

In the Senate of the United States,

December 17, 2010.

Resolved, That the bill from the House of Representatives (H.R. 5116) entitled “An Act to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2 (a) *SHORT TITLE*.—*this Act may be cited as the*
3 *“America COMPETES Reauthorization Act of 2010” or the*
4 *“America Creating Opportunities to Meaningfully Promote*
5 *Excellence in Technology, Education, and Science Reau-*
6 *thorization Act of 2010”.*

7 (b) *TABLE OF CONTENTS*.—*The table of contents for*
8 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Budgetary impact statement.

TITLE I—OFFICE OF SCIENCE AND TECHNOLOGY POLICY

- Sec. 101. Coordination of Federal STEM education.*
- Sec. 102. Coordination of advanced manufacturing research and development.*
- Sec. 103. Interagency public access committee.*
- Sec. 104. Federal scientific collections.*
- Sec. 105. Prize competitions.*

TITLE II—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

- Sec. 201. NASA's contribution to innovation and competitiveness.*
- Sec. 202. NASA's contribution to education.*
- Sec. 203. Assessment of impediments to space science and engineering workforce development for minority and under-represented groups at NASA.*
- Sec. 204. International Space Station's contribution to national competitiveness enhancement.*
- Sec. 205. Study of potential commercial orbital platform program impact on Science, Technology, Engineering, and Mathematics.*
- Sec. 206. Definitions.*

*TITLE III—NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION*

- Sec. 301. Oceanic and atmospheric research and development program.*
- Sec. 302. Oceanic and atmospheric science education programs.*
- Sec. 303. Workforce study.*

TITLE IV—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

- Sec. 401. Short title.*
- Sec. 402. Authorization of appropriations.*
- Sec. 403. Under Secretary of Commerce for Standards and Technology.*
- Sec. 404. Manufacturing Extension Partnership.*
- Sec. 405. Emergency communication and tracking technologies research initiative.*
- Sec. 406. Broadening participation.*
- Sec. 407. NIST Fellowships.*
- Sec. 408. Green manufacturing and construction.*
- Sec. 409. Definitions.*

*TITLE V—SCIENCE, TECHNOLOGY, ENGINEERING, AND
MATHEMATICS SUPPORT PROGRAMS*

SUBTITLE A—NATIONAL SCIENCE FOUNDATION

- Sec. 501. Short title.*
- Sec. 502. Definitions.*
- Sec. 503. Authorization of appropriations.*
- Sec. 504. National Science Board administrative amendments.*
- Sec. 505. National Center for Science and Engineering statistics.*
- Sec. 506. National Science Foundation manufacturing research and education.*
- Sec. 507. National Science Board report on mid-scale instrumentation.*
- Sec. 508. Partnerships for innovation.*
- Sec. 509. Sustainable chemistry basic research.*
- Sec. 510. Graduate student support.*
- Sec. 511. Robert Noyce teacher scholarship program.*

- Sec. 512. Undergraduate broadening participation program.*
- Sec. 513. Research experiences for high school students.*
- Sec. 514. Research experiences for undergraduates.*
- Sec. 515. STEM industry internship programs.*
- Sec. 516. Cyber-enabled learning for national challenges.*
- Sec. 517. Experimental Program to Stimulate Competitive Research.*
- Sec. 518. Sense of the Congress regarding the science, technology, engineering, and mathematics talent expansion program.*
- Sec. 519. Sense of the Congress regarding the National Science Foundation's contributions to basic research and education.*
- Sec. 520. Academic technology transfer and commercialization of university research.*
- Sec. 521. Study to develop improved impact-on-society metrics.*
- Sec. 522. NSF grants in support of sponsored post-doctoral fellowship programs.*
- Sec. 523. Collaboration in planning for stewardship of large-scale facilities.*
- Sec. 524. Cloud computing research enhancement.*
- Sec. 525. Tribal colleges and universities program.*
- Sec. 526. Broader impacts review criterion.*
- Sec. 527. Twenty-first century graduate education.*

SUBTITLE B—STEM-TRAINING GRANT PROGRAM

- Sec. 551. Purpose.*
- Sec. 552. Program requirements.*
- Sec. 553. Grant program.*
- Sec. 554. Grant oversight and administration.*
- Sec. 555. Definitions.*
- Sec. 556. Authorization of appropriations.*

TITLE VI—INNOVATION

- Sec. 601. Office of innovation and entrepreneurship.*
- Sec. 602. Federal loan guarantees for innovative technologies in manufacturing.*
- Sec. 603. Regional innovation program.*
- Sec. 604. Study on economic competitiveness and innovative capacity of United States and development of national economic competitiveness strategy.*
- Sec. 605. Promoting use of high-end computing simulation and modeling by small- and medium-sized manufacturers.*

TITLE VII—NIST GREEN JOBS

- Sec. 701. Short title.*
- Sec. 702. Findings.*
- Sec. 703. National Institute of Standards and Technology competitive grant program.*

TITLE VIII—GENERAL PROVISIONS

- Sec. 801. Government Accountability Office review.*
- Sec. 802. Salary restrictions.*
- Sec. 803. Additional research authorities of the FCC.*

TITLE IX—DEPARTMENT OF ENERGY

- Sec. 901. Science, engineering, and mathematics education programs.*
- Sec. 902. Energy research programs.*

Sec. 903. Basic research.

Sec. 904. Advanced Research Project Agency-Energy.

TITLE X—EDUCATION

Sec. 1001. References

Sec. 1002. Repeals and conforming amendments.

Sec. 1003. Authorizations of appropriations and matching requirement.

1 SEC. 2. DEFINITIONS.

2 *In this Act:*

3 (1) *DIRECTOR.*—*In title I, the term “Director”*
 4 *means the Director of the Office of Science and Tech-*
 5 *nology Policy.*

6 (2) *STEM.*—*The term “STEM” means the aca-*
 7 *demic and professional disciplines of science, tech-*
 8 *nology, engineering, and mathematics.*

9 SEC. 3. BUDGETARY IMPACT STATEMENT.

10 *The budgetary effects of this Act, for the purpose of*
 11 *complying with the Statutory Pay-As-You-Go-Act of 2010,*
 12 *shall be determined by reference to the latest statement titled*
 13 *“Budgetary Effects of PAYGO Legislation” for this Act,*
 14 *submitted for printing in the Congressional Record by the*
 15 *Chairman of the Senate Budget Committee, provided that*
 16 *such statement has been submitted prior to the vote on pas-*
 17 *sage.*

18 TITLE I—OFFICE OF SCIENCE **19 AND TECHNOLOGY POLICY**

20 SEC. 101. COORDINATION OF FEDERAL STEM EDUCATION.

21 (a) *ESTABLISHMENT.*—*The Director shall establish a*
 22 *committee under the National Science and Technology*

1 Council, including the Office of Management and Budget,
2 with the responsibility to coordinate Federal programs and
3 activities in support of STEM education, including at the
4 National Science Foundation, the Department of Energy,
5 the National Aeronautics and Space Administration, the
6 National Oceanic and Atmospheric Administration, the De-
7 partment of Education, and all other Federal agencies that
8 have programs and activities in support of STEM edu-
9 cation.

10 (b) *RESPONSIBILITIES.*—The committee established
11 under subsection (a) shall—

12 (1) coordinate the STEM education activities
13 and programs of the Federal agencies;

14 (2) coordinate STEM education activities and
15 programs with the Office of Management and Budget;

16 (3) encourage the teaching of innovation and en-
17 trepreneurship as part of STEM education activities;

18 (4) review STEM education activities and pro-
19 grams to ensure they are not duplicative of similar ef-
20 forts within the Federal government;

21 (5) develop, implement through the participating
22 agencies, and update once every 5 years a 5-year
23 STEM education strategic plan, which shall—

24 (A) specify and prioritize annual and long-
25 term objectives;

1 (B) specify the common metrics that will be
2 used to assess progress toward achieving the ob-
3 jectives;

4 (C) describe the approaches that will be
5 taken by each participating agency to assess the
6 effectiveness of its STEM education programs
7 and activities; and

8 (D) with respect to subparagraph (A), de-
9 scribe the role of each agency in supporting pro-
10 grams and activities designed to achieve the ob-
11 jectives; and

12 (6) establish, periodically update, and maintain
13 an inventory of federally sponsored STEM education
14 programs and activities, including documentation of
15 assessments of the effectiveness of such programs and
16 activities and rates of participation by women,
17 underrepresented minorities, and persons in rural
18 areas in such programs and activities.

19 (b) *RESPONSIBILITIES OF OSTP.*—The Director shall
20 encourage and monitor the efforts of the participating agen-
21 cies to ensure that the strategic plan under subsection (b)(5)
22 is developed and executed effectively and that the objectives
23 of the strategic plan are met.

24 (c) *REPORT.*—The Director shall transmit a report an-
25 nually to Congress at the time of the President’s budget re-

1 *quest describing the plan required under subsection (b)(5).*

2 *The annual report shall include—*

3 *(1) a description of the STEM education pro-*
4 *grams and activities for the previous and current fis-*
5 *cal years, and the proposed programs and activities*
6 *under the President’s budget request, of each partici-*
7 *pating Federal agency;*

8 *(2) the levels of funding for each participating*
9 *Federal agency for the programs and activities de-*
10 *scribed under paragraph (1) for the previous fiscal*
11 *year and under the President’s budget request;*

12 *(3) an evaluation of the levels of duplication and*
13 *fragmentation of the programs and activities de-*
14 *scribed under paragraph (1);*

15 *(4) except for the initial annual report, a de-*
16 *scription of the progress made in carrying out the im-*
17 *plementation plan, including a description of the out-*
18 *come of any program assessments completed in the*
19 *previous year, and any changes made to that plan*
20 *since the previous annual report; and*

21 *(5) a description of how the participating Fed-*
22 *eral agencies will disseminate information about fed-*
23 *erally supported resources for STEM education prac-*
24 *titioners, including teacher professional development*
25 *programs, to States and to STEM education practi-*

tioners, including to teachers and administrators in schools that meet the criteria described in subsection (c)(1)(A) and (B) of section 3175 of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381j(c)(1)(A) and (B)).

**SEC. 102. COORDINATION OF ADVANCED MANUFACTURING
RESEARCH AND DEVELOPMENT.**

(a) *INTERAGENCY COMMITTEE.*—The Director shall establish or designate a Committee on Technology under the National Science and Technology Council. The Committee shall be responsible for planning and coordinating Federal programs and activities in advanced manufacturing research and development.

(b) *RESPONSIBILITIES OF COMMITTEE.*—The Committee shall—

(1) coordinate the advanced manufacturing research and development programs and activities of the Federal agencies;

(2) establish goals and priorities for advanced manufacturing research and development that will strengthen United States manufacturing;

(3) work with industry organizations, Federal agencies, and Federally Funded Research and Development Centers not represented on the Committee, to identify and reduce regulatory, logistical, and fiscal

1 *barriers within the Federal government and State*
2 *governments that inhibit United States manufac-*
3 *turing;*

4 *(4) facilitate the transfer of intellectual property*
5 *and technology based on federally supported univer-*
6 *sity research into commercialization and manufac-*
7 *turing;*

8 *(5) identify technological, market, or business*
9 *challenges that may best be addressed by public-pri-*
10 *ate partnerships, and are likely to attract both par-*
11 *ticipation and primary funding from industry;*

12 *(6) encourage the formation of public-private*
13 *partnerships to respond to those challenges for transi-*
14 *tion to United States manufacturing; and*

15 *(7) develop, and update every 5 years, a strategic*
16 *plan to guide Federal programs and activities in sup-*
17 *port of advanced manufacturing research and devel-*
18 *opment, which shall—*

19 *(A) specify and prioritize near-term and*
20 *long-term research and development objectives,*
21 *the anticipated time frame for achieving the ob-*
22 *jectives, and the metrics for use in assessing*
23 *progress toward the objectives;*

24 *(B) specify the role of each Federal agency*
25 *in carrying out or sponsoring research and de-*

1 *velopment to meet the objectives of the strategic*
2 *plan;*

3 *(C) describe how the Federal agencies and*
4 *Federally Funded Research and Development*
5 *Centers supporting advanced manufacturing re-*
6 *search and development will foster the transfer of*
7 *research and development results into new man-*
8 *ufacturing technologies and United States based*
9 *manufacturing of new products and processes for*
10 *the benefit of society to ensure national, energy,*
11 *and economic security;*

12 *(D) describe how Federal agencies and Fed-*
13 *erally Funded Research and Development Cen-*
14 *ters supporting advanced manufacturing re-*
15 *search and development will strengthen all levels*
16 *of manufacturing education and training pro-*
17 *grams to ensure an adequate, well-trained work-*
18 *force;*

19 *(E) describe how the Federal agencies and*
20 *Federally Funded Research and Development*
21 *Centers supporting advanced manufacturing re-*
22 *search and development will assist small- and*
23 *medium-sized manufacturers in developing and*
24 *implementing new products and processes; and*

1 (F) take into consideration the rec-
2 ommendations of a wide range of stakeholders,
3 including representatives from diverse manufac-
4 turing companies, academia, and other relevant
5 organizations and institutions.

6 (c) *REPORT.*—Not later than 1 year after the date of
7 enactment of this Act, the Director shall transmit the stra-
8 tegic plan developed under subsection (b)(7) to the Senate
9 Committee on Commerce, Science, and Transportation, and
10 the House of Representatives Committee on Science and
11 Technology, and shall transmit subsequent updates to those
12 committees as appropriate.

13 **SEC. 103. INTERAGENCY PUBLIC ACCESS COMMITTEE.**

14 (a) *ESTABLISHMENT.*—The Director shall establish a
15 working group under the National Science and Technology
16 Council with the responsibility to coordinate Federal
17 science agency research and policies related to the dissemi-
18 nation and long-term stewardship of the results of unclassi-
19 fied research, including digital data and peer-reviewed
20 scholarly publications, supported wholly, or in part, by
21 funding from the Federal science agencies.

22 (b) *RESPONSIBILITIES.*—The working group shall—

23 (1) identify the specific objectives and public in-
24 terests that need to be addressed by any policies co-
25 ordinated under (a);

1 (2) *take into account inherent variability among*
2 *Federal science agencies and scientific disciplines in*
3 *the nature of research, types of data, and dissemina-*
4 *tion models;*

5 (3) *coordinate the development or designation of*
6 *standards for research data, the structure of full text*
7 *and metadata, navigation tools, and other applica-*
8 *tions to maximize interoperability across Federal*
9 *science agencies, across science and engineering dis-*
10 *ciplines, and between research data and scholarly*
11 *publications, taking into account existing consensus*
12 *standards, including international standards;*

13 (4) *coordinate Federal science agency programs*
14 *and activities that support research and education on*
15 *tools and systems required to ensure preservation and*
16 *stewardship of all forms of digital research data, in-*
17 *cluding scholarly publications;*

18 (5) *work with international science and tech-*
19 *nology counterparts to maximize interoperability be-*
20 *tween United States based unclassified research data-*
21 *bases and international databases and repositories;*

22 (6) *solicit input and recommendations from, and*
23 *collaborate with, non-Federal stakeholders, including*
24 *the public, universities, nonprofit and for-profit pub-*
25 *lishers, libraries, federally funded and non federally*

1 *funded research scientists, and other organizations*
2 *and institutions with a stake in long term preserva-*
3 *tion and access to the results of federally funded re-*
4 *search;*

5 *(7) establish priorities for coordinating the devel-*
6 *opment of any Federal science agency policies related*
7 *to public access to the results of federally funded re-*
8 *search to maximize the benefits of such policies with*
9 *respect to their potential economic or other impact on*
10 *the science and engineering enterprise and the stake-*
11 *holders thereof;*

12 *(8) take into consideration the distinction be-*
13 *tween scholarly publications and digital data;*

14 *(9) take into consideration the role that scientific*
15 *publishers play in the peer review process in ensuring*
16 *the integrity of the record of scientific research, in-*
17 *cluding the investments and added value that they*
18 *make; and*

19 *(10) examine Federal agency practices and pro-*
20 *cedures for providing research reports to the agencies*
21 *charged with locating and preserving unclassified re-*
22 *search.*

23 *(c) PATENT OR COPYRIGHT LAW.—Nothing in this sec-*
24 *tion shall be construed to undermine any right under the*
25 *provisions of title 17 or 35, United States Code.*

1 (d) *APPLICATION WITH EXISTING LAW.*—Nothing de-
2 fined in section (b) shall be construed to affect existing law
3 with respect to Federal science agencies’ policies related to
4 public access.

5 (e) *REPORT TO CONGRESS.*—Not later than 1 year
6 after the date of enactment of this Act, the Director shall
7 transmit a report to Congress describing—

8 (1) the specific objectives and public interest
9 identified under (b)(1);

10 (2) any priorities established under subsection
11 (b)(7);

12 (3) the impact the policies described under (a)
13 have had on the science and engineering enterprise
14 and the stakeholders, including the financial impact
15 on research budgets;

16 (4) the status of any Federal science agency poli-
17 cies related to public access to the results of federally
18 funded research; and

19 (5) how any policies developed or being developed
20 by Federal science agencies, as described in subsection
21 (a), incorporate input from the non-Federal stake-
22 holders described in subsection (b)(6).

23 (f) *FEDERAL SCIENCE AGENCY DEFINED.*—For the
24 purposes of this section, the term “Federal science agency”

1 *means any Federal agency with an annual extramural re-*
2 *search expenditure of over \$100,000,000.*

3 **SEC. 104. FEDERAL SCIENTIFIC COLLECTIONS.**

4 (a) *MANAGEMENT OF SCIENTIFIC COLLECTIONS.—The*
5 *Office of Science and Technology Policy shall develop poli-*
6 *cies for the management and use of Federal scientific collec-*
7 *tions to improve the quality, organization, access, including*
8 *online access, and long-term preservation of such collections*
9 *for the benefit of the scientific enterprise. In developing*
10 *those policies the Office of Science and Technology Policy*
11 *shall consult, as appropriate, with—*

12 (1) *Federal agencies with such collections; and*
13 (2) *representatives of other organizations, insti-*
14 *tutions, and other entities not a part of the Federal*
15 *Government that have a stake in the preservation,*
16 *maintenance, and accessibility of such collections, in-*
17 *cluding State and local government agencies, institu-*
18 *tions of higher education, museums, and other entities*
19 *engaged in the acquisition, holding, management, or*
20 *use of scientific collections.*

21 (b) *CLEARINGHOUSE.—The Office of Science and Tech-*
22 *nology Policy, in consultation with relevant Federal agen-*
23 *cies, shall ensure the development of an online clearinghouse*
24 *for information on the contents of and access to Federal*
25 *scientific collections.*

1 (c) *DISPOSAL OF COLLECTIONS.*—*The policies devel-*
2 *oped under subsection (a) shall—*

3 (1) *require that, before disposing of a scientific*
4 *collection, a Federal agency shall—*

5 (A) *conduct a review of the research value*
6 *of the collection; and*

7 (B) *consult with researchers who have used*
8 *the collection, and other potentially interested*
9 *parties, concerning—*

10 (i) *the collection’s value for research*
11 *purposes; and*

12 (ii) *possible additional educational*
13 *uses for the collection; and*

14 (2) *include procedures for Federal agencies to*
15 *transfer scientific collections they no longer need to*
16 *researchers at institutions or other entities qualified*
17 *to manage the collections.*

18 (d) *COST PROJECTIONS.*—*The Office of Science and*
19 *Technology Policy, in consultation with relevant Federal*
20 *agencies, shall develop a common set of methodologies to be*
21 *used by Federal agencies for the assessment and projection*
22 *of costs associated with the management and preservation*
23 *of their scientific collections.*

24 (e) *SCIENTIFIC COLLECTION DEFINED.*—*In this sec-*
25 *tion, the term “scientific collection” means a set of physical*

1 *specimens, living or inanimate, created for the purpose of*
 2 *supporting science and serving as a long-term research*
 3 *asset, rather than for their market value as collectibles or*
 4 *their historical, artistic, or cultural significance, and, as*
 5 *appropriate and feasible, the associated specimen data and*
 6 *materials.*

7 **SEC. 105. PRIZE COMPETITIONS.**

8 (a) *IN GENERAL.*—*The Stevenson-Wydler Technology*
 9 *Innovation Act of 1980 (15 U.S.C. 3701 et seq.) is amended*
 10 *by adding at the end the following:*

11 **“SEC. 24. PRIZE COMPETITIONS.**

12 “(a) *DEFINITIONS.*—*In this section:*

13 “(1) *AGENCY.*—*The term ‘agency’ means a Fed-*
 14 *eral agency.*

15 “(2) *DIRECTOR.*—*The term ‘Director’ means the*
 16 *Director of the Office of Science and Technology Pol-*
 17 *icy.*

18 “(3) *FEDERAL AGENCY.*—*The term ‘Federal*
 19 *agency’ has the meaning given under section 4, except*
 20 *that term shall not include any agency of the legisla-*
 21 *tive branch of the Federal Government.*

22 “(4) *HEAD OF AN AGENCY.*—*The term ‘head of*
 23 *an agency’ means the head of a Federal agency.*

24 “(b) *IN GENERAL.*—*Each head of an agency, or the*
 25 *heads of multiple agencies in cooperation, may carry out*

1 a program to award prizes competitively to stimulate inno-
2 vation that has the potential to advance the mission of the
3 respective agency.

4 “(c) *PRIZES*.—For purposes of this section, a prize
5 may be one or more of the following:

6 “(1) A point solution prize that rewards and
7 spurs the development of solutions for a particular,
8 well-defined problem.

9 “(2) An exposition prize that helps identify and
10 promote a broad range of ideas and practices that
11 may not otherwise attract attention, facilitating fur-
12 ther development of the idea or practice by third par-
13 ties.

14 “(3) Participation prizes that create value dur-
15 ing and after the competition by encouraging contest-
16 ants to change their behavior or develop new skills
17 that may have beneficial effects during and after the
18 competition.

19 “(4) Such other types of prizes as each head of
20 an agency considers appropriate to stimulate innova-
21 tion that has the potential to advance the mission of
22 the respective agency.

