

116TH CONGRESS
1ST SESSION

S. 1249

To prioritize funding for an expanded and sustained national investment
in basic science research.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2019

Mr. DURBIN (for himself, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. VAN HOLLEN,
and Ms. BALDWIN) introduced the following bill; which was read twice
and referred to the Committee on the Budget

A BILL

To prioritize funding for an expanded and sustained national
investment in basic science research.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Innovation
5 Act”.

6 **SEC. 2. CAP ADJUSTMENT.**

7 (a) IN GENERAL.—Section 251(b)(2) of the Balanced
8 Budget and Emergency Deficit Control Act of 1985 (2
9 U.S.C. 901(b)(2)) is amended—

1 (1) by redesignating subparagraph (D) as sub-
2 paragraph (E); and

3 (2) by inserting after subparagraph (C), the fol-
4 lowing:

5 “(D) BASIC SCIENCE RESEARCH.—

6 “(i) NATIONAL SCIENCE FOUNDA-
7 TION.—If a bill or joint resolution making
8 appropriations for a fiscal year is enacted
9 that specifies amounts for the National
10 Science Foundation, then the adjustments
11 for that fiscal year shall be the amount of
12 additional new budget authority provided
13 in that Act for such programs for that fis-
14 cal year, but shall not exceed—

15 “(I) for fiscal year 2020,
16 \$565,000,000 in additional new budg-
17 et authority;

18 “(II) for fiscal year 2021,
19 \$1,170,000,000 in additional new
20 budget authority;

21 “(III) for fiscal year 2022,
22 \$1,820,000,000 in additional new
23 budget authority;

1 “(IV) for fiscal year 2023,
2 \$2,510,000,000 in additional new
3 budget authority; and

4 “(V) for fiscal year 2024,
5 \$3,250,000,000 in additional new
6 budget authority.

7 “(ii) DEPARTMENT OF ENERGY, OF-
8 FICE OF SCIENCE.—If a bill or joint reso-
9 lution making appropriations for a fiscal
10 year is enacted that specifies amounts for
11 the Office of Science at the Department of
12 Energy, then the adjustments for that fis-
13 cal year shall be the amount of additional
14 new budget authority provided in that Act
15 for such programs for that fiscal year, but
16 shall not exceed—

17 “(I) for fiscal year 2020,
18 \$461,000,000 in additional new budg-
19 et authority;

20 “(II) for fiscal year 2021,
21 \$954,000,000 in additional new budg-
22 et authority;

23 “(III) for fiscal year 2022,
24 \$1,480,000,000 in additional new
25 budget authority;

1 “(IV) for fiscal year 2023,
2 \$2,050,000,000 in additional new
3 budget authority; and

4 “(V) for fiscal year 2024,
5 \$2,650,000,000 in additional new
6 budget authority.

7 “(iii) DEPARTMENT OF DEFENSE
8 SCIENCE AND TECHNOLOGY PROGRAMS.—
9 If a bill or joint resolution making appro-
10 priations for a fiscal year is enacted that
11 specifies amounts for the Department of
12 Defense science and technology programs,
13 then the adjustments for that fiscal year
14 shall be the amount of additional new
15 budget authority provided in that Act for
16 such programs for that fiscal year, but
17 shall not exceed—

18 “(I) for fiscal year 2020,
19 \$1,120,000,000 in additional new
20 budget authority;

21 “(II) for fiscal year 2021,
22 \$2,310,000,000 in additional new
23 budget authority;

1 “(III) for fiscal year 2022,
2 \$3,590,000,000 in additional new
3 budget authority;

4 “(IV) for fiscal year 2023,
5 \$4,960,000,000 in additional new
6 budget authority; and

7 “(V) for fiscal year 2024,
8 \$6,430,000,000 in additional new
9 budget authority.

