORWARD TO WORKING WITH THE CHAIRMAN AND THE GENTLEMAN FROM NEW MEXICO IN MOVING THE BEST POSSIBLE BILL TO THE FLOOR.

The CHAIRMAN. We will move then to the roster.

The Chair has an en bloc amendment which is before the members which adds some new sections to the bill. Under this amendment, I'm asking for the director of OSTP to prepare a report on how to reduce indirect costs by 10 percent. There's a prohibition on Federal funds being used to support lobbying activities. We clarify the name change and responsibilities of the Critical Technologies Institute in the Subcommittee bill. I believe the name Science Studies Institute is more appropriate to describe the mission of the office.

In this time of fiscal responsibility, and with the Subcommittee recommending that the salary and expenses receive level funding, and with our increased emphasis on basic research, this amendment proposes that we should reduce the Foundation by one directorate. I'm allowing the director of NSF to decide how to best reorganize the Foundation, and expect a report on its implementation.

This is something I talked reasonably extensively with the Director about. I believe the funding for the Foundation should only come from funds which are authorized by the Act. It contains anti-earmarking language. The National Science Foundation believes in merit-based, peer-reviewed proposals. I want to ensure that that process stays in place, and for amendment purposes I ask that the substitute be considered as original text. Are there—Mr. Brown, you have an amendment to the en bloc, I understand?

Mr. BROWN. Yes, I do. It's the same amendment that the Chair has so graciously accepted in connection with previous bills, and I ask that it be considered at this time.

The CHAIRMAN. The Chair is prepared to accept the amendment. Without objection, the amendment would be agreed to—I'm sorry. The amendment should be distributed. It is the same language as we have previously considered, and as I say, without objection, the amendment will be considered as added to the en bloc.

Mr. Boehlert.

Mr. BOEHLERT. Mr. Chairman, I have an amendment also to your en bloc.

The CHAIRMAN. Let's distribute the Boehlert amendment as well.

Mr. BOEHLERT. My amendment would simply add one additional requirement to the reporting of indirect costs that you have requested from the Executive Branch. I feel that continuing the pressure of the Executive Branch to look for ways to reduce indirect costs and variance among institutions is laudable. But I would also like to see an evaluation of the relative benefits and burdens of each option on the institutions.

I would also extend the report date by 45 days, to December 31, 1995, to accommodate this requirement.

The CHAIRMAN. The Chair again is prepared to accept the gentleman's amendment. I think that it strengthens what we're attempting to do.

Is there further discussion of the Boehlert amendment?

[No response.]

The CHAIRMAN. If not, without objection, the Boehlert amendment will be regarded as having been added to the en bloc amendment.

Ms. Lofgren also has an amendment to the en bloc amendment.

Ms. LOFGREN. Thank you, Mr. Chairman. Perhaps we can distribute it. It's at the desk.

The CHAIRMAN. The Lofgren amendment should be distributed to the members. I'm being told that we're somewhat behind in distributing amendments to the members. I guess we'd better hold for a moment until we get the language before the members.

[Pause.]

The gentlelady is recognized for her amendment.

Ms. LOFGREN. Thank you, Mr. Chairman. I ask unanimous consent that the amendment be considered as read.

The CHAIRMAN. Without objection.

Ms. LOFGREN. Mr. Chairman, the amendment I'm proposing is to Section 212.

Shall I suspend until we return, Mr. Chairman?

The CHAIRMAN. This is another motion that we rise.

May I suggest to the gentlelady she go ahead and describe her amendment? We can use that five minutes, and then we will come back for further consideration.

Ms. LOFGREN. My amendment is to Section 212 to your en bloc amendment, which reduces by one the number of assistant directors authorized for NSF, and which would trigger reorganization of NSF's administrative structure.

I think your amendment raises the good point, that I agree with, that NSF needs to consider ways to streamline and reduce administrative expenses in the face of reductions in salary and expense accounts. I'm hopeful that organizational changes will be found which will reduce costs and also improve the efficiency of the agency, even though I think we've already acknowledged that the agency is not in terrible shape.

The concern I have, and the reason why I propose this amendment is that your en bloc amendment assumes that the best way to achieve those cost cuts and efficiencies is the elimination of a directorate. And we don't know whether or not that is the best way to do that at this point. We haven't had hearings on it. We haven't, at least I have not.

The Committee has received a plan for reorganization from the National Science Foundation. It seems to me that, rather than have the Committee impose a reorganization in this way, that it would be better to ask NSF to come back to us with their plan to achieve savings and to become more efficient.

I know that there is work underway under the overall reinventing government activity. Whether or not that is going to lead to the final best result, I cannot say. But the amendment I'm proposing would give the National Science Foundation some time until February 15 of next year to come back with an overall reorganization plan to improve effectiveness and reduce costs. I think the Committee will have time to consider the recommendations of the plan through the hearing process prior to the preparation of the follow-on authorization bill, and then on the basis of the plan and its reception through subsequent hearings, the Committee will be able to make a better-informed decision on the legislation.

I think we need to proceed in a very systematic way to address this issue. I think Mr. Schiff has already indicated, and I think we all know, that NSF is not a bloated bureaucracy. It is on the lean

side already. But that doesn't mean that we can't do more, and we can't do better.

I am just suggesting that, for an organization that we have expressed admiration for in the past—really, all of us, on a bipartisan basis—we ought to let them dig in and do the best job. I'm hopeful, frankly, that they could come up with savings that exceed what are recommended in the Chairman's bill as a very efficient organization.

So that is really the gist of my amendment, and I would urge its adoption. Thank you, Mr. Chairman.

The CHAIRMAN. The Chair intends to recess the Committee at this point. I would ask the forbearance of the members to come back immediately after the vote, if we can, so that we may complete. After this amendment, and we are finished with that, the Chair knows of only one more amendment to this bill. We would then move to final passage, and we have one more bill left, the fire bill, which the Chair knows of no controversy on at all. And so we can complete our work here in a matter of a reasonably short time if members would come back, help us get a quorum, and we can roll forward then.

[Recess.]

The CHAIRMAN. The hearing will come to order.

The Chair will rescind that for a moment. There's still a vote on the other side. Until a vote goes off, I don't want to call the Committee to order.

Mr. SCHIFF. Mr. Chairman, can I respectfully recommend that we proceed with the debate?

The CHAIRMAN. That's a good idea. Okay.

We have a quorum in the room, so we can proceed with the debate, and talk on the Lofgren amendment which is before us. But we will not vote until the vote has been called on the House floor.

Ms. LOFGREN. Mr. Chairman, did I finish before we left? The hour was late, and I couldn't remember.

The CHAIRMAN. You had done your five minutes. I was about to ask whether additional members wished to be heard on the amendment.

Ms. LOFGREN. All right.

The CHAIRMAN. I thank the gentlelady.

Are there additional members that wish to be heard on the amendment of the gentlelady from California?

Mr. BARTON. Mr. Chairman?

The CHAIRMAN. Mr. Barton.

Mr. BARTON. I would ask unanimous consent to suspend the rules of the Committee and maybe discuss the next amendment, so that whatever debate there is on the Barton amendment can commence while we're waiting for the vote to occur on the Lofgren amendment, if such a vote needs to occur. I just want to do my talking now, so that once we get people back and we do the vote, if there is a vote, then we can go immediately to a vote on my amendment if possible.

The CHAIRMAN. I would say to the gentleman, I would prefer not to get too far outside the process. I do want to make some comments on the Lofgren amendment. I think it's been offered in good faith, and I understand what she's attempting to do. I do think

there needs to be an explanation for the language which is in the bill. I intend to do that. By that time, we would hope that maybe the vote would be over on the House floor. Then we can move immediately to that, and then go immediately to the gentleman's debate.

Mr. BARTON. I would point out to the Chairman, in all probability, there is going to be another immediate vote on the floor.

The CHAIRMAN. I understand. Let's try to do our best here.

Is there any other member that wishes to be heard on the Lofgren amendment?

[No response.]

The CHAIRMAN. If not, the Chair would point out that the gentlelady's amendment unnecessarily extends the reorganization beyond the next budget cycle. Reducing the salaries and expense account by $4 million in FY '96 requires NSF to move quickly to save dollars that should go to supporting research. Our effort here is to make certain that the money, insofar as possible, is being spent on research.

I have consulted with the head of the NSF, Neal Lane, the NSF Director, on my proposal to limit the number of assistant directors to not more than six. He has indicated he can live with this. I would say that he is not thrilled with it, but he did indicate that the proposal that you had before us here is much different than what most people had interpreted the budget as having done, and in fact allows him the discretion that he needs as an administrator to do the reorganization.

His concerns that he expressed to me were fully incorporated in the en bloc amendment. And while it does involve some changes at NSF, it really is a situation where we have given the administrator there, the Director, broad administrative authority, and I think it is something that can be handled.

I understand the gentlelady's point, that the Foundation giving us the study will allow us to more fully understand what they might do. But I would point out again that the problem with that is that we go through one full budget cycle then while they're studying this, not getting the administrative savings that we think are possible that can be applied to the science accounts.

Since you have a fairly limited ceiling on the amounts of money that we have for NSF, any money wasted in administration ends up not going into science. I would prefer to see us devoting the money to science at this juncture.

Ms. LOFGREN. Would the gentleman yield?

The CHAIRMAN. Sure, I'd be happy to yield.