23 “(d) *TOPICS*.—In selecting topics for prize competi-
24 tions, the head of an agency shall consult widely both with-

1 *in and outside the Federal Government, and may empanel*
2 *advisory committees.*

3 “(e) *ADVERTISING.*—*The head of an agency shall wide-*
4 *ly advertise each prize competition to encourage broad par-*
5 *ticipation.*

6 “(f) *REQUIREMENTS AND REGISTRATION.*—*For each*
7 *prize competition, the head of an agency shall publish a*
8 *notice in the Federal Register announcing—*

9 “(1) *the subject of the competition;*

10 “(2) *the rules for being eligible to participate in*
11 *the competition;*

12 “(3) *the process for participants to register for*
13 *the competition;*

14 “(4) *the amount of the prize; and*

15 “(5) *the basis on which a winner will be selected.*

16 “(g) *ELIGIBILITY.*—*To be eligible to win a prize under*
17 *this section, an individual or entity—*

18 “(1) *shall have registered to participate in the*
19 *competition under any rules promulgated by the head*
20 *of an agency under subsection (f);*

21 “(2) *shall have complied with all the require-*
22 *ments under this section;*

23 “(3) *in the case of a private entity, shall be in-*
24 *corporated in and maintain a primary place of busi-*
25 *ness in the United States, and in the case of an indi-*

1 *vidual, whether participating singly or in a group,*
2 *shall be a citizen or permanent resident of the United*
3 *States; and*

4 *“(4) may not be a Federal entity or Federal em-*
5 *ployee acting within the scope of their employment.*

6 *“(h) CONSULTATION WITH FEDERAL EMPLOYEES.—*
7 *An individual or entity shall not be deemed ineligible under*
8 *subsection (g) because the individual or entity used Federal*
9 *facilities or consulted with Federal employees during a com-*
10 *petition if the facilities and employees are made available*
11 *to all individuals and entities participating in the competi-*
12 *tion on an equitable basis.*

13 *“(i) LIABILITY.—*

14 *“(1) IN GENERAL.—*

15 *“(A) DEFINITION.—In this paragraph, the*
16 *term ‘related entity’ means a contractor or sub-*
17 *contractor at any tier, and a supplier, user, cus-*
18 *tomers, cooperating party, grantee, investigator,*
19 *or detailee.*

20 *“(B) LIABILITY.—Registered participants*
21 *shall be required to agree to assume any and all*
22 *risks and waive claims against the Federal Gov-*
23 *ernment and its related entities, except in the*
24 *case of willful misconduct, for any injury, death,*
25 *damage, or loss of property, revenue, or profits,*

1 *whether direct, indirect, or consequential, arising*
2 *from their participation in a competition,*
3 *whether the injury, death, damage, or loss arises*
4 *through negligence or otherwise.*

5 “(2) *INSURANCE.—Participants shall be required*
6 *to obtain liability insurance or demonstrate financial*
7 *responsibility, in amounts determined by the head of*
8 *an agency, for claims by—*

9 “(A) *a third party for death, bodily injury,*
10 *or property damage, or loss resulting from an*
11 *activity carried out in connection with partici-*
12 *pation in a competition, with the Federal Gov-*
13 *ernment named as an additional insured under*
14 *the registered participant’s insurance policy and*
15 *registered participants agreeing to indemnify the*
16 *Federal Government against third party claims*
17 *for damages arising from or related to competi-*
18 *tion activities; and*

19 “(B) *the Federal Government for damage or*
20 *loss to Government property resulting from such*
21 *an activity.*

22 “(3) *EXCEPTION.—The head of an agency may*
23 *not require a participant to waive claims against the*
24 *administering entity arising out of the unauthorized*
25 *use or disclosure by the agency of the intellectual*

1 *property, trade secrets, or confidential business infor-*
2 *mation of the participant.*

3 “(j) *INTELLECTUAL PROPERTY.*—

4 “(1) *PROHIBITION ON THE GOVERNMENT AC-*
5 *QUIRING INTELLECTUAL PROPERTY RIGHTS.*—*The*
6 *Federal Government may not gain an interest in in-*
7 *tellectual property developed by a participant in a*
8 *competition without the written consent of the partic-*
9 *ipant.*

10 “(2) *LICENSES.*—*The Federal Government may*
11 *negotiate a license for the use of intellectual property*
12 *developed by a participant for a competition.*

13 “(k) *JUDGES.*—

14 “(1) *IN GENERAL.*—*For each competition, the*
15 *head of an agency, either directly or through an*
16 *agreement under subsection (l), shall appoint one or*
17 *more qualified judges to select the winner or winners*
18 *of the prize competition on the basis described under*
19 *subsection (f). Judges for each competition may in-*
20 *clude individuals from outside the agency, including*
21 *from the private sector.*

22 “(2) *RESTRICTIONS.*—*A judge may not—*

23 “(A) *have personal or financial interests in,*
24 *or be an employee, officer, director, or agent of*

1 *any entity that is a registered participant in a*
2 *competition; or*

3 *“(B) have a familial or financial relation-*
4 *ship with an individual who is a registered par-*
5 *ticipant.*

6 *“(3) GUIDELINES.—The heads of agencies who*
7 *carry out competitions under this section shall de-*
8 *velop guidelines to ensure that the judges appointed*
9 *for such competitions are fairly balanced and operate*
10 *in a transparent manner.*

11 *“(4) EXEMPTION FROM FACA.—The Federal Ad-*
12 *visory Committee Act (5 U.S.C. App.) shall not apply*
13 *to any committee, board, commission, panel, task*
14 *force, or similar entity, created solely for the purpose*
15 *of judging prize competitions under this section.*

16 *“(l) ADMINISTERING THE COMPETITION.—The head of*
17 *an agency may enter into an agreement with a private,*
18 *nonprofit entity to administer a prize competition, subject*
19 *to the provisions of this section.*

20 *“(m) FUNDING.—*

21 *“(1) IN GENERAL.—Support for a prize competi-*
22 *tion under this section, including financial support*
23 *for the design and administration of a prize or funds*
24 *for a monetary prize purse, may consist of Federal*
25 *appropriated funds and funds provided by the private*

1 *sector for such cash prizes. The head of an agency*
2 *may accept funds from other Federal agencies to sup-*
3 *port such competitions. The head of an agency may*
4 *not give any special consideration to any private sec-*
5 *tor entity in return for a donation.*

6 *“(2) AVAILABILITY OF FUNDS.—Notwithstanding*
7 *any other provision of law, funds appropriated for*
8 *prize awards under this section shall remain avail-*
9 *able until expended. No provision in this section per-*
10 *mits obligation or payment of funds in violation of*
11 *section 1341 of title 31, United States Code.*

12 *“(3) AMOUNT OF PRIZE.—*

13 *“(A) ANNOUNCEMENT.—No prize may be*
14 *announced under subsection (f) until all the*
15 *funds needed to pay out the announced amount*
16 *of the prize have been appropriated or committed*
17 *in writing by a private source.*

18 *“(B) INCREASE IN AMOUNT.—The head of*
19 *an agency may increase the amount of a prize*
20 *after an initial announcement is made under*
21 *subsection (f) only if—*

22 *“(i) notice of the increase is provided*
23 *in the same manner as the initial notice of*
24 *the prize; and*

1 “(ii) the funds needed to pay out the
2 announced amount of the increase have been
3 appropriated or committed in writing by a
4 private source.

5 “(4) LIMITATION ON AMOUNT.—

6 “(A) NOTICE TO CONGRESS.—No prize com-
7 petition under this section may offer a prize in
8 an amount greater than \$50,000,000 unless 30
9 days have elapsed after written notice has been
10 transmitted to the Committee on Commerce,
11 Science, and Transportation of the Senate and
12 the Committee on Science and Technology of the
13 House of Representatives.

14 “(B) APPROVAL OF HEAD OF AGENCY.—No
15 prize competition under this section may result
16 in the award of more than \$1,000,000 in cash
17 prizes without the approval of the head of an
18 agency.

19 “(n) GENERAL SERVICE ADMINISTRATION ASSIST-
20 ANCE.—Not later than 180 days after the date of the enact-
21 ment of the America COMPETES Reauthorization Act of
22 2010, the General Services Administration shall provide
23 government wide services to share best practices and assist
24 agencies in developing guidelines for issuing prize competi-
25 tions. The General Services Administration shall develop a

1 *contract vehicle to provide agencies access to relevant prod-*
2 *ucts and services, including technical assistance in struc-*
3 *turing and conducting prize competitions to take maximum*
4 *benefit of the marketplace as they identify and pursue prize*
5 *competitions to further the policy objectives of the Federal*
6 *Government.*

7 “(o) *COMPLIANCE WITH EXISTING LAW.*—

8 “(1) *IN GENERAL.*—*The Federal Government*
9 *shall not, by virtue of offering or providing a prize*
10 *under this section, be responsible for compliance by*
11 *registered participants in a prize competition with*
12 *Federal law, including licensing, export control, and*
13 *nonproliferation laws, and related regulations.*

14 “(2) *OTHER PRIZE AUTHORITY.*—*Nothing in this*
15 *section affects the prize authority authorized by any*
16 *other provision of law.*

17 “(p) *ANNUAL REPORT.*—

18 “(1) *IN GENERAL.*—*Not later than March 1 of*
19 *each year, the Director shall submit to the Committee*
20 *on Commerce, Science, and Transportation of the*
21 *Senate and the Committee on Science and Technology*
22 *of the House of Representatives a report on the activi-*
23 *ties carried out during the preceding fiscal year*
24 *under the authority in subsection (b).*

1 “(2) *INFORMATION INCLUDED.*—*The report for a*
2 *fiscal year under this subsection shall include, for*
3 *each prize competition under subsection (b), the fol-*
4 *lowing:*

5 “(A) *PROPOSED GOALS.*—*A description of*
6 *the proposed goals of each prize competition.*

7 “(B) *PREFERABLE METHOD.*—*An analysis*
8 *of why the utilization of the authority in sub-*
9 *section (b) was the preferable method of achiev-*
10 *ing the goals described in subparagraph (A) as*
11 *opposed to other authorities available to the*
12 *agency, such as contracts, grants, and coopera-*
13 *tive agreements.*

14 “(C) *AMOUNT OF CASH PRIZES.*—*The total*
15 *amount of cash prizes awarded for each prize*
16 *competition, including a description of amount*
17 *of private funds contributed to the program, the*
18 *sources of such funds, and the manner in which*
19 *the amounts of cash prizes awarded and claimed*
20 *were allocated among the accounts of the agency*
21 *for recording as obligations and expenditures.*

22 “(D) *SOLICITATIONS AND EVALUATION OF*
23 *SUBMISSIONS.*—*The methods used for the solici-*
24 *tation and evaluation of submissions under each*
25 *prize competition, together with an assessment of*

1 *the effectiveness of such methods and lessons*
 2 *learned for future prize competitions.*

3 “(E) *RESOURCES.*—*A description of the re-*
 4 *sources, including personnel and funding, used*
 5 *in the execution of each prize competition to-*
 6 *gether with a detailed description of the activi-*
 7 *ties for which such resources were used and an*
 8 *accounting of how funding for execution was al-*
 9 *located among the accounts of the agency for re-*
 10 *cording as obligations and expenditures.*

11 “(F) *RESULTS.*—*A description of how each*
 12 *prize competition advanced the mission of the*
 13 *agency concerned.”.*

14 (b) *REPEAL OF SPACE ACT LIMITATION.*—*Section*
 15 *314(a) of the National Aeronautics and Space Act of 1958*
 16 *(42 U.S.C. 2459f–1 is amended by striking “The Adminis-*
 17 *tration may carry out a program to award prizes only in*
 18 *conformity with this section.”.*

19 **TITLE II—NATIONAL AERO-**
 20 **NAUTICS AND SPACE ADMIN-**
 21 **ISTRATION**

22 **SEC. 201. NASA’S CONTRIBUTION TO INNOVATION AND**
 23 **COMPETITIVENESS.**

24 *It is the sense of Congress that a renewed emphasis*
 25 *on technology development would enhance current mission*

1 *capabilities and enable future missions, while encouraging*
2 *NASA, private industry, and academia to spur innovation.*
3 *NASA's Innovative Partnership Program is a valuable*
4 *mechanism to accelerate technology maturation and encour-*
5 *age the transfer of technology into the private sector.*

6 **SEC. 202. NASA'S CONTRIBUTION TO EDUCATION.**

7 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
8 *that NASA is uniquely positioned to interest students in*
9 *science, technology, engineering, and mathematics, not only*
10 *by the example it sets, but through its education programs.*

11 *(b) EDUCATIONAL PROGRAM GOALS.—NASA shall de-*
12 *velop and maintain educational programs—*

13 *(1) to carry out and support research based pro-*
14 *grams and activities designed to increase student in-*
15 *terest and participation in STEM, including students*
16 *from minority and underrepresented groups;*

17 *(2) to improve public literacy in STEM;*

18 *(3) that employ proven strategies and methods*
19 *for improving student learning and teaching in*
20 *STEM;*

21 *(4) to provide curriculum support materials and*
22 *other resources that—*

23 *(A) are designed to be integrated with com-*
24 *prehensive STEM education;*

1 (B) are aligned with national science edu-
 2 cation standards;

3 (C) promote the adoption and implementa-
 4 tion of high-quality education practices that
 5 build toward college and career-readiness; and

6 (5) to create and support opportunities for en-
 7 hanced and ongoing professional development for
 8 teachers using best practices that improve the STEM
 9 content and knowledge of the teachers, including
 10 through programs linking STEM teachers with
 11 STEM educators at the higher education level.

12 **SEC. 203. ASSESSMENT OF IMPEDIMENTS TO SPACE**
 13 **SCIENCE AND ENGINEERING WORKFORCE DE-**
 14 **VELOPMENT FOR MINORITY AND UNDERREP-**
 15 **RESENTED GROUPS AT NASA.**

16 (a) *ASSESSMENT.*—The Administrator shall enter into
 17 an arrangement for an independent assessment of any im-
 18 pediments to space science and engineering workforce devel-
 19 opment for minority and underrepresented groups at
 20 NASA, including recommendations on—

21 (1) measures to address such impediments;

22 (2) opportunities for augmenting the impact of
 23 space science and engineering workforce development
 24 activities and for expanding proven, effective pro-
 25 grams; and

1 (3) *best practices and lessons learned, as identi-*
2 *fied through the assessment, to help maximize the ef-*
3 *fectiveness of existing and future programs to increase*
4 *the participation of minority and underrepresented*
5 *groups in the space science and engineering workforce*
6 *at NASA.*

7 (b) *REPORT.*—*A report on the assessment carried out*
8 *under subsection (a) shall be transmitted to the House of*
9 *Representatives Committee on Science and Technology and*
10 *the Senate Committee on Commerce, Science, and Trans-*
11 *portation not later than 15 months after the date of enact-*
12 *ment of this Act.*

13 (c) *IMPLEMENTATION.*—*To the extent practicable, the*
14 *Administrator shall take all necessary steps to address any*
15 *impediments identified in the assessment.*

16 **SEC. 204. INTERNATIONAL SPACE STATION'S CONTRIBU-**
17 **TION TO NATIONAL COMPETITIVENESS EN-**
18 **HANCEMENT.**

19 (a) *SENSE OF CONGRESS.*—*It is the sense of the Con-*
20 *gress that the International Space Station represents a val-*
21 *uable and unique national asset which can be utilized to*
22 *increase educational opportunities and scientific and tech-*
23 *nological innovation which will enhance the Nation's eco-*
24 *nomie security and competitiveness in the global technology*
25 *fields of endeavor. If the period for active utilization of the*

1 *International Space Station is extended to at least the year*
2 *2020, the potential for such opportunities and innovation*
3 *would be increased. Efforts should be made to fully realize*
4 *that potential.*

5 (b) *EVALUATION AND ASSESSMENT OF NASA'S INTER-*
6 *AGENCY CONTRIBUTION.*—*Pursuant to the authority pro-*
7 *vided in title II of the America COMPETES Act (Public*
8 *Law 110–69), the Administrator shall evaluate and, where*
9 *possible, expand efforts to maximize NASA's contribution*
10 *to interagency efforts to enhance science, technology, engi-*
11 *neering, and mathematics education capabilities, and to en-*
12 *hance the Nation's technological excellence and global com-*
13 *petitiveness. The Administrator shall identify these en-*
14 *hancements in the annual reports required by section*
15 *2001(e) of that Act (42 U.S.C. 16611a(e)).*

16 (c) *REPORT TO THE CONGRESS.*—*Within 120 days*
17 *after the date of enactment of this Act, the Administrator*
18 *shall provide to the House of Representatives Committee on*
19 *Science and Technology and the Senate Committee on Com-*
20 *merce, Science, and Transportation a report on the assess-*
21 *ment made pursuant to subsection (a). The report shall in-*
22 *clude—*

23 (1) *a description of current and potential activi-*
24 *ties associated with utilization of the International*
25 *Space Station which are supportive of the goals of*

1 *educational excellence and innovation and competi-*
2 *tive enhancement established or reaffirmed by this*
3 *Act, including a summary of the goals supported, the*
4 *number of individuals or organizations participating*
5 *in or benefiting from such activities, and a summary*
6 *of how such activities might be expanded or improved*
7 *upon;*

8 (2) *a description of government and private*
9 *partnerships which are, or may be, established to ef-*
10 *fectively utilize the capabilities represented by the*
11 *International Space Station to enhance United States*
12 *competitiveness, innovation and science, technology,*
13 *engineering, and mathematics education; and*

14 (3) *a summary of proposed actions or activities*
15 *to be undertaken to ensure the maximum utilization*
16 *of the International Space Station to contribute to*
17 *fulfillment of the goals and objectives of this Act, and*
18 *the identification of any additional authority, assets,*
19 *or funding that would be required to support such ac-*
20 *tivities.*

1 **SEC. 205. STUDY OF POTENTIAL COMMERCIAL ORBITAL**
2 **PLATFORM PROGRAM IMPACT ON SCIENCE,**
3 **TECHNOLOGY, ENGINEERING, AND MATHE-**
4 **MATICS.**

5 (a) *IN GENERAL.*—Section 1003 of the National Aero-
6 nautics and Space Administration Authorization Act of
7 2010 (42 U.S.C. 18421) is amended to read as follows:

8 **“SEC. 1003. STUDY OF POTENTIAL COMMERCIAL ORBITAL**
9 **PLATFORM PROGRAM IMPACT ON SCIENCE,**
10 **TECHNOLOGY, ENGINEERING, AND MATHE-**
11 **MATICS.**

12 “A fundamental and unique capability of NASA is in
13 stimulating science, technology, engineering, and mathe-
14 matics education in the United States. In ensuring max-
15 imum use of that capability, the Administrator shall carry
16 out a study to—

17 “(1) identify the benefits of and lessons learned
18 from ongoing and previous NASA orbital student pro-
19 grams including, at a minimum, the Get Away Spe-
20 cial (GAS) and Earth Knowledge Acquired by Middle
21 School Students (EarthKAM) programs, on science,
22 technology, engineering, and mathematics education;

23 “(2) assess the potential impacts on science, tech-
24 nology, engineering, and mathematics education of a
25 program that would facilitate the development of sci-
26 entific and educational payloads involving United

1 *States students and educators and the flights of those*
 2 *payloads on commercially available orbital platforms,*
 3 *when available and operational, with the goal of pro-*
 4 *viding frequent and regular payload launches;*

5 *“(3) identify NASA expertise, such as NASA*
 6 *science, engineering, payload development, and pay-*
 7 *load operations, that could be made available to fa-*
 8 *cilitate a science, technology, engineering, and mathe-*
 9 *matics program using commercial orbital platforms;*
 10 *and*

11 *“(4) identify the issues that would need to be ad-*
 12 *ressed before NASA could properly assess the merits*
 13 *and feasibility of the program described in paragraph*
 14 *(2).”.*

15 (c) *EFFECTIVE DATE.*—*The amendment made by sub-*
 16 *section (a) shall take effect on October 12, 2010.*

17 **SEC. 206. DEFINITIONS.**

18 *In this title:*

19 (1) *ADMINISTRATOR.*—*The term “Adminis-*
 20 *trator” means the Administrator of NASA.*

21 (2) *NASA.*—*The term “NASA” means the Na-*
 22 *tional Aeronautics and Space Administration.*

1 **TITLE III—NATIONAL OCEANIC**
2 **AND ATMOSPHERIC ADMINIS-**
3 **TRATION**

4 **SEC. 301. OCEANIC AND ATMOSPHERIC RESEARCH AND DE-**
5 **VELOPMENT PROGRAM.**

6 *Section 4001 of the America COMPETES Act (33*
7 *U.S.C. 893) is amended—*

8 *(1) by inserting “(a) IN GENERAL.—” before*
9 *“The Administrator”; and*

10 *(2) by adding at the end the following:*

11 *“(b) OCEANIC AND ATMOSPHERIC RESEARCH AND DE-*
12 *VELOPMENT PROGRAM.—The Administrator shall imple-*
13 *ment programs and activities—*

14 *“(1) to identify emerging and innovative re-*
15 *search and development priorities to enhance United*
16 *States competitiveness, support development of new*
17 *economic opportunities based on NOAA research, ob-*
18 *servations, monitoring modeling, and predictions that*
19 *sustain ecosystem services;*

20 *“(2) to promote United States leadership in oce-*
21 *anic and atmospheric science and competitiveness in*
22 *the applied uses of such knowledge, including for the*
23 *development and expansion of economic opportunities;*
24 *and*

1 “(3) to advance ocean, coastal, Great Lakes, and
2 atmospheric research and development, including po-
3 tentially transformational research, in collaboration
4 with other relevant Federal agencies, academic insti-
5 tutions, the private sector, and nongovernmental pro-
6 grams, consistent with NOAA’s mission to under-
7 stand, observe, and model the Earth’s atmosphere and
8 biosphere, including the oceans, in an integrated
9 manner.

10 “(c) *REPORT*.—No later than 12 months after the date
11 of enactment of the America COMPETES Reauthorization
12 Act of 2010, the Administrator, in consultation with the
13 National Science Foundation or other such agencies with
14 mature transformational research portfolios, shall develop
15 and submit a report to the Senate Committee on Commerce,
16 Science, and Transportation and the House of Representa-
17 tives Committee on Science and Technology that describes
18 NOAA’s strategy for enhancing transformational research
19 in its research and development portfolio to increase United
20 States competitiveness in oceanic and atmospheric science
21 and technology. The report shall—

22 “(1) define ‘transformational research’;

23 “(2) identify emerging and innovative areas of
24 research and development where transformational re-
25 search has the potential to make significant and revo-

1 *lutionary advancements in both understanding and*
 2 *U.S. science leadership;*

3 *“(3) describe how transformational research pri-*
 4 *orities are identified and appropriately balanced in*
 5 *the context of NOAA’s broader research portfolio;*

6 *“(4) describe NOAA’s plan for developing a com-*
 7 *petitive peer review and priority-setting process,*
 8 *funding mechanisms, performance and evaluation*
 9 *measures, and transition-to-operation guidelines for*
 10 *transformational research; and*

11 *“(5) describe partnerships with other agencies*
 12 *involved in transformational research.”.*

13 **SEC. 302. OCEANIC AND ATMOSPHERIC SCIENCE EDU-**
 14 **CATION PROGRAMS.**

15 *Section 4002 of the America COMPETES Act (33*
 16 *U.S.C. 893a) is amended—*

17 *(1) by striking “the agency.” in subsection (a)*
 18 *and inserting “agency, with consideration given to*
 19 *the goal of promoting the participation of individuals*
 20 *from underrepresented groups in STEM fields and in*
 21 *promoting the acquisition and retention of highly*
 22 *qualified and motivated young scientists to com-*
 23 *plement and supplement workforce needs.”;*

24 *(2) by redesignating subsections (b) and (c) as*
 25 *subsections (c) and (d), respectively;*

1 (3) *by inserting after subsection (a) the fol-*
2 *lowing:*

3 “(b) *EDUCATIONAL PROGRAM GOALS.—The education*
4 *programs developed by NOAA shall, to the extent applica-*
5 *ble—*

6 “(1) *carry out and support research based pro-*
7 *grams and activities designed to increase student in-*
8 *terest and participation in STEM;*

9 “(2) *improve public literacy in STEM;*

10 “(3) *employ proven strategies and methods for*
11 *improving student learning and teaching in STEM;*

12 “(4) *provide curriculum support materials and*
13 *other resources that—*

14 “(A) *are designed to be integrated with*
15 *comprehensive STEM education;*

16 “(B) *are aligned with national science edu-*
17 *cation standards; and*

18 “(C) *promote the adoption and implementa-*
19 *tion of high-quality education practices that*
20 *build toward college and career-readiness; and*

21 “(5) *create and support opportunities for en-*
22 *hanced and ongoing professional development for*
23 *teachers using best practices that improves the STEM*
24 *content and knowledge of the teachers, including*

1 *through programs linking STEM teachers with*
 2 *STEM educators at the higher education level.”;*

3 *(4) by striking “develop” in subsection (c), as re-*
 4 *designated, and inserting “maintain”; and*

5 *(5) by adding at the end thereof the following:*

6 “(e) *STEM DEFINED.*—*In this section, the term*
 7 *‘STEM’ means the academic and professional disciplines*
 8 *of science, technology, engineering, and mathematics.”.*

9 **SEC. 303. WORKFORCE STUDY.**

10 (a) *IN GENERAL.*—*The Secretary of Commerce, in co-*
 11 *operation with the Secretary of Education, shall request the*
 12 *National Academy of Sciences to conduct a study on the*
 13 *scientific workforce in the areas of oceanic and atmospheric*
 14 *research and development. The study shall investigate—*

15 (1) *whether there is a shortage in the number of*
 16 *individuals with advanced degrees in oceanic and at-*
 17 *mospheric sciences who have the ability to conduct*
 18 *high quality scientific research in physical and chem-*
 19 *ical oceanography, meteorology, and atmospheric*
 20 *modeling, and related fields, for government, non-*
 21 *profit, and private sector entities;*

22 (2) *what Federal programs are available to help*
 23 *facilitate the education of students hoping to pursue*
 24 *these degrees;*

1 (3) *barriers to transitioning highly qualified oce-*
2 *anic and atmospheric scientists into Federal civil*
3 *service scientist career tracks;*

4 (4) *what institutions of higher education, the*
5 *private sector, and the Congress could do to increase*
6 *the number of individuals with such post bacca-*
7 *laureate degrees;*

8 (5) *the impact of an aging Federal scientist*
9 *workforce on the ability of Federal agencies to conduct*
10 *high quality scientific research; and*

11 (6) *what actions the Federal government can*
12 *take to assist the transition of highly qualified sci-*
13 *entists into Federal career scientist positions and en-*
14 *sure that the experiences of retiring Federal scientists*
15 *are adequately documented and transferred prior to*
16 *retirement from Federal service.*

17 (b) *COORDINATION.*—*The Secretary of Commerce and*
18 *the Secretary of Education shall consult with the heads of*
19 *other Federal agencies and departments with oceanic and*
20 *atmospheric expertise or authority in preparing the speci-*
21 *fications for the study.*

22 (c) *REPORT.*—*No later than 18 months after the date*
23 *of enactment of this Act, the Secretary of Commerce and*
24 *the Secretary of Education shall transmit a joint report to*
25 *each committee of Congress with jurisdiction over the pro-*

1 *grams described in 4002(b) of the America COMPETES*
2 *Act (33 U.S.C. 893a(b)), as amended by section 302 of this*
3 *Act, detailing the findings and recommendations of the*
4 *study and setting forth a prioritized plan to implement the*
5 *recommendations.*

6 *(d) PROGRAM AND PLAN.—The Administrator of the*
7 *National Oceanic and Atmospheric Administration shall*
8 *evaluate the National Academy of Sciences study and de-*
9 *velop a workforce program and plan to institutionalize the*
10 *Administration’s Federal science career pathways and ad-*
11 *dress aging workforce issues. The program and plan shall*
12 *be developed in consultation with the Administration’s co-*
13 *operative institutes and other academic partners to identify*
14 *and implement programs and mechanisms to ensure that—*

15 *(1) sufficient highly qualified scientists are able*
16 *to transition into Federal career scientist positions in*
17 *the Administration’s laboratories and programs; and*

18 *(2) the technical and management experiences of*
19 *senior employees are documented and transferred be-*
20 *fore leaving Federal service.*

1 **TITLE IV—NATIONAL INSTITUTE**
2 **OF STANDARDS AND TECH-**
3 **NOLOGY**

4 **SEC. 401. SHORT TITLE.**

5 *This title may be cited as the “National Institute of*
6 *Standards and Technology Authorization Act of 2010”.*

7 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

8 *(a) FISCAL YEAR 2011.—*

9 *(1) IN GENERAL.—There are authorized to be ap-*
10 *propriated to the Secretary of Commerce*
11 *\$918,900,000 for the National Institute of Standards*
12 *and Technology for fiscal year 2011.*

13 *(2) SPECIFIC ALLOCATIONS.—Of the amount au-*
14 *thorized by paragraph (1)—*

15 *(A) \$584,500,000 shall be authorized for sci-*
16 *entific and technical research and services lab-*
17 *oratory activities;*

18 *(B) \$124,800,000 shall be authorized for the*
19 *construction and maintenance of facilities; and*

20 *(C) \$209,600,000 shall be authorized for in-*
21 *dustrial technology services activities, of which—*

22 *(i) \$141,100,000 shall be authorized for*
23 *the Manufacturing Extension Partnership*
24 *program under sections 25 and 26 of such*
25 *Act (15 U.S.C. 278k and 278l), of which not*

1 more than \$5,000,000 shall be for the com-
2 petitive grant program under section 25(f)
3 of such Act; and

4 (ii) \$10,000,000 shall be authorized for
5 the Malcolm Baldrige National Quality
6 Award program under section 17 of the Ste-
7 venson-Wyidler Technology Innovation Act
8 of 1980 (15 U.S.C. 3711a).

