

threatened Taiwan, that could not do them any damage, and that they even threatened the cities on the West Coast of the United States; and "symbolically" the President said, oh, it is okay that their army gave money to his reelection campaign.

And to show them "symbolically" that we do not mind any of this, we are going to give them some missile technology to help their intercontinental ballistic missiles function more appropriately.

The President must be proud of his symbolism.

#### SUPPORT PATIENT'S BILL OF RIGHTS

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I just got back from home as well, and what I heard is that the people really want us to give attention to the Patient's Bill of Rights. They want to be able to choose their own physicians. They feel legislation has been introduced and it is time for us to hear it on the floor so we can vote it. It is the number one concern throughout this country.

Patient care has totally left the hands of physicians and is in the hands of our insurance companies and our corporate leaders, who will not pay any more for coverage. It is time for us to address the issue, bring it to the floor, debate it and send it to the Senate. It is long past due. We have enough people to pass it, and I would simply call on our leadership to bring it to the floor.

#### SUPPORT SCHOOL CHOICE FOR THE DISTRICT OF COLUMBIA

(Mr. ROGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGAN. Mr. Speaker, children living in the District of Columbia deserve something they are not getting today: a quality education. The District of Columbia Control Board found "that the longer students stay in the District's public school system, the less likely they are to succeed."

In today's high-tech economy, our children simply cannot compete in life without a sound education. While Congress supports the efforts of General Becton, we must do more to give the children in the District of Columbia the opportunity for a quality education.

The D.C. School Choice bill would give low-income parents the freedom to choose the best schools for their children. When D.C. public schools compete for students, they will improve by necessity.

Mr. Speaker, the children of Washington deserve a chance to succeed in life. I urge my House colleagues to give

them that chance by supporting school choice for the District of Columbia schools.

#### SUPPORT THE CHILD CUSTODY PROTECTION ACT

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, the American people may not all agree on the issue of abortion, but all Americans should agree that parents have a right to know when their children are having an abortion.

Should a person be able to take a minor girl across State lines to obtain an abortion without her parents knowing about it? Well, 85 percent of the American people say no.

Mr. Speaker, this is not merely a question for the pollsters, it is a question of propriety. Mothers need to know when their daughters are having an abortion. A family needs to know when their children are in trouble. It does no good to keep parents in the dark. Parents need to have the peace of mind to know what their children are doing, and they have the right to know when their daughters are having an abortion.

Mr. Speaker, the Constitution does not confer a right upon strangers to take children across State lines for secret abortions. I urge my colleagues to support the Child Custody Protection Act. It is the right thing to do for America's families.

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#### PHYSICIAN-ASSISTED SUICIDE

(Ms. Hooley of Oregon asked and was given permission to address the House for 1 minute.)

Ms. HOOLEY of Oregon. Mr. Speaker, last year, after 3 years of intense debate and two separate ballot measures, the State of Oregon became the first State to implement a physician-assisted suicide law. This was not an easy decision for the people of my State. It was the subject of intense debate and media coverage, and the issue was so thorny that the legislature even decided to send it to the voters twice, and both times it was approved.

Despite this level of scrutiny in the State of Oregon, the Committee on the Judiciary will begin work today on a bill to overturn the Oregon law.

I came to the well today to say that I understand there are a number of Members of Congress who have very personal concerns about this issue. I have deep personal reservations about the concept of assisted suicide; and, as a private citizen, I voted against it at the ballot box and in this House of Representatives. I voted against Federal funding of assisted suicide.

But I understand this is not an issue about personal feelings. This is an issue about respecting the judgment of

the voters of Oregon. This is about leaving Oregonians' business to Oregonians.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HAYWORTH). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 5 p.m. today.

#### NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1997

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1273) to authorize appropriations for fiscal years 1998 and 1999 for the National Science Foundation, and for other purposes.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the "National Science Foundation Authorization Act of 1998".*

##### SEC. 2. DEFINITIONS.

*In this Act:*

(1) **DIRECTOR.**—The term "Director" means the Director of the National Science Foundation established under section 2 of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

(2) **FOUNDATION.**—The term "Foundation" means the National Science Foundation established under section 2 of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

(3) **BOARD.**—The term "Board" means the National Science Board established under section 2 of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

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

(5) **NATIONAL RESEARCH FACILITY.**—The term "national research facility" means a research facility funded by the Foundation which is available, subject to appropriate policies allocating access, for use by all scientists and engineers affiliated with research institutions located in the United States.

#### TITLE I—NATIONAL SCIENCE FOUNDATION AUTHORIZATION

##### SEC. 101. FINDINGS; CORE STRATEGIES.

(a) **FINDINGS.**—Congress finds the following:

(1) The United States depends upon its scientific and technological capabilities to preserve the military and economic security of the United States.

(2) America's leadership in the global marketplace is dependent upon a strong commitment to education, basic research, and development.

(3) A nation that is not technologically literate cannot compete in the emerging global economy.

(4) A coordinated commitment to mathematics and science instruction at all levels of education

is a necessary component of successful efforts to produce technologically literate citizens.

(5) Professional development is a necessary component of efforts to produce system wide improvements in mathematics, engineering, and science education in secondary, elementary, and postsecondary settings.

(6)(A) The mission of the National Science Foundation is to provide Federal support for basic scientific and engineering research, and to be a primary contributor to mathematics, science, and engineering education at academic institutions in the United States.

(B) In accordance with such mission, the long-term goals of the National Science Foundation include providing leadership to—

(i) enable the United States to maintain a position of world leadership in all aspects of science, mathematics, engineering, and technology;

(ii) promote the discovery, integration, dissemination, and application of new knowledge in service to society; and

(iii) achieve excellence in United States science, mathematics, engineering, and technology education at all levels.

(b) CORE STRATEGIES.—In carrying out activities designed to achieve the goals described in subsection (a), the Foundation shall use the following core strategies:

(1) Develop intellectual capital, both people and ideas, with particular emphasis on groups and regions that traditionally have not participated fully in science, mathematics, and engineering.

(2) Strengthen the scientific infrastructure by investing in facilities planning and modernization, instrument acquisition, instrument design and development, and shared-use research platforms.

(3) Integrate research and education through activities that emphasize and strengthen the natural connections between learning and inquiry.

(4) Promote partnerships with industry, elementary and secondary schools, community colleges, colleges and universities, other agencies, State and local governments, and other institutions involved in science, mathematics, and engineering to enhance the delivery of math and science education and improve the technological literacy of the citizens of the United States.

#### SEC. 102. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 1998.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation \$3,505,630,000 for fiscal year 1998.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) \$2,576,200,000 shall be made available to carry out Research and Related Activities, of which—

(i) \$370,820,000 shall be made available for Biological Sciences;

(ii) \$289,170,000 shall be made available for Computer and Information Science and Engineering;

(iii) \$360,470,000 shall be made available for Engineering;

(iv) \$455,110,000 shall be made available for Geosciences;

(v) \$715,710,000 shall be made available for Mathematical and Physical Sciences;

(vi) \$130,660,000 shall be made available for Social, Behavioral, and Economic Sciences, of which up to \$1,000,000 may be made available for the United States-Mexico Foundation for Science;

(vii) \$165,930,000 shall be made available for United States Polar Research Programs;

(viii) \$62,600,000 shall be made available for United States Antarctic Logistical Support Activities;

(ix) \$2,730,000 shall be made available for the Critical Technologies Institute; and

(x) \$23,000,000 shall be made available for the Next Generation Internet program;

(B) \$632,500,000 shall be made available to carry out Education and Human Resources Activities;

(C) \$155,130,000 shall be made available for Major Research Equipment;

(D) \$136,950,000 shall be made available for Salaries and Expenses; and

(E) \$4,850,000 shall be made available for the Office of Inspector General.