Ms. LOFGREN. This may not be protocol in terms of the procedure. But I'm wondering if an earlier date within this calendar year might address the Chairman's concerns that I think are reasonable, and also whether we might just—even if this amendment is not adopted, as it may not be—give additional discretion for them to come back within a very short period of time, achieving the savings identified in maybe a more creative way. Maybe they only need three directors and want to cut middle management. I really don't know. But I'd love to give them the chance to be creative.

The CHAIRMAN. There is nothing to prevent them from going further than what we specified. We say that the limit they shall have

is six. But if they have a plan to do it with three, they are perfectly able to do that within the proposal that we have put forward here. So if they want to go further in terms of administrative savings, there is nothing in the language that is before the Committee to prevent them from going substantially further than what we've asked them to do. We want them to go at least as far, however, as we had indicated in the en bloc amendment as the standard that we're setting.

Ms. LOFGREN. Since we're still waiting for the vote to end over across the way, I wonder if I could ask one further question, Mr. Chairman.

If they were to come back and identify the same level of savings, but do it a completely different way than is envisioned in your amendment, would this Committee then have an opportunity to be receptive to that—say, we'll cut middle management or something I can't think of?

The CHAIRMAN. Obviously, they can submit a recision. They can do a number of things that would allow us to act differently than this. But we are making a specific recommendation to them that they must cut one directorate. That is in fact something which is locked in.

If they want to go beyond that and do some other things, the Committee would certainly be cooperative with that.

I'm watching. We are down to 0/0/0 on the clock in the chamber, which means that the vote is finished there. The Chair would ask unanimous consent at this point to proceed with the vote, since we are at 0/0/0.

Ms. LOFGREN. Mr. Chairman, I do not object to that. Let's proceed. It is late.

The CHAIRMAN. Okay.

Is there objection to proceeding with the vote, since the vote is past the 15 minutes?

[No response.]

The CHAIRMAN. The Chair hears no objection, and we will put the question on the Lofgren amendment. Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the no's have it. The no's have it. The amendment is not agreed to.

The next amendment on the calendar is the Barton amendment. The Clerk will distribute the amendment. It's in the package, I'm told. The gentleman is recognized to describe his amendment.

Mr. BARTON. Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The CHAIRMAN. Without objection.

Mr. BARTON. I didn't think that was controversial.

Mr. Chairman, I know the hour is late, and I could give a very eloquent talk about why we need to change the name of the National Science Foundation to the National Science and Engineering Foundation, which is what this amendment does. This isn't rocket science. There's no hidden agenda here.

In 1985, we changed the statute that said, everywhere in the statute that said "science," we added "and engineering." Engineering is a separate directorate of the National Science Foundation. It is actually a separate discipline. It is not a subset of science. It is a separate discipline than science. If you go to universities, they have engineering departments and science departments.

The National Society of Professional Engineers has asked that I offer this amendment. I offered it in Subcommittee, and withdrew after a straw vote that was somewhat in the negative against me. I think, as the Chairman knows, I have offered to change the amendment so that we can conduct a study. The engineering professions—there are about 30 of them in the country—requested that I actually offer the full-blown amendment to change the name. I would point out that the new building that's being built for the National Academy of Science and Engineering says "Science and Engineering."

This would not be a costly amendment. So I would hope that we could support it, vote for it, and do something that would encourage all engineers in the country and bring credit to this Committee.

With that, I would yield back the balance of my time.

The CHAIRMAN. The gentleman yields back the balance of his time.

Are there additional members who wish to be heard on the gentleman's amendment? Mr. Bartlett.

Mr. BARTLETT. Mr. Chairman, the National Science Foundation, in spite of being a Federal entity, has acquired a very well-deserved excellent reputation as a basic research institution. Engineering is not basic research, and the fact that we have added engineering to some of the legislation referring to the National Science Foundation should not justify now a change in the name.

For a number of reasons, I need to object to this amendment by my very good and very well-respected friend. I think we need to respect the role of basic science. I think the National Science Foundation—that its basic mission would be compromised by a change in name which would indicate that we were deviating from our commitment to support this institution as a basic research institution.

So I stand in opposition to the motion. Thank you.

The CHAIRMAN. I thank the gentleman.

If the Chair could retreat for just a moment. Bouncing back and forth here to the floor, the Chair kind of forgot where we were. The Lofgren amendment was actually offered to the en bloc amendment of the Chairman. The Chairman did not ask for a vote on the en bloc amendment, and so we do that at the present time.

Those in favor of the en bloc amendment as amended will respond by saying aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. The ayes have it. The en bloc amendment is approved.

We will continue now on the Barton amendment. Are there additional people who wish to be heard on the Barton amendment proposing a name change for the National Science Foundation?

[No response.]

The CHAIRMAN. If not, the Chair is prepared to close the debate.

The Chair has talked to the Director of NSF about this. The Director made a very strong point with me, and that is that the NSF is in fact a worldwide institution, known across the world for excellence, and to change the name would in fact lend a note of confusion to something where we have built a reputation over the years. This is known as the premier science agency in the world, and I think that it probably would not be in the best interests of our pursuit of science excellence to change the name at the present time.

With that, the Chair would put the question. Those in favor of the Barton amendment will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the no's have it.

Mr. BARTON. Mr. Chairman, I'm going to reluctantly ask for a roll call vote only because the engineers had asked that I ask for a roll call vote.

The CHAIRMAN. Could the gentleman accommodate us by perhaps doing it by a division vote?

Mr. BARTON. They actually want to put people on record.

The CHAIRMAN. That's nice of them.

[Laughter.]

The CHAIRMAN. The gentleman may certainly ask for a roll call vote. The Clerk will call the roll.

Ms. SCHWARTZ. Mr. Walker?

Mr. WALKER. No.

Ms. SCHWARTZ. Mr. Walker votes no.

Mr. Sensenbrenner?

[No response.]

Ms. SCHWARTZ.

Mr. Boehlert?

Mr. BOEHLERT. Aye.

Ms. SCHWARTZ. Mr. Boehlert votes yes.

Mr. Fawell?

[No response.]

Ms. SCHWARTZ.

Mrs. Morella?

Mrs. MORELLA. No.

Mrs. SCHWARTZ. Mrs. Morella votes no.

Mr. Weldon of Pennsylvania?

Mr. CURT WELDON. Yes.

Ms. SCHWARTZ. Mr. Weldon votes yes.

Mr. Rohrabacher?

[No response.]

Ms. SCHWARTZ.

Mr. Schiff?

Mr. SCHIFF. Pass.

Ms. SCHWARTZ. Mr. Barton?

Mr. BARTON. Yes.

Ms. SCHWARTZ. Mr. Barton votes yes.

Mr. Calvert?

Mr. CALVERT. Aye.

Ms. SCHWARTZ. Mr. Calvert votes yes.

Mr. Baker?
Mr. BAKER. No.
Ms. SCHWARTZ. Mr. Baker votes no.
Mr. Bartlett?
Mr. BARTLETT. No.
Ms. SCHWARTZ. Mr. Bartlett votes no.
Mr. Ehlers?
Mr. EHLERS. No.
Ms. SCHWARTZ. Mr. Ehlers votes no.
Mr. Wamp?
Mr. WAMP. No.
Ms. SCHWARTZ. Mr. Wamp votes no.
Mr. Weldon of Florida?
Mr. DAVE WELDON. Yes.
Ms. SCHWARTZ. Mr. Weldon votes yes.
Mr. Graham?
Mr. GRAHAM. Yes.
Ms. SCHWARTZ. Mr. Graham votes yes.
Mr. Salmon?
Mr. SALMON. Yes.
Ms. SCHWARTZ. Mr. Salmon votes yes.
Mr. Davis?
Mr. DAVIS. No.
Ms. SCHWARTZ. Mr. Davis votes no.
Mr. Stockman?
Mr. STOCKMAN. Yes.
Ms. SCHWARTZ. Mr. Stockman votes yes.
Mr. Gutknecht?
Mr. GUTKNECHT. No.
Ms. SCHWARTZ. Mr. Gutknecht votes no.
Mrs. Seastrand?
Mrs. SEASTRAND. No.
Ms. SCHWARTZ. Mrs. Seastrand votes no.
Mr. Tiahrt?
Mr. TIAHRT. Aye.
Ms. SCHWARTZ. Mr. Tiahrt votes yes.
Mr. Largent?
[No response.]
Ms. SCHWARTZ.
Mr. Hilleary?
[No response.]
Ms. SCHWARTZ.
Mrs. Cubin?
Mrs. CUBIN. No.
Ms. SCHWARTZ. Mrs. Cubin votes no.
Mr. Foley?
Mr. FOLEY. No.
Ms. SCHWARTZ. Mr. Foley votes no.
Mrs. Myrick?
[No response.]
Ms. SCHWARTZ. Mr. Brown?
[No response.]
Ms. SCHWARTZ. Mr. Hall?
Mr. HALL. Aye.