9 (b) FISCAL YEAR 2012.—

10 (1) IN GENERAL.—There are authorized to be ap-
11 propriated to the Secretary of Commerce
12 \$970,800,000 for the National Institute of Standards
13 and Technology for fiscal year 2012.

14 (2) SPECIFIC ALLOCATIONS.—Of the amount au-
15 thorized by paragraph (1)—

16 (A) \$661,100,000 shall be authorized for sci-
17 entific and technical research and services lab-
18 oratory activities;

19 (B) \$84,900,000 shall be authorized for the
20 construction and maintenance of facilities; and

21 (C) \$224,800,000 shall be authorized for in-
22 dustrial technology services activities, of which—

23 (i) \$155,100,000 shall be authorized for
24 the Manufacturing Extension Partnership
25 program under sections 25 and 26 of such

1 *Act (15 U.S.C. 278k and 278l), of which not*
2 *more than \$5,000,000 shall be for the com-*
3 *petitive grant program under section 25(f)*
4 *of such Act; and*

5 *(ii) \$10,300,000 shall be authorized for*
6 *the Malcolm Baldrige National Quality*
7 *Award program under section 17 of the Ste-*
8 *venson-Wylder Technology Innovation Act*
9 *of 1980 (15 U.S.C. 3711a).*

10 *(c) FISCAL YEAR 2013.—*

11 *(1) IN GENERAL.—There are authorized to be ap-*
12 *propriated to the Secretary of Commerce*
13 *\$1,039,709,000 for the National Institute of Stand-*
14 *ards and Technology for fiscal year 2013.*

15 *(2) SPECIFIC ALLOCATIONS.—Of the amount au-*
16 *thorized by paragraph (1)—*

17 *(A) \$676,700,000 shall be authorized for sci-*
18 *entific and technical research and services lab-*
19 *oratory activities;*

20 *(B) \$121,300,000 shall be authorized for the*
21 *construction and maintenance of facilities; and*

22 *(C) \$241,709,000 shall be authorized for in-*
23 *dustrial technology services activities, of which—*

24 *(i) \$165,100,000 shall be authorized for*
25 *the Manufacturing Extension Partnership*

1 *program under sections 25 and 26 of such*
 2 *Act (15 U.S.C. 278k and 278l), of which not*
 3 *more than \$5,000,000 shall be for the com-*
 4 *petitive grant program under section 25(f)*
 5 *of such Act; and*

6 *(ii) \$10,609,000 shall be authorized for*
 7 *the Malcolm Baldrige National Quality*
 8 *Award program under section 17 of the Ste-*
 9 *venson-Wyidler Technology Innovation Act*
 10 *of 1980 (15 U.S.C. 3711a).*

11 **SEC. 403. UNDER SECRETARY OF COMMERCE FOR STAND-**
 12 **ARDS AND TECHNOLOGY.**

13 *(a) ESTABLISHMENT.—The National Institute of*
 14 *Standards and Technology Act is amended by inserting*
 15 *after section 3 the following:*

16 **“SEC. 4. UNDER SECRETARY OF COMMERCE FOR STAND-**
 17 **ARDS AND TECHNOLOGY.**

18 *“(a) ESTABLISHMENT.—There shall be in the Depart-*
 19 *ment of Commerce an Under Secretary of Commerce for*
 20 *Standards and Technology (in this section referred to as*
 21 *the ‘Under Secretary’).*

22 *“(b) APPOINTMENT.—The Under Secretary shall be*
 23 *appointed by the President by and with the advice and con-*
 24 *sent of the Senate.*

1 “(c) *COMPENSATION.*—*The Under Secretary shall be*
2 *compensated at the rate in effect for level III of the Execu-*
3 *tive Schedule under section 5314 of title 5, United States*
4 *Code.*

5 “(d) *DUTIES.*—*The Under Secretary shall serve as the*
6 *Director of the Institute and shall perform such duties as*
7 *required of the Director by the Secretary under this Act*
8 *or by law.*

9 “(e) *APPLICABILITY.*—*The individual serving as the*
10 *Director of the Institute on the date of enactment of the*
11 *National Institute of Standards and Technology Authoriza-*
12 *tion Act of 2010 shall also serve as the Under Secretary*
13 *until such time as a successor is appointed under subsection*
14 *(b).’’.*

15 (b) *CONFORMING AMENDMENTS.*—

16 (1) *TITLE 5, UNITED STATES CODE.*—

17 (A) *LEVEL III.*—*Section 5314 of title 5,*
18 *United States Code, is amended by inserting be-*
19 *fore the item “Associate Attorney General” the*
20 *following:*

21 *“Under Secretary of Commerce for Standards*
22 *and Technology, who also serves as Director of the*
23 *National Institute of Standards and Technology.’’.*

24 (B) *LEVEL IV.*—*Section 5315 of title 5,*
25 *United States Code, is amended by striking “Di-*

1 *rector, National Institute of Standards and*
 2 *Technology, Department of Commerce.”.*

3 *(2) NATIONAL INSTITUTE OF STANDARDS AND*
 4 *TECHNOLOGY ACT.—Section 5 of the National Insti-*
 5 *tute of Standards and Technology Act (15 U.S.C.*
 6 *274) is amended by striking the first, fifth, and sixth*
 7 *sentences.*

8 **SEC. 404. MANUFACTURING EXTENSION PARTNERSHIP.**

9 *(a) COMMUNITY COLLEGE SUPPORT.—Section 25(a) of*
 10 *the National Institute of Standards and Technology Act (15*
 11 *U.S.C. 278k(a)) is amended—*

12 *(1) by striking “and” after the semicolon in*
 13 *paragraph (4);*

14 *(2) by striking “Institute.” in paragraph (5)*
 15 *and inserting “Institute; and”; and*

16 *(3) by adding at the end the following:*

17 *“(6) providing to community colleges informa-*
 18 *tion about the job skills needed in small- and me-*
 19 *dium-sized manufacturing businesses in the regions*
 20 *they serve.”.*

21 *(b) INNOVATIVE SERVICES INITIATIVE.—Section 25 of*
 22 *such Act (15 U.S.C. 278k) is amended by adding at the*
 23 *end the following:*

24 *“(g) INNOVATIVE SERVICES INITIATIVE.—*

1 “(1) *ESTABLISHMENT.*—*The Director shall estab-*
2 *lish, within the Centers program under this section,*
3 *an innovative services initiative to assist small- and*
4 *medium-sized manufacturers in—*

5 “(A) *reducing their energy usage, green-*
6 *house gas emissions, and environmental waste to*
7 *improve profitability;*

8 “(B) *accelerating the domestic commer-*
9 *cialization of new product technologies, includ-*
10 *ing components for renewable energy and energy*
11 *efficiency systems; and*

12 “(C) *identification of and diversification to*
13 *new markets, including support for transitioning*
14 *to the production of components for renewable*
15 *energy and energy efficiency systems.*

16 “(2) *MARKET DEMAND.*—*The Director may not*
17 *undertake any activity to accelerate the domestic com-*
18 *mercialization of a new product technology under this*
19 *subsection unless an analysis of market demand for*
20 *the new product technology has been conducted.”.*

21 (c) *REPORTS.*—*Section 25 of such Act (15 U.S.C.*
22 *278k), as amended by subsection (b), is further amended*
23 *by adding at the end the following:*

24 “(h) *REPORTS.*—

1 “(1) *IN GENERAL.*—*In submitting the 3-year*
2 *programmatic planning document and annual up-*
3 *dates under section 23, the Director shall include an*
4 *assessment of the Director’s governance of the pro-*
5 *gram established under this section.*

6 “(2) *CRITERIA.*—*In conducting the assessment,*
7 *the Director shall use the criteria established pursu-*
8 *ant to the Malcolm Baldrige National Quality Award*
9 *under section 17(d)(1)(C) of the Stevenson-Wydler*
10 *Technology Innovation Act of 1980 (15 U.S.C.*
11 *3711a(d)(1)(C)).”.*

12 *(d) HOLLINGS MANUFACTURING EXTENSION PART-*
13 *nership Program Cost-Sharing.*—*Section 25(c) of such*
14 *Act (15 U.S.C. 278k(c)) is amended by adding at the end*
15 *the following:*

16 “(7) *Not later than 90 days after the date of en-*
17 *actment of the National Institute of Standards and*
18 *Technology Authorization Act of 2010, the Comp-*
19 *troller General shall submit to Congress a report on*
20 *the cost share requirements under the program. The*
21 *report shall—*

22 “(A) *discuss various cost share structures,*
23 *including the cost share structure in place prior*
24 *to such date of enactment, and the effect of such*

1 *cost share structures on individual Centers and*
2 *the overall program; and*

3 *“(B) include recommendations for how best*
4 *to structure the cost share requirement to provide*
5 *for the long-term sustainability of the program.”.*

6 *“(8) If consistent with the recommendations in*
7 *the report transmitted to Congress under paragraph*
8 *(7), the Secretary shall alter the cost structure re-*
9 *quirements specified under paragraph (3)(B) and (5)*
10 *provided that the modification does not increase the*
11 *cost share structure in place before the date of enact-*
12 *ment of the America COMPETES Reauthorization*
13 *Act of 2010, or allow the Secretary to provide a Cen-*
14 *ter more than 50 percent of the costs incurred by that*
15 *Center.”.*

16 *(e) ADVISORY BOARD.—Section 25(e)(4) of such Act*
17 *(15 U.S.C. 278k(e)(4)) is amended to read as follows:*

18 *“(4) FEDERAL ADVISORY COMMITTEE ACT APPLI-*
19 *CABILITY.—*

20 *“(A) IN GENERAL.—In discharging its du-*
21 *ties under this subsection, the MEP Advisory*
22 *Board shall function solely in an advisory ca-*
23 *capacity, in accordance with the Federal Advisory*
24 *Committee Act.*

1 “(B) *EXCEPTION.*—Section 14 of the Fed-
 2 *eral Advisory Committee Act shall not apply to*
 3 *the MEP Advisory Board.*’.

4 (f) *DESIGNATION OF PROGRAM.*—

5 (1) *IN GENERAL.*—Section 25 of the National In-
 6 *stitute of Standards and Technology Act (15 U.S.C.*
 7 *278k), as amended by subsection (c), is further*
 8 *amended by adding at the end the following:*

9 “(i) *DESIGNATION.*—

10 “(1) *HOLLINGS MANUFACTURING EXTENSION*
 11 *PARTNERSHIP.*—The program under this section shall
 12 *be known as the ‘Hollings Manufacturing Extension*
 13 *Partnership.’*

14 “(2) *HOLLINGS MANUFACTURING EXTENSION*
 15 *CENTERS.*—The Regional Centers for the Transfer of
 16 *Manufacturing Technology created and supported*
 17 *under subsection (a) shall be known as the ‘Hollings*
 18 *Manufacturing Extension Centers’ (in this Act re-*
 19 *ferred to as the ‘Centers’).*”.

20 (2) *CONFORMING AMENDMENT TO CONSOLIDATED*
 21 *APPROPRIATIONS ACT, 2005.*—Division B of title II of
 22 *the Consolidated Appropriations Act, 2005 (Public*
 23 *Law 108–447; 118 Stat. 2879; 15 U.S.C. 278k note)*
 24 *is amended under the heading “INDUSTRIAL TECH-*
 25 *NOLOGY SERVICES” by striking “2007: Provided fur-*

1 *ther, That” and all that follows through “Extension*
 2 *Centers.” and inserting “2007.”.*

3 (3) *TECHNICAL AMENDMENTS.—*

4 (A) *Section 25(a) of the National Institute*
 5 *of Standards and Technology Act (15 U.S.C.*
 6 *278k(a)) is amended in the matter preceding*
 7 *paragraph (1) by striking “Regional Centers for*
 8 *the Transfer of Manufacturing Technology” and*
 9 *inserting “regional centers for the transfer of*
 10 *manufacturing technology”.*

11 (B) *Section 25 of such Act (15 U.S.C.*
 12 *278k), as amended by subsection (f), is further*
 13 *amended by adding at the end the following:*

14 “(j) *COMMUNITY COLLEGE DEFINED.—In this section,*
 15 *the term ‘community college’ means an institution of higher*
 16 *education (as defined under section 101(a) of the Higher*
 17 *Education Act of 1965 (20 U.S.C. 1001(a))) at which the*
 18 *highest degree that is predominately awarded to students*
 19 *is an associate’s degree.”.*

20 (h) *EVALUATION OF OBSTACLES UNIQUE TO SMALL*
 21 *MANUFACTURERS.—Section 25 of such Act (15 U.S.C.*
 22 *278k), as amended by subsection (g), is further amended*
 23 *by adding at the end the following:*

24 “(k) *EVALUATION OF OBSTACLES UNIQUE TO SMALL*
 25 *MANUFACTURERS.—The Director shall—*

6 “(3) *facilitate improved communication between*
7 *the Centers to assist such manufacturers in imple-*
8 *menting appropriate, targeted solutions to such obsta-*
9 *cles.*”.

15 *SEC. 405. EMERGENCY COMMUNICATION AND TRACKING*
16 *TECHNOLOGIES RESEARCH INITIATIVE.*

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1 (b) *ACTIVITIES.*—In order to carry out this section, the
 2 Director shall work with the private sector and appropriate
 3 Federal agencies to—

4 (1) *perform a needs assessment to identify and*
 5 *evaluate the measurement, technical standards, and*
 6 *conformity assessment needs required to improve the*
 7 *operation and reliability of such emergency commu-*
 8 *nication and tracking technologies;*

9 (2) *support the development of technical stand-*
 10 *ards and conformance architecture to improve the op-*
 11 *eration and reliability of such emergency communica-*
 12 *tion and tracking technologies; and*

13 (3) *incorporate and build upon existing reports*
 14 *and studies on improving emergency communications.*

15 (c) *REPORT.*—Not later than 18 months after the date
 16 of enactment of this Act, the Director shall submit to Con-
 17 gress and make publicly available a report describing the
 18 assessment performed under subsection (b)(1) and making
 19 recommendations about research priorities to address gaps
 20 in the measurement, technical standards, and conformity
 21 assessment needs identified by the assessment.

22 **SEC. 406. BROADENING PARTICIPATION.**

23 (a) *RESEARCH FELLOWSHIPS.*—Section 18 of the Na-
 24 tional Institute of Standards and Technology Act (15

1 *U.S.C. 278g-1) is amended by adding at the end the fol-*
 2 *lowing:*

3 “(c) *UNDERREPRESENTED MINORITIES.—In evalu-*
 4 *ating applications for fellowships under this section, the Di-*
 5 *rector shall give consideration to the goal of promoting the*
 6 *participation of underrepresented minorities in research*
 7 *areas supported by the Institute.”.*

8 (b) *POSTDOCTORAL FELLOWSHIP PROGRAM.—Section*
 9 *19 of such Act (15 U.S.C. 278g-2) is amended by adding*
 10 *at the end the following: “In evaluating applications for*
 11 *fellowships under this section, the Director shall give consid-*
 12 *eration to the goal of promoting the participation of under-*
 13 *represented minorities in research areas supported by the*
 14 *Institute.”.*

15 (c) *TEACHER DEVELOPMENT.—Section 19A(c) of such*
 16 *Act (15 U.S.C. 278g-2a(c)) is amended by adding at the*
 17 *end the following: “The Director shall give special consider-*
 18 *ation to an application from a teacher from a high-need*
 19 *school, as defined in section 200 of the Higher Education*
 20 *Act of 1965 (20 U.S.C. 1021).”.*

21 **SEC. 407. NIST FELLOWSHIPS.**

22 (a) *POST-DOCTORAL FELLOWSHIP PROGRAM.—Sec-*
 23 *tion 19 of the National Institute of Standards and Tech-*
 24 *nology Act (15 U.S.C. 278g-2) is amended by striking “,*
 25 *in conjunction with the National Academy of Sciences,”.*

1 (b) *RESEARCH FELLOWSHIPS.*—Section 18(a) of that
2 Act (15 USC 278g–1(a)) is amended by striking “up to 1.5
3 percent of the”.

4 (c) *COMMERCE, SCIENCE, AND TECHNOLOGY FELLOW-*
5 *SHIP PROGRAM.*—Section 5163(d) of the Omnibus Trade
6 and Competition Act of 1988 (15 U.S.C. 1533) is repealed.

7 **SEC. 408. GREEN MANUFACTURING AND CONSTRUCTION.**

8 *The Director shall carry out a green manufacturing*
9 *and construction initiative—*

10 (1) *to develop accurate sustainability metrics*
11 *and practices for use in manufacturing;*

12 (2) *to advance the development of standards, in-*
13 *cluding high performance green building standards,*
14 *and the creation of an information infrastructure to*
15 *communicate sustainability information about sup-*
16 *pliers; and*

17 (3) *to move buildings toward becoming high per-*
18 *formance green buildings, including improving energy*
19 *performance, service life, and indoor air quality of*
20 *new and retrofitted buildings through validated meas-*
21 *urement data.*

22 **SEC. 409. DEFINITIONS.**

23 *In this title:*

1 (1) *DIRECTOR*.—The term “Director” means the
2 Director of the National Institute of Standards and
3 Technology.

4 (2) *FEDERAL AGENCY*.—The term “Federal agency”
5 has the meaning given such term in section 4 of
6 the Stevenson-Wydler Technology Innovation Act of
7 1980 (15 U.S.C. 3703).

8 (3) *HIGH PERFORMANCE GREEN BUILDING*.—The
9 term “high performance green building” has the
10 meaning given that term by section 401(13) of the
11 Energy Independence and Security Act of 2009 (42
12 U.S.C. 17061(13)).

13 **TITLE V—SCIENCE, TECH-**
14 **NOLOGY, ENGINEERING, AND**
15 **MATHEMATICS SUPPORT PRO-**
16 **GRAMS**

17 **SUBTITLE A—NATIONAL**
18 **SCIENCE FOUNDATION**

19 **SEC. 501. SHORT TITLE.**

20 This subtitle may be cited as the “National Science
21 Foundation Authorization Act of 2010”.

22 **SEC. 502. DEFINITIONS.**

23 In this subtitle:

24 (1) *DIRECTOR*.—The term “Director” means the
25 Director of the National Science Foundation.

1 (2) *EPSCoR*.—The term “EPSCoR” means the
2 *Experimental Program to Stimulate Competitive Re-*
3 *search*.

4 (3) *FOUNDATION*.—The term “Foundation”
5 means the National Science Foundation established
6 under section 2 of the National Science Foundation
7 Act of 1950 (42 U.S.C. 1861).

8 (4) *INSTITUTION OF HIGHER EDUCATION*.—The
9 term “institution of higher education” has the mean-
10 ing given such term in section 101(a) of the Higher
11 Education Act of 1965 (20 U.S.C. 1001(a)).

12 (5) *STATE*.—The term “State” means one of the
13 several States, the District of Columbia, the Common-
14 wealth of Puerto Rico, the Virgin Islands, Guam,
15 American Samoa, the Commonwealth of the Northern
16 Mariana Islands, or any other territory or possession
17 of the United States.

18 (6) *UNITED STATES*.—The term “United States”
19 means the several States, the District of Columbia, the
20 Commonwealth of Puerto Rico, the Virgin Islands,
21 Guam, American Samoa, the Commonwealth of the
22 Northern Mariana Islands, and any other territory or
23 possession of the United States.

24 **SEC. 503. AUTHORIZATION OF APPROPRIATIONS.**

25 (a) *FISCAL YEAR 2011*.—

1 (1) *IN GENERAL.*—*There are authorized to be ap-*
2 *propriated to the Foundation \$7,424,400,000 for fis-*
3 *cal year 2011.*

4 (2) *SPECIFIC ALLOCATIONS.*—*Of the amount au-*
5 *thorized by paragraph (1)—*

6 (A) *\$5,974,782,000 shall be made available*
7 *to carry research and related activities;*

8 (B) *\$937,850,000 shall be made available*
9 *for education and human resources;*

10 (C) *\$164,744,000 shall be made available*
11 *for major research equipment and facilities con-*
12 *struction;*

13 (D) *\$327,503,000 shall be made available*
14 *for agency operations and award management;*

15 (E) *\$4,803,000 shall be made available for*
16 *the Office of the National Science Board; and*

17 (F) *\$14,718,000 shall be made available for*
18 *the Office of Inspector General.*

19 (b) *FISCAL YEAR 2012.*—

20 (1) *IN GENERAL.*—*There are authorized to be ap-*
21 *propriated to the Foundation \$7,800,000,000 for fis-*
22 *cal year 2012.*

23 (2) *SPECIFIC ALLOCATIONS.*—*Of the amount au-*
24 *thorized by paragraph (1)—*

1 (A) \$6,234,281,000 shall be made available
2 to carry research and related activities;

3 (B) \$978,959,000 shall be made available
4 for education and human resources;

5 (C) \$225,544,000 shall be made available
6 for major research equipment and facilities con-
7 struction;

8 (D) \$341,676,000 shall be made available
9 for agency operations and award management;

10 (E) \$4,808,000 shall be made available for
11 the Office of the National Science Board; and

12 (F) \$14,732,000 shall be made available for
13 the Office of Inspector General.

14 (c) *FISCAL YEAR 2013.*—

15 (1) *IN GENERAL.*—There are authorized to be ap-
16 propriated to the Foundation \$8,300,000,000 for fis-
17 cal year 2013.

18 (2) *SPECIFIC ALLOCATIONS.*—Of the amount au-
19 thorized by paragraph (1)—

20 (A) \$6,637,849,000 shall be made available
21 to carry research and related activities;

22 (B) \$1,041,762,000 shall be made available
23 for education and human resources;

1 (C) \$236,764,000 shall be made available
 2 for major research equipment and facilities con-
 3 struction;

4 (D) \$363,670,000 shall be made available
 5 for agency operations and award management;

6 (E) \$4,906,000 shall be made available for
 7 the Office of the National Science Board; and

8 (F) \$15,049,000 shall be made available for
 9 the Office of Inspector General.

10 **SEC. 504. NATIONAL SCIENCE BOARD ADMINISTRATIVE**
 11 **AMENDMENTS.**

12 (a) *STAFFING AT THE NATIONAL SCIENCE BOARD.*—
 13 Section 4(g) of the National Science Foundation Act of
 14 1950 (42 U.S.C. 1863(g)) is amended by striking “not more
 15 than 5”.

16 (b) *NATIONAL SCIENCE BOARD REPORTS.*—Section
 17 4(j)(2) of the National Science Foundation Act of 1950 (42
 18 U.S.C. 1863(j)(2)) is amended by inserting “within the au-
 19 thority of the Foundation (or otherwise as requested by the
 20 Congress or the President)” after “individual policy mat-
 21 ters”.