(b) FISCAL YEAR 1999.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation \$3,773,000,000 for fiscal year 1999.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) \$2,846,800,000 shall be made available to carry out Research and Related Activities, of which—

(i) \$417,820,000 shall be made available for Biological Sciences;

(ii) \$331,140,000 shall be made available for Computer and Information Science and Engineering, including \$25,000,000 for the Next Generation Internet program;

(iii) \$400,550,000 shall be made available for Engineering;

(iv) \$507,310,000 shall be made available for Geosciences;

(v) \$792,030,000 shall be made available for Mathematical and Physical Sciences;

(vi) \$150,260,000 shall be made available for Social, Behavioral, and Economic Sciences, of which up to \$2,000,000 may be made available for the United States-Mexico Foundation for Science;

(vii) \$182,360,000 shall be made available for United States Polar Research Programs;

(viii) \$62,600,000 shall be made available for United States Antarctic Logistical Support Activities;

(ix) \$2,730,000 shall be made available for the Critical Technologies Institute; and

(B) \$683,000,000 shall be made available to carry out Education and Human Resources Activities;

(C) \$94,000,000 shall be made available for Major Research Equipment;

(D) \$144,000,000 shall be made available for Salaries and Expenses; and

(E) \$5,200,000 shall be made available for the Office of Inspector General.

(c) FISCAL YEAR 2000.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation \$3,886,190,000 for fiscal year 2000.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) \$2,935,024,000 shall be made available to carry out Research and Related Activities, of which up to—

(i) \$2,000,000 may be made available for the U.S.-Mexico Foundation for Science;

(ii) \$25,000,000 may be made available for the Next Generation Internet program;

(B) \$703,490,000 shall be made available to carry out Education and Human Resources Activities;

(C) \$94,000,000 shall be made available for Major Research Equipment;

(D) \$148,320,000 shall be made available for Salaries and Expenses; and

(E) \$5,356,000 shall be made available for the Office of Inspector General.

#### SEC. 103. PROPORTIONAL REDUCTION OF RESEARCH AND RELATED ACTIVITIES AMOUNTS.

If the amount appropriated pursuant to section 102(a)(2)(A) or (b)(2)(A) is less than the amount authorized under that paragraph, the amount available for each scientific directorate under that paragraph shall be reduced by the same proportion.

#### SEC. 104. CONSULTATION AND REPRESENTATION EXPENSES.

From appropriations made under authorizations provided in this Act, not more than \$10,000 may be used in each fiscal year for official consultation, representation, or other extraordinary

expenses. The Director shall have the discretion to determine the expenses (as described in this section) for which the funds described in this section shall be used. Such a determination by the Director shall be final and binding on the accounting officers of the Federal Government.

#### SEC. 105. UNITED STATES MAN AND THE BIOSPHERE PROGRAM LIMITATION.

No funds appropriated pursuant to this Act shall be used for the United States Man and the Biosphere Program, or related projects.

#### TITLE II—GENERAL PROVISIONS

#### SEC. 201. NATIONAL RESEARCH FACILITIES.

(a) FACILITIES PLAN.—

(1) IN GENERAL.—Not later than December 1, of each year, the Director shall, as part of the annual budget request, prepare and submit to Congress a plan for the proposed construction of, and repair and upgrades to, national research facilities.

(2) CONTENTS OF THE PLAN.—The plan shall include—

(A) estimates of the costs for the construction, repairs, and upgrades described in paragraph (1);

(B) estimates of the costs for the operation and maintenance of existing and proposed new facilities; and

(C) in the case of proposed new construction and for major upgrades to existing facilities, funding profiles, by fiscal year, and milestones for major phases of the construction.

(3) SPECIAL RULE.—The plan shall include cost estimates in the categories of construction, repair, and upgrades—

(A) for the year in which the plan is submitted to Congress; and

(B) for not fewer than the succeeding 4 years.