Ms. SCHWARTZ. Mr. Hall votes yes.
Mr. Traficant?
[No response.]
Ms. SCHWARTZ. Mr. Hayes?
[No response.]
Ms. SCHWARTZ. Mr. Tanner?
[No response.]
Ms. SCHWARTZ.
Mr. Geren?
[No response.]
Ms. SCHWARTZ.
Mr. Roemer?
Mr. ROEMER. No.
Ms. SCHWARTZ. Mr. Roemer votes no.
Mr. Cramer?
[No response.]
Ms. SCHWARTZ. Mr. Barcia?
[No response.]
Ms. SCHWARTZ. Mr. McHale?
Mr. MCHALE. Pass.
Ms. SCHWARTZ. Ms. Harman?
[No response.]
Ms. SCHWARTZ.
Ms. Johnson?
Ms. JOHNSON. Aye.
Ms. SCHWARTZ. Ms. Johnson votes yes.
Mr. Minge?
Mr. MINGE. No.
Ms. SCHWARTZ. Mr. Minge votes no.
Mr. Olver?
Mr. OLVER. No.
Ms. SCHWARTZ. Mr. Olver votes no.
Mr. Hastings?
Mr. HASTINGS. Present.
Ms. SCHWARTZ. Ms. Rivers?
Ms. RIVERS. No.
Ms. SCHWARTZ. Ms. Rivers votes no.
Ms. McCarthy?
Mrs. MCCARTHY. No.
Ms. SCHWARTZ. Ms. McCarthy votes no.
Mr. Ward?
Mr. WARD. Yes.
Ms. SCHWARTZ. Mr. Ward votes yes.
Ms. Lofgren?
Ms. LOFGREN. No.
Ms. SCHWARTZ. Ms. Lofgren votes no.
Mr. Doggett?
[No response.]
Ms. SCHWARTZ. Mr. Doyle?
Mr. DOYLE. I'm voting with my chairman. No.
[Laughter.]
The CHAIRMAN. Good boy.
[Laughter.]
Ms. SCHWARTZ. Ms. Jackson-Lee?

Ms. JACKSON-LEE. Aye.
Ms. SCHWARTZ. Ms. Jackson-Lee votes yes.
Mr. Luther?
Mr. LUTHER. No.
Ms. SCHWARTZ. Mr. Luther votes no.
Mr. HASTINGS. Mr. Chairman, how am I recorded?
The CHAIRMAN. How is Mr. Hastings recorded?
Mrs. SCHWARTZ. Mr. Hastings voted present.
Mr. HASTINGS. Mr. Chairman, I wish to be recorded as no.
Mr. ROHRABACHER. Mr. Chairman?
The CHAIRMAN. How is Mr. Rohrabacher recorded?
Mrs. SCHWARTZ. Mr. Rohrabacher is not recorded.
Mr. ROHRABACHER. Taking Mr. Doyle's lead, I'll just have to vote no.
[Laughter.]
Mr. SCHIFF. Mr. Chairman, Mr. Doyle has convinced me that I really shouldn't follow your policy, so I'm going to vote yes.
[Laughter.]
Mr. FAWELL. How am I recorded?
Mr. DOYLE. I'm going to turn this thing around.
[Laughter.]
The CHAIRMAN. Mr. Fawell.
Mr. FAWELL. No.
Mr. GEREN. Mr. Chairman, how am I recorded?
The CHAIRMAN. How is Mr. Geren recorded?
Mrs. SCHWARTZ. Mr. Geren is not recorded.
Mr. GEREN. I vote aye.
Mr. MCHALE. Mr. Chairman?
The CHAIRMAN. Mr. McHale.
Mr. MCHALE. How am I recorded, Mr. Chairman?
Mrs. SCHWARTZ. Mr. McHale is not recorded.
Mr. MCHALE. I'm going to vote yes.
The CHAIRMAN. Mr. McHale votes yes.
Are there additional members that wish to be recorded?
[No response.]
The CHAIRMAN. If not, the Clerk will report.
Mrs. SCHWARTZ. Mr. Chairman, yes is 16, no 22.
The CHAIRMAN. The amendment is not agreed to.
Are there further amendments to the bill?
[No response.]
The CHAIRMAN. Hearing none, the question is on the bill H.R. 1852. Those in favor will say aye.
[Chorus of ayes.]
The CHAIRMAN. Those opposed?
[No response.]
The CHAIRMAN. In the opinion of the Chair, the ayes have it.
Mr. SCHIFF. Mr. Chairman, I move that the Committee report the bill H.R. 1852 as amended. Furthermore, I move to instruct the staff to prepare the legislative report, including supplemental minority or additional views, to make technical and conforming amendments, and that the Chairman take all necessary steps to bring the bill before the House for consideration.
The CHAIRMAN. Would the gentleman add to that three legislative days for everyone to file supplemental views?

Mr. SCHIFF. I further add to the motion that three legislative days be allowed for all members to provide supplemental views.

The CHAIRMAN. The question is on the motion. Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. The ayes have it.

Mr. Ehlers.

Mr. EHLERS. Mr. Chairman, I move pursuant to clause 1 of Rule 20 of the rules of the House of Representatives that the Committee authorize the Chairman to offer such motions as may be necessary in the House to go to conference with the Senate on the bill H.R. 1852 or a similar Senate bill.

The CHAIRMAN. The Committee has heard the motion. Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

The CHAIRMAN. The ayes have it.

This concludes the markup on the measure H.R. 1852.

[The bill H.R. 1852, plus the Amendment Roster follows:]

104TH CONGRESS
1ST SESSION

H. R. 1852

To authorize appropriations for the National Science Foundation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 1995

Mr. SCHIFF (for himself and Mr. PETE GEREN of Texas) introduced the following bill; which was referred to the Committee on Science

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A BILL

To authorize appropriations for the National Science Foundation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 **SECTION 1. SHORT TITLE.**
4 This Act may be cited as the "National Science
5 Foundation Authorization Act of 1995".
6 **SEC. 2. DEFINITIONS.**
7 For purposes of this Act—
8 (1) the term "Director" means the Director of
9 the Foundation;

(2) the term "Foundation" means the National Science Foundation;

(3) the term "institution of higher education" has the meaning given such term in section 1201(a) of the Higher Education Act of 1965;

(4) the term "national research facility" means a research facility funded by the Foundation which is available, subject to appropriate policies allocating access, for use by all scientists and engineers affiliated with research institutions located in the United States; and

(5) the term "United States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

TITLE I—NATIONAL SCIENCE FOUNDATION AUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) FINDINGS.—The Congress finds that—

(1) the programs of the Foundation are important for the Nation to strengthen basic research and develop human resources in science and engineering,

1 and that those programs should be funded at an
2 adequate level;
3 (2) the primary mission of the Foundation con-
4 tinues to be the support of basic scientific research
5 and science education and the support of research
6 fundamental to the engineering process and engi-
7 neering education; and
8 (3) the Foundation's efforts to contribute to the
9 economic competitiveness of the United States
10 should be in accord with that primary mission.
11 (b) FISCAL YEAR 1996.—There are authorized to be
12 appropriated to the Foundation $3,126,000,000 for fiscal
13 year 1996, which shall be available for the following cat-
14 egories:
15 (1) Research and Related Activities,
16 $2,226,300,000, which shall be available for the fol-
17 lowing subcategories:
18 (A) Mathematical and Physical Sciences,
19 $632,200,000.
20 (B) Engineering, $311,600,000.
21 (C) Biological Sciences, $293,300,000.
22 (D) Geosciences, $408,800,000.
23 (E) Computer and Information Science
24 and Engineering, $249,500,000.

1 (F) Social, Behavioral, and Economic
2 Sciences, $111,300,000.
3 (G) United States Polar Research Pro-
4 grams, $156,000,000.
5 (H) United States Antarctic Logistical Ac-
6 tivities, $62,600,000.
7 (I) Critical Technologies Institute,
8 $1,000,000.
9 (2) Education and Human Resources Activities,
10 $600,000,000.
11 (3) Major Research Equipment, $70,000,000.
12 (4) Academic Research Facilities Moderniza-
13 tion, $100,000,000.
14 (5) Salaries and Expenses, $120,000,000.
15 (6) Office of Inspector General, $4,500,000.
16 (7) Headquarters Relocation, $5,200,000.
17 (c) FISCAL YEAR 1997.—There are authorized to be
18 appropriated to the Foundation $3,171,400,000 for fiscal
19 year 1997, which shall be available for the following cat-
20 egories:
21 (1) Research and Related Activities,
22 $2,286,200,000.
23 (2) Education and Human Resources Activities,
24 $600,000,000.
25 (3) Major Research Equipment, $55,000,000.

1 (4) Academic Research Facilities Moderniza-
2 tion, $100,000,000.
3 (5) Salaries and Expenses, $120,000,000.
4 (6) Office of Inspector General, $5,000,000.
5 (7) Headquarters Relocation, $5,200,000.

6 **SEC. 102. PROPORTIONAL REDUCTION OF RESEARCH AND**
7 **RELATED ACTIVITIES AMOUNTS.**

8 If the amount appropriated pursuant to section
9 101(b)(1) is less than the amount authorized under that
10 paragraph, the amount authorized for each subcategory
11 under that paragraph shall be reduced by the same pro-
12 portion.

13 **SEC. 103. CONSULTATION AND REPRESENTATION EX-**
14 **PENSES.**

15 From appropriations made under authorizations pro-
16 vided in this Act, not more than $10,000 may be used
17 in each fiscal year for official consultation, representation,
18 or other extraordinary expenses at the discretion of the
19 Director. The determination of the Director shall be final
20 and conclusive upon the accounting officers of the Govern-
21 ment.

22 **SEC. 104. REPROGRAMMING.**

23 (a) $500,000 OR LESS.—In any given fiscal year, the
24 Director may transfer appropriated funds among the
25 subcategories of Research and Related Activities, so long

1 as the net funds transferred to or from any subcategory
2 do not exceed $500,000.