22 (c) *BOARD ADHERENCE TO SUNSHINE ACT.*—Section
 23 15(a)(2) of the National Science Foundation Authorization
 24 Act of 2002 (42 U.S.C. 1862n–5(a)(2)) is amended—

1 (1) *by striking “The Board” and inserting “To*
 2 *ensure transparency of the Board’s entire decision-*
 3 *making process, including deliberations on Board*
 4 *business occurring within its various subdivisions, the*
 5 *Board”;* and

6 (2) *by adding at the end the following: “The pre-*
 7 *ceding requirement will apply to meetings of the full*
 8 *Board, whenever a quorum is present; and to meet-*
 9 *ings of its subdivisions, whenever a quorum of the*
 10 *subdivision is present.”.*

11 **SEC. 505. NATIONAL CENTER FOR SCIENCE AND ENGINEER-**
 12 **ING STATISTICS.**

13 (a) *ESTABLISHMENT.*—*There is established within the*
 14 *Foundation a National Center for Science and Engineering*
 15 *Statistics that shall serve as a central Federal clearinghouse*
 16 *for the collection, interpretation, analysis, and dissemina-*
 17 *tion of objective data on science, engineering, technology,*
 18 *and research and development.*

19 (b) *DUTIES.*—*In carrying out subsection (a) of this*
 20 *section, the Director, acting through the Center shall—*

21 (1) *collect, acquire, analyze, report, and dissemi-*
 22 *nate statistical data related to the science and engi-*
 23 *neering enterprise in the United States and other na-*
 24 *tions that is relevant and useful to practitioners, re-*

1 *searchers, policymakers, and the public, including*
2 *statistical data on—*

3 *(A) research and development trends;*

4 *(B) the science and engineering workforce;*

5 *(C) United States competitiveness in*
6 *science, engineering, technology, and research*
7 *and development; and*

8 *(D) the condition and progress of United*
9 *States STEM education;*

10 *(2) support research using the data it collects,*
11 *and on methodologies in areas related to the work of*
12 *the Center; and*

13 *(3) support the education and training of re-*
14 *searchers in the use of large-scale, nationally rep-*
15 *resentative data sets.*

16 *(c) STATISTICAL REPORTS.—The Director or the Na-*
17 *tional Science Board, acting through the Center, shall issue*
18 *regular, and as necessary, special statistical reports on top-*
19 *ics related to the national and international science and*
20 *engineering enterprise such as the biennial report required*
21 *by section 4(j)(1) of the National Science Foundation Act*
22 *of 1950 (42 U.S.C. 1863(j)(1)) on indicators of the state*
23 *of science and engineering in the United States.*

1 **SEC. 506. NATIONAL SCIENCE FOUNDATION MANUFAC-**
2 **TURING RESEARCH AND EDUCATION.**

3 (a) *MANUFACTURING RESEARCH.*—*The Director shall*
4 *carry out a program to award merit-reviewed, competitive*
5 *grants to institutions of higher education to support funda-*
6 *mental research leading to transformative advances in*
7 *manufacturing technologies, processes, and enterprises that*
8 *will support United States manufacturing through im-*
9 *proved performance, productivity, sustainability, and com-*
10 *petitiveness. Research areas may include—*

- 11 (1) *nanomanufacturing;*
12 (2) *manufacturing and construction machines*
13 *and equipment, including robotics, automation, and*
14 *other intelligent systems;*
15 (3) *manufacturing enterprise systems;*
16 (4) *advanced sensing and control techniques;*
17 (5) *materials processing; and*
18 (6) *information technologies for manufacturing,*
19 *including predictive and real-time models and sim-*
20 *ulations, and virtual manufacturing.*

21 (b) *MANUFACTURING EDUCATION.*—*In order to help*
22 *ensure a well-trained manufacturing workforce, the Direc-*
23 *tor shall award grants to strengthen and expand scientific*
24 *and technical education and training in advanced manu-*
25 *facturing, including through the Foundation’s Advanced*
26 *Technological Education program.*

1 **SEC. 507. NATIONAL SCIENCE BOARD REPORT ON MID-**
2 **SCALE INSTRUMENTATION.**

3 (a) *MID-SCALE RESEARCH INSTRUMENTATION*
4 *NEEDS.*—*The National Science Board shall evaluate the*
5 *needs, across all disciplines supported by the Foundation,*
6 *for mid-scale research instrumentation that falls between*
7 *the instruments funded by the Major Research Instrumenta-*
8 *tion program and the very large projects funded by the*
9 *Major Research Equipment and Facilities Construction*
10 *program.*

11 (b) *REPORT ON MID-SCALE RESEARCH INSTRUMENTA-*
12 *TION PROGRAM.*—*Not later than 1 year after the date of*
13 *enactment of this Act, the National Science Board shall sub-*
14 *mit to Congress a report on mid-scale research instrumenta-*
15 *tion at the Foundation. At a minimum, this report shall*
16 *include—*

17 (1) *the findings from the Board's evaluation of*
18 *instrumentation needs required under subsection (a),*
19 *including a description of differences across dis-*
20 *ciplines and Foundation research directorates;*

21 (2) *a recommendation or recommendations re-*
22 *garding how the Foundation should set priorities for*
23 *mid-scale instrumentation across disciplines and*
24 *Foundation research directorates;*

25 (3) *a recommendation or recommendations re-*
26 *garding the appropriateness of expanding existing*

1 *programs, including the Major Research Instrumenta-*
2 *tion program or the Major Research Equipment and*
3 *Facilities Construction program, to support more in-*
4 *strumentation at the mid-scale;*

5 *(4) a recommendation or recommendations re-*
6 *garding the need for and appropriateness of a new,*
7 *Foundation-wide program or initiative in support of*
8 *mid-scale instrumentation, including any rec-*
9 *ommendations regarding the administration of and*
10 *budget for such a program or initiative and the ap-*
11 *propriate scope of instruments to be funded under*
12 *such a program or initiative; and*

13 *(5) any recommendation or recommendations re-*
14 *garding other options for supporting mid-scale re-*
15 *search instrumentation at the Foundation.*

16 **SEC. 508. PARTNERSHIPS FOR INNOVATION.**

17 *(a) IN GENERAL.—The Director shall carry out a pro-*
18 *gram to award merit-reviewed, competitive grants to insti-*
19 *tutions of higher education to establish and to expand part-*
20 *nerships that promote innovation and increase the impact*
21 *of research by developing tools and resources to connect new*
22 *scientific discoveries to practical uses.*

23 *(b) PARTNERSHIPS.—*

1 (1) *IN GENERAL.*—*To be eligible for funding*
2 *under this section, an institution of higher education*
3 *must propose establishment of a partnership that—*

4 (A) *includes at least one private sector enti-*
5 *ty; and*

6 (B) *may include other institutions of higher*
7 *education, public sector institutions, private sec-*
8 *tor entities, and nonprofit organizations.*

9 (2) *PRIORITY.*—*In selecting grant recipients*
10 *under this section, the Director shall give priority to*
11 *partnerships that include one or more institutions of*
12 *higher education and at least one of the following:*

13 (A) *A minority serving institution.*

14 (B) *A primarily undergraduate institution.*

15 (C) *A 2-year institution of higher edu-*
16 *cation.*

17 (c) *PROGRAM.*—*Proposals funded under this section*
18 *shall seek—*

19 (1) *to increase the impact of the most promising*
20 *research at the institution or institutions of higher*
21 *education that are members of the partnership*
22 *through knowledge transfer or commercialization;*

23 (2) *to increase the engagement of faculty and*
24 *students across multiple disciplines and departments,*
25 *including faculty and students in schools of business*

1 *and other appropriate non-STEM fields and dis-*
2 *ciplines in knowledge transfer activities;*

3 *(3) to enhance education and mentoring of stu-*
4 *dents and faculty in innovation and entrepreneurship*
5 *through networks, courses, and development of best*
6 *practices and curricula;*

7 *(4) to strengthen the culture of the institution or*
8 *institutions of higher education to undertake and par-*
9 *ticipate in activities related to innovation and lead-*
10 *ing to economic or social impact;*

11 *(5) to broaden the participation of all types of*
12 *institutions of higher education in activities to meet*
13 *STEM workforce needs and promote innovation and*
14 *knowledge transfer; and*

15 *(6) to build lasting partnerships with local and*
16 *regional businesses, local and State governments, and*
17 *other relevant entities.*

18 *(d) ADDITIONAL CRITERIA.—In selecting grant recipi-*
19 *ents under this section, the Director shall also consider the*
20 *extent to which the applicants are able to demonstrate evi-*
21 *dence of institutional support for, and commitment to—*

22 *(1) achieving the goals of the program as de-*
23 *scribed in subsection (c);*

1 (2) *expansion to an institution-wide program if*
2 *the initial proposal is not for an institution-wide*
3 *program; and*

4 (3) *sustaining any new innovation tools and re-*
5 *sources generated from funding under this program.*

6 (e) *LIMITATION.—No funds provided under this section*
7 *may be used to construct or renovate a building or struc-*
8 *ture.*

9 **SEC. 509. SUSTAINABLE CHEMISTRY BASIC RESEARCH.**

10 *The Director shall establish a Green Chemistry Basic*
11 *Research program to award competitive, merit-based grants*
12 *to support research into green and sustainable chemistry*
13 *which will lead to clean, safe, and economical alternatives*
14 *to traditional chemical products and practices. The research*
15 *program shall provide sustained support for green chem-*
16 *istry research, education, and technology transfer through—*

17 (1) *merit-reviewed competitive grants to indi-*
18 *vidual investigators and teams of investigators, in-*
19 *cluding, to the extent practicable, young investigators,*
20 *for research;*

21 (2) *grants to fund collaborative research partner-*
22 *ships among universities, industry, and nonprofit or-*
23 *ganizations;*

1 (3) *symposia, forums, and conferences to increase*
2 *outreach, collaboration, and dissemination of green*
3 *chemistry advances and practices; and*

4 (4) *education, training, and retraining of under-*
5 *graduate and graduate students and professional*
6 *chemists and chemical engineers, including through*
7 *partnerships with industry, in green chemistry*
8 *science and engineering.*

9 **SEC. 510. GRADUATE STUDENT SUPPORT.**

10 (a) *FINDING.—The Congress finds that—*

11 (1) *the Integrative Graduate Education and Re-*
12 *search Traineeship program is an important program*
13 *for training the next generation of scientists and engi-*
14 *neers in team-based interdisciplinary research and*
15 *problem solving, and for providing them with the*
16 *many additional skills, such as communication skills,*
17 *needed to thrive in diverse STEM careers; and*

18 (2) *the Integrative Graduate Education and Re-*
19 *search Traineeship program is no less valuable to the*
20 *preparation and support of graduate students than*
21 *the Foundation's Graduate Research Fellowship pro-*
22 *gram.*

23 (b) *EQUAL TREATMENT OF IGERT AND GRF.—Be-*
24 *ginning in fiscal year 2011, the Director shall increase or,*
25 *if necessary, decrease funding for the Foundation's Integra-*

1 *tive Graduate Education and Research Traineeship pro-*
 2 *gram (or any program by which it is replaced) at least*
 3 *at the same rate as it increases or decreases funding for*
 4 *the Graduate Research Fellowship program.*

5 *(c) SUPPORT FOR GRADUATE STUDENT RESEARCH*
 6 *FROM THE RESEARCH ACCOUNT.—For each of the fiscal*
 7 *years 2011 through 2013, at least 50 percent of the total*
 8 *Foundation funds allocated to the Integrative Graduate*
 9 *Education and Research Traineeship program and the*
 10 *Graduate Research Fellowship program shall come from*
 11 *funds appropriated for Research and Related Activities.*

12 *(d) COST OF EDUCATION ALLOWANCE FOR GRF PRO-*
 13 *GRAM.—Section 10 of the National Science Foundation Act*
 14 *of 1950 (42 U.S.C. 1869) is amended—*

15 *(1) by inserting “(a) IN GENERAL.—” before*
 16 *“The Foundation is authorized”; and*

17 *(2) by adding at the end the following:*

18 *“(b) AMOUNT.—The Director shall establish for each*
 19 *year the amount to be awarded for scholarships and fellow-*
 20 *ships under this section for that year. Each such scholarship*
 21 *and fellowship shall include a cost of education allowance*
 22 *of \$12,000, subject to any restrictions on the use of cost of*
 23 *education allowance as determined by the Director.”.*

1 **SEC. 511. ROBERT NOYCE TEACHER SCHOLARSHIP PRO-**
 2 **GRAM.**

3 (a) *MATCHING REQUIREMENT.*—Section 10A(h)(1) of
 4 the National Science Foundation Authorization Act of 2002
 5 (42 U.S.C. 1862n–1a(h)(1)) is amended to read as follows:

6 “(1) *IN GENERAL.*—An eligible entity receiving a
 7 grant under this section shall provide, from non-Fed-
 8 eral sources, to carry out the activities supported by
 9 the grant—

10 “(A) in the case of grants in an amount of
 11 less than \$1,500,000, an amount equal to at least
 12 30 percent of the amount of the grant, at least
 13 one half of which shall be in cash; and

14 “(B) in the case of grants in an amount of
 15 \$1,500,000 or more, an amount equal to at least
 16 50 percent of the amount of the grant, at least
 17 one half of which shall be in cash.”.

18 (b) *RETIRING STEM PROFESSIONALS.*—Section
 19 10A(a)(2)(A) of the National Science Foundation Author-
 20 ization Act of 2002 (42 U.S.C. 1862n–1a(a)(2)(A)) is
 21 amended by inserting “including retiring professionals in
 22 those fields,” after “mathematics professionals,”.

23 **SEC. 512 UNDERGRADUATE BROADENING PARTICIPATION**
 24 **PROGRAM.**

25 The Foundation shall continue to support the Histori-
 26 cally Black Colleges and Universities Undergraduate Pro-

1 *gram, the Louis Stokes Alliances for Minority Participation*
 2 *program, the Tribal Colleges and Universities Program,*
 3 *and Hispanic-serving institutions as separate programs.*

4 **SEC. 513. RESEARCH EXPERIENCES FOR HIGH SCHOOL STU-**
 5 **DENTS.**

6 *The Director shall permit specialized STEM high*
 7 *schools conducting research to participate in major data*
 8 *collection initiatives from universities, corporations, or gov-*
 9 *ernment labs under a research grant from the Foundation,*
 10 *as part of the research proposal.*

11 **SEC. 514. RESEARCH EXPERIENCES FOR UNDERGRADU-**
 12 **ATES.**

13 *(a) RESEARCH SITES.—The Director shall award*
 14 *grants, on a merit-reviewed, competitive basis, to institu-*
 15 *tions of higher education, nonprofit organizations, or con-*
 16 *sortia of such institutions and organizations, for sites des-*
 17 *ignated by the Director to provide research experiences for*
 18 *6 or more undergraduate STEM students for sites des-*
 19 *ignated at primarily undergraduate institutions of higher*
 20 *education and 10 or more undergraduate STEM students*
 21 *for all other sites, with consideration given to the goal of*
 22 *promoting the participation of individuals identified in*
 23 *section 33 or 34 of the Science and Engineering Equal Op-*
 24 *portunities Act (42 U.S.C. 1885a or 1885b). The Director*
 25 *shall ensure that—*

1 (1) *at least half of the students participating in*
2 *a program funded by a grant under this subsection*
3 *at each site shall be recruited from institutions of*
4 *higher education where research opportunities in*
5 *STEM are limited, including 2-year institutions;*

6 (2) *the awards provide undergraduate research*
7 *experiences in a wide range of STEM disciplines;*

8 (3) *the awards support a variety of projects, in-*
9 *cluding independent investigator-led projects, inter-*
10 *disciplinary projects, and multi-institutional projects*
11 *(including virtual projects);*

12 (4) *students participating in each program fund-*
13 *ed have mentors, including during the academic year*
14 *to the extent practicable, to help connect the students'*
15 *research experiences to the overall academic course of*
16 *study and to help students achieve success in courses*
17 *of study leading to a baccalaureate degree in a STEM*
18 *field;*

19 (5) *mentors and students are supported with ap-*
20 *propriate salary or stipends; and*

21 (6) *student participants are tracked, for employ-*
22 *ment and continued matriculation in STEM fields,*
23 *through receipt of the undergraduate degree and for at*
24 *least 3 years thereafter.*

1 (b) *INCLUSION OF UNDERGRADUATES IN STANDARD*
2 *RESEARCH GRANTS.*—*The Director shall require that every*
3 *recipient of a research grant from the Foundation pro-*
4 *posing to include 1 or more students enrolled in certificate,*
5 *associate, or baccalaureate degree programs in carrying out*
6 *the research under the grant shall request support, includ-*
7 *ing stipend support, for such undergraduate students as*
8 *part of the research proposal itself rather than as a supple-*
9 *ment to the research proposal, unless such undergraduate*
10 *participation was not foreseeable at the time of the original*
11 *proposal.*

12 **SEC. 515. STEM INDUSTRY INTERNSHIP PROGRAMS.**

13 (a) *IN GENERAL.*—*The Director may award grants,*
14 *on a competitive, merit-reviewed basis, to institutions of*
15 *higher education, or consortia thereof, to establish or expand*
16 *partnerships with local or regional private sector entities,*
17 *for the purpose of providing undergraduate students with*
18 *integrated internship experiences that connect private sector*
19 *internship experiences with the students' STEM*
20 *coursework. The partnerships may also include industry or*
21 *professional associations.*

22 (b) *INTERNSHIP PROGRAM.*—*The grants awarded*
23 *under section (a) may include internship programs in the*
24 *manufacturing sector.*

1 (c) *USE OF GRANT FUNDS.*—*Grants under this section*
2 *may be used—*

3 (1) *to develop and implement hands-on learning*
4 *opportunities;*

5 (2) *to develop curricula and instructional mate-*
6 *rials related to industry, including the manufacturing*
7 *sector;*

8 (3) *to perform outreach to secondary schools;*

9 (4) *to develop mentorship programs for students*
10 *with partner organizations; and*

11 (5) *to conduct activities to support awareness of*
12 *career opportunities and skill requirements.*

13 (d) *PRIORITY.*—*In awarding grants under this section,*
14 *the Director shall give priority to institutions of higher edu-*
15 *cation or consortia thereof that demonstrate significant out-*
16 *reach to and coordination with local or regional private*
17 *sector entities and Regional Centers for the Transfer of*
18 *Manufacturing Technology established by section 25(a) of*
19 *the National Institute of Standards and Technology Act (15*
20 *U.S.C. 278k(a)) in developing academic courses designed to*
21 *provide students with the skills or certifications necessary*
22 *for employment in local or regional companies.*

23 (e) *OUTREACH TO RURAL COMMUNITIES.*—*The Foun-*
24 *dation shall conduct outreach to institutions of higher edu-*
25 *cation and private sector entities in rural areas to encour-*

1 *age those entities to participate in partnerships under this*
2 *section.*

3 (d) *COST-SHARE.*—*The Director shall require a 50*
4 *percent non-Federal cost-share from partnerships estab-*
5 *lished or expanded under this section.*

6 (e) *RESTRICTION.*—*No Federal funds provided under*
7 *this section may be used—*

8 (1) *for the purpose of providing stipends or com-*
9 *pensation to students for private sector internships*
10 *unless private sector entities match 75 percent of such*
11 *funding; or*

12 (2) *as payment or reimbursement to private sec-*
13 *tor entities, except for institutions of higher edu-*
14 *cation.*

15 (f) *REPORT.*—*Not less than 3 years after the date of*
16 *enactment of this Act, the Director shall submit a report*
17 *to Congress on the number and total value of awards made*
18 *under this section, the number of students affected by those*
19 *awards, any evidence of the effect of those awards on work-*
20 *force preparation and jobs placement for participating stu-*
21 *dents, and an economic and ethnic breakdown of the par-*
22 *ticipating students.*

1 **SEC. 516. CYBER-ENABLED LEARNING FOR NATIONAL CHAL-**
2 **LENGES.**

3 *The Director shall, in consultation with appropriate*
4 *Federal agencies, identify ways to use cyber-enabled learn-*
5 *ing to create an innovative STEM workforce and to help*
6 *retrain and retain our existing STEM workforce to address*
7 *national challenges, including national security and com-*
8 *petitiveness, and use technology to enhance or supplement*
9 *laboratory based learning.*

10 **SEC. 517. EXPERIMENTAL PROGRAM TO STIMULATE COM-**
11 **PETITIVE RESEARCH.**

12 *(a) FINDINGS.—The Congress finds that—*

13 *(1) The National Science Foundation Act of*
14 *1950 stated, “it shall be an objective of the Founda-*
15 *tion to strengthen research and education in the*
16 *sciences and engineering, including independent re-*
17 *search by individuals, throughout the United States,*
18 *and to avoid undue concentration of such research*
19 *and education,”;*

20 *(2) National Science Foundation funding re-*
21 *mains highly concentrated, with 27 States and 2 ju-*
22 *risdictions, taken together, receiving only about 10*
23 *percent of all NSF research funding; each of these*
24 *States received only a fraction of one percent of Foun-*
25 *dation’s research dollars each year;*

1 (3) *the Nation requires the talent, expertise, and*
2 *research capabilities of all States in order to prepare*
3 *sufficient numbers of scientists and engineers, remain*
4 *globally competitive and support economic develop-*
5 *ment.*

6 (b) *CONTINUATION OF PROGRAM.—The Director shall*
7 *continue to carry out EPSCoR, with the objective of helping*
8 *the eligible States to develop the research infrastructure that*
9 *will make them more competitive for Foundation and other*
10 *Federal research funding. The program shall continue to*
11 *increase as the National Science Foundation funding in-*
12 *creases.*

13 (c) *CONGRESSIONAL REPORTS.—The Director shall re-*
14 *port to the appropriate committees of Congress on an an-*
15 *nual basis, using the most recent available data—*

16 (1) *the total amount made available, by State,*
17 *under EPSCoR;*

18 (2) *the amount of co-funding made available to*
19 *EPSCoR States;*

20 (3) *the total amount of National Science Foun-*
21 *dation funding made available to all institutions and*
22 *entities within EPSCoR States; and*

23 (4) *efforts and accomplishments to more fully in-*
24 *tegrate the 29 EPSCoR jurisdictions in major activi-*
25 *ties and initiatives of the Foundation.*

1 (d) *COORDINATION OF EPSCoR AND SIMILAR FED-*
2 *ERAL PROGRAMS.*—

3 (1) *ANOTHER FINDING.*—*The Congress finds that*
4 *a number of Federal agencies have programs, such as*
5 *Experimental Programs to Stimulate Competitive Re-*
6 *search and the National Institutes of Health Institu-*
7 *tional Development Award program, designed to in-*
8 *crease the capacity for and quality of science and*
9 *technology research and training at academic institu-*
10 *tions in States that historically have received rel-*
11 *atively little Federal research and development fund-*
12 *ing.*

13 (2) *COORDINATION REQUIRED.*—*The EPSCoR*
14 *Interagency Coordinating Committee, chaired by the*
15 *National Science Foundation, shall—*

16 (A) *coordinate EPSCoR and Federal*
17 *EPSCoR-like programs to maximize the impact*
18 *of Federal support for building competitive re-*
19 *search infrastructure, and in order to achieve an*
20 *integrated Federal effort;*

21 (B) *coordinate agency objectives with State*
22 *and institutional goals, to obtain continued non-*
23 *Federal support of science and technology re-*
24 *search and training;*

1 (C) develop metrics to assess gains in aca-
2 demic research quality and competitiveness, and
3 in science and technology human resource devel-
4 opment;

5 (D) conduct a cross-agency evaluation of
6 EPSCoR and other Federal EPSCoR-like pro-
7 grams and accomplishments, including manage-
8 ment, investment, and metric-measuring strate-
9 gies implemented by the different agencies aimed
10 to increase the number of new investigators re-
11 ceiving peer-reviewed funding, broaden partici-
12 pation, and empower knowledge generation, dis-
13 semination, application, and national research
14 and development competitiveness;

15 (E) coordinate the development and imple-
16 mentation of new, novel workshops, outreach ac-
17 tivities, and follow-up mentoring activities
18 among EPSCoR or EPSCoR-like programs for
19 colleges and universities in EPSCoR States and
20 territories in order to increase the number of
21 proposals submitted and successfully funded and
22 to enhance statewide coordination of EPSCoR
23 and Federal EPSCoR-like programs;

24 (F) coordinate the development of new, in-
25 novative solicitations and programs to facilitate

1 *collaborations, partnerships, and mentoring ac-*
2 *tivities among faculty at all levels in non-*
3 *EPSCoR and EPSCoR States and jurisdictions;*

4 *(G) conduct an evaluation of the roles, re-*
5 *sponsibilities and degree of autonomy that pro-*
6 *gram officers or managers (or the equivalent po-*
7 *sition) have in executing EPSCoR programs at*
8 *the different Federal agencies and the impacts*
9 *these differences have on the number of EPSCoR*
10 *State and jurisdiction faculty participating in*
11 *the peer review process and the percentage of suc-*
12 *cessful awards by individual EPSCoR State ju-*
13 *risdiction and individual researcher; and*

14 *(H) conduct a survey of colleges and univer-*
15 *sity faculty at all levels regarding their knowl-*
16 *edge and understanding of EPSCoR, and their*
17 *level of interaction with and knowledge about*
18 *their respective State or Jurisdictional EPSCoR*
19 *Committee.*

20 *(3) MEETINGS AND REPORTS.—The Committee*
21 *shall meet at least twice each fiscal year and shall*
22 *submit an annual report to the appropriate commit-*
23 *tees of Congress describing progress made in carrying*
24 *out paragraph (2).*

1 (e) *FEDERAL AGENCY REPORTS.*—*Each Federal agen-*
 2 *cy that administers an EPSCoR or Federal EPSCoR-like*
 3 *program shall submit to the OSTP as part of its Federal*
 4 *budget submission—*

5 (1) *a description of the program strategy and ob-*
 6 *jectives;*

7 (2) *a description of the awards made in the pre-*
 8 *vious year, including—*

9 (A) *the percentage of reviewers and number*
 10 *of new reviewers from EPSCoR States;*

11 (B) *the percentage of new investigators from*
 12 *EPSCoR States;*

13 (C) *the number of programs or large col-*
 14 *laborator awards involving a partnership of or-*
 15 *ganizations and institutions from EPSCoR and*
 16 *non-EPSCoR States; and*

17 (3) *an analysis of the gains in academic research*
 18 *quality and competitiveness, and in science and tech-*
 19 *nology human resource development, achieved by the*
 20 *program in the last year.*