(b) STATUS OF FACILITIES UNDER CONSTRUCTION.—The plan required under subsection (a) shall include a status report for each uncompleted construction project included in current and previous plans. The status report shall include data on cumulative construction costs by project compared with estimated costs, and shall compare the current and original schedules for achievement of milestones for the major phases of the construction.

#### SEC. 202. ADMINISTRATIVE AMENDMENTS.

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

(1) in section 4(g) (42 U.S.C. 1863(g))—

(A) by striking “the appropriate rate provided for individuals in grade GS-18 of the General Schedule under section 5332” and inserting “the maximum rate payable under section 5376”; and

(B) by redesignating the second subsection (k) as subsection (l);

(2) in section 5(e) (42 U.S.C. 1864(e)) by striking paragraph (2), and inserting the following:

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

(3) in section 14(c) (42 U.S.C. 1873(c))—

(A) by striking “shall receive” and inserting “shall be entitled to receive”;

(B) by striking “the rate specified for the daily rate for GS-18 of the General Schedule under section 5332” and inserting “the maximum rate payable under section 5376”; and

(C) by adding at the end the following: “For the purposes of determining the payment of compensation under this subsection, the time spent in travel by any member of the Board or any member of a special commission shall be deemed as time engaged in the business of the Foundation. Members of the Board and members of special commissions may waive compensation and reimbursement for traveling expenses.”; and

(4) in section 15(a) (42 U.S.C. 1874(a)), by striking “Atomic Energy Commission” and inserting “Secretary of Energy”.

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

(c) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1988 AMENDMENTS.—Section 117(a) of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1881b(a)) is amended—

(1) by striking paragraph (1)(B)(v) and inserting the following:

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

(2) in paragraph (3)(A) by striking “Science and Engineering Education” and inserting “Education and Human Resources”.

(d) SCIENCE AND ENGINEERING EQUAL OPPORTUNITIES ACT AMENDMENTS.—The Science and Engineering Equal Opportunities Act (42 U.S.C. 1885 et seq.) is amended—

(1) in section 34 (42 U.S.C. 1885b)—

(A) by striking the section heading and inserting the following:

“PARTICIPATION IN SCIENCE AND ENGINEERING OF MINORITIES AND PERSONS WITH DISABILITIES”;

and

(B) by striking subsection (b) and inserting the following:

“(b) The Foundation is authorized to undertake or support programs and activities to encourage the participation of persons with disabilities in the science and engineering professions.”; and

(2) in section 36 (42 U.S.C. 1885c)—

(A) in subsection (a), by striking “minorities,” and all that follows through “in scientific” and inserting “minorities, and persons with disabilities in scientific”;

(B) in subsection (b)—

(i) by striking “with the concurrence of the National Science Board”;

(ii) by striking the second sentence and inserting the following: “In addition, the Chairman of the National Science Board may designate a member of the Board as a member of the Committee.”;

(C) by striking subsections (c) and (d);

(D) by inserting after subsection (b) the following:

“(c) The Committee shall be responsible for reviewing and evaluating all Foundation matters relating to opportunities for the participation in, and the advancement of, women, minorities, and persons with disabilities in education, training, and science and engineering research programs.”;

(E) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(F) in subsection (d), as so redesignated by subparagraph (E), by striking “additional”.

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

#### SEC. 203. INDIRECT COSTS.

(a) MATCHING FUNDS.—Matching funds required pursuant to section 204(a)(2)(C) of the Academic Research Facilities Modernization Act of 1988 (42 U.S.C. 1862c(a)(2)(C)) shall not be considered facilities costs for purposes of determining indirect cost rates under Office of Management and Budget Circular A-21.