3 (b) GREATER THAN $500,000.—In addition, the Di-
4 rector may propose transfers to or from any subcategory
5 exceeding $500,000. An explanation of any proposed
6 transfer under this subsection must be transmitted in
7 writing to the Committee on Science of the House of Rep-
8 resentatives, and the Committees on Labor and Human
9 Resources and Commerce, Science, and Transportation of
10 the Senate. The proposed transfer may be made only when
11 30 calendar days have passed after transmission of such
12 written explanation.

13 **SEC. 105. FURTHER AUTHORIZATIONS.**

14 Nothing in this Act shall preclude further authoriza-
15 tion of appropriations for the National Science Founda-
16 tion for fiscal year 1996: *Provided*, That authorization al-
17 locations adopted by the Conference Committee on House
18 Concurrent Resolution 67, and approved by Congress,
19 allow for such further authorizations.

20 TITLE II—GENERAL PROVISIONS

21 **SEC. 201. ANNUAL REPORT.**

22 Section 3(f) of the National Science Foundation Act
23 of 1950 (42 U.S.C. 1862(f)) is amended to read as fol-
24 lows:

1 "(f) The Foundation shall provide an annual report
2 to the President which shall be submitted by the Director
3 to the Congress at the time of the President's annual
4 budget submission. The report shall—
5 "(1) contain a strategic plan, or an update to
6 a previous strategic plan, which—
7 "(A) defines for a three-year period the
8 overall goals for the Foundation and specific
9 goals for each major activity of the Foundation,
10 including each scientific directorate, the edu-
11 cation directorate, and the polar programs of-
12 fice; and
13 "(B) describe how the identified goals re-
14 late to national needs and will exploit new op-
15 portunities in science and technology;
16 "(2) identify the criteria and describe the proce-
17 dures which the Foundation will use to assess
18 progress toward achieving the goals identified in ac-
19 cordance with paragraph (1);
20 "(3) review the activities of the Foundation
21 during the preceding year which have contributed to-
22 ward achievement of goals identified in accordance
23 with paragraph (1) and summarize planned activities
24 for the coming three years in the context of the
25 identified goals, with particular emphasis on the

1 Foundation's planned contributions to major multi-
2 agency research and education initiatives;
3 "(4) contain such recommendations as the
4 Foundation considers appropriate; and
5 "(5) include information on the acquisition and
6 disposition by the Foundation of any patents and
7 patent rights.".

8 **SEC. 202. NATIONAL RESEARCH FACILITIES.**

9 (a) FACILITIES PLAN.—The Director shall provide to
10 Congress annually, as a part of the report required under
11 section 3(f) of the National Science Foundation Act of
12 1950, a plan for the proposed construction of, and repair
13 and upgrades to, national research facilities. The plan
14 shall include estimates of the cost for such construction,
15 repairs, and upgrades, and estimates of the cost for the
16 operation and maintenance of existing and proposed new
17 facilities. For proposed new construction and for major
18 upgrades to existing facilities, the plan shall include fund-
19 ing profiles by fiscal year and milestones for major phases
20 of the construction. The plan shall include cost estimates
21 in the categories of construction, repair, and upgrades for
22 the year in which the plan is submitted to Congress and
23 for not fewer than the succeeding 4 years.

24 (b) LIMITATION ON OBLIGATION OF UNAUTHORIZED
25 APPROPRIATIONS.—No funds appropriated for any project

1 which involves construction of new national research facili-
2 ties or construction necessary for upgrading the capabili-
3 ties of existing national research facilities shall be obli-
4 gated unless the funds are specifically authorized for such
5 purpose by this Act or any other Act which is not an ap-
6 propriations Act, or unless the total estimated cost to the
7 Foundation of the construction project is less than
8 $50,000,000. This subsection shall not apply to construc-
9 tion projects approved by the National Science Board
10 prior to June 30, 1994.

11 **SEC. 203. ELIGIBILITY FOR RESEARCH FACILITY AWARDS.**

12 Section 203(b) of the Academic Research Facilities
13 Modernization Act of 1988 is amended by striking the
14 final sentence of paragraph (3) and inserting in lieu there-
15 of the following: "The Director shall give priority to insti-
16 tutions or consortia that have not received such funds in
17 the preceding 5 years, except that this sentence shall not
18 apply to previous funding received for the same multiyear
19 project.".

20 **SEC. 204. ADMINISTRATIVE AMENDMENTS.**

21 (a) NATIONAL SCIENCE FOUNDATION ACT OF 1950
22 AMENDMENTS.—The National Science Foundation Act of
23 1950 (42 U.S.C. 1861 et seq.) is amended—

24 (1) by redesignating the subsection (k) of sec-
25 tion 4 (42 U.S.C. 1863(k)) that was added by sec-

1 tion 108 of the National Science Foundation Au-
2 thorization Act of 1988 as subsection (l);
3 (2) in section 5(e) (42 U.S.C. 1864(e)) by
4 amending paragraph (2) to read as follows:
5 "(2) Any delegation of authority or imposition of con-
6 ditions under paragraph (1) shall be promptly published
7 in the Federal Register and reported to the Committees
8 on Labor and Human Resources and Commerce, Science,
9 and Transportation of the Senate and the Committee on
10 Science of the House of Representatives.";
11 (3) by inserting "be entitled to" between
12 "shall" and "receive", and by inserting ", including
13 traveltime," after "Foundation" in section 14(c) (42
14 U.S.C. 1873(c));
15 (4) by striking section 14(j) (42 U.S.C.
16 1873(j)); and
17 (5) by striking "Atomic Energy Commission" in
18 section 15(a) (42 U.S.C. 1874(a)) and inserting in
19 lieu thereof "Secretary of Energy".
20 (b) NATIONAL SCIENCE FOUNDATION AUTHORIZA-
21 TION ACT, 1976 AMENDMENTS.—Section 6(a) of the Na-
22 tional Science Foundation Authorization Act, 1976 (42
23 U.S.C. 1881a(a)) is amended by striking "social," the
24 first place it appears.

1 (c) NATIONAL SCIENCE FOUNDATION AUTHORIZA-
2 TION ACT OF 1988 AMENDMENTS.—(1) Section
3 117(a)(1)(B)(v) of the National Science Foundation Au-
4 thorization Act of 1988 (42 U.S.C. 1881b(1)(B)(v)) is
5 amended to read as follows:

6 "(v) from schools established outside the several
7 States and the District of Columbia by any agency
8 of the Federal Government for dependents of its em-
9 ployees.".

10 (2) Section 117(a)(3)(A) of such Act (42 U.S.C.
11 1881b(3)(A)) is amended by striking "Science and Engi-
12 neering Education" and inserting in lieu thereof "Edu-
13 cation and Human Resources".

14 (d) EDUCATION FOR ECONOMIC SECURITY ACT
15 AMENDMENTS.—Section 107 of Education for Economic
16 Security Act (20 U.S.C. 3917) is repealed.

17 (e) NATIONAL AERONAUTICS AND SPACE ADMINIS-
18 TRATION AUTHORIZATION ACT, FISCAL YEAR 1993 RE-
19 PEAL.—Section 217 of the National Aeronautics and
20 Space Administration Authorization Act, Fiscal Year
21 1993 is repealed.

22 **SEC. 205. INDIRECT COSTS.**

23 Matching funds required pursuant to section
24 204(a)(2)(C) of the Academic Research Facilities Mod-
25 ernization Act of 1988 (42 U.S.C. 1862c(a)(2)(C)) shall

1 not be considered facilities costs for purposes of determin-
2 ing indirect cost rates.

3 **SEC. 206. RESEARCH INSTRUMENTATION AND FACILITIES.**

4 The Foundation shall incorporate the guidelines set
5 forth in Important Notice No. 91, dated March 11, 1983
6 (48 Fed. Reg. 15754, April 12, 1983), relating to the use
7 and operation of Foundation-supported research instru-
8 mentation and facilities, in its notice of Grant General
9 Conditions, and shall examine more closely the adherence
10 of grantee organizations to such guidelines.

11 **SEC. 207. FINANCIAL DISCLOSURE.**

12 Persons temporarily employed by or at the Founda-
13 tion shall be subject to the same financial disclosure re-
14 quirements and related sanctions under the Ethics in Gov-
15 ernment Act of 1978 as are permanent employees of the
16 Foundation in equivalent positions.

17 **SEC. 208. EDUCATIONAL LEAVE OF ABSENCE FOR ACTIVE**
18 **DUTY.**

19 In order to be eligible to receive funds from the Foun-
20 dation after September 30, 1995, an institution of higher
21 education must provide that whenever any student of the
22 institution who is a member of the National Guard, or
23 other reserve component of the Armed Forces of the Unit-
24 ed States, is called or ordered to active duty, other than
25 active duty for training, the institution shall grant the

1 member a military leave of absence from their education.
2 Persons on military leave of absence from their institution
3 shall be entitled, upon release from military duty, to be
4 restored to the educational status they had attained prior
5 to their being ordered to military duty without loss of aca-
6 demic credits earned, scholarships or grants awarded, or
7 tuition and other fees paid prior to the commencement of
8 the military duty. It shall be the duty of the institution
9 to refund tuition or fees paid or to credit the tuition and
10 fees to the next semester or term after the termination
11 of the educational military leave of absence at the option
12 of the student.

13 **SEC. 209. PROHIBITION OF LOBBYING ACTIVITIES.**

14 None of the funds authorized by this Act shall be
15 used to pay the salaries or expenses of any grant or con-
16 tract recipient, or agent acting for such recipient, relating
17 to any activity designed to influence legislation pending
18 before the Congress.