21 (f) *NATIONAL ACADEMY OF SCIENCES STUDY.*—

22 (1) *IN GENERAL.*—*The Director shall contract*
 23 *with the National Academy of Sciences to conduct a*
 24 *study on all Federal agencies that administer an Ex-*
 25 *perimental Program to Stimulate Competitive Re-*

1 *search or a program similar to the Experimental Pro-*
 2 *gram to Stimulate Competitive Research.*

3 (2) *MATTERS TO BE ADDRESSED.—The study*
 4 *conducted under paragraph (1) shall include the fol-*
 5 *lowing:*

6 (A) *A delineation of the policies of each*
 7 *Federal agency with respect to the awarding of*
 8 *grants to EPSCoR States.*

9 (B) *The effectiveness of each program.*

10 (C) *Recommendations for improvements for*
 11 *each agency to achieve EPSCoR goals.*

12 (D) *An assessment of the effectiveness of*
 13 *EPSCoR States in using awards to develop*
 14 *science and engineering research and education,*
 15 *and science and engineering infrastructure with-*
 16 *in their States.*

17 (E) *Such other issues that address the effec-*
 18 *tiveness of EPSCoR as the National Academy of*
 19 *Sciences considers appropriate.*

20 **SEC. 518. SENSE OF THE CONGRESS REGARDING THE**
 21 **SCIENCE, TECHNOLOGY, ENGINEERING, AND**
 22 **MATHEMATICS TALENT EXPANSION PRO-**
 23 **GRAM.**

24 *It is the sense of the Congress that—*

1 (1) *the Science, Technology, Engineering, and*
2 *Mathematics Talent Expansion Program established*
3 *by the National Science Foundation Authorization*
4 *Act of 2002 continues to be an effective program to*
5 *increase the number of students, who are citizens or*
6 *permanent residents of the United States, receiving*
7 *associate or baccalaureate degrees in established or*
8 *emerging fields within science, technology, engineer-*
9 *ing, and mathematics, and its authorization con-*
10 *tinues;*

11 (2) *the strategies employed continue to strength-*
12 *en mentoring and tutoring between faculty and stu-*
13 *dents and provide students with information and ex-*
14 *posure to potential career pathways in science, tech-*
15 *nology, engineering, and mathematics areas;*

16 (3) *this highly competitive program awarded 145*
17 *Program implementation awards and 12 research*
18 *projects in the first 6 years of operations; and*

19 (4) *the Science, Technology, Engineering, and*
20 *Mathematics Talent Expansion Program should con-*
21 *tinue to be supported by the National Science Foun-*
22 *dation.*

1 **SEC. 519. SENSE OF THE CONGRESS REGARDING THE NA-**
2 **TIONAL SCIENCE FOUNDATION'S CONTRIBU-**
3 **TIONS TO BASIC RESEARCH AND EDUCATION.**

4 (a) *FINDINGS.—The Congress finds that—*

5 (1) *the National Science Foundation is an inde-*
6 *pendent Federal agency created by Congress in 1950*
7 *to, among other things, promote the progress of*
8 *science, to advance the national health, prosperity,*
9 *and welfare, and to secure the national defense;*

10 (2) *the Foundation is the funding source for ap-*
11 *proximately 20 percent of all federally supported*
12 *basic research conducted by America's colleges and*
13 *universities, and is the major source of Federal back-*
14 *ing for mathematics, computer science and other*
15 *sciences;*

16 (3) *the America COMPETES Act of 2007 helped*
17 *rejuvenate our focus on increasing basic research in-*
18 *vestment in the physical sciences, strengthening edu-*
19 *cational opportunities in the science, technology, engi-*
20 *neering, and mathematics fields and developing a ro-*
21 *bust innovation infrastructure; and*

22 (4) *reauthorization of the America COMPETES*
23 *Act should continue a robust investment in basic re-*
24 *search and education and preserve the essence of the*
25 *original Act by increasing the investment focus on*

1 *science, technology, engineering, and mathematics*
 2 *basic research and education as a national priority.*

3 *(b) SENSE OF THE CONGRESS.—It is the sense of the*
 4 *Congress that—*

5 *(1) the National Science Foundation is the finest*
 6 *scientific foundation in the world, and is a vital*
 7 *agency that must support basic research needed to ad-*
 8 *vance the United States into the 21st century;*

9 *(2) the National Science Foundation should*
 10 *focus Federal research and development resources pri-*
 11 *marily in the areas of science, technology, engineer-*
 12 *ing, and mathematics basic research and education;*
 13 *and*

14 *(3) the National Science Foundation should*
 15 *strive to ensure that federally-supported research is of*
 16 *the finest quality, is ground breaking, and answers*
 17 *questions or solves problems that are of utmost impor-*
 18 *tance to society at large.*

19 **SEC. 520. ACADEMIC TECHNOLOGY TRANSFER AND COM-**
 20 **MERCIALIZATION OF UNIVERSITY RESEARCH.**

21 *(a) IN GENERAL.—Any institution of higher education*
 22 *(as such term is defined in section 101(A) of the Higher*
 23 *Education Act of 1965 (20 U.S.C. 1001(a))) that receives*
 24 *National Science Foundation research support and has re-*
 25 *ceived at least \$25,000,000 in total Federal research grants*

1 *in the most recent fiscal year shall keep, maintain, and re-*
2 *port annually to the National Science Foundation the uni-*
3 *versal record locator for a public website that contains in-*
4 *formation concerning its general approach to and mecha-*
5 *nisms for transfer of technology and the commercialization*
6 *of research results, including—*

7 (1) *contact information for individuals and uni-*
8 *versity offices responsible for technology transfer and*
9 *commercialization;*

10 (2) *information for both university researchers*
11 *and industry on the institution's technology licensing*
12 *and commercialization strategies;*

13 (3) *success stories, statistics, and examples of*
14 *how the university supports commercialization of re-*
15 *search results;*

16 (4) *technologies available for licensing by the*
17 *university where appropriate; and*

18 (5) *any other information deemed by the institu-*
19 *tion to be helpful to companies with the potential to*
20 *commercialize university inventions.*

21 (b) *NSF WEBSITE.—The National Science Foundation*
22 *shall create and maintain a website accessible to the public*
23 *that links to each website mentioned under (a).*

24 (c) *TRADE SECRET INFORMATION.—Notwithstanding*
25 *subsection (a), an institution shall not be required to reveal*

1 *confidential, trade secret, or proprietary information on its*
2 *website.*

3 **SEC. 521. STUDY TO DEVELOP IMPROVED IMPACT-ON-SOCI-**
4 **ETY METRICS.**

5 *(a) IN GENERAL.—Within 180 days after the date of*
6 *enactment of this Act, the Director of the National Science*
7 *Foundation shall contract with the National Academy of*
8 *Sciences to initiate a study to evaluate, develop, or improve*
9 *metrics for measuring the potential impact-on-society, in-*
10 *cluding—*

11 *(1) the potential for commercial applications of*
12 *research studies funded in whole or in part by grants*
13 *of financial assistance from the Foundation or other*
14 *Federal agencies;*

15 *(2) the manner in which research conducted at,*
16 *and individuals graduating from, an institution of*
17 *higher education contribute to the development of new*
18 *intellectual property and the success of commercial*
19 *activities;*

20 *(3) the quality of relevant scientific and inter-*
21 *national publications; and*

22 *(4) the ability of such institutions to attract ex-*
23 *ternal research funding.*

24 *(b) REPORT.—Within 1 year after initiating the study*
25 *required by subsection (a), the Director shall submit a re-*

1 port to the Senate Committee on Commerce, Science, and
2 Transportation and the House of Representatives Com-
3 mittee on Science and Technology setting forth the Direc-
4 tor's findings, conclusions, and recommendations.

5 **SEC. 522. NSF GRANTS IN SUPPORT OF SPONSORED POST-**
6 **DOCTORAL FELLOWSHIP PROGRAMS.**

7 *The Director of the National Science Foundation may*
8 *utilize funds appropriated to carry out grants to institu-*
9 *tions of higher education (as such term is defined in section*
10 *101(a) of the Higher Education Act of 1965 (20 U.S.C.*
11 *1001(a))) to provide financial support for post-graduate re-*
12 *search in fields with potential commercial applications to*
13 *match, in whole or in part, any private sector grant of fi-*
14 *nancial assistance to any post-doctoral program in such a*
15 *field of study.*

16 **SEC. 523. COLLABORATION IN PLANNING FOR STEWARD-**
17 **SHIP OF LARGE-SCALE FACILITIES.**

18 *It is the sense of Congress that—*

19 *(1) the Foundation should, in its planning for*
20 *construction and stewardship of large facilities, co-*
21 *ordinate and collaborate with other Federal agencies,*
22 *including the Department of Energy's Office of*
23 *Science, to ensure that joint investments may be made*
24 *when practicable;*

1 (2) *in particular, the Foundation should ensure*
2 *that it responds to recommendations by the National*
3 *Academy of Sciences and working groups convened by*
4 *the National Science and Technology Council regard-*
5 *ing such facilities and opportunities for partnership*
6 *with other agencies in the design and construction of*
7 *such facilities; and*

8 (3) *for facilities in which research in multiple*
9 *disciplines will be possible, the Director should in-*
10 *clude multiple units within the Foundation during*
11 *the planning process.*

12 **SEC. 524. CLOUD COMPUTING RESEARCH ENHANCEMENT.**

13 (a) *RESEARCH FOCUS AREA.*—*The Director may sup-*
14 *port a national research agenda in key areas affected by*
15 *the increased use of public and private cloud computing,*
16 *including—*

17 (1) *new approaches, techniques, technologies, and*
18 *tools for—*

19 (A) *optimizing the effectiveness and effi-*
20 *ciency of cloud computing environments; and*

21 (B) *mitigating security, identity, privacy,*
22 *reliability, and manageability risks in cloud-*
23 *based environments, including as they differ*
24 *from traditional data centers;*

1 (2) *new algorithms and technologies to define,*
2 *assess, and establish large-scale, trustworthy, cloud-*
3 *based infrastructures;*

4 (3) *models and advanced technologies to meas-*
5 *ure, assess, report, and understand the performance,*
6 *reliability, energy consumption, and other character-*
7 *istics of complex cloud environments; and*

8 (4) *advanced security technologies to protect sen-*
9 *sitive or proprietary information in global-scale cloud*
10 *environments.*

11 (b) *ESTABLISHMENT.*—

12 (1) *IN GENERAL.*—*Not later than 60 days after*
13 *the date of enactment of this Act, the Director shall*
14 *initiate a review and assessment of cloud computing*
15 *research opportunities and challenges, including re-*
16 *search areas listed in subsection (a), as well as related*
17 *issues such as—*

18 (A) *the management and assurance of data*
19 *that are the subject of Federal laws and regula-*
20 *tions in cloud computing environments, which*
21 *laws and regulations exist on the date of enact-*
22 *ment of this Act;*

23 (B) *misappropriation of cloud services, pi-*
24 *racy through cloud technologies, and other*
25 *threats to the integrity of cloud services;*

1 (C) areas of advanced technology needed to
2 enable trusted communications, processing, and
3 storage; and

4 (D) other areas of focus determined appro-
5 priate by the Director.

6 (2) *UNSOLICITED PROPOSALS.*—The Director
7 may accept unsolicited proposals that review and as-
8 sess the issues described in paragraph (1). The pro-
9 posals may be judged according to existing criteria of
10 the National Science Foundation.

11 (c) *REPORT.*—The Director shall provide an annual
12 report for not less than 5 consecutive years to Congress on
13 the outcomes of National Science Foundation investments
14 in cloud computing research, recommendations for research
15 focus and program improvements, or other related rec-
16 ommendations. The reports, including any interim findings
17 or recommendations, shall be made publicly available on
18 the website of the National Science Foundation.

19 (d) *NIST SUPPORT.*—The Director of the National In-
20 stitute of Standards and Technology shall—

21 (1) collaborate with industry in the development
22 of standards supporting trusted cloud computing in-
23 frastructures, metrics, interoperability, and assur-
24 ance; and

1 (2) *support standards development with the in-*
2 *tent of supporting common goals.*

3 **SEC. 525. TRIBAL COLLEGES AND UNIVERSITIES PROGRAM.**

4 (a) *IN GENERAL.*—*The Director shall continue to sup-*
5 *port a program to award grants on a competitive, merit-*
6 *reviewed basis to tribal colleges and universities (as defined*
7 *in section 316 of the Higher Education Act of 1965 (20*
8 *U.S.C. 1059c), including institutions described in section*
9 *317 of such Act (20 U.S.C. 1059d), to enhance the quality*
10 *of undergraduate STEM education at such institutions and*
11 *to increase the retention and graduation rates of Native*
12 *American students pursuing associate’s or baccalaureate de-*
13 *grees in STEM.*

14 (b) *PROGRAM COMPONENTS.*—*Grants awarded under*
15 *this section shall support—*

16 (1) *activities to improve courses and curriculum*
17 *in STEM;*

18 (2) *faculty development;*

19 (3) *stipends for undergraduate students partici-*
20 *pating in research; and*

21 (4) *other activities consistent with subsection (a),*
22 *as determined by the Director.*

23 (c) *INSTRUMENTATION.*—*Funding provided under this*
24 *section may be used for laboratory equipment and mate-*
25 *rials.*

1 **SEC. 526. BROADER IMPACTS REVIEW CRITERION.**

2 (a) *GOALS.*—*The Foundation shall apply a Broader*
3 *Impacts Review Criterion to achieve the following goals:*

4 (1) *Increased economic competitiveness of the*
5 *United States.*

6 (2) *Development of a globally competitive STEM*
7 *workforce.*

8 (3) *Increased participation of women and under-*
9 *represented minorities in STEM.*

10 (4) *Increased partnerships between academia*
11 *and industry.*

12 (5) *Improved pre-K–12 STEM education and*
13 *teacher development.*

14 (6) *Improved undergraduate STEM education.*

15 (7) *Increased public scientific literacy.*

16 (8) *Increased national security.*

17 (b) *POLICY.*—*Not later than 6 months after the date*
18 *of enactment of this Act, the Director shall develop and im-*
19 *plement a policy for the Broader Impacts Review Criterion*
20 *that—*

21 (1) *provides for educating professional staff at*
22 *the Foundation, merit review panels, and applicants*
23 *for Foundation research grants on the policy devel-*
24 *oped under this subsection;*

1 (2) clarifies that the activities of grant recipients
2 undertaken to satisfy the Broader Impacts Review
3 Criterion shall—

4 (A) to the extent practicable employ proven
5 strategies and models and draw on existing pro-
6 grams and activities; and

7 (B) when novel approaches are justified,
8 build on the most current research results;

9 (3) allows for some portion of funds allocated to
10 broader impacts under a research grant to be used for
11 assessment and evaluation of the broader impacts ac-
12 tivity;

13 (4) encourages institutions of higher education
14 and other nonprofit education or research organiza-
15 tions to develop and provide, either as individual in-
16 stitutions or in partnerships thereof, appropriate
17 training and programs to assist Foundation-funded
18 principal investigators at their institutions in achiev-
19 ing the goals of the Broader Impacts Review Criterion
20 as described in subsection (a); and

21 (5) requires principal investigators applying for
22 Foundation research grants to provide evidence of in-
23 stitutional support for the portion of the investigator's
24 proposal designed to satisfy the Broader Impacts Re-
25 view Criterion, including evidence of relevant train-

1 *ing, programs, and other institutional resources*
2 *available to the investigator from either their home*
3 *institution or organization or another institution or*
4 *organization with relevant expertise.*

5 **SEC. 527. TWENTY-FIRST CENTURY GRADUATE EDUCATION.**

6 *(a) IN GENERAL.—The Director shall award grants,*
7 *on a competitive, merit-reviewed basis, to institutions of*
8 *higher education to implement or expand research-based re-*
9 *forms in master’s and doctoral level STEM education that*
10 *emphasize preparation for diverse careers utilizing STEM*
11 *degrees, including at diverse types of institutions of higher*
12 *education, in industry, and at government agencies and re-*
13 *search laboratories.*

14 *(b) USES OF FUNDS.—Activities supported by grants*
15 *under this section may include—*

16 *(1) creation of multidisciplinary or interdiscipli-*
17 *nary courses or programs for the purpose of improved*
18 *student instruction and research in STEM;*

19 *(2) expansion of graduate STEM research oppor-*
20 *tunities to include interdisciplinary research opportu-*
21 *nities and research opportunities in industry, at Fed-*
22 *eral laboratories, and at international research insti-*
23 *tutions or research sites;*

24 *(3) development and implementation of future*
25 *faculty training programs focused on improved in-*

1 *struction, mentoring, assessment of student learning,*
2 *and support of undergraduate STEM students;*

3 *(4) support and training for graduate students*
4 *to participate in instructional activities beyond the*
5 *traditional teaching assistantship, and especially as*
6 *part of ongoing educational reform efforts, including*
7 *at pre-K–12 schools, and primarily undergraduate*
8 *institutions;*

9 *(5) creation, improvement, or expansion of inno-*
10 *vative graduate programs such as science master’s de-*
11 *gree programs;*

12 *(6) development and implementation of semi-*
13 *nars, workshops, and other professional development*
14 *activities that increase the ability of graduate stu-*
15 *dents to engage in innovation, technology transfer,*
16 *and entrepreneurship;*

17 *(7) development and implementation of semi-*
18 *nars, workshops, and other professional development*
19 *activities that increase the ability of graduate stu-*
20 *dents to effectively communicate their research find-*
21 *ings to technical audiences outside of their own dis-*
22 *cipline and to nontechnical audiences;*

23 *(8) expansion of successful STEM reform efforts*
24 *beyond a single academic unit to other STEM aca-*

1 *demic units within an institution or to comparable*
2 *academic units at other institutions; and*

3 *(9) research on teaching and learning of STEM*
4 *at the graduate level related to the proposed reform ef-*
5 *fort, including assessment and evaluation of the pro-*
6 *posed reform activities and research on scalability*
7 *and sustainability of approaches to reform.*

8 *(c) PARTNERSHIP.—An institution of higher education*
9 *may partner with one or more other nonprofit education*
10 *or research organizations, including scientific and engineer-*
11 *ing societies, for the purposes of carrying out the activities*
12 *authorized under this section.*

13 *(d) SELECTION PROCESS.—*

14 *(1) APPLICATIONS.—An institution of higher*
15 *education seeking a grant under this section shall*
16 *submit an application to the Director at such time,*
17 *in such manner, and containing such information as*
18 *the Director may require. The application shall in-*
19 *clude, at a minimum—*

20 *(A) a description of the proposed reform ef-*
21 *fort;*

22 *(B) in the case of applications that propose*
23 *an expansion of a previously implemented re-*
24 *form effort at the applicant's institution or at*

1 *other institutions, a description of the previously*
2 *implemented reform effort;*

3 *(C) evidence of institutional support for,*
4 *and commitment to, the proposed reform effort,*
5 *including long-term commitment to implement*
6 *successful strategies from the current reform ef-*
7 *fort beyond the academic unit or units included*
8 *in the grant proposal or to disseminate successful*
9 *strategies to other institutions; and*

10 *(D) a description of the plans for assess-*
11 *ment and evaluation of the grant proposed re-*
12 *form activities.*

13 *(2) REVIEW OF APPLICATIONS.—In selecting*
14 *grant recipients under this section, the Director shall*
15 *consider at a minimum—*

16 *(A) the likelihood of success in undertaking*
17 *the proposed effort at the institution submitting*
18 *the application, including the extent to which the*
19 *faculty, staff, and administrators of the institu-*
20 *tion are committed to making the proposed insti-*
21 *tutional reform a priority of the participating*
22 *academic unit or units;*

23 *(B) the degree to which the proposed reform*
24 *will contribute to change in institutional culture*
25 *and policy such that a greater value is placed on*

1 *preparing graduate students for diverse careers*
 2 *utilizing STEM degrees;*

3 *(C) the likelihood that the institution will*
 4 *sustain or expand the reform beyond the period*
 5 *of the grant; and*

6 *(D) the degree to which scholarly assessment*
 7 *and evaluation plans are included in the design*
 8 *of the reform effort.*

9 ***SUBTITLE B—STEM-TRAINING***
 10 ***GRANT PROGRAM***

11 ***SEC. 551. PURPOSE.***

12 *The purpose of this subtitle is to replicate and imple-*
 13 *ment programs at institutions of higher education that pro-*
 14 *vide integrated courses of study in science, technology, engi-*
 15 *neering, or mathematics, and teacher education, that lead*
 16 *to a baccalaureate degree in science, technology, engineer-*
 17 *ing, or mathematics with concurrent teacher certification.*

18 ***SEC. 552. PROGRAM REQUIREMENTS.***

19 *The Director shall replicate and implement under-*
 20 *graduate degree programs under this subtitle that—*

21 *(1) are designed to recruit and prepare students*
 22 *who pursue a baccalaureate degree in science, tech-*
 23 *nology, engineering, or mathematics to become cer-*
 24 *tified as elementary and secondary teachers;*

1 (2) *require the education department (or its*
2 *equivalent) and the departments or division respon-*
3 *sible for preparation of science, technology, engineer-*
4 *ing, and mathematics majors at an institution of*
5 *higher education to collaborate in establishing and*
6 *implementing the program at that institution;*

7 (3) *require students participating in the pro-*
8 *gram to enter the program through a field-based*
9 *course and to continue to complete field-based courses*
10 *supervised by master teachers throughout the pro-*
11 *gram;*

12 (4) *hire sufficient teachers so that the ratio of*
13 *students to master teachers in the program does not*
14 *exceed 100 to 1;*

15 (5) *include instruction in the use of scientif-*
16 *ically-based instructional materials and methods, as-*
17 *sessments, pedagogical content knowledge (including*
18 *the interaction between mathematics and science), the*
19 *use of instructional technology, and how to incor-*
20 *porate State and local standards into the classroom*
21 *curriculum;*

22 (6) *restrict to students participating in the pro-*
23 *gram those courses that are specifically designed for*
24 *the needs of teachers of science, technology, engineer-*
25 *ing, and mathematics; and*

1 (7) *require students participating in the pro-*
2 *gram to successfully complete a final evaluation of*
3 *their teaching proficiency, based on their classroom*
4 *teaching performance, conducted by multiple trained*
5 *observers, and a portfolio of their accomplishments.*

6 **SEC. 553. GRANT PROGRAM.**

7 (a) *IN GENERAL.*—*The Director shall establish a grant*
8 *program to support programs at institutions of higher edu-*
9 *cation to carry out the purpose of this subtitle.*

10 (b) *GEOGRAPHICAL CONSIDERATIONS.*—*In the admin-*
11 *istration of this subtitle, the Director shall take such steps*
12 *as may be necessary to ensure that grants are equitably dis-*
13 *tributed across all regions of the United States, taking into*
14 *account population density and other geographic and demo-*
15 *graphic considerations.*

16 (c) *AMOUNT OF GRANT.*—*Subject to the requirements*
17 *of subsection (d), the Director may award grants annually*
18 *on a competitive basis to institutions of higher education*
19 *in the amount of \$2,000,000, per institution of which—*

20 (1) *\$1,500,000 shall be used—*

21 (A) *to design, implement, and evaluate a*
22 *program that meets the requirements of section*
23 552;

24 (B) *to employ master teachers at the insti-*
25 *tution to oversee field experiences;*

1 (C) to provide a stipend to mentor teachers
2 participating in the program; and

3 (D) to support curriculum development and
4 implementation strategies for science, technology,
5 engineering, and mathematics content courses
6 taught through the program; and

7 (2) up to \$500,000 shall be set aside by the
8 grantee for technical support and evaluation services
9 from the institution whose programs will be rep-
10 licated.