(b) REPORT.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy, in consultation with other Federal agencies the Director deems appropriate, shall prepare a report—

(A) analyzing the Federal indirect cost reimbursement rates (as the term is defined in Office of Management and Budget Circular A-21) paid to universities in comparison with Federal indirect cost reimbursement rates paid to other entities, such as industry, government laboratories, research hospitals, and nonprofit institutions;

(B)(i) analyzing the distribution of the Federal indirect cost reimbursement rates by cat-

egory (such as administration, facilities, utilities, and libraries), and by the type of entity; and

(ii) determining what factors, including the type of research, influence the distribution;

(C) analyzing the impact, if any, that changes in Office of Management and Budget Circular A-21 have had on—

(i) the Federal indirect cost reimbursement rates, the rate of change of the Federal indirect cost reimbursement rates, the distribution by category of the Federal indirect cost reimbursement rates, and the distribution by type of entity of the Federal indirect cost reimbursement rates; and

(ii) the Federal indirect cost reimbursement (as calculated in accordance with Office of Management and Budget Circular A-21), the rate of change of the Federal indirect cost reimbursement, the distribution by category of the Federal indirect cost reimbursement, and the distribution by type of entity of the Federal indirect cost reimbursement;

(D) analyzing the impact, if any, of Federal and State law on the Federal indirect cost reimbursement rates;

(E)(i) analyzing options to reduce or control the rate of growth of the Federal indirect cost reimbursement rates, including options such as benchmarking of facilities and equipment cost, elimination of cost studies, mandated percentage reductions in the Federal indirect cost reimbursement; and

(ii) assessing the benefits and burdens of the options to the Federal Government, research institutions, and researchers; and

(F) analyzing options for creating a database—

(i) for tracking the Federal indirect cost reimbursement rates and the Federal indirect cost reimbursement; and

(ii) for analyzing the impact that changes in policies with respect to Federal indirect cost reimbursement will have on the Federal Government, researchers, and research institutions.

(2) REPORT TO CONGRESS.—The report prepared under paragraph (1) shall be submitted to Congress not later than 1 year after the date of enactment of this Act.

#### SEC. 204. FINANCIAL DISCLOSURE.

Persons temporarily employed by or at the Foundation shall be subject to the same financial disclosure requirements and related sanctions under the Ethics in Government Act of 1978 (5 U.S.C. App.) as are permanent employees of the Foundation in equivalent positions.

#### SEC. 205. NOTICE.

(a) NOTICE OF REPROGRAMMING.—If any funds appropriated pursuant to the amendments made by this Act are subject to a reprogramming action that requires notice to be provided to the Committees on Appropriations of the Senate and the House of Representatives, notice of that action shall concurrently be provided to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Labor and Human Resources of the Senate, and the Committee on Science of the House of Representatives.

(b) NOTICE OF REORGANIZATION.—Not later than 15 days before any major reorganization of any program, project, or activity of the National Science Foundation, the Director of the National Science Foundation shall provide notice to the Committees on Science and Appropriations of the House of Representatives and the Committees on Commerce, Science and Transportation, Labor and Human Resources of the Senate, and Appropriations of the Senate.

#### SEC. 206. ENHANCEMENT OF SCIENCE AND MATHEMATICS PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) EDUCATIONALLY USEFUL FEDERAL EQUIPMENT.—The term “educationally useful Federal equipment” means computers and related peripheral tools and research equipment that is appropriate for use in schools.

(2) SCHOOL.—The term “school” means a public or private educational institution that serves any of the grades of kindergarten through grade 12.

(b) SENSE OF CONGRESS.—

(1) IN GENERAL.—It is the sense of the Congress that the Director should, to the greatest extent practicable and in a manner consistent with applicable Federal law (including Executive Order No. 12999), donate educationally useful Federal equipment to schools in order to enhance the science and mathematics programs of those schools.

(2) REPORTS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director shall prepare and submit to the President a report that meets the requirements of this paragraph. The President shall submit that report to Congress at the same time as the President submits a budget request to Congress under section 1105(a) of title 31, United States Code.

(B) CONTENTS OF REPORT.—The report prepared by the Director under this paragraph shall describe any donations of educationally useful Federal equipment to schools made during the period covered by the report.