19 **SEC. 210. SCIENCE AND TECHNOLOGY POLICY INSTITUTE.**

20 The Critical Technologies Institute is hereby renamed
21 the "Science and Technology Policy Institute".

22 **SEC. 211. EDUCATIONAL IMPACT.**

23 (a) FINDINGS.—The Congress finds that—
24 (1) Federal research funds made available to
25 institutions of higher education often create incen-

1 tives for such institutions to emphasize research over
2 undergraduate teaching and to narrow the focus of
3 their graduate programs; and
4 (2) National Science Foundation funds for Re-
5 search and Related Activities should be spent in the
6 manner most likely to improve the quality of under-
7 graduate and graduate education in institutions of
8 higher education.
9 (b) EDUCATIONAL IMPACT.—(1) The impact that a
10 grant or cooperative agreement by the National Science
11 Foundation would have on undergraduate and graduate
12 education at an institution of higher education shall be
13 a factor in any decision whether to award such grant or
14 agreement to that institution.
15 (2) Paragraph (1) shall be effective with respect to
16 any grant or cooperative agreement awarded after Sep-
17 tember 30, 1996.
18 (c) REPORT.—The Director shall provide a plan for
19 the implementation of subsection (b) of this section, no
20 later than December 31, 1995, to the Committee on
21 Science of the House of Representatives and the Commit-
22 tee on Commerce, Science, and Transportation and the
23 Committee on Labor and Human Resources of the Senate.

COMMITTEE ON SCIENCE
FULL COMMITTEE MARKUP: JUNE 28, 1995

AMENDMENT ROSTER

H.R. 1852, the National Science Foundation Authorization Act
--Motion to adopt the bill, as amended: Adopted by a voice vote
--Motion to report the bill, as amended: Adopted by a voice vote

No.	Sponsor	Description	Results
1.	Mr. Walker	En bloc amendment	Adopted, as amended, by voice vote (Considered original text for purposes of amendment, by unanimous consent)
1.(a)	Mr. Brown	Amendment to the original text as amended by the Walker en bloc	Adopted by voice vote
1.(b)	Mr. Boehlert	Amendment to the original text as amended by the Walker en bloc	Adopted by voice vote
1.(c)	Ms. Lofgren	Amendment to the original text as amended by the Walker en bloc	Defeated by a voice vote
2.	Mr. Walker	Amendment in the Nature of a Substitute	Not offered
3.	Mr. Doggett	Amendment to raise authorization levels	Not offered
4.	Mr. Geren	Amendment for Alternative Authorizations	Not offered
5.	Mr. Barton	New Section 212 -- Rename - National Science and Engineering Foundation	Defeated by a roll call vote Y-16; N-22;
6.	Mr. Rohrabacher	New Section - Affirmative Action	Not offered

EN BLOC AMENDMENTS TO H.R. 1852

OFFERED BY MR. WALKER

Page 11, line 23, insert "(a) MATCHING FUNDS.—" before "Matching funds required".

Page 12, after line 2, insert the following new subsection:

1 (b) REPORT.—The Director of the Office of Science
2 and Technology Policy, in consultation with other relevant
3 agencies, shall prepare a report analyzing what steps
4 would be needed to—
5 (1) reduce by 10 percent the proportion of Fed-
6 eral assistance to institutions of higher education
7 that are allocated for indirect costs; and
8 (2) reduce the variance among indirect cost
9 rates of different institutions of higher education.
10 Such report shall be transmitted to the Congress no later
11 than November 15, 1995.

Page 13, lines 13 through 18, amend section 209 to read as follows:

12 **SEC. 209. PROHIBITION OF LOBBYING ACTIVITIES.**
13 None of the funds authorized by this Act shall be
14 available for any activity whose purpose is to influence leg-
15 islation pending before the Congress.

1 Page 13, lines 19 through 21, amend section 210 to
2 read as follows:

3 **SEC. 210. SCIENCE STUDIES INSTITUTE.**

4 (a) AMENDMENT.—Section 822 of the National De-
5 fense Authorization Act for Fiscal 1991 (42 U.S.C. 6686)
6 is amended—

7 (1) by striking "Critical Technologies Institute"
8 in the section heading and in subsection (a), and in-
9 serting in lieu thereof "Science Studies Institute";

10 (2) in subsection (b) by striking "As deter-
11 mined by the chairman of the committee referred to
12 in subsection (c) of this section, the" and inserting
13 in lieu thereof "The";

14 (3) by striking subsection (c), and redesignating
15 subsections (d), (e), (f), and (g) as subsections (c),
16 (d), (e), and (f), respectively;

17 (4) in subsection (c), as so redesignated by
18 paragraph (3) of this subsection—

19 (A) by inserting "science and" after "de-
20 velopments and trends in" in paragraph (1);

21 (B) by striking "with particular
22 emphasis"in paragraph (1) and all that follows
23 through the end of such paragraph and insert-
24 ing in lieu thereof "and developing and main-

1 taining relevant informational and analytical
2 tools";
3 (C) by striking "to determine" and all that
4 follows through "technology policies" in para-
5 graph (2) and inserting in lieu thereof "with
6 particular attention to the scope and content of
7 the Federal science and technology research
8 and develop portfolio as it affects interagency
9 and national issues";
10 (D) by amending paragraph (3) to read as
11 follows:
12 "(3) Initiation of studies and analysis of alter-
13 natives available for ensuring the long-term strength
14 of the United States in the development and applica-
15 tion of science and technology, including appropriate
16 roles for the Federal Government, State govern-
17 ments, private industry, and institutions of higher
18 education in the development and application of
19 science and technology.";
20 (E) by inserting "science and" after "Ex-
21 ecutive branch on" in paragraph (4)(A); and
22 (F) by amending paragraph (4)(B) to read
23 as follows:

1 "(B) to the interagency committees and
2 panels of the Federal Government concerned
3 with science and technology.";
4 (5) in subsection (d), as so redesignated by
5 paragraph (3) of this subsection, by striking "sub-
6 section (d)" and inserting in lieu thereof "subsection
7 (c)"; and
8 (6) by amending subsection (f), as so redesig-
9 nated by paragraph (3) of this subsection, to read
10 as follows:
11 "(f) SPONSORSHIP.—The Director of the Office of
12 Science and Technology Policy shall be the sponsor of the
13 Institute.".
14 (b) CONFORMING USAGE.—All references in Federal
15 law or regulations to the Critical Technologies Institute
16 shall be considered to be references to the Science Studies
17 Institute.

Page 14, after line 23, insert the following new sections:

18 **SEC. 212. DIVISIONS OF THE FOUNDATION.**
19 (a) AMENDMENT.—Section 8 of the National Science
20 Foundation Act of 1950 (42 U.S.C. 1866) is amended by
21 inserting "The Director may appoint, in consultation with
22 the Board, not more than 6 Assistant Directors to assist

1 in managing the Divisions." after "time to time deter-
2 mine.".

3 (b) REPORT.—By November 15, 1995, the Director
4 shall transmit to the Congress a report on the reorganiza-
5 tion of the National Science Foundation required as a re-
6 sult of the amendment made by subsection (a).

7 **SEC. 213. LIMITATION ON APPROPRIATIONS.**

8 (a) EXCLUSIVE AUTHORIZATION FOR FISCAL YEAR
9 1996.—Notwithstanding any other provision of law, no
10 sums are authorized to be appropriated for fiscal year
11 1996 for the activities of the National Science Foundation
12 unless such sums are specifically authorized to be appro-
13 priated by this Act.

14 (b) SUBSEQUENT FISCAL YEARS.—No sums are au-
15 thorized to be appropriated for any fiscal year after fiscal
16 year 1996 for the activities of the National Science Foun-
17 dation unless such sums are specifically authorized to be
18 appropriated by Act of Congress with respect to such fiscal
19 year.

20 **SEC. 214. ELIGIBILITY FOR AWARDS.**

21 (a) IN GENERAL.—The Director shall exclude from
22 consideration for awards of financial assistance made by
23 the National Science Foundation after fiscal year 1995
24 any person who received funds, other than those described
25 in subsection (b), appropriated for a fiscal year after fiscal

1 year 1995, from any Federal funding source for a project
2 that was not subjected to a competitive, merit-based award
3 process. Any exclusion from consideration pursuant to this
4 section shall be effective for a period of 5 years after the
5 person receives such Federal funds.

6 (b) EXCEPTION.—Subsection (a) shall not apply to
7 awards to persons who are members of a class specified
8 by law for which assistance is awarded to members of the
9 class according to a formula provided by law.

AMENDMENT OFFERED BY MR. BROWN TO THE WALKER EN BLOC AMENDMENT TO H.R. 1852

Page 1, line 15, strike "Congress." and insert in lieu thereof the following:

1 Congress, provided that this shall not prevent officers or
2 employees of the United States or of its departments or
3 agencies from communicating to Members of Congress on the
4 request of any Member or to Congress, through the proper
5 channels, requests for legislation or appropriations which they
6 deem necessary for the efficient conduct of the public
7 business.

AMENDMENT OFFERED BY MR. BOEHLERT TO THE EN BLOC AMENDMENTS OFFERED BY MR. WALKER

Page 1, line 9, strike the period and insert in lieu thereof a comma.

Page 1, strike lines 10 and 11, and insert in lieu thereof the following:

1 including an evaluation of the relative benefits and bur-
2 dens of each option on institutions of higher education.
3 Such report shall be transmitted to the Congress no later
4 than December 31, 1995.