10 “(iv) NATIONAL INSTITUTE OF
11 STANDARDS AND TECHNOLOGY SCIENTIFIC
12 AND TECHNICAL RESEARCH AND SERV-
13 ICES.—If a bill or joint resolution making
14 appropriations for a fiscal year is enacted
15 that specifies amounts for the scientific
16 and technical research and services of the
17 National Institute of Standards and Tech-
18 nology at the Department of Commerce,
19 then the adjustments for that fiscal year
20 shall be the amount of additional new
21 budget authority provided in that Act for
22 such programs for that fiscal year, but
23 shall not exceed—

1 “(I) for fiscal year 2020,
2 \$51,000,000 in additional new budget
3 authority;

4 “(II) for fiscal year 2021,
5 \$105,000,000 in additional new budg-
6 et authority;

7 “(III) for fiscal year 2022,
8 \$163,000,000 in additional new budg-
9 et authority;

10 “(IV) for fiscal year 2023,
11 \$225,000,000 in additional new budg-
12 et authority; and

13 “(V) for fiscal year 2024,
14 \$292,000,000 in additional new budg-
15 et authority.

16 “(v) NATIONAL AERONAUTICS AND
17 SPACE ADMINISTRATION SCIENCE MISSION
18 DIRECTORATE.—If a bill or joint resolution
19 making appropriations for a fiscal year is
20 enacted that specifies amounts for the
21 Science Mission Directorate at the Na-
22 tional Aeronautics and Space Administra-
23 tion, then the adjustments for that fiscal
24 year shall be the amount of additional new
25 budget authority provided in that Act for

1 such programs for that fiscal year, but
2 shall not exceed—

3 “(I) for fiscal year 2020,
4 \$483,000,000 in additional new budg-
5 et authority;

6 “(II) for fiscal year 2021,
7 \$1,000,000,000 in additional new
8 budget authority;

9 “(III) for fiscal year 2022,
10 \$1,500,000,000 in additional new
11 budget authority;

12 “(IV) for fiscal year 2023,
13 \$2,150,000,000 in additional new
14 budget authority; and

15 “(V) for fiscal year 2024,
16 \$2,780,000,000 in additional new
17 budget authority.

18 “(vi) DEFINITIONS.—As used in this
19 subparagraph:

20 “(I) ADDITIONAL NEW BUDGET
21 AUTHORITY.—The term ‘additional
22 new budget authority’ means—

23 “(aa) with respect to the
24 National Science Foundation, the
25 amount provided for a fiscal

1 year, in excess of the amount
2 provided in fiscal year 2019, in
3 an appropriation Act and speci-
4 fied to support the National
5 Science Foundation;

6 “(bb) with respect to the
7 Department of Energy Office of
8 Science, the amount provided for
9 a fiscal year, in excess of the
10 amount provided in fiscal year
11 2019, in an appropriation Act
12 and specified to support the De-
13 partment of Energy Office of
14 Science;

15 “(cc) with respect to the De-
16 partment of Defense science and
17 technology programs, the amount
18 provided for a fiscal year, in ex-
19 cess of the amount provided in
20 fiscal year 2019, in an appropria-
21 tion Act and specified to support
22 the Department of Defense
23 science and technology programs;

24 “(dd) with respect to the
25 National Institute of Standards

1 and Technology scientific and
2 technical research services, the
3 amount provided for a fiscal
4 year, in excess of the amount
5 provided in fiscal year 2019, in
6 an appropriation Act and speci-
7 fied to support the National In-
8 stitute of Standards and Tech-
9 nology scientific and technical re-
10 search services; and

11 “(ee) with respect to the
12 National Aeronautics and Space
13 Administration Science Mission
14 Directorate, the amount provided
15 for a fiscal year, in excess of the
16 amount provided in fiscal year
17 2019, in an appropriation Act
18 and specified to support the Na-
19 tional Aeronautics and Space Ad-
20 ministration Science Mission Di-
21 rectorate.

22 “(II) DEPARTMENT OF DEFENSE
23 SCIENCE AND TECHNOLOGY PRO-
24 GRAMS.—The term ‘Department of
25 Defense science and technology pro-

1 grams’ means the appropriations ac-
2 counts that support the various insti-
3 tutes, offices, and centers that make
4 up the Department of Defense science
5 and technology programs.