11 (d) *ELIGIBILITY.*—To be eligible to apply for a grant
12 under this section, an institution of higher education
13 shall—

14 (1) include former secondary school science, tech-
15 nology, engineering, or mathematics master teachers
16 as faculty in its science department for this program;

17 (2) grant terminal degrees in science, technology,
18 engineering, and mathematics; and

19 (3) have a process to be used in establishing
20 partnerships with local educational agencies for
21 placement of participating students in their field ex-
22 periences, including a process for identifying mentor
23 teachers working in local schools to supervise class-
24 room field experiences in cooperation with university-
25 based master teachers;

1 (4) *maintain policies allowing flexible entry to*
2 *the program throughout the undergraduate*
3 *coursework;*

4 (5) *require that master teachers employed by the*
5 *institution will supervise field experiences of students*
6 *in the program;*

7 (6) *require that the program complies with State*
8 *certification or licensing requirements and the re-*
9 *quirements under section 9101(23) of the Elementary*
10 *and Secondary Education Act of 1965 (20 U.S.C.*
11 *7801(23)) for highly qualified teachers;*

12 (7) *develop during the course of the grant a plan*
13 *for long-term support and assessment of its graduates,*
14 *which shall include—*

15 (A) *induction support for graduates in their*
16 *first one to two years of teaching;*

17 (B) *systems to determine the teaching status*
18 *of graduates and thereby determine retention*
19 *rates; and*

20 (C) *methods to analyze the achievement of*
21 *students taught by graduates, and methods to*
22 *analyze classroom practices of graduates; and*

23 (8) *be able upon completion of the grant at the*
24 *end of 5 years to fund essential program costs, includ-*

1 *ing salaries of master teachers and other necessary*
2 *personnel, from recurring university budgets.*

3 *(e) APPLICATION REQUIREMENTS.—An institution of*
4 *higher education seeking a grant under the program shall*
5 *submit an application to the Director in such form, at such*
6 *time, and containing such information and assurances as*
7 *the Director may require, including—*

8 *(1) a description of the current rate at which in-*
9 *dividuals majoring in science, technology, engineer-*
10 *ing, and mathematics become certified as elementary*
11 *and secondary teachers;*

12 *(2) a description for the institution's plan for*
13 *increasing the numbers of students enrolled in and*
14 *graduating from the program supported under this*
15 *subtitle;*

16 *(3) a description of the institution's capacity to*
17 *develop a program in which individuals majoring in*
18 *science, technology, engineering, and mathematics can*
19 *become certified as elementary and secondary teach-*
20 *ers;*

21 *(4) identification of the organizational unit*
22 *within the department or division of arts and sciences*
23 *or the science department at the institution that will*
24 *adopt teacher certification for elementary and sec-*
25 *ondary teachers as its primary mission;*

1 (5) *identification of core faculty within the de-*
2 *partment or division of arts and sciences or the*
3 *science department at the institution to champion*
4 *teacher preparation in their departments by teaching*
5 *courses dedicated to preparing future elementary and*
6 *secondary school teachers, helping create new degree*
7 *plans, advising prospective students within their*
8 *major, and assisting as needed with program admin-*
9 *istration;*

10 (6) *identification of core faculty in the education*
11 *department or its equivalent at the institution to*
12 *champion teacher preparation by creating and teach-*
13 *ing courses specific to the preparation of science, tech-*
14 *nology, engineering, and mathematics and working*
15 *closely with colleagues in the department or division*
16 *of arts and sciences or the science department; and*

17 (7) *a description of involving practical, field-*
18 *based experience in teaching and degree plans ena-*
19 *bling students to graduate in 4 years with a major*
20 *in science, technology, engineering, or mathematics*
21 *and elementary or secondary school teacher certifi-*
22 *cation.*

23 (f) *MATCHING REQUIREMENT.—An institution of*
24 *higher education may not receive a grant under this section*
25 *unless it provides, from non-federal sources, to carry out*

1 *the activities supported by the grant, an amount that is*
2 *not less than—*

3 *(1) 35 percent of the amount of the grant for the*
4 *first fiscal year of the grant;*

5 *(2) 55 percent of the amount of the grant for the*
6 *second and third fiscal years of the grant; and*

7 *(3) 75 percent of the amount of the grant for the*
8 *fourth and fifth fiscal years of the grant.*

9 *(g) GUIDANCE.—Within 90 days after the date of en-*
10 *actment of this Act, the Director shall initiate a proceeding*
11 *to promulgate guidance for the administration of the grant*
12 *program established under subsection (a).*

13 **SEC. 554. GRANT OVERSIGHT AND ADMINISTRATION.**

14 *(a) IN GENERAL.—The Director may execute a con-*
15 *tract for program oversight and fiscal management with an*
16 *organization at an institution of higher education, a non-*
17 *profit organization, or other entity that demonstrates ca-*
18 *capacity for and experience in—*

19 *(1) replicating 1 or more similar programs at*
20 *regional or national levels;*

21 *(2) providing programmatic and technical im-*
22 *plementation assistance for the program;*

23 *(3) performing data collection and analysis to*
24 *ensure proper implementation and continuous pro-*
25 *gram improvement; and*

1 (4) *providing accountability for results by*
2 *measuring and monitoring achievement of pro-*
3 *grammatic milestones.*

4 **(b) OVERSIGHT RESPONSIBILITIES.—**

5 **(1) MANDATORY DUTIES.—***If the Director exe-*
6 *cutes a contract under subsection (a) with an organi-*
7 *zation for program oversight and fiscal management,*
8 *the organization shall—*

9 (A) *ensure that a grant recipient faithfully*
10 *replicates and implements the program or pro-*
11 *grams for which the grant is awarded;*

12 (B) *ensure that grant funds are used for the*
13 *purposes authorized and that a grant recipient*
14 *has a system in place to track and account for*
15 *all Federal grant funds provided;*

16 (C) *provide technical assistance to grant re-*
17 *cipients;*

18 (D) *collect and analyze data and report to*
19 *the Director annually on the effects of the pro-*
20 *gram on—*

21 (i) *the progress of participating stu-*
22 *dents in achieving teaching competence and*
23 *teaching certification;*

24 (ii) *the participation of students in the*
25 *program by major, compared with local and*

1 *State needs on secondary teachers by dis-*
2 *cipline; and*

3 *(iii) the participation of students in*
4 *the program by demographic subgroup;*

5 *(E) collect and analyze data and report to*
6 *the Director annually on the effects of the pro-*
7 *gram on the academic achievement of elementary*
8 *and secondary school students taught by grad-*
9 *uates of programs funded by grants under this*
10 *subtitle; and*

11 *(F) submit an annual report to the Director*
12 *demonstrating compliance with the requirements*
13 *of subparagraphs (A) through (E).*

14 *(2) DISCRETIONARY DUTIES.—At the request of*
15 *the Director, the organization under contract under*
16 *subsection (a) may assist the Director in evaluating*
17 *grant applications.*

18 *(c) REPORTS TO CONGRESS.—The Director shall sub-*
19 *mit a copy of the annual report required by subsection*
20 *(b)(1)(F) to the Senate Committee on Commerce, Science,*
21 *and Transportation, the Senate Committee on Health, Edu-*
22 *cation, Labor, and Pensions, the House of Representatives*
23 *Committee on Science and Technology, and the House of*
24 *Representatives Committee on Education and Labor.*

1 **SEC. 555. DEFINITIONS.**

2 *In this subtitle:*

3 (1) *FIELD-BASED COURSE.*—The term “field-
4 based course” means a course of instruction offered by
5 an institution of higher education that includes a re-
6 quirement that students teach a minimum of 3 lessons
7 or sequences of lessons to elementary or secondary stu-
8 dents.

9 (2) *INSTITUTION OF HIGHER EDUCATION.*—The
10 term “institution of higher education” has the mean-
11 ing given that term by section 101 of the Higher Edu-
12 cation Act of 1965 (20 U.S.C. 1001).

13 (3) *MASTER TEACHER.*—The term “master
14 teacher” means an individual—

15 (A) who has been awarded a master’s or
16 doctoral degree by an institution of higher edu-
17 cation;

18 (B) whose graduate coursework included
19 courses in mathematics, science, computer
20 science, or engineering;

21 (C) who has at least 3 years teaching expe-
22 rience in K–12 settings; and

23 (D) whose teaching has been recognized for
24 exceptional accomplishments in educating stu-
25 dents, or is demonstrated to have resulted in im-
26 proved student achievement.

1 (4) *MENTOR TEACHER.*—*The term “mentor*
 2 *teacher” means an elementary or secondary school*
 3 *classroom teacher who assists with the training of stu-*
 4 *dents participating in a field-based course.*

5 (5) *DIRECTOR.*—*The term “Director” means the*
 6 *Director of the National Science Foundation.*

7 **SEC. 556. AUTHORIZATION OF APPROPRIATIONS.**

8 *There are authorized to be appropriated to the Director*
 9 *to carry out this subtitle \$10,000,000 for each of fiscal years*
 10 *2011 through 2013.*

11 **TITLE VI—INNOVATION**

12 **SEC. 601. OFFICE OF INNOVATION AND ENTREPRENEUR-**
 13 **SHIP.**

14 *The Stevenson-Wydler Technology Innovation Act of*
 15 *1980 (15 U.S.C. 3701 et seq.), as amended by section 106*
 16 *of this Act, is amended by adding at the end the following:*
 17 **“SEC. 25. OFFICE OF INNOVATION AND ENTREPRENEUR-**
 18 **SHIP.**

19 *“(a) IN GENERAL.—The Secretary shall establish an*
 20 *Office of Innovation and Entrepreneurship to foster innova-*
 21 *tion and the commercialization of new technologies, prod-*
 22 *ucts, processes, and services with the goal of promoting pro-*
 23 *ductivity and economic growth in the United States.*

24 *“(b) DUTIES.—The Office of Innovation and Entrepre-*
 25 *neurship shall be responsible for—*

1 “(1) *developing policies to accelerate innovation*
2 *and advance the commercialization of research and*
3 *development, including federally funded research and*
4 *development;*

5 “(2) *identifying existing barriers to innovation*
6 *and commercialization, including access to capital*
7 *and other resources, and ways to overcome those bar-*
8 *riers, particularly in States participating in the Ex-*
9 *perimental Program to Stimulate Competitive Re-*
10 *search;*

11 “(3) *providing access to relevant data, research,*
12 *and technical assistance on innovation and commer-*
13 *cialization;*

14 “(4) *strengthening collaboration on and coordi-*
15 *nation of policies relating to innovation and commer-*
16 *cialization, including those focused on the needs of*
17 *small businesses and rural communities, within the*
18 *Department of Commerce, between the Department of*
19 *Commerce and other Federal agencies, and between*
20 *the Department of Commerce and appropriate State*
21 *government agencies and institutions, as appropriate;*
22 *and*

23 “(5) *any other duties as determined by the Sec-*
24 *retary.*

1 “(c) *ADVISORY COMMITTEE.*—*The Secretary shall es-*
 2 *tablish an Advisory Council on Innovation and Entrepre-*
 3 *neurship to provide advice to the Secretary on carrying out*
 4 *subsection (b).’’.*

5 **SEC. 602. FEDERAL LOAN GUARANTEES FOR INNOVATIVE**
 6 **TECHNOLOGIES IN MANUFACTURING.**

7 *The Stevenson-Wydler Technology Innovation Act of*
 8 *1980 (15 U.S.C. 3701 et seq.), as amended by section 601,*
 9 *is further amended by adding at the end the following:*

10 **“SEC. 26. FEDERAL LOAN GUARANTEES FOR INNOVATIVE**
 11 **TECHNOLOGIES IN MANUFACTURING.**

12 “(a) *ESTABLISHMENT.*—*The Secretary shall establish*
 13 *a program to provide loan guarantees for obligations to*
 14 *small- or medium-sized manufacturers for the use or pro-*
 15 *duction of innovative technologies.*

16 “(b) *ELIGIBLE PROJECTS.*—*A loan guarantee may be*
 17 *made under the program only for a project that re-equips,*
 18 *expands, or establishes a manufacturing facility in the*
 19 *United States—*

20 “(1) *to use an innovative technology or an inno-*
 21 *vative process in manufacturing;*

22 “(2) *to manufacture an innovative technology*
 23 *product or an integral component of such a product;*

24 *or*

1 “(3) *to commercialize an innovative product,*
2 *process, or idea that was developed by research funded*
3 *in whole or in part by a grant from the Federal gov-*
4 *ernment.*

5 “(c) *ELIGIBLE BORROWER.—A loan guarantee may be*
6 *made under the program only for a borrower who is a*
7 *small- or medium-sized manufacturer, as determined by the*
8 *Secretary under the criteria established pursuant to sub-*
9 *section (l).*

10 “(d) *LIMITATION ON AMOUNT.—A loan guarantee shall*
11 *not exceed an amount equal to 80 percent of the obligation,*
12 *as estimated at the time at which the loan guarantee is*
13 *issued.*

14 “(e) *LIMITATIONS ON LOAN GUARANTEE.—No loan*
15 *guarantee shall be made unless the Secretary determines*
16 *that—*

17 “(1) *there is a reasonable prospect of repayment*
18 *of the principal and interest on the obligation by the*
19 *borrower;*

20 “(2) *the amount of the obligation (when com-*
21 *bined with amounts available to the borrower from*
22 *other sources) is sufficient to carry out the project;*

23 “(3) *the obligation is not subordinate to other fi-*
24 *nancing;*

1 “(4) the obligation bears interest at a rate that
 2 does not exceed a level that the Secretary determines
 3 appropriate, taking into account the prevailing rate
 4 of interest in the private sector for similar loans and
 5 risks; and

6 “(5) the term of an obligation requires full re-
 7 payment over a period not to exceed the lesser of—

8 “(A) 30 years; or

9 “(B) 90 percent of the projected useful life,
 10 as determined by the Secretary, of the physical
 11 asset to be financed by the obligation.

12 “(f) *DEFAULTS.*—

13 “(1) *PAYMENT BY SECRETARY.*—

14 “(A) *IN GENERAL.*—If a borrower defaults
 15 (as defined in regulations promulgated by the
 16 Secretary and specified in the loan guarantee)
 17 on the obligation, the holder of the loan guar-
 18 antee shall have the right to demand payment of
 19 the unpaid amount from the Secretary.

20 “(B) *PAYMENT REQUIRED.*—Within such
 21 period as may be specified in the loan guarantee
 22 or related agreements, the Secretary shall pay to
 23 the holder of the loan guarantee the unpaid in-
 24 terest on and unpaid principal of the obligation
 25 as to which the borrower has defaulted, unless the

1 *Secretary finds that there was no default by the*
2 *borrower in the payment of interest or principal*
3 *or that the default has been remedied.*

4 *“(C) FORBEARANCE.—Nothing in this sub-*
5 *section precludes any forbearance by the holder*
6 *of the obligation for the benefit of the borrower*
7 *which may be agreed upon by the parties to the*
8 *obligation and approved by the Secretary.*

9 *“(2) SUBROGATION.—*

10 *“(A) IN GENERAL.—If the Secretary makes*
11 *a payment under paragraph (1), the Secretary*
12 *shall be subrogated to the rights, as specified in*
13 *the loan guarantee, of the recipient of the pay-*
14 *ment or related agreements including, if appro-*
15 *priate, the authority (notwithstanding any other*
16 *provision of law)—*

17 *“(i) to complete, maintain, operate,*
18 *lease, or otherwise dispose of any property*
19 *acquired pursuant to such loan guarantee*
20 *or related agreement; or*

21 *“(ii) to permit the borrower, pursuant*
22 *to an agreement with the Secretary, to con-*
23 *tinue to pursue the purposes of the project*
24 *if the Secretary determines that such an*
25 *agreement is in the public interest.*

1 “(B) *SUPERIORITY OF RIGHTS.*—*The rights*
2 *of the Secretary, with respect to any property ac-*
3 *quired pursuant to a loan guarantee or related*
4 *agreements, shall be superior to the rights of any*
5 *other person with respect to the property.*

6 “(3) *NOTIFICATION.*—*If the borrower defaults on*
7 *an obligation, the Secretary shall notify the Attorney*
8 *General of the default.*

9 “(g) *TERMS AND CONDITIONS.*—*A loan guarantee*
10 *under this section shall include such detailed terms and con-*
11 *ditions as the Secretary determines appropriate—*

12 “(1) *to protect the interests of the United States*
13 *in the case of default; and*

14 “(2) *to have available all the patents and tech-*
15 *nology necessary for any person selected, including*
16 *the Secretary, to complete and operate the project.*

17 “(h) *CONSULTATION.*—*In establishing the terms and*
18 *conditions of a loan guarantee under this section, the Sec-*
19 *retary shall consult with the Secretary of the Treasury.*

20 “(i) *FEES.*—

21 “(1) *IN GENERAL.*—*The Secretary shall charge*
22 *and collect fees for loan guarantees in amounts the*
23 *Secretary determines are sufficient to cover applicable*
24 *administrative expenses.*

1 “(2) *AVAILABILITY.*—*Fees collected under this*
2 *subsection shall—*

3 “(A) *be deposited by the Secretary into the*
4 *Treasury of the United States; and*

5 “(B) *remain available until expended, sub-*
6 *ject to such other conditions as are contained in*
7 *annual appropriations Acts.*

8 “(3) *LIMITATION.*—*In charging and collecting*
9 *fees under paragraph (1), the Secretary shall take*
10 *into consideration the amount of the obligation.*

11 “(j) *RECORDS.*—

12 “(1) *IN GENERAL.*—*With respect to a loan guar-*
13 *antee under this section, the borrower, the lender, and*
14 *any other appropriate party shall keep such records*
15 *and other pertinent documents as the Secretary shall*
16 *prescribe by regulation, including such records as the*
17 *Secretary may require to facilitate an effective audit.*

18 “(2) *ACCESS.*—*The Secretary and the Comp-*
19 *troller General of the United States, or their duly au-*
20 *thorized representatives, shall have access to records*
21 *and other pertinent documents for the purpose of con-*
22 *ducting an audit.*

23 “(k) *FULL FAITH AND CREDIT.*—*The full faith and*
24 *credit of the United States is pledged to the payment of*

1 *all loan guarantees issued under this section with respect*
2 *to principal and interest.*

3 “(l) *REGULATIONS.—The Secretary shall issue final*
4 *regulations before making any loan guarantees under the*
5 *program. The regulations shall include—*

6 “(1) *criteria that the Secretary shall use to de-*
7 *termine eligibility for loan guarantees under this sec-*
8 *tion, including—*

9 “(A) *whether a borrower is a small- or me-*
10 *dium-sized manufacturer; and*

11 “(B) *whether a borrower demonstrates that*
12 *a market exists for the innovative technology*
13 *product, or the integral component of such a*
14 *product, to be manufactured, as evidenced by*
15 *written statements of interest from potential pur-*
16 *chasers;*

17 “(2) *criteria that the Secretary shall use to de-*
18 *termine the amount of any fees charged under sub-*
19 *section (i), including criteria related to the amount of*
20 *the obligation;*

21 “(3) *policies and procedures for selecting and*
22 *monitoring lenders and loan performance; and*

23 “(4) *any other policies, procedures, or informa-*
24 *tion necessary to implement this section.*

25 “(m) *AUDIT.—*

1 “(1) *ANNUAL INDEPENDENT AUDITS.*—*The Sec-*
2 *retary shall enter into an arrangement with an inde-*
3 *pendent auditor for annual evaluations of the pro-*
4 *gram under this section.*

5 “(2) *COMPTROLLER GENERAL REVIEW.*—*The*
6 *Comptroller General of the United States shall con-*
7 *duct a biennial review of the Secretary’s execution of*
8 *the program under this section.*

9 “(3) *REPORT.*—*The results of the independent*
10 *audit under paragraph (1) and the Comptroller Gen-*
11 *eral’s review under paragraph (2) shall be provided*
12 *directly to the Committee on Science and Technology*
13 *of the House of Representatives and the Committee on*
14 *Commerce, Science, and Transportation of the Senate.*

15 “(n) *REPORT TO CONGRESS.*—*Concurrent with the*
16 *submission to Congress of the President’s annual budget re-*
17 *quest in each year after the date of enactment of the Amer-*
18 *ica COMPETES Reauthorization Act of 2010, the Sec-*
19 *retary shall transmit to the Committee on Science and*
20 *Technology of the House of Representatives and the Com-*
21 *mittee on Commerce, Science, and Transportation of the*
22 *Senate a report containing a summary of all activities car-*
23 *ried out under this section.*

24 “(o) *COORDINATION AND NONDUPLICATION.*—*To the*
25 *maximum extent practicable, the Secretary shall ensure*

1 *that the activities carried out under this section are coordi-*
2 *nated with, and do not duplicate the efforts of, other loan*
3 *guarantee programs within the Federal Government.*

4 “(p) *MEP CENTERS.*—*The Secretary may use centers*
5 *established under section 25 of the National Institute of*
6 *Standards and Technology Act (15 U.S.C. 278k) to provide*
7 *information about the program established under this sec-*
8 *tion and to conduct outreach to potential borrowers, as ap-*
9 *propriate.*

10 “(q) *MINIMIZING RISK.*—*The Secretary shall promul-*
11 *gate regulations and policies to carry out this section in*
12 *accordance with Office of Management and Budget Circular*
13 *No. A–129, entitled ‘Policies for Federal Credit Programs*
14 *and Non-Tax Receivables’, as in effect on the date of enact-*
15 *ment of the America COMPETES Reauthorization Act of*
16 *2010.*

17 “(r) *SENSE OF CONGRESS.*—*It is the sense of Congress*
18 *that no loan guarantee shall be made under this section un-*
19 *less the borrower agrees to use a federally-approved elec-*
20 *tronic employment eligibility verification system to verify*
21 *the employment eligibility of—*

22 “(1) *all persons hired during the contract term*
23 *by the borrower to perform employment duties within*
24 *the United States; and*

1 “(2) *all persons assigned by the borrower to per-*
2 *form work within the United States on the project.*

3 “(s) *DEFINITIONS.—In this section:*

4 “(1) *COST.—The term ‘cost’ has the meaning*
5 *given such term under section 502 of the Federal*
6 *Credit Reform Act of 1990 (2 U.S.C. 661a).*

7 “(2) *INNOVATIVE PROCESS.—The term ‘innova-*
8 *tive process’ means a process that is significantly im-*
9 *proved as compared to the process in general use in*
10 *the commercial marketplace in the United States at*
11 *the time the loan guarantee is issued.*

12 “(3) *INNOVATIVE TECHNOLOGY.—The term ‘inno-*
13 *vative technology’ means a technology that is signifi-*
14 *cantly improved as compared to the technology in*
15 *general use in the commercial marketplace in the*
16 *United States at the time the loan guarantee is*
17 *issued.*

18 “(4) *LOAN GUARANTEE.—The term ‘loan guar-*
19 *antee’ has the meaning given such term in section 502*
20 *of the Federal Credit Reform Act of 1990 (2 U.S.C.*
21 *661a). The term includes a loan guarantee commit-*
22 *ment (as defined in section 502 of such Act (2 U.S.C.*
23 *661a)).*

1 “(5) *OBLIGATION.*—*The term ‘obligation’ means*
 2 *the loan or other debt obligation that is guaranteed*
 3 *under this section.*

4 “(6) *PROGRAM.*—*The term ‘program’ means the*
 5 *loan guarantee program established in subsection (a).*

6 “(t) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 7 *authorized to be appropriated \$20,000,000 for each of fiscal*
 8 *years 2011 through 2013 to provide the cost of loan guaran-*
 9 *tees under this section.”.*

10 **SEC. 603. REGIONAL INNOVATION PROGRAM.**

11 *The Stevenson-Wydler Technology Innovation Act of*
 12 *1980 (15 U.S.C. 3701 et seq.), as amended by section 602,*
 13 *is further amended by adding at the end thereof the fol-*
 14 *lowing:*

15 **“SEC. 27. REGIONAL INNOVATION PROGRAM.**

16 “(a) *ESTABLISHMENT.*—*The Secretary shall establish*
 17 *a regional innovation program to encourage and support*
 18 *the development of regional innovation strategies, including*
 19 *regional innovation clusters and science and research parks.*

20 “(b) *CLUSTER GRANTS.*—

21 “(1) *IN GENERAL.*—*As part of the program es-*
 22 *tablished under subsection (a), the Secretary may*
 23 *award grants on a competitive basis to eligible recipi-*
 24 *ents for activities relating to the formation and devel-*
 25 *opment of regional innovation clusters.*

1 “(2) *PERMISSIBLE ACTIVITIES.*—Grants awarded
2 under this subsection may be used for activities deter-
3 mined appropriate by the Secretary, including the
4 following:

5 “(A) *Feasibility studies.*

6 “(B) *Planning activities.*

7 “(C) *Technical assistance.*

8 “(D) *Developing or strengthening commu-*
9 *nication and collaboration between and among*
10 *participants of a regional innovation cluster.*

11 “(E) *Attracting additional participants to*
12 *a regional innovation cluster.*

13 “(F) *Facilitating market development of*
14 *products and services developed by a regional in-*
15 *novation cluster, including through demonstra-*
16 *tion, deployment, technology transfer, and com-*
17 *mercialization activities.*

18 “(G) *Developing relationships between a re-*
19 *gional innovation cluster and entities or clusters*
20 *in other regions.*

21 “(H) *Interacting with the public and State*
22 *and local governments to meet the goals of the*
23 *cluster.*

24 “(3) *ELIGIBLE RECIPIENT DEFINED.*—In this
25 subsection, the term ‘eligible recipient’ means—

1 “(A) a State;

2 “(B) an Indian tribe;

3 “(C) a city or other political subdivision of
4 a State;

5 “(D) an entity that—

6 “(i) is a nonprofit organization, an in-
7 stitution of higher education, a public-pri-
8 vate partnership, a science or research park,
9 a Federal laboratory, or an economic devel-
10 opment organization or similar entity; and

11 “(ii) has an application that is sup-
12 ported by a State or a political subdivision
13 of a State; or

14 “(E) a consortium of any of the entities de-
15 scribed in subparagraphs (A) through (D).

16 “(4) APPLICATION.—

17 “(A) IN GENERAL.—An eligible recipient
18 shall submit an application to the Secretary at
19 such time, in such manner, and containing such
20 information and assurances as the Secretary
21 may require.