AMENDMENT TO WALKER EN BLOC AMENDMENTS
OFFERED BY MS. LOFGREN

Amend lines 18 through 22 on page 4 and lines 1 through 6 on page 5 to read as follows:

1 SEC. 212. REORGANIZATION.

2 (a) Plan. -- The Director shall carry out a review and analysis of the
3 organizational structure of the National Science Foundation for the purpose of
4 developing a plan for reorganization that will result in reduced administrative
5 costs, while maintaining the quality and effectiveness of the Foundation's
6 programs. The plan shall include one or more options for reorganization of the
7 Foundation, and one option shall be an organizational structure having fewer
8 than seven directorates.

9 (b) Report. -- By February 15, 1996, the Director shall transmit to the
10 Congress a report containing the plan required by paragraph (a). The report
11 shall document the advantages and disadvantages of each option included in the
12 plan, provide an estimate of cost savings for each option, and designate the
13 Director's preferred option.

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1852 OFFERED BY MR. WALKER

Strike all after the enacting clause and insert in lieu thereof the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "National Science
3 Foundation Authorization Act of 1995".

4 **SEC. 2. DEFINITIONS.**

5 For purposes of this Act—

6 (1) the term "Director" means the Director of
7 the Foundation;

8 (2) the term "Foundation" means the National
9 Science Foundation;

10 (3) the term "institution of higher education"
11 has the meaning given such term in section 1201(a)
12 of the Higher Education Act of 1965;

13 (4) the term "national research facility" means
14 a research facility funded by the Foundation which
15 is available, subject to appropriate policies allocating
16 access, for use by all scientists and engineers affili-
17 ated with research institutions located in the United
18 States; and

(5) the term "United States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

TITLE I—NATIONAL SCIENCE FOUNDATION AUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) FINDINGS.—The Congress finds that—

(1) the programs of the Foundation are important for the Nation to strengthen basic research and develop human resources in science and engineering, and that those programs should be funded at an adequate level;

(2) the primary mission of the Foundation continues to be the support of basic scientific research and science education and the support of research fundamental to the engineering process and engineering education; and

(3) the Foundation's efforts to contribute to the economic competitiveness of the United States should be in accord with that primary mission.

(b) FISCAL YEAR 1996.—There are authorized to be appropriated to the Foundation $3,126,000,000 for fiscal

1 year 1996, which shall be available for the following cat-
2 egories:
3 (1) Research and Related Activities,
4 $2,226,300,000, which shall be available for the fol-
5 lowing subcategories:
6 (A) Mathematical and Physical Sciences,
7 $632,200,000.
8 (B) Engineering, $311,600,000.
9 (C) Biological Sciences, $293,300,000.
10 (D) Geosciences, $408,800,000.
11 (E) Computer and Information Science
12 and Engineering, $249,500,000.
13 (F) Social, Behavioral, and Economic
14 Sciences, $111,300,000.
15 (G) United States Polar Research Pro-
16 grams, $156,000,000.
17 (H) United States Antarctic Logistical Ac-
18 tivities, $62,600,000.
19 (I) Critical Technologies Institute,
20 $1,000,000.
21 (2) Education and Human Resources Activities,
22 $600,000,000.
23 (3) Major Research Equipment, $70,000,000.
24 (4) Academic Research Facilities Moderniza-
25 tion, $100,000,000.

(5) Salaries and Expenses, $120,000,000.

(6) Office of Inspector General, $4,500,000.

(7) Headquarters Relocation, $5,200,000.

(c) FISCAL YEAR 1997.—There are authorized to be appropriated to the Foundation $3,171,400,000 for fiscal year 1997, which shall be available for the following categories:

(1) Research and Related Activities, $2,286,200,000.

(2) Education and Human Resources Activities, $600,000,000.

(3) Major Research Equipment, $55,000,000.

(4) Academic Research Facilities Modernization, $100,000,000.

(5) Salaries and Expenses, $120,000,000.

(6) Office of Inspector General, $5,000,000.

(7) Headquarters Relocation, $5,200,000.

SEC. 102. PROPORTIONAL REDUCTION OF RESEARCH AND RELATED ACTIVITIES AMOUNTS.

If the amount appropriated pursuant to section 101(b)(1) is less than the amount authorized under that paragraph, the amount authorized for each subcategory under that paragraph shall be reduced by the same proportion.

1 **SEC. 103. CONSULTATION AND REPRESENTATION EX-**
2 **PENSES.**

3 From appropriations made under authorizations pro-
4 vided in this Act, not more than $10,000 may be used
5 in each fiscal year for official consultation, representation,
6 or other extraordinary expenses at the discretion of the
7 Director. The determination of the Director shall be final
8 and conclusive upon the accounting officers of the Govern-
9 ment.

10 **SEC. 104. REPROGRAMMING.**

11 (a) $500,000 OR LESS.—In any given fiscal year, the
12 Director may transfer appropriated funds among the
13 subcategories of Research and Related Activities, so long
14 as the net funds transferred to or from any subcategory
15 do not exceed $500,000.

16 (b) GREATER THAN $500,000.—In addition, the Di-
17 rector may propose transfers to or from any subcategory
18 exceeding $500,000. An explanation of any proposed
19 transfer under this subsection must be transmitted in
20 writing to the Committee on Science of the House of Rep-
21 resentatives, and the Committees on Labor and Human
22 Resources and Commerce, Science, and Transportation of
23 the Senate. The proposed transfer may be made only when
24 30 calendar days have passed after transmission of such
25 written explanation.

1 **SEC. 105. FURTHER AUTHORIZATIONS.**

2 Nothing in this Act shall preclude further authoriza-
3 tion of appropriations for the National Science Founda-
4 tion for fiscal year 1996: *Provided*, That authorization al-
5 locations adopted by the Conference Committee on House
6 Concurrent Resolution 67, and approved by Congress,
7 allow for such further authorizations.

8 TITLE II—GENERAL PROVISIONS

9 **SEC. 201. ANNUAL REPORT.**

10 Section 3(f) of the National Science Foundation Act
11 of 1950 (42 U.S.C. 1862(f)) is amended to read as fol-
12 lows:

13 "(f) The Foundation shall provide an annual report
14 to the President which shall be submitted by the Director
15 to the Congress at the time of the President's annual
16 budget submission. The report shall—

17 "(1) contain a strategic plan, or an update to
18 a previous strategic plan, which—

19 "(A) defines for a three-year period the
20 overall goals for the Foundation and specific
21 goals for each major activity of the Foundation,
22 including each scientific directorate, the edu-
23 cation directorate, and the polar programs of-
24 fice; and

"(B) describe how the identified goals relate to national needs and will exploit new opportunities in science and technology;

"(2) identify the criteria and describe the procedures which the Foundation will use to assess progress toward achieving the goals identified in accordance with paragraph (1);

"(3) review the activities of the Foundation during the preceding year which have contributed toward achievement of goals identified in accordance with paragraph (1) and summarize planned activities for the coming three years in the context of the identified goals, with particular emphasis on the Foundation's planned contributions to major multiagency research and education initiatives;

"(4) contain such recommendations as the Foundation considers appropriate; and

"(5) include information on the acquisition and disposition by the Foundation of any patents and patent rights.".

SEC. 202. NATIONAL RESEARCH FACILITIES.

(a) FACILITIES PLAN.—The Director shall provide to Congress annually, as a part of the report required under section 3(f) of the National Science Foundation Act of 1950, a plan for the proposed construction of, and repair

1 and upgrades to, national research facilities. The plan
2 shall include estimates of the cost for such construction,
3 repairs, and upgrades, and estimates of the cost for the
4 operation and maintenance of existing and proposed new
5 facilities. For proposed new construction and for major
6 upgrades to existing facilities, the plan shall include fund-
7 ing profiles by fiscal year and milestones for major phases
8 of the construction. The plan shall include cost estimates
9 in the categories of construction, repair, and upgrades for
10 the year in which the plan is submitted to Congress and
11 for not fewer than the succeeding 4 years.

12 (b) LIMITATION ON OBLIGATION OF UNAUTHORIZED
13 APPROPRIATIONS.—No funds appropriated for any project
14 which involves construction of new national research facili-
15 ties or construction necessary for upgrading the capabili-
16 ties of existing national research facilities shall be obli-
17 gated unless the funds are specifically authorized for such
18 purpose by this Act or any other Act which is not an ap-
19 propriations Act, or unless the total estimated cost to the
20 Foundation of the construction project is less than
21 $50,000,000. This subsection shall not apply to construc-
22 tion projects approved by the National Science Board
23 prior to June 30, 1994.

1 **SEC. 203. ELIGIBILITY FOR RESEARCH FACILITY AWARDS.**

2 Section 203(b) of the Academic Research Facilities
3 Modernization Act of 1988 is amended by striking the
4 final sentence of paragraph (3) and inserting in lieu there-
5 of the following: "The Director shall give priority to insti-
6 tutions or consortia that have not received such funds in
7 the preceding 5 years, except that this sentence shall not
8 apply to previous funding received for the same multiyear
9 project.".