#### SEC. 207. REPORT ON RESERVIST EDUCATION ISSUES.

(a) CONVENING APPROPRIATE REPRESENTATIVES.—The Director of the National Science Foundation, with the assistance of the Office of Science and Technology Policy, shall convene appropriate officials of the Federal Government and appropriate representatives of the postsecondary education community and of members of reserve components of the Armed Forces for the purpose of discussing and seeking a consensus on the appropriate resolution to problems relating to the academic standing and financial responsibilities of postsecondary students called or ordered to active duty in the Armed Forces.

(b) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Director of the National Science Foundation shall transmit to the Congress a report summarizing the results of the convening individuals under subsection (a), including any consensus recommendations resulting therefrom as well as any significant opinions expressed by each participant that are not incorporated in such a consensus recommendation.

#### SEC. 208. SCIENCE AND TECHNOLOGY POLICY INSTITUTE.

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

(1) by striking “Critical Technologies Institute” in the section heading and in subsection (a), and inserting in lieu thereof “Science and Technology Policy Institute”;

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

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

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

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

(B) by striking “with particular emphasis on” in paragraph (1) and inserting “including”;

(C) by inserting “and developing and maintaining relevant informational and analytical tools” before the period at the end of paragraph (1);

(D) by striking “to determine” and all that follows through “technology policies” in paragraph (2) and inserting “with particular attention to the scope and content of the Federal science and technology research and development portfolio as it affects interagency and national issues”;

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

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

(F) by inserting “science and” after “Executive branch on” in paragraph (4)(A); and

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

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

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

(6) by striking “Committee” in each place it appears in subsection (e), as redesignated by paragraph (3) of this subsection, and inserting “Institute”;

(7) by striking “subsection (d)” in subsection (f), as redesignated by paragraph (3) of this subsection, and inserting in lieu thereof “subsection (c)”;

(8) by striking “Chairman of Committee” each place it appears in subsection (f), as designated by paragraph (3) of this subsection, and inserting “Director of Office of Science and Technology Policy”.

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

**SEC. 209. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.**

With the year 2000 fast approaching, it is the sense of Congress that the Foundation should—

(1) give high priority to correcting all 2-digit date-related problems in its computer systems to ensure that those systems continue to operate effectively in the year 2000 and beyond;

(2) assess immediately the extent of the risk to the operations of the Foundation posed by the problems referred to in paragraph (1), and plan and budget for achieving Year 2000 compliance for all of its mission-critical systems; and

(3) develop contingency plans for those systems that the Foundation is unable to correct in time.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

(Mr. Sensenbrenner asked and was given permission to revise and extend his remarks.)

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1273, the National Science Foundation Authorization Act of 1998 and 1999, authorizes the Foundation's programs for fiscal years 1998, 1999, and 2000. This is a noncontroversial bill that was favorably reported by voice vote by the Committee on Science on April 16, 1997, and later passed the full House under suspension of the rules on April 24, 1997. The present version of H.R. 1273 is the product of negotiations with the Senate, which passed the bill on a vote of 99-0 on May 12, 1998.

The National Science Foundation provides funding to over 19,000 research

and education projects in science and engineering annually. It does this through competitive grants and cooperative agreements to more than 2,000 colleges, universities, K-12 schools, businesses, and other research institutions in all parts of the United States. Although the Foundation's budget represents only 4 percent of Federal research and development funding, the Foundation accounts for more than 25 percent of Federal support to academic institutions for basic research.

This 3-year authorization improves our investment in America by strengthening our commitment to basic research. It authorizes \$3.5 billion for fiscal year 1998, \$3.8 billion for fiscal year 1999, and nearly \$3.9 billion for fiscal year 2000. The bill received bipartisan support in the Committee on Science and demonstrates the Committee's belief that the support of basic research will help America maintain its lead in cutting-edge science and engineering. It is the kinds of research that the NSF funds through which we will make the fundamental discoveries which will become the economic drivers of the 21st century.