6 “(III) DEPARTMENT OF ENERGY
7 OFFICE OF SCIENCE.—The term ‘De-
8 partment of Energy Office of Science’
9 means the appropriations accounts
10 that support the various institutes, of-
11 fices, and centers that make up the
12 Department of Energy Office of
13 Science.

14 “(IV) NATIONAL AERONAUTICS
15 AND SPACE ADMINISTRATION SCIENCE
16 MISSION DIRECTORATE.—The term
17 ‘National Aeronautics and Space Ad-
18 ministration Science Mission Direc-
19 torate’ means the appropriations ac-
20 counts that support the various insti-
21 tutes, offices, and centers that make
22 up the National Aeronautics and
23 Space Administration Science Mission
24 Directorate.

1 “(V) NATIONAL INSTITUTE OF
2 STANDARDS AND TECHNOLOGY SCI-
3 ENTIFIC AND TECHNICAL RESEARCH
4 AND SERVICES.—The term ‘National
5 Institute of Standards and Tech-
6 nology scientific and technical re-
7 search and services’ means the appro-
8 priations accounts that support the
9 various institutes, offices, and centers
10 that make up the National Institute
11 of Standards and Technology sci-
12 entific and technical research and
13 services.

14 “(VI) NATIONAL SCIENCE FOUN-
15 DATION.—The term ‘National Science
16 Foundation’ means the appropriations
17 accounts that support the various in-
18 stitutes, offices, and centers that
19 make up the National Science Foun-
20 dation.”.

21 (b) FUNDING.—There are hereby authorized to be
22 appropriated—

23 (1) for the National Science Foundation, the
24 amounts provided for under clause (i) of such sec-
25 tion 251(b)(2)(D) in each of fiscal years 2020

1 through 2024, and such sums as may be necessary
2 for each subsequent fiscal year;

3 (2) for the Department of Energy Office of
4 Science, the amounts provided for under clause (ii)
5 of such section 251(b)(2)(D) in each of fiscal years
6 2020 through 2024, and such sums as may be nec-
7 essary for each subsequent fiscal year;

8 (3) for the Department of Defense science and
9 technology programs, the amounts provided for
10 under clause (iii) of such section 251(b)(2)(D) in
11 each of fiscal years 2020 through 2024, and such
12 sums as may be necessary for each subsequent fiscal
13 year;

14 (4) for the National Institute of Standards and
15 Technology scientific and technical research and
16 services, the amounts provided for under clause (iv)
17 of such section 251(b)(2)(D) in each of fiscal years
18 2020 through 2024, and such sums as may be nec-
19 essary for each subsequent fiscal year; and

20 (5) for the National Aeronautics and Space Ad-
21 ministration Science Mission Directorate, the
22 amounts provided for under clause (v) of such sec-
23 tion 251(b)(2)(D) in each of fiscal years 2020
24 through 2024, and such sums as may be necessary
25 for each subsequent fiscal year.

1 (c) MINIMUM CONTINUED FUNDING REQUIRE-
2 MENT.—Amounts appropriated for each of the programs
3 and agencies described in section 251(b)(2)(D) of the Bal-
4 anced Budget and Emergency Deficit Control Act of 1985
5 (as added by subsection (a)) for each of fiscal years 2020
6 through 2024, and each subsequent fiscal year, shall not
7 be less than the amounts appropriated for such programs
8 and agencies for fiscal year 2019.

9 (d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM
10 SEQUESTRATION.—

11 (1) IN GENERAL.—Section 255(g)(1)(A) of the
12 Balanced Budget and Emergency Deficit Control
13 Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting
14 after “Advances to the Unemployment Trust Fund
15 and Other Funds (16–0327–0–1–600).” the fol-
16 lowing:

17 “Appropriations under the American
18 Innovation Act.”.

19 (2) APPLICABILITY.—The amendment made by
20 this section shall apply to any sequestration order
21 issued under the Balanced Budget and Emergency
22 Deficit Control Act of 1985 (2 U.S.C. 900 et seq.)
23 on or after the date of enactment of this Act.

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