10 **SEC. 204. ADMINISTRATIVE AMENDMENTS.**

11 (a) NATIONAL SCIENCE FOUNDATION ACT OF 1950
12 AMENDMENTS.—The National Science Foundation Act of
13 1950 (42 U.S.C. 1861 et seq.) is amended—

14 (1) by redesignating the subsection (k) of sec-
15 tion 4 (42 U.S.C. 1863(k)) that was added by sec-
16 tion 108 of the National Science Foundation Au-
17 thorization Act of 1988 as subsection (l);

18 (2) in section 5(e) (42 U.S.C. 1864(e)) by
19 amending paragraph (2) to read as follows:

20 "(2) Any delegation of authority or imposition of con-
21 ditions under paragraph (1) shall be promptly published
22 in the Federal Register and reported to the Committees
23 on Labor and Human Resources and Commerce, Science,
24 and Transportation of the Senate and the Committee on
25 Science of the House of Representatives.";

1 (3) by inserting "be entitled to" between
2 "shall" and "receive", and by inserting ", including
3 traveltime," after "Foundation" in section 14(c) (42
4 U.S.C. 1873(c));
5 (4) by striking section 14(j) (42 U.S.C.
6 1873(j)); and
7 (5) by striking "Atomic Energy Commission" in
8 section 15(a) (42 U.S.C. 1874(a)) and inserting in
9 lieu thereof "Secretary of Energy".
10 (b) NATIONAL SCIENCE FOUNDATION AUTHORIZA-
11 TION ACT, 1976 AMENDMENTS.—Section 6(a) of the Na-
12 tional Science Foundation Authorization Act, 1976 (42
13 U.S.C. 1881a(a)) is amended by striking "social," the
14 first place it appears.
15 (c) NATIONAL SCIENCE FOUNDATION AUTHORIZA-
16 TION ACT OF 1988 AMENDMENTS.—(1) Section
17 117(a)(1)(B)(v) of the National Science Foundation Au-
18 thorization Act of 1988 (42 U.S.C. 1881b(1)(B)(v)) is
19 amended to read as follows:
20 "(v) from schools established outside the several
21 States and the District of Columbia by any agency
22 of the Federal Government for dependents of its em-
23 ployees.".
24 (2) Section 117(a)(3)(A) of such Act (42 U.S.C.
25 1881b(3)(A)) is amended by striking "Science and Engi-

1 neering Education" and inserting in lieu thereof "Edu-
2 cation and Human Resources".

3 (d) EDUCATION FOR ECONOMIC SECURITY ACT
4 AMENDMENTS.—Section 107 of Education for Economic
5 Security Act (20 U.S.C. 3917) is repealed.

6 (e) NATIONAL AERONAUTICS AND SPACE ADMINIS-
7 TRATION AUTHORIZATION ACT, FISCAL YEAR 1993 RE-
8 PEAL.—Section 217 of the National Aeronautics and
9 Space Administration Authorization Act, Fiscal Year
10 1993 is repealed.

11 **SEC. 205. INDIRECT COSTS.**

12 (a) MATCHING FUNDS.—Matching funds required
13 pursuant to section 204(a)(2)(C) of the Academic Re-
14 search Facilities Modernization Act of 1988 (42 U.S.C.
15 1862c(a)(2)(C)) shall not be considered facilities costs for
16 purposes of determining indirect cost rates.

17 (b) REPORT.—The Director of the Office of Science
18 and Technology Policy, in consultation with other relevant
19 agencies, shall prepare a report analyzing what steps
20 would be needed to—

21 (1) reduce by 10 percent the proportion of Fed-
22 eral assistance to institutions of higher education
23 that are allocated for indirect costs; and

24 (2) reduce the variance among indirect cost
25 rates of different institutions of higher education.

1 Such report shall be transmitted to the Congress no later
2 than November 15, 1995.

3 **SEC. 206. RESEARCH INSTRUMENTATION AND FACILITIES.**

4 The Foundation shall incorporate the guidelines set
5 forth in Important Notice No. 91, dated March 11, 1983
6 (48 Fed. Reg. 15754, April 12, 1983), relating to the use
7 and operation of Foundation-supported research instru-
8 mentation and facilities, in its notice of Grant General
9 Conditions, and shall examine more closely the adherence
10 of grantee organizations to such guidelines.

11 **SEC. 207. FINANCIAL DISCLOSURE.**

12 Persons temporarily employed by or at the Founda-
13 tion shall be subject to the same financial disclosure re-
14 quirements and related sanctions under the Ethics in Gov-
15 ernment Act of 1978 as are permanent employees of the
16 Foundation in equivalent positions.

17 **SEC. 208. EDUCATIONAL LEAVE OF ABSENCE FOR ACTIVE**
18 **DUTY.**

19 In order to be eligible to receive funds from the Foun-
20 dation after September 30, 1995, an institution of higher
21 education must provide that whenever any student of the
22 institution who is a member of the National Guard, or
23 other reserve component of the Armed Forces of the Unit-
24 ed States, is called or ordered to active duty, other than
25 active duty for training, the institution shall grant the

1 member a military leave of absence from their education.
2 Persons on military leave of absence from their institution
3 shall be entitled, upon release from military duty, to be
4 restored to the educational status they had attained prior
5 to their being ordered to military duty without loss of aca-
6 demic credits earned, scholarships or grants awarded, or
7 tuition and other fees paid prior to the commencement of
8 the military duty. It shall be the duty of the institution
9 to refund tuition or fees paid or to credit the tuition and
10 fees to the next semester or term after the termination
11 of the educational military leave of absence at the option
12 of the student.

13 **SEC. 209. PROHIBITION OF LOBBYING ACTIVITIES.**

14 None of the funds authorized by this Act shall be
15 available for any activity whose purpose is to influence leg-
16 islation pending before the Congress.

17 **SEC. 210. SCIENCE STUDIES INSTITUTE.**

18 (a) AMENDMENT.—Section 822 of the National De-
19 fense Authorization Act for Fiscal 1991 (42 U.S.C. 6686)
20 is amended—

21 (1) by striking "Critical Technologies Institute"
22 in the section heading and in subsection (a), and in-
23 serting in lieu thereof "Science Studies Institute";

24 (2) in subsection (b) by striking "As deter-
25 mined by the chairman of the committee referred to

1 in subsection (c) of this section, the" and inserting
2 in lieu thereof "The";
3 (3) by striking subsection (c), and redesignating
4 subsections (d), (e), (f), and (g) as subsections (c),
5 (d), (e), and (f), respectively;
6 (4) in subsection (c), as so redesignated by
7 paragraph (3) of this subsection—
8 (A) by inserting "science and" after "de-
9 velopments and trends in" in paragraph (1);
10 (B) by striking "with particular
11 emphasis"in paragraph (1) and all that follows
12 through the end of such paragraph and insert-
13 ing in lieu thereof "and developing and main-
14 taining relevant informational and analytical
15 tools";
16 (C) by striking "to determine" and all that
17 follows through "technology policies" in para-
18 graph (2) and inserting in lieu thereof "with
19 particular attention to the scope and content of
20 the Federal science and technology research
21 and develop portfolio as it affects interagency
22 and national issues";
23 (D) by amending paragraph (3) to read as
24 follows:

1 "(3) Initiation of studies and analysis of alter-
2 natives available for ensuring the long-term strength
3 of the United States in the development and applica-
4 tion of science and technology, including appropriate
5 roles for the Federal Government, State govern-
6 ments, private industry, and institutions of higher
7 education in the development and application of
8 science and technology.";
9 (E) by inserting "science and" after "Ex-
10 ecutive branch on" in paragraph (4)(A); and
11 (F) by amending paragraph (4)(B) to read
12 as follows:
13 "(B) to the interagency committees and
14 panels of the Federal Government concerned
15 with science and technology.";
16 (5) in subsection (d), as so redesignated by
17 paragraph (3) of this subsection, by striking "sub-
18 section (d)" and inserting in lieu thereof "subsection
19 (c)"; and
20 (6) by amending subsection (f), as so redesig-
21 nated by paragraph (3) of this subsection, to read
22 as follows:
23 "(f) SPONSORSHIP.—The Director of the Office of
24 Science and Technology Policy shall be the sponsor of the
25 Institute.".

1 (b) CONFORMING USAGE.—All references in Federal
2 law or regulations to the Critical Technologies Institute
3 shall be considered to be references to the Science Studies
4 Institute.

5 **SEC. 211. EDUCATIONAL IMPACT.**

6 (a) FINDINGS.—The Congress finds that—
7 (1) Federal research funds made available to
8 institutions of higher education often create incen-
9 tives for such institutions to emphasize research over
10 undergraduate teaching and to narrow the focus of
11 their graduate programs; and
12 (2) National Science Foundation funds for Re-
13 search and Related Activities should be spent in the
14 manner most likely to improve the quality of under-
15 graduate and graduate education in institutions of
16 higher education.
17 (b) EDUCATIONAL IMPACT.—(1) The impact that a
18 grant or cooperative agreement by the National Science
19 Foundation would have on undergraduate and graduate
20 education at an institution of higher education shall be
21 a factor in any decision whether to award such grant or
22 agreement to that institution.
23 (2) Paragraph (1) shall be effective with respect to
24 any grant or cooperative agreement awarded after Sep-
25 tember 30, 1996.

1 (c) REPORT.—The Director shall provide a plan for
2 the implementation of subsection (b) of this section, no
3 later than December 31, 1995, to the Committee on
4 Science of the House of Representatives and the Commit-
5 tee on Commerce, Science, and Transportation and the
6 Committee on Labor and Human Resources of the Senate.