The Research and Related Activities account is NSF's primary account and provides the resources for a broad portfolio of science and engineering activities. For fiscal year 1999, H.R. 1273 provides for \$2.57 billion for this account, a 10-percent increase over 1998. For fiscal year 2000, the bill provides a further \$2.9 billion.

This legislation also follows through on the Committee on Science's commitment to improve math and science education. H.R. 1273 authorizes \$632 million for Fiscal Year 1998, \$683 million for Fiscal Year 1999, and \$703 million for Fiscal Year 2000 for NSF's Education and Human Resources Directorate, which funds education programs. To hold down administrative costs, the bill holds the salaries and expense account of NSF to approximately 2 percent growth in Fiscal Years 1998, 1999, and 2000.

I want to take a moment to thank the acting chairman of the Subcommittee on Basic Research, the gentleman from Mississippi (Mr. PICKERING); the former ranking minority member of the subcommittee, the gentleman from Michigan (Mr. BARCIA); and the current ranking minority member, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON); and the ranking minority member of the full committee, the gentleman from California (Mr. BROWN), for their efforts and support in crafting a truly bipartisan bill.

Before closing, I would like to express my appreciation and respect for all the hard work performed on this bill by the late former chairman of the Subcommittee on Basic Research, Congressman Steve Schiff, who passed away earlier this year.

H.R. 1273 is the product of Mr. Schiff's dedication to improving America's scientific and technological prow-

ess. Steve was a true patriot who served our country both as an elected official and as a member of the Armed Forces. As this bill demonstrates, Steve Schiff was also an excellent legislator. The Committee on Science and the whole Congress will miss his intelligence, wit, and his diligence.

I believe that H.R. 1237 is an outstanding bill and urge all Members on both sides of the aisle to support it.

Mr. Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1273, which authorizes the programs of the National Science Foundation through Fiscal Year 2000.

Mr. Speaker, the National Science Foundation is the only Federal agency with the sole mission to support basic research and engineering research and education in the Nation's schools, colleges, and universities. It signals strong support for the key role of the Foundation in developing and sustaining the academic research enterprise of the Nation. It is consistent with the importance of scientific and engineering research and education as a public investment that contributes to the Nation's economic strength and to the well-being of our citizens.

The National Science Foundation programs support research in science and engineering, the operation of national research facilities, the acquisition of state-of-the-art scientific instruments, and science education at all levels of instruction. These wide-ranging activities underpin the technological strength of the Nation through both the generation of new knowledge and the education of scientists and engineers. Moreover, through its initiatives in K-12 science education, the National Science Foundation contributes to the important goal of improving the level of science literacy for all citizens.

In light of the National Science Foundation's important role, I am pleased that H.R. 1273 endorses the President's request for a 10-percent budget increase for Fiscal Year 1999 and growth above inflation for Fiscal Year 2000. This funding level would provide real growth for sustaining the Foundation's core research activities in the major science and engineering disciplines which support individual investigators and interdisciplinary research teams.

In addition, H.R. 1273 will allow the Foundation to pursue new initiatives in such areas as knowledge and distributed intelligence and the complex interdependencies among living organisms and the environments that affect and are affected by them.

In terms of sustaining the human resource base for research in the Nation's colleges and universities, H.R. 1273 will provide support for nearly 27,000 senior scientists, 5,500 postdoctoral researchers, and over 21,000 graduate students.

Mr. Speaker, the research investments made by the Foundation generate the new knowledge that fuels the Nation's technological innovation and, consequently, our economic strength of the future. I would like to describe some recent examples that show the breadth and potential technological value of results from the Foundation's sponsored research.

The Foundation-supported scientists are participating in the sequencing of the genome for a model flowering plant. A coordinated network of databases has been established to facilitate study of the sequence information. Discoveries to date have included understanding of how to reduce polyunsaturation in seed oils and how to produce biodegradable plastic in crop plants.

Researchers at MIT recently created the first atomic laser, a device that creates coherence among atoms, much like the photons in a light laser. This allows the control group of atoms which can be focused to a point or moved over large distances without spreading out. Atomic lasers may one day be used to fabricate extremely small electronic components that will form the basis for highly efficient navigation and communication devices.

Forecasting techniques for tornadoes and severe thunderstorms currently can provide only 30 minutes' warning. Researchers at the University of the Oklahoma have now developed a computer model that has for the first time successfully predicted the location and structure of individual storms up to 6 hours in advance before the storms had begun to form. This forecasting tool has great promise for providing protection for lives and families.

National Science Foundation support for a wide range of research has led to new ways to exploit the physical, chemical, and biological properties of small groups of molecules. The discovery of novel phenomena and processes at this so-called "nano" scale have led to minuscule transistors that use less energy; tiny medical probes that will not damage tissue; improved computer disk-drive heads to boost data storage density; and new ceramic, polymer and other materials with special properties.

In addition to supporting basic research, the National Science Foundation's programs help to educate the next generation of scientists, engineers and technicians, and improve science education for all K-12 students. These outcomes are achieved through a wide range of activities, including graduate student support, research experiences for undergraduates, development of curricular materials for science courses at all levels of instruction, development of educational applications of computer and communication technologies, and in-service training for K-12 teachers.

The goals of the Foundation's effort to heighten the achievement of all students in science and math are particu-

larly important. The approach now being emphasized has been through partnerships that the Foundation has instituted with States and local school systems to reform math and science instruction and to provide opportunities for professional development of teachers.

I believe that the National Science Foundation Urban Systemic Initiative is particularly important in that it focuses on inner city school systems, which often have low levels of student performance in science and math.

Finally, the bill provides for several national research facility construction projects. In accordance with the recommendation of a distinguished panel of experts that review the facilities needs of the U.S. Antarctic Program, it authorizes the replacement of South Pole Station and needed upgrades at other Antarctic stations. These facility upgrades are needed to ensure that U.S. facilities in Antarctica are capable of supporting the most advanced research and can provide adequate safety for the scientists and support staff who must function in this hostile environment.

H.R. 1237 will provide funding to complete other research facility construction projects and to initiate new projects, including the Polar Cap Observatory and detectors for the Large Hadron Collider. The bill also puts in place new reporting requirements to improve congressional oversight of such construction projects.

I want to acknowledge the role of our former colleague, the late Representative Steve Schiff, the former chairman of the Subcommittee on Basic Research, for his efforts during the first session of this Congress to develop H.R. 1273 in a spirit of cooperation. And I also want to commend the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on Science; and the gentleman from California (Mr. BROWN), the ranking Democratic Member, for their leadership in this important legislation.

Mr. Speaker, I fully support H.R. 1273 and urge its approval by the House.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Mississippi (Mr. PICKERING), who is the acting chair of the Subcommittee on Basic Research.

Mr. PICKERING. Mr. Speaker, I want to commend the leadership and work of the gentleman from Wisconsin (Mr. SENSENBRENNER) on this very important legislation. I rise to say a few words in support of H.R. 1273, the National Science Foundation Authorization Act of 1998.

Mr. Speaker, H.R. 1273 authorizes the Foundation's programs for Fiscal Years 1998, 1999, and 2000. It authorizes over \$11 billion for fundamental scientific research over the next 3 years.

□ 1430

It is a bipartisan bill, and I urge all of the Members to support it.

For the past few months I have had the privilege of serving as the acting chairman for the Committee on Science's Subcommittee on Basic Research. It has been a tremendous experience, but I cannot take credit for this bill. This is Steve Schiff's authorization bill.

Mr. Speaker, I learned a great deal from the chairman of our subcommittee, and I think many of Steve Schiff's priorities can be seen in H.R. 1273. I just wanted to take a moment to recognize Congressman Schiff for the work he did and, more importantly, for the values for which he stood. I would also like to thank our chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER) again for giving me the