22 “(B) COMPONENTS.—The application shall
23 include, at a minimum, a description of the re-
24 gional innovation cluster supported by the pro-
25 posed activity, including a description of—

1 “(i) whether the regional innovation
2 cluster is supported by the private sector,
3 State and local governments, and other rel-
4 evant stakeholders;

5 “(ii) how the existing participants in
6 the regional innovation cluster will encour-
7 age and solicit participation by all types of
8 entities that might benefit from participa-
9 tion, including newly formed entities and
10 those rival existing participants;

11 “(iii) the extent to which the regional
12 innovation cluster is likely to stimulate in-
13 novation and have a positive impact on re-
14 gional economic growth and development;

15 “(iv) whether the participants in the
16 regional innovation cluster have access to,
17 or contribute to, a well-trained workforce;

18 “(v) whether the participants in the re-
19 gional innovation cluster are capable of at-
20 tracting additional funds from non-Federal
21 sources; and

22 “(vi) the likelihood that the partici-
23 pants in the regional innovation cluster will
24 be able to sustain activities once grant

1 *funds under this subsection have been ex-*
2 *pended.*

3 “(C) *SPECIAL CONSIDERATION.—The Sec-*
4 *retary shall give special consideration to appli-*
5 *cations from regions that contain communities*
6 *negatively impacted by trade.*

7 “(5) *SPECIAL CONSIDERATION.—The Secretary*
8 *shall give special consideration to an eligible recipient*
9 *who agrees to collaborate with local workforce invest-*
10 *ment area boards.*

11 “(6) *COST SHARE.—The Secretary may not pro-*
12 *vide more than 50 percent of the total cost of any ac-*
13 *tivity funded under this subsection.*

14 “(7) *USE AND APPLICATION OF RESEARCH AND*
15 *INFORMATION PROGRAM.—To the maximum extent*
16 *practicable, the Secretary shall ensure that activities*
17 *funded under this subsection use and apply any rel-*
18 *evant research, best practices, and metrics developed*
19 *under the program established in subsection (c).*

20 “(c) *SCIENCE AND RESEARCH PARK DEVELOPMENT*
21 *GRANTS.—*

22 “(1) *IN GENERAL.—As part of the program es-*
23 *tablished under subsection (a), the Secretary may*
24 *award grants for the development of feasibility studies*
25 *and plans for the construction of new science parks*

1 or the renovation or expansion of existing science
2 parks.

3 “(2) *LIMITATION ON AMOUNT OF GRANTS.*—The
4 amount of a grant awarded under this subsection
5 may not exceed \$750,000.

6 “(3) *AWARD.*—

7 “(A) *COMPETITION REQUIRED.*—The Sec-
8 retary shall award grants under this subsection
9 pursuant to a full and open competition.

10 “(B) *GEOGRAPHIC DISPERSION.*—In con-
11 ducting a competitive process, the Secretary shall
12 consider the need to avoid undue geographic con-
13 centration among any one category of States
14 based on their predominant rural or urban char-
15 acter as indicated by population density.

16 “(C) *SELECTION CRITERIA.*—The Secretary
17 shall publish the criteria to be utilized in any
18 competition for the selection of recipients of
19 grants under this subsection, which shall include
20 requirements relating to the—

21 “(i) effect the science park will have on
22 regional economic growth and development;

23 “(ii) number of jobs to be created at
24 the science park and the surrounding re-

1 *gional community each year during its first*
2 *3 years;*

3 *“(iii) funding to be required to con-*
4 *struct, renovate or expand the science park*
5 *during its first 3 years;*

6 *“(iv) amount and type of financing*
7 *and access to capital available to the appli-*
8 *cant;*

9 *“(v) types of businesses and research*
10 *entities expected in the science park and*
11 *surrounding regional community;*

12 *“(vi) letters of intent by businesses and*
13 *research entities to locate in the science*
14 *park;*

15 *“(vii) capability to attract a well*
16 *trained workforce to the science park;*

17 *“(viii) the management of the science*
18 *park during its first 5 years;*

19 *“(ix) expected financial risks in the*
20 *construction and operation of the science*
21 *park and the risk mitigation strategy;*

22 *“(x) physical infrastructure available*
23 *to the science park, including roads, utili-*
24 *ties, and telecommunications;*

1 “(xi) utilization of energy-efficient
2 building technology including nationally
3 recognized green building design practices,
4 renewable energy, cogeneration, and other
5 methods that increase energy efficiency and
6 conservation;

7 “(xii) consideration to the trans-
8 formation of military bases affected by the
9 base realignment and closure process or the
10 redevelopment of existing buildings, struc-
11 tures, or brownfield sites that are aban-
12 doned, idled, or underused into single or
13 multiple building facilities for science and
14 technology companies and institutions;

15 “(xiii) ability to collaborate with other
16 science parks throughout the world;

17 “(xiv) consideration of sustainable de-
18 velopment practices and the quality of life
19 at the science park; and

20 “(xv) other such criteria as the Sec-
21 retary shall prescribe.

22 “(4) ALLOCATION CONSTRAINTS.—The Secretary
23 may not allocate less than one-third of the total grant
24 funding allocated under this section for any fiscal
25 year to grants under subsection (b) or this subsection

1 *without written notification to the Senate Committee*
2 *on Commerce, Science, and Transportation and the*
3 *House of Representatives Committees on Science and*
4 *Technology and on Energy and Commerce.*

5 “(d) *LOAN GUARANTEES FOR SCIENCE PARK INFRA-*
6 *STRUCTURE.—*

7 “(1) *IN GENERAL.—Subject to paragraph (2), the*
8 *Secretary may guarantee up to 80 percent of the loan*
9 *amount for projects for the construction or expansion,*
10 *including renovation and modernization, of science*
11 *park infrastructure.*

12 “(2) *LIMITATIONS ON GUARANTEE AMOUNTS.—*
13 *The maximum amount of loan principal guaranteed*
14 *under this subsection may not exceed—*

15 “(A) *\$50,000,000 with respect to any*
16 *single project; and*

17 “(B) *\$300,000,000 with respect to all*
18 *projects.*

19 “(3) *SELECTION OF GUARANTEE RECIPIENTS.—*
20 *The Secretary shall select recipients of loan guaran-*
21 *tees under this subsection based upon the ability of*
22 *the recipient to collateralize the loan amount through*
23 *bonds, equity, property, and such other things of val-*
24 *ues as the Secretary shall deem necessary. Recipients*
25 *of grants under subsection (c) are not eligible for a*

1 *loan guarantee during the period of the grant. To the*
 2 *extent that the Secretary determines it to be feasible,*
 3 *the Secretary may select recipients of guarantee as-*
 4 *sistance in accord with a competitive process that*
 5 *takes into account the factors set out in subsection*
 6 *(c)(3)(C) of this section.*

7 “(4) *TERMS AND CONDITIONS FOR LOAN GUAR-*
 8 *ANTEES.—The loans guaranteed under this subsection*
 9 *shall be subject to such terms and conditions as the*
 10 *Secretary may prescribe, except that—*

11 “(A) *the final maturity of such loans made*
 12 *or guaranteed may not exceed the lesser of—*

13 “(i) *30 years; or*

14 “(ii) *90 percent of the useful life of any*
 15 *physical asset to be financed by the loan;*

16 “(B) *a loan guaranteed under this sub-*
 17 *section may not be subordinated to another debt*
 18 *contracted by the borrower or to any other*
 19 *claims against the borrowers in the case of de-*
 20 *fault;*

21 “(C) *a loan may not be guaranteed under*
 22 *this subsection unless the Secretary determines*
 23 *that the lender is responsible and that provision*
 24 *is made for servicing the loan on reasonable*

1 *terms and in a manner that adequately protects*
2 *the financial interest of the United States;*

3 *“(D) a loan may not be guaranteed under*
4 *this subsection if—*

5 *“(i) the income from the loan is ex-*
6 *cluded from gross income for purposes of*
7 *chapter 1 of the Internal Revenue Code of*
8 *1986; or*

9 *“(ii) the guarantee provides significant*
10 *collateral or security, as determined by the*
11 *Secretary in coordination with the Sec-*
12 *retary of the Treasury, for other obligations*
13 *the income from which is so excluded;*

14 *“(E) any guarantee provided under this*
15 *subsection shall be conclusive evidence that—*

16 *“(i) the guarantee has been properly*
17 *obtained;*

18 *“(ii) the underlying loan qualified for*
19 *the guarantee; and*

20 *“(iii) absent fraud or material mis-*
21 *representation by the holder, the guarantee*
22 *is presumed to be valid, legal, and enforce-*
23 *able;*

24 *“(F) the Secretary may not extend credit*
25 *assistance unless the Secretary has determined*

1 *that there is a reasonable assurance of repay-*
2 *ment; and*

3 “(G) *new loan guarantees may not be com-*
4 *mitted except to the extent that appropriations of*
5 *budget authority to cover their costs are made in*
6 *advance, as required under section 504 of the*
7 *Federal Credit Reform Act of 1990 (2 U.S.C.*
8 *661c).*

9 “(5) *PAYMENT OF LOSSES.—*

10 “(A) *IN GENERAL.—If, as a result of a de-*
11 *fault by a borrower under a loan guaranteed*
12 *under this subsection, after the holder has made*
13 *such further collection efforts and instituted such*
14 *enforcement proceedings as the Secretary may re-*
15 *quire, the Secretary determines that the holder*
16 *has suffered a loss, the Secretary shall pay to the*
17 *holder the percentage of the loss specified in the*
18 *guarantee contract. Upon making any such pay-*
19 *ment, the Secretary shall be subrogated to all the*
20 *rights of the recipient of the payment. The Sec-*
21 *retary shall be entitled to recover from the bor-*
22 *rower the amount of any payments made pursu-*
23 *ant to any guarantee entered into under this sec-*
24 *tion.*

1 “(B) *ENFORCEMENT OF RIGHTS.*—*The At-*
2 *torney General shall take such action as may be*
3 *appropriate to enforce any right accruing to the*
4 *United States as a result of the issuance of any*
5 *guarantee under this section.*

6 “(C) *FORBEARANCE.*—*Nothing in this sec-*
7 *tion may be construed to preclude any forbear-*
8 *ance for the benefit of the borrower which may*
9 *be agreed upon by the parties to the guaranteed*
10 *loan and approved by the Secretary, if budget*
11 *authority for any resulting subsidy costs (as de-*
12 *finied in section 502(5) of the Federal Credit Re-*
13 *form Act of 1990) is available.*

14 “(6) *EVALUATION OF CREDIT RISK.*—

15 “(A) *The Secretary shall periodically assess*
16 *the credit risk of new and existing direct loans*
17 *or guaranteed loans.*

18 “(B) *Not later than 2 years after the date*
19 *of the enactment of the America COMPETES*
20 *Reauthorization Act of 2010, the Comptroller*
21 *General of the United States shall—*

22 “(i) *conduct a review of the subsidy es-*
23 *timates for the loan guarantees under this*
24 *section; and*

1 “(ii) submit to Congress a report on
2 the review conducted under this paragraph.

3 “(7) *TERMINATION.*—A loan may not be guaran-
4 teed under this section after September 30, 2013.

5 “(8) *AUTHORIZATION OF APPROPRIATIONS.*—
6 There are authorized to be appropriated \$7,000,000
7 for each of fiscal years 2011 through 2013 for the cost
8 (as defined in section 502(5) of the Federal Credit Re-
9 form Act of 1990) of guaranteeing \$300,000,000 in
10 loans under this section, such sums to remain avail-
11 able until expended.

12 “(e) *REGIONAL INNOVATION RESEARCH AND INFORMA-*
13 *TION PROGRAM.*—

14 “(1) *IN GENERAL.*—As part of the program es-
15 tablished under subsection (a), the Secretary shall es-
16 tablish a regional innovation research and informa-
17 tion program—

18 “(A) to gather, analyze, and disseminate in-
19 formation on best practices for regional innova-
20 tion strategies (including regional innovation
21 clusters), including information relating to how
22 innovation, productivity, and economic develop-
23 ment can be maximized through such strategies;

24 “(B) to provide technical assistance, includ-
25 ing through the development of technical assist-

1 *ance guides, for the development and implemen-*
2 *tation of regional innovation strategies (includ-*
3 *ing regional innovation clusters);*

4 *“(C) to support the development of relevant*
5 *metrics and measurement standards to evaluate*
6 *regional innovation strategies (including re-*
7 *gional innovation clusters), including the extent*
8 *to which such strategies stimulate innovation,*
9 *productivity, and economic development; and*

10 *“(D) to collect and make available data on*
11 *regional innovation cluster activity in the*
12 *United States, including data on—*

13 *“(i) the size, specialization, and com-*
14 *petitiveness of regional innovation clusters;*

15 *“(ii) the regional domestic product*
16 *contribution, total jobs and earnings by key*
17 *occupations, establishment size, nature of*
18 *specialization, patents, Federal research*
19 *and development spending, and other rel-*
20 *evant information for regional innovation*
21 *clusters; and*

22 *“(iii) supply chain product and service*
23 *flows within and between regional innova-*
24 *tion clusters.*

1 “(2) *RESEARCH GRANTS.*—*The Secretary may*
2 *award research grants on a competitive basis to sup-*
3 *port and further the goals of the program established*
4 *under this subsection.*

5 “(3) *DISSEMINATION OF INFORMATION.*—*Data*
6 *and analysis compiled by the Secretary under the*
7 *program established in this subsection shall be made*
8 *available to other Federal agencies, State and local*
9 *governments, and nonprofit and for-profit entities.*

10 “(4) *REGIONAL INNOVATION GRANT PROGRAM.*—
11 *The Secretary shall incorporate data and analysis re-*
12 *lating to any grant under subsection (b) or (c) and*
13 *any loan guarantee under subsection (d) into the pro-*
14 *gram established under this subsection.*

15 “(f) *INTERAGENCY COORDINATION.*—

16 “(1) *IN GENERAL.*—*To the maximum extent*
17 *practicable, the Secretary shall ensure that the activi-*
18 *ties carried out under this section are coordinated*
19 *with, and do not duplicate the efforts of, other pro-*
20 *grams at the Department of Commerce or other Fed-*
21 *eral agencies.*

22 “(2) *COLLABORATION.*—

23 “(A) *IN GENERAL.*—*The Secretary shall ex-*
24 *plore and pursue collaboration with other Fed-*
25 *eral agencies, including through multiagency*

1 *funding opportunities, on regional innovation*
2 *strategies.*

3 “(B) *SMALL BUSINESSES.—The Secretary*
4 *shall ensure that such collaboration with Federal*
5 *agencies prioritizes the needs and challenges of*
6 *small businesses.*

7 “(g) *EVALUATION.—*

8 “(1) *IN GENERAL.—Not later than 3 years after*
9 *the date of enactment of the America COMPETES*
10 *Reauthorization Act of 2010, the Secretary shall enter*
11 *into a contract with an independent entity, such as*
12 *the National Academy of Sciences, to conduct an eval-*
13 *uation of the program established under subsection*
14 *(a).*

15 “(2) *REQUIREMENTS.—The evaluation shall in-*
16 *clude—*

17 “(A) *whether the program is achieving its*
18 *goals;*

19 “(B) *any recommendations for how the pro-*
20 *gram may be improved; and*

21 “(C) *a recommendation as to whether the*
22 *program should be continued or terminated.*

23 “(h) *DEFINITIONS.—In this section:*

24 “(1) *REGIONAL INNOVATION CLUSTER.—The*
25 *term ‘regional innovation cluster’ means a geographi-*

1 *cally bounded network of similar, synergistic, or com-*
2 *plementary entities that—*

3 *“(A) are engaged in or with a particular*
4 *industry sector;*

5 *“(B) have active channels for business*
6 *transactions and communication;*

7 *“(C) share specialized infrastructure, labor*
8 *markets, and services; and*

9 *“(D) leverage the region’s unique competi-*
10 *tive strengths to stimulate innovation and create*
11 *jobs.*

12 *“(2) SCIENCE PARK.—The term ‘Science park’*
13 *means a property-based venture, which has—*

14 *“(A) master-planned property and build-*
15 *ings designed primarily for private-public re-*
16 *search and development activities, high tech-*
17 *nology and science-based companies, and re-*
18 *search and development support services;*

19 *“(B) a contractual or operational relation-*
20 *ship with one or more science- or research-related*
21 *institution of higher education or governmental*
22 *or non-profit research laboratories;*

23 *“(C) a primary mission to promote research*
24 *and development through industry partnerships,*

1 *assisting in the growth of new ventures and pro-*
2 *moting innovation-driven economic development;*

3 *“(D) a role in facilitating the transfer of*
4 *technology and business skills between researchers*
5 *and industry teams; and*

6 *“(E) a role in promoting technology-led eco-*
7 *nomie development for the community or region*
8 *in which the science park is located. A science*
9 *park may be owned by a governmental or not-*
10 *for-profit entity, but it may enter into partner-*
11 *ships or joint ventures with for-profit entities for*
12 *development or management of specific compo-*
13 *nents of the park.*

14 *“(3) STATE.—The term ‘State’ means one of the*
15 *several States, the District of Columbia, the Common-*
16 *wealth of Puerto Rico, the Virgin Islands, Guam,*
17 *American Samoa, the Commonwealth of the Northern*
18 *Mariana Islands, or any other territory or possession*
19 *of the United States.*

20 *“(i) AUTHORIZATION OF APPROPRIATIONS.—Except*
21 *as provided in subsection (d)(8), there are authorized to be*
22 *appropriated \$100,000,000 for each of fiscal years 2011*
23 *through 2013 to carry out this section (other than for loan*
24 *guarantees under subsection (d)).”.*

1 **SEC. 604. STUDY ON ECONOMIC COMPETITIVENESS AND IN-**
2 **NOVATIVE CAPACITY OF UNITED STATES AND**
3 **DEVELOPMENT OF NATIONAL ECONOMIC**
4 **COMPETITIVENESS STRATEGY.**

5 (a) *STUDY.*—

6 (1) *IN GENERAL.*—Not later than 1 year after
7 the date of the enactment of this Act, the Secretary of
8 Commerce shall complete a comprehensive study of the
9 economic competitiveness and innovative capacity of
10 the United States.

11 (2) *MATTERS COVERED.*—The study required by
12 paragraph (1) shall include the following:

13 (A) *An analysis of the United States econ-*
14 *omy and innovation infrastructure.*

15 (B) *An assessment of the following:*

16 (i) *The current competitive and inno-*
17 *vation performance of the United States*
18 *economy relative to other countries that*
19 *compete economically with the United*
20 *States.*

21 (ii) *Economic competitiveness and do-*
22 *mestic innovation in the current business*
23 *climate, including tax and Federal regu-*
24 *latory policy.*

25 (iii) *The business climate of the United*
26 *States and those of other countries that*

1 *compete economically with the United*
2 *States.*

3 *(iv) Regional issues that influence the*
4 *economic competitiveness and innovation*
5 *capacity of the United States, including—*

6 *(I) the roles of State and local*
7 *governments and institutions of higher*
8 *education; and*

9 *(II) regional factors that con-*
10 *tribute positively to innovation.*

11 *(v) The effectiveness of the Federal*
12 *Government in supporting and promoting*
13 *economic competitiveness and innovation,*
14 *including any duplicative efforts of, or gaps*
15 *in coverage between, Federal agencies and*
16 *departments.*

17 *(vi) Barriers to competitiveness in*
18 *newly emerging business or technology sec-*
19 *tors, factors influencing underperforming*
20 *economic sectors, unique issues facing small*
21 *and medium enterprises, and barriers to the*
22 *development and evolution of start-ups,*
23 *firms, and industries.*

24 *(vii) The effects of domestic and inter-*
25 *national trade policy on the competitiveness*

1 *of the United States and the United States*
2 *economy.*

3 *(viii) United States export promotion*
4 *and export finance programs relative to ex-*
5 *port promotion and export finance pro-*
6 *grams of other countries that compete eco-*
7 *nomically with the United States, including*
8 *Canada, France, Germany, Italy, Japan,*
9 *Korea, and the United Kingdom, with not-*
10 *ing of export promotion and export finance*
11 *programs carried out by such countries that*
12 *are not analogous to any programs carried*
13 *out by the United States.*

14 *(ix) The effectiveness of current policies*
15 *and programs affecting exports, including*
16 *an assessment of Federal trade restrictions*
17 *and State and Federal export promotion ac-*
18 *tivities.*

19 *(x) The effectiveness of the Federal*
20 *Government and Federally funded research*
21 *and development centers in supporting and*
22 *promoting technology commercialization*
23 *and technology transfer.*

24 *(xi) Domestic and international intel-*
25 *lectual property policies and practices.*

1 (xii) *Manufacturing capacity, logistics,*
2 *and supply chain dynamics of major export*
3 *sectors, including access to a skilled work-*
4 *force, physical infrastructure, and*
5 *broadband network infrastructure.*

6 (xiii) *Federal and State policies relat-*
7 *ing to science, technology, and education*
8 *and other relevant Federal and State poli-*
9 *cies designed to promote commercial inno-*
10 *vation, including immigration policies.*

11 (C) *Development of recommendations on the*
12 *following:*

13 (i) *How the United States should in-*
14 *vest in human capital.*

15 (ii) *How the United States should fa-*
16 *cilitate entrepreneurship and innovation.*

17 (iii) *How best to develop opportunities*
18 *for locally and regionally driven innovation*
19 *by providing Federal support.*

20 (iv) *How best to strengthen the eco-*
21 *nomics infrastructure and industrial base of*
22 *the United States.*

23 (v) *How to improve the international*
24 *competitiveness of the United States.*

25 (3) *CONSULTATION.—*

1 (A) *IN GENERAL.*—*The study required by*
2 *paragraph (1) shall be conducted in consultation*
3 *with the National Economic Council of the Office*
4 *of Policy Development, such Federal agencies as*
5 *the Secretary considers appropriate, and the In-*
6 *novation Advisory Board established under sub-*
7 *paragraph (B). The Secretary shall also establish*
8 *a process for obtaining comments from the pub-*
9 *lic.*

10 (B) *INNOVATION ADVISORY BOARD.*—

11 (i) *IN GENERAL.*—*The Secretary shall*
12 *establish an Innovation Advisory Board for*
13 *purposes of obtaining advice with respect to*
14 *the conduct of the study required by para-*
15 *graph (1).*

16 (ii) *COMPOSITION.*—*The Advisory*
17 *Board established under clause (i) shall be*
18 *comprised of 15 members, appointed by the*
19 *Secretary—*

20 (I) *who shall represent all major*
21 *industry sectors;*

22 (II) *a majority of whom should be*
23 *from private industry, including large*
24 *and small firms, representing advanced*

1 *technology sectors and more traditional*
2 *sectors that use technology; and*

3 *(III) who may include economic*
4 *or innovation policy experts, State and*
5 *local government officials active in*
6 *technology-based economic develop-*
7 *ment, and representatives from higher*
8 *education.*

9 *(iii) EXEMPTION FROM FACA.—The*
10 *Federal Advisory Committee Act (5 U.S.C.*
11 *App.) shall not apply to the advisory board*
12 *established under clause (i).*

13 *(b) STRATEGY.—*

14 *(1) IN GENERAL.—Not later than 1 year after*
15 *the completion of the study required by subsection (a),*
16 *the Secretary shall develop, based on the study re-*
17 *quired by subsection (a)(1), a national 10-year strat-*
18 *egy to strengthen the innovative and competitive ca-*
19 *capacity of the Federal Government, State and local*
20 *governments, United States institutions of higher edu-*
21 *cation, and the private sector of the United States.*

22 *(2) ELEMENTS.—The strategy required by para-*
23 *graph (1) shall include the following:*

1 (A) *Actions to be taken by individual Fed-*
2 *eral agencies and departments to improve com-*
3 *petitiveness.*

4 (B) *Proposed legislative actions for consid-*
5 *eration by Congress.*

6 (C) *Annual goals and milestones for the 10-*
7 *year period of the strategy.*

8 (D) *A plan for monitoring the progress of*
9 *the Federal Government with respect to improv-*
10 *ing conditions for innovation and the competi-*
11 *tiveness of the United States.*

12 (c) *REPORT.—*

13 (1) *IN GENERAL.—Upon the completion of the*
14 *strategy required by subsection (b), the Secretary of*
15 *Commerce shall submit to Congress and the President*
16 *a report on the study conducted under subsection (a)*
17 *and the strategy developed under subsection (b).*

18 (2) *ELEMENTS.—The report required by para-*
19 *graph (1) shall include the following:*

20 (A) *The findings of the Secretary with re-*
21 *spect to the study conducted under subsection*
22 *(a).*

23 (B) *The strategy required by subsection (b).*

1 **SEC. 605. PROMOTING USE OF HIGH-END COMPUTING SIM-**
2 **ULATION AND MODELING BY SMALL- AND ME-**
3 **DIUM-SIZED MANUFACTURERS.**

4 (a) *FINDINGS.*—Congress finds that—

5 (1) *the utilization of high-end computing simula-*
6 *tion and modeling by large-scale government contrac-*
7 *tors and Federal research entities has resulted in sub-*
8 *stantial improvements in the development of ad-*
9 *vanced manufacturing technologies; and*

10 (2) *such simulation and modeling would also*
11 *benefit small- and medium-sized manufacturers in the*
12 *United States if such manufacturers were to deploy*
13 *such simulation and modeling throughout their man-*
14 *ufacturing chains.*

15 (b) *POLICY.*—It is the policy of the United States to
16 *take all effective measures practicable to ensure that Federal*
17 *programs and policies encourage and contribute to the use*
18 *of high-end computing simulation and modeling in the*
19 *United States manufacturing sector.*

20 (c) *STUDY.*—

21 (1) *IN GENERAL.*—Not later than 30 days after
22 *the date of the enactment of this Act, the Secretary of*
23 *Commerce, in consultation with the Secretary of En-*
24 *ergy and the Director of the Office of Science and*
25 *Technology Policy, shall carry out, through an inter-*
26 *agency consulting process, a study of the barriers to*

1 *the use of high-end computing simulation and mod-*
2 *eling by small- and medium-sized manufacturers in*
3 *the United States.*

4 (2) *FACTORS.—In carrying out the study re-*
5 *quired by paragraph (1), the Secretary of Commerce,*
6 *in consultation with the Secretary of Energy and the*
7 *Director of the Office of Science and Technology Pol-*
8 *icy, shall consider the following:*

9 (A) *The access of small- and medium-sized*
10 *manufacturers in the United States to high-per-*
11 *formance computing facilities and resources.*

12 (B) *The availability of software and other*
13 *applications tailored to meet the needs of such*
14 *manufacturers.*

15 (C) *Whether such manufacturers employ or*
16 *have access to individuals with appropriate ex-*
17 *pertise for the use of such facilities and resources.*

18 (D) *Whether such manufacturers have access*
19 *to training to develop such expertise.*

20 (E) *The availability of tools and other*
21 *methods to such manufacturers to understand*
22 *and manage the costs and risks associated with*
23 *transitioning to the use of such facilities and re-*
24 *sources.*

1 (3) *REPORT.*—Not later than 270 days after the
2 commencement of the study required by paragraph
3 (1), the Secretary of Commerce shall, in consultation
4 with the Secretary of Energy and the Director of the
5 Office of Science and Technology Policy, submit to
6 Congress a report on such study. Such report shall in-
7 clude such recommendations for such legislative or ad-
8 ministrative action as the Secretary of Commerce
9 considers appropriate in light of the study to increase
10 the utilization of high-end computing simulation and
11 modeling by small- and medium-sized manufacturers
12 in the United States.

13 (d) *AUTHORIZATION OF DEMONSTRATION AND PILOT*
14 *PROGRAMS.*—As part of the study required by subsection
15 (c)(1), the Secretary of Commerce, the Secretary of Energy,
16 and the Director of the Office of Science and Technology
17 Policy may carry out such demonstration or pilot programs
18 as either Secretary or the Director considers appropriate
19 to gather experiential data to evaluate the feasibility and
20 advisability of a specific program or policy initiative to
21 reduce barriers to the utilization of high-end computer mod-
22 eling and simulation by small- and medium-sized manufac-
23 turers in the United States.

1 ***TITLE VII—NIST GREEN JOBS***

2 ***SEC. 701. SHORT TITLE.***

3 *This title may be cited as the “NIST Grants for En-*
4 *ergy Efficiency, New Job Opportunities, and Business Solu-*
5 *tions Act of 2010” or the “NIST GREEN JOBS Act of*
6 *2010”.*

7 ***SEC. 702. FINDINGS.***

8 *Congress finds the following:*

9 *(1) Over its 20-year existence, the Hollings Man-*
10 *ufacturing Extension Partnership has proven its*
11 *value to manufacturers as demonstrated by the result-*
12 *ing impact on jobs and the economies of all 50 States*
13 *and the Nation as a whole.*

14 *(2) The Hollings Manufacturing Extension Part-*
15 *nership has helped thousands of companies reinvest in*
16 *themselves through process improvement and business*
17 *growth initiatives leading to more sales, new markets,*
18 *and the adoption of technology to deliver new prod-*
19 *ucts and services.*

20 *(3) Manufacturing is an increasingly important*
21 *part of the construction sector as the industry moves*
22 *to the use of more components and factory built sub-*
23 *assemblies.*

24 *(4) Construction practices must become more ef-*
25 *ficient and precise if the United States is to construct*

1 *and renovate its building stock to reduce related car-*
2 *bon emissions to levels that are consistent with com-*
3 *bating global warming.*

4 *(5) Many companies involved in construction are*
5 *small, without access to innovative manufacturing*
6 *techniques, and could benefit from the type of train-*
7 *ing and business analysis activities that the Hollings*
8 *Manufacturing Extension Partnership routinely pro-*
9 *vides to the Nation's manufacturers and their supply*
10 *chains.*

11 *(6) Broadening the competitiveness grant pro-*
12 *gram under section 25(f) of the National Institute of*
13 *Standards and Technology Act (15 U.S.C. 278k(f))*
14 *could help develop and diffuse knowledge necessary to*
15 *capture a large portion of the estimated \$100 billion*
16 *or more in energy savings if buildings in the United*
17 *States met the level and quality of energy efficiency*
18 *now found in buildings in certain other countries.*

19 *(7) It is therefore in the national interest to ex-*
20 *pand the capabilities of the Hollings Manufacturing*
21 *Extension Partnership to be supportive of the con-*
22 *struction and green energy industries.*

1 **SEC. 703. NATIONAL INSTITUTE OF STANDARDS AND TECH-**
2 **NOLOGY COMPETITIVE GRANT PROGRAM.**

3 (a) *IN GENERAL.*—Section 25(f)(3) of the National In-
4 stitute of Standards and Technology Act (15 U.S.C.
5 278k(f)(3)) is amended—

6 (1) by striking “to develop” in the first sentence
7 and inserting “to add capabilities to the MEP pro-
8 gram, including the development of”; and

9 (2) by striking the last sentence and inserting
10 “Centers may be reimbursed for costs incurred under
11 the program. These themes—

12 “(A) shall be related to projects designed to
13 increase the viability both of traditional manu-
14 facturing sectors and other sectors, such as con-
15 struction, that increasingly rely on manufac-
16 turing through the use of manufactured compo-
17 nents and manufacturing techniques, including
18 supply chain integration and quality manage-
19 ment;

20 “(B) shall be related to projects related to
21 the transfer of technology based on the techno-
22 logical needs of manufacturers and available
23 technologies from institutions of higher edu-
24 cation, laboratories, and other technology pro-
25 ducing entities; and

1 “(C) may extend beyond these traditional
2 areas to include projects related to construction
3 industry modernization.”.

4 (b) *SELECTION*.—Section 25(f)(5) of the National In-
5 stitute of Standards and Technology Act (15 U.S.C.
6 278k(f)(5)) is amended to read as follows:

7 “(5) *SELECTION*.—

8 “(A) *IN GENERAL*.—Awards under this sec-
9 tion shall be peer reviewed and competitively
10 awarded. The Director shall endeavor to select at
11 least one proposal in each of the 9 statistical di-
12 visions of the United States (as designated by the
13 Bureau of the Census). The Director shall select
14 proposals to receive awards that will—

15 “(i) create jobs or train newly hired
16 employees;

17 “(ii) promote technology transfer and
18 commercialization of environmentally fo-
19 cused materials, products, and processes;

20 “(iii) increase energy efficiency; and

21 “(iv) improve the competitiveness of
22 industries in the region in which the Center
23 or Centers are located.

1 “(B) *ADDITIONAL SELECTION CRITERIA.*—

2 *The Director may select proposals to receive*
3 *awards that will—*

4 “(i) *encourage greater cooperation and*
5 *foster partnerships in the region with simi-*
6 *lar Federal, State, and locally funded pro-*
7 *grams to encourage energy efficiency and*
8 *building technology; and*

9 “(ii) *collect data and analyze the increasing*
10 *connection between manufactured products and*
11 *manufacturing techniques, the future of construc-*
12 *tion practices, and the emerging application of*
13 *products from the green energy industries.”.*

14 “(c) *OTHER MODIFICATIONS.*—*Section 25(f) of the Na-*
15 *tional Institute of Standards and Technology Act (15*
16 *U.S.C. 278k(f)) is amended—*

17 (1) *by adding at the end the following:*

18 “(7) *DURATION.*—*Awards under this section*
19 *shall last no longer than 3 years.*

20 “(8) *ELIGIBLE PARTICIPANTS.*—*In addition to*
21 *manufacturing firms eligible to participate in the*
22 *Centers program, awards under this subsection may*
23 *be used by the Centers to assist small- or medium-*
24 *sized construction firms. Centers may be reimbursed*

1 under the program for working with such eligible par-
2 ticipants.

3 “(9) *AUTHORIZATION OF APPROPRIATIONS.*—In
4 addition to any amounts otherwise authorized or ap-
5 propriated to carry out this section, there are author-
6 ized to be appropriated to the Secretary of Commerce
7 \$7,000,000 for each of the fiscal years 2011 through
8 2013 to carry out this subsection.”.

9 **TITLE VIII—GENERAL** 10 **PROVISIONS**

11 **SEC. 801. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.**

12 Not later than May 31, 2013, the Comptroller General
13 of the United States shall submit a report to the Senate
14 Committee on Commerce, Science, and Transportation and
15 the House of Representatives Committee on Science and
16 Technology that evaluates the status of the programs au-
17 thorized in this Act, including the extent to which such pro-
18 grams have been funded, implemented, and are contributing
19 to achieving the goals of the Act.

20 **SEC. 802. SALARY RESTRICTIONS.**

21 (a) *OBSCENE MATTER ON FEDERAL PROPERTY.*—
22 None of the funds authorized under this Act may be used
23 to pay the salary of any individual who is convicted of vio-
24 lating section 1460 of title 18, United States Code.

1 (b) *USE OF FEDERAL COMPUTERS FOR CHILD POR-*
2 *NOGRAPHY OR EXPLOITATION OF MINORS.*—None of the
3 *funds authorized under this Act may be used to pay the*
4 *salary of any individual who is convicted of a violation*
5 *of section 2252 of title 18, United States Code.*

6 **SEC. 803. ADDITIONAL RESEARCH AUTHORITIES OF THE**
7 **FCC.**

8 *Title I of the Communications Act of 1934 (47 U.S.C.*
9 *151 et seq.) is amended by adding at the end the following:*
10 **“SEC. 12. ADDITIONAL RESEARCH AUTHORITIES OF THE**
11 **FCC.**

12 *“In order to carry out the purposes of this Act, the*
13 *Commission may—*

14 *“(1) undertake research and development work*
15 *in connection with any matter in relation to which*
16 *the Commission has jurisdiction; and*

17 *“(2) promote the carrying out of such research*
18 *and development by others, or otherwise to arrange*
19 *for such research and development to be carried out*
20 *by others.”.*

***TITLE IX—DEPARTMENT OF
ENERGY***

SEC. 901. SCIENCE, ENGINEERING, AND MATHEMATICS EDUCATION PROGRAMS.

(a) IN GENERAL.—Sections 3171, 3175, and 3191 of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381h, 7381j, 7381p) are repealed.

(b) AUTHORIZATION OF APPROPRIATIONS FOR SUMMER INSTITUTES.—Section 3185(f) of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381n(f)) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(4) \$25,000,000 for each of fiscal years 2011 through 2013.”.

(c) CONFORMING AMENDMENTS.—

(1) Subpart B of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381g et seq.) is amended by striking chapters 1, 2, and 5 (42 U.S.C. 7381h, 7381j, 7381p).

(2) Section 3195 of the Department of Energy Science Education Enhancement Act (42 U.S.C.

1 7381r) is amended by striking “chapters 1, 3, and 4”
2 each place it appears and inserting “chapters 3 and
3 4”.

4 **SEC. 902. ENERGY RESEARCH PROGRAMS.**

5 (a) NUCLEAR SCIENCE TALENT PROGRAM.—Section
6 5004(f) of the America COMPETES Act (42 U.S.C.
7 16532(f)) is amended—

8 (1) in paragraph (1)—

9 (A) in subparagraph (B), by striking “and”
10 at the end;

11 (B) in subparagraph (C), by striking the
12 period at the end and inserting a semicolon; and

13 (C) by adding at the end the following:

14 “(D) \$9,800,000 for fiscal year 2011;

15 “(E) \$10,100,000 for fiscal year 2012; and

16 “(F) \$10,400,000 for fiscal year 2013.”; and

17 (2) in paragraph (2)—

18 (A) in subparagraph (B), by striking “and”
19 at the end;

20 (B) in subparagraph (C), by striking the
21 period at the end and inserting a semicolon; and

22 (C) by adding at the end the following:

23 “(D) \$8,240,000 for fiscal year 2011;

24 “(E) \$8,500,000 for fiscal year 2012; and

25 “(F) \$8,750,000 for fiscal year 2013.”.

1 (b) *HYDROCARBON SYSTEMS SCIENCE TALENT PRO-*
 2 *GRAM.—Section 5005 of the America COMPETES Act (42*
 3 *U.S.C. 16533) is amended—*

4 (1) *in subsection (b)(2)—*

5 (A) *in subparagraph (H), by striking*
 6 *“and” at the end;*

7 (B) *in subparagraph (I), by striking the pe-*
 8 *riod at the end and inserting “; and”; and*

9 (C) *by adding at the end the following:*

10 “*(J) hydrocarbon spill response and remedi-*
 11 *ation.”; and*

12 (2) *in subsection (f)(1)—*

13 (A) *in subparagraph (B), by striking*
 14 *“and”;*

15 (B) *in subparagraph (C), by striking the*
 16 *period at the end and inserting a semicolon; and*

17 (C) *by adding at the end the following:*

18 “*(D) \$9,800,000 for fiscal year 2011;*

19 “*(E) \$10,000,000 for fiscal year 2012; and*

20 “*(F) \$10,400,000 for fiscal year 2013.”.*

21 (c) *EARLY CAREER AWARDS.—Section 5006(h) of the*
 22 *America COMPETES Act (42 U.S.C. 16534(h)) is amended*
 23 *by striking “2010” and inserting “2013”.*

24 (d) *PROTECTING AMERICA’S COMPETITIVE EDGE*
 25 *(PACE) GRADUATE FELLOWSHIP PROGRAM.—Section*

1 5009(f) of the America COMPETES Act (42 U.S.C.
2 16536(f)) is amended—

3 (1) in paragraph (2), by striking “and” at the
4 end;

5 (2) in paragraph (3), by striking the period at
6 the end and inserting a semicolon; and

7 (3) by adding at the end the following:

8 “(4) \$20,600,000 for fiscal year 2011;

9 “(5) \$21,200,000 for fiscal year 2012; and

10 “(6) \$21,900,000 for fiscal year 2013.”.

11 (e) *DISTINGUISHED SCIENTIST PROGRAM*.—Section
12 5011(j) of the America COMPETES Act (42 U.S.C.
13 16537(j)) is amended—

14 (1) in paragraph (2), by striking “and” at the
15 end;

16 (2) in paragraph (3), by striking the period at
17 the end and inserting a semicolon; and

18 (3) by adding at the end the following:

19 “(4) \$31,000,000 for fiscal year 2011;

20 “(5) \$32,000,000 for fiscal year 2012; and

21 “(6) \$33,000,000 for fiscal year 2013.”.

22 **SEC. 903. BASIC RESEARCH.**

23 Section 971(b) of the Energy Policy Act of 2005 (42
24 U.S.C. 16311(b)) is amended—

1 (1) in paragraph (3), by striking “and” at the
2 end;

3 (2) in paragraph (4), by striking the period at
4 the end and inserting a semicolon; and

5 (3) by adding at the end the following:

6 “(5) \$5,247,000,000 for fiscal year 2011;

7 “(6) \$5,614,000,000 for fiscal year 2012; and

8 “(7) \$6,007,000,000 for fiscal year 2013.”.

9 **SEC. 904. ADVANCED RESEARCH PROJECTS AGENCY-EN-**
10 **ERGY.**

11 Section 5012 of the America COMPETES Act (42
12 U.S.C. 16538) is amended—

13 (1) in subsection (a)(3), by striking “subsection
14 (m)(1)” and inserting “subsection (n)(1)”;

15 (2) in subsection (c)(2)(A), by inserting “and
16 applied” after “advances in fundamental”;

17 (3) in subsection (e)—

18 (A) in paragraph (3)—

19 (i) by striking subparagraph (C) and
20 inserting the following:

21 “(C) research and development of advanced
22 manufacturing process and technologies for the
23 domestic manufacturing of novel energy tech-
24 nologies; and”; and

1 (ii) in subparagraph (D), by striking
2 “and” after the semicolon at the end;

3 (B) in paragraph (4), by striking the period
4 at the end and inserting “; and”; and

5 (C) by adding at the end the following:

6 “(5) pursuant to subsection (c)(2)(C)—

7 “(A) ensuring that applications for funding
8 disclose the extent of current and prior efforts,
9 including monetary investments as appropriate,
10 in pursuit of the technology area for which fund-
11 ing is being requested;

12 “(B) adopting measures to ensure that, in
13 making awards, program managers adhere to the
14 purposes of subsection (c)(2)(C); and

15 “(C) providing as part of the annual report
16 required by subsection (h)(1) a summary of the
17 instances of and reasons for ARPA-E funding
18 projects in technology areas already being under-
19 taken by industry.”;

20 (4) by redesignating subsections (f) through (m)
21 as subsections (g) through (n), respectively;

22 (5) by inserting after subsection (e) the following:

23 “(f) AWARDS.—In carrying out this section, the Direc-
24 tor may provide awards in the form of grants, contracts,

1 *cooperative agreements, cash prizes, and other trans-*
 2 *actions.”;*

3 *(6) in subsection (g) (as redesignated by para-*
 4 *graph (4))—*

5 *(A) by redesignating paragraphs (1) and*
 6 *(2) as paragraphs (2) and (3), respectively;*

7 *(B) by inserting before paragraph (2) (as*
 8 *redesignated by subparagraph (A)) the following:*

9 *“(1) IN GENERAL.—The Director shall establish*
 10 *and maintain within ARPA–E a staff with sufficient*
 11 *qualifications and expertise to enable ARPA–E to*
 12 *carry out the responsibilities of ARPA–E under this*
 13 *section in conjunction with other operations of the*
 14 *Department.”;*

15 *(C) in paragraph (2) (as redesignated by*
 16 *subparagraph (A))—*

17 *(i) in the paragraph heading, by strik-*
 18 *ing “PROGRAM MANAGERS” and inserting*
 19 *“PROGRAM DIRECTORS”;*

20 *(ii) in subparagraph (A), by striking*
 21 *“program managers for each of” and insert-*
 22 *ing “program directors for”;*

23 *(iii) in subparagraph (B)—*

1 (I) in the matter preceding clause
2 (i), by striking “program manager”
3 and inserting “program director”;

4 (II) in clause (iv), by striking “,
5 with advice under subsection (j) as ap-
6 propriate,”;

7 (III) by redesignating clauses (v)
8 and (vi) as clauses (vi) and (viii), re-
9 spectively;

10 (IV) by inserting after clause (iv)
11 the following:

12 “(v) identifying innovative cost-shar-
13 ing arrangements for ARPA-E projects, in-
14 cluding through use of the authority pro-
15 vided under section 988(b)(3) of the Energy
16 Policy Act of 2005 (42 U.S.C.
17 16352(b)(3));”;

18 (V) in clause (vi) (as redesignated
19 by subclause (III)), by striking “; and”
20 and inserting a semicolon; and

21 (VI) by inserting after clause (vi)
22 (as redesignated by subclause (III)) the
23 following:

24 “(vii) identifying mechanisms for com-
25 mercial application of successful energy

1 *technology development projects, including*
2 *through establishment of partnerships be-*
3 *tween awardees and commercial entities;*
4 *and”;*

5 *(iv) in subparagraph (C), by inserting*
6 *“not more than” after “shall be”; and*

7 *(D) in paragraph (3) (as redesignated by*
8 *subparagraph (A))—*

9 *(i) in subparagraph (A)—*

10 *(I) in clause (i), by striking*
11 *“and” after the semicolon at the end;*
12 *and*

13 *(II) by striking clause (ii) and in-*
14 *serting the following:*

15 *“(ii) fix the basic pay of such per-*
16 *sonnel at a rate to be determined by the Di-*
17 *rector at rates not in excess of Level II of*
18 *the Executive Schedule (EX–II) without re-*
19 *gard to the civil service laws; and*

20 *“(iii) pay any employee appointed*
21 *under this subpart payments in addition to*
22 *basic pay, except that the total amount of*
23 *additional payments paid to an employee*
24 *under this subpart for any 12-month period*

1 *shall not exceed the least of the following*
2 *amounts:*

3 “(I) \$25,000.

4 “(II) *The amount equal to 25 per-*
5 *cent of the annual rate of basic pay of*
6 *the employee.*

7 “(III) *The amount of the limita-*
8 *tion that is applicable for a calendar*
9 *year under section 5307(a)(1) of title*
10 *5, United States Code.”;*

11 (ii) *in subparagraph (B), by striking*
12 *“not less than 70, and not more than 120,”*
13 *and inserting “not more than 120”;*

14 (7) *in subsection (h)(2) (as redesignated by*
15 *paragraph (4))—*

16 (A) *by striking “2008” and inserting*
17 *“2010”; and*

18 (B) *by striking “2011” and*
19 *inserting”2013”;*

20 (8) *by striking subsection (j) (as redesignated by*
21 *paragraph (4)) and inserting the following:*

22 “(j) *FEDERAL DEMONSTRATION OF TECHNOLOGIES.—*
23 *The Director shall seek opportunities to partner with pur-*
24 *chasing and procurement programs of Federal agencies to*

1 *demonstrate energy technologies resulting from activities*
2 *funded through ARPA-E.”;*

3 *(9) in subsection (l) (as redesignated by para-*
4 *graph (4))—*

5 *(A) in paragraph (1), by striking “4 years”*
6 *and inserting” 6 years”; and*

7 *(B) in paragraph (2)(B), by inserting “,*
8 *and the manner in which those lessons may*
9 *apply to the operation of other programs of the*
10 *Department” after “ARPA-E”; and*

11 *(10) in subsection (n) (as redesignated by para-*
12 *graph (4))—*

13 *(A) in paragraph (2)—*

14 *(i) in subparagraph (A), by striking*
15 *“and” after the semicolon at the end;*

16 *(ii) in subparagraph (B), by striking*
17 *the period at the end and inserting a semi-*
18 *colon; and*

19 *(iii) by adding at the end the fol-*
20 *lowing:*

21 *“(C) \$300,000,000 for fiscal year 2011;*

22 *“(D) \$306,000,000 for fiscal year 2012; and*

23 *“(E) \$312,000,000 for fiscal year 2013.”;*

24 *(B) by striking paragraph (4);*

(C) by redesignating paragraph (5) as paragraph (4); and

(D) in paragraph (4)(B) (as redesignated by subparagraph (C))—

(i) by striking “2.5 percent” and inserting “5 percent”; and

(ii) by inserting “, consistent with the goal described in subsection (c)(2)(D) and within the responsibilities of program directors described in subsection (g)(2)(B)(vii)” after “outreach activities”.

TITLE X—EDUCATION

SEC. 1001. REFERENCES.

Except as otherwise expressly provided, wherever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the America COMPETES Act (Public Law 110–69).

SEC. 1002. REPEALS AND CONFORMING AMENDMENTS.

(a) *REPEALS.*—*The following provisions of the Act are repealed:*

(1) *Section 6001 (20 U.S.C. 9801).*

(2) *Part III of subtitle A of title VI (20 U.S.C. 9841).*

1 (3) *Subtitle B of title VI (20 U.S.C. 9851 et seq.)*

2 (4) *Subtitle C of title VI (20 U.S.C. 9861 et*
3 *seq.).*

4 (5) *Subtitle E of title VI (20 U.S.C. 9881 et*
5 *seq.).*

6 (b) *CONFORMING AMENDMENTS.—The Act is amend-*
7 *ed—*

8 (1) *by redesignating section 6002 (20 U.S.C.*
9 *9802) as section 6001;*

10 (2) *by redesignating subtitle D of title VI (20*
11 *U.S.C. 9871) as subtitle B of title VI; and*

12 (3) *by redesignating section 6401 (20 U.S.C.*
13 *9871) as section 6201.*

14 **SEC. 1003. AUTHORIZATIONS OF APPROPRIATIONS AND**
15 **MATCHING REQUIREMENT.**

16 (a) *TEACHERS FOR A COMPETITIVE TOMORROW.—Sec-*
17 *tion 6116 (20 U.S.C. 9816) is amended to read as follows:*

18 **“SEC. 6116. AUTHORIZATION OF APPROPRIATIONS.**

19 *“There are authorized to be appropriated to carry out*
20 *this part \$4,000,000 for each of fiscal years 2011 through*
21 *2013, of which—*

22 *“(1) \$2,000,000 shall be available to carry out*
23 *section 6113 for each of fiscal years 2011 through*
24 *2013; and*

1 “(2) \$2,000,000 shall be available to carry out
2 section 6114 for each of fiscal years 2011 through
3 2013.”.

4 (b) *ADVANCED PLACEMENT AND INTERNATIONAL BAC-*
5 *CALAUREATE PROGRAMS AND MATCHING REQUIREMENT.*—
6 *Section 6123 (20 U.S.C. 9833) is amended—*

7 *(1) in subsection (h)(1)—*

8 *(A) by striking “100” and inserting “50”;*
9 *and*

10 *(B) by striking “200” and inserting “100”;*
11 *and*

12 *(2) by striking subsection (l) and inserting the*
13 *following:*

14 “(l) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
15 *authorized to be appropriated to carry out this section*
16 *\$75,000,000 for each of fiscal years 2011 through 2013.”.*

17 (c) *ALIGNMENT OF EDUCATION PROGRAMS.*—*Section*
18 *6201(j), as redesignated by section 1002(b)(3), is amended*
19 *to read as follows:*

1 “(j) *AUTHORIZATION OF APPROPRIATIONS.—There are*
2 *authorized to be appropriated to carry out this section*
3 *\$120,000,000 for each of fiscal years 2011 and 2012.”.*

Attest:

Secretary.

11TH CONGRESS
2^D Session

H. R. 5116

AMENDMENT