7 **SEC. 212. DIVISIONS OF THE FOUNDATION.**

8 (a) AMENDMENT.—Section 8 of the National Science
9 Foundation Act of 1950 (42 U.S.C. 1866) is amended by
10 inserting "The Director may appoint, in consultation with
11 the Board, not more than 6 Assistant Directors to assist
12 in managing the Divisions." after "time to time deter-
13 mine.".

14 (b) REPORT.—By November 15, 1995, the Director
15 shall transmit to the Congress a report on the reorganiza-
16 tion of the National Science Foundation required as a re-
17 sult of the amendment made by subsection (a).

18 **SEC. 213. LIMITATION ON APPROPRIATIONS.**

19 (a) EXCLUSIVE AUTHORIZATION FOR FISCAL YEAR
20 1996.—Notwithstanding any other provision of law, no
21 sums are authorized to be appropriated for fiscal year
22 1996 for the activities of the National Science Foundation
23 unless such sums are specifically authorized to be appro-
24 priated by this Act.

1 (b) SUBSEQUENT FISCAL YEARS.—No sums are au-
2 thorized to be appropriated for any fiscal year after fiscal
3 year 1996 for the activities of the National Science Foun-
4 dation unless such sums are specifically authorized to be
5 appropriated by Act of Congress with respect to such fiscal
6 year.

7 **SEC. 214. ELIGIBILITY FOR AWARDS.**

8 (a) IN GENERAL.—The Director shall exclude from
9 consideration for awards of financial assistance made by
10 the National Science Foundation after fiscal year 1995
11 any person who received funds, other than those described
12 in subsection (b), appropriated for a fiscal year after fiscal
13 year 1995, from any Federal funding source for a project
14 that was not subjected to a competitive, merit-based award
15 process. Any exclusion from consideration pursuant to this
16 section shall be effective for a period of 5 years after the
17 person receives such Federal funds.

18 (b) EXCEPTION.—Subsection (a) shall not apply to
19 awards to persons who are members of a class specified
20 by law for which assistance is awarded to members of the
21 class according to a formula provided by law.

AMENDMENT TO H.R. 1852
OFFERED BY MR. DOGGETT

Page 3, line 11, through page 5, line 5, amend subsections (b) and (c) to read as follows:

1 (b) FISCAL YEAR 1996.—There are authorized to be
2 appropriated to the Foundation $3,245,000,000 for fiscal
3 year 1996, which shall be available for the following cat-
4 egories:
5 (1) Research and Related Activities,
6 $2,345,300,000, which shall be available for the fol-
7 lowing subcategories:
8 (A) Mathematical and Physical Sciences,
9 $667,000,000.
10 (B) Engineering, $328,600,000.
11 (C) Biological Sciences, $309,300,000.
12 (D) Geosciences, $430,900,000.
13 (E) Computer and Information Science
14 and Engineering, $263,200,000.
15 (F) Social, Behavioral, and Economic
16 Sciences, $117,700,000.
17 (G) United States Polar Research Pro-
18 grams, $165,000,000.
19 (H) United States Antarctic Logistical Ac-
20 tivities, $62,600,000.

1 (I) Critical Technologies Institute,
2 $1,000,000.
3 (2) Education and Human Resources Activities,
4 $600,000,000.
5 (3) Major Research Equipment, $70,000,000.
6 (4) Academic Research Facilities Moderniza-
7 tion, $100,000,000.
8 (5) Salaries and Expenses, $120,000,000.
9 (6) Office of Inspector General, $4,500,000.
10 (7) Headquarters Relocation, $5,200,000.
11 (c) FISCAL YEAR 1997.—There are authorized to be
12 appropriated to the Foundation $3,245,000,000 for fiscal
13 year 1997, which shall be available for the following cat-
14 egories:
15 (1) Research and Related Activities,
16 $2,359,800,000.
17 (2) Education and Human Resources Activities,
18 $600,000,000.
19 (3) Major Research Equipment, $55,000,000.
20 (4) Academic Research Facilities Moderniza-
21 tion, $100,000,000.
22 (5) Salaries and Expenses, $120,000,000.
23 (6) Office of Inspector General, $5,000,000.
24 (7) Headquarters Relocation, $5,200,000.

AMENDMENT TO H.R. 1852
OFFERED BY MR. GEREN

Page 6, line 13, strike section 105 and insert in lieu thereof the following:

1 SEC. 105. ALTERNATIVE AUTHORIZATION --

2 (a) In General. -- Notwithstanding any other provision of this Act,
3 if the concurrent resolution approved by the House of Representatives and
4 the Senate on the budget for fiscal year 1996 is based on an assumption
5 of a tax cut of less than $350,000,000,000, the total amount authorized by
6 section 101(b) shall be increased by the amount equal to $234,000,000
7 multiplied by the fraction whose numerator is $350,000,000,000 minus the
8 amount of the tax cut reflected in the concurrent resolution and whose
9 denominator is $350,000,000,000.

10 (b) Application of Increase. -- The total amount available for
11 increased authorization for fiscal year 1996 under subsection (a) shall be
12 allocated to each category and subcategory authorized in section 101(b) in
13 proportion to the amount authorized for each such category and
14 subcategory.

15 (c) Notwithstanding any other provision of this Act, the total
16 amount authorized to be appropriated for fiscal year 1997 under subsection
17 101(c) shall equal the total amount authorized for fiscal year 1996 under
18 subsection 101(b) as may be adjusted by this section. Any increase in the

1 total amount available for authorization for fiscal year 1997 shall be
2 allocated to each category and subcategory authorized in section 101(c) in
3 proportion to the amount authorized for each such category and
4 subcategory.

AMENDMENT TO H.R. 1852

OFFERED BY MR. BARTON OF TEXAS

Page 14, after line 23, insert the following new section:

1 SEC. 212. NATIONAL SCIENCE AND ENGINEERING FOUNDA-
2 TION.

3 The National Science Foundation and the National
4 Science Board are hereby renamed as the National Science
5 and Engineering Foundation and the National Science
6 and Engineering Board, respectively, and all references
7 thereto in Federal law or regulation shall be deemed to
8 refer to the National Science and Engineering Foundation
9 or the National Science and Engineering Board, as appro-
10 priate.

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL (5)

SUBJECT: 1852: Barton Amendment

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2369	52411	Mr. Walker, R-PA				1	
2332	55101	Mr. Sensenbrenner, R-WI					—
2246	53665	Mr. Boehlert, R-NY			1		
2159	53515	Mr. Fawell, R-IL				(X)	—
106	55341	Mrs. Morella, R-MD				2	
2452	52011	Mr. Curt Weldon, R-PA			2		
2338	52415	Mr. Rohrabacher, R-CA				(X)	
2404	56316	Mr. Schiff, R-NM			(X)		
2264	52002	Mr. Barton, R-TX			3		
1034	51986	Mr. Calvert, R-CA			4		
1724	51880	Mr. Baker, R-CA				3	
322	52721	Mr. Bartlett, R-MD				4	
1717	53831	Mr. Ehlers, R-MI				5	
423	53271	Mr. Wamp, R-TN				6	
216	53671	Mr. Dave Weldon, R-FL			5		
1429	55301	Mr. Graham, R-SC			6		
115	52635	Mr. Salmon, R-AZ			7		
415	51492	Mr. Davis, R-VA				7	
417	56565	Mr. Stockman, R-TX			8		
425	52472	Mr. Gutknecht, R-MN				8	
1216	53601	Mrs. Seastrand, R-CA				9	
1319	56216	Mr. Tiahrt, R-KS			9		
410	52211	Mr. Largent, R-OK					—
114	56831	Mr. Hilleary, R-TN					—
1114	52311	Mrs. Cubin, R-WY				10	
506	55792	Mr. Foley, R-FL				11	
509	51976	Mrs. Myrick, R-NC					—
2300	56161	Mr. Brown, D-CA					—
2236	56673	Mr. Hall, D-TX			10		
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA					—
1127	54714	Mr. Tanner, D-TN					—
2448	55071	Mr. Geren, D-TX			(X)		—
407	53915	Mr. Roemer, D-IN				12	
236	54801	Mr. Cramer, D-AL					—
1410	58171	Mr. Barcia, D-MI					—
217	56411	Mr. McHale, D-PA			(X)		
325	58220	Ms. Harman, D-CA					—
1123	58885	Ms. Johnson, D-TX			11		
1415	52331	Mr. Minge, D-MN				13	
1027	55335	Mr. Olver, D-MA				14	
1039	51313	Mr. Hastings, D-FL				(X)	
1116	56261	Ms. Rivers, D-MI				15	
1232	54535	Ms. McCarthy, D-MO				16	
1032	55401	Mr. Ward, D-KY			12		
118	53072	Ms. Lofgren, D-CA				17	
126	54865	Mr. Doggett, D-TX					—
1218	52135	Mr. Doyle, D-PA				18	
1520	53816	Ms. Jackson Lee, D-TX			13		
1419	52271	Mr. Luther, D-MN				19	
		TOTAL			16	22	

Attest: Patricia Schwartz (Clerk)

AMENDMENT TO H.R. 1852
Offered By Mr. Rohrabacher

Page _____, after line _____, insert the following new section:

SEC. _____. DISCRIMINATION

None of the funds authorized by this Act shall be used by the National Science Foundation, its contractors or grant recipients, or the agents of such contractors or grant recipients, to use race, sex, color, ethnicity, or national origin as a criterion for either discriminating against, or granting preferential treatment to, any individual.

Nothing in this section shall be construed to prohibit or limit any Act designed to benefit an institution that is a historic black college or university on the basis that the institution is a historic black college or university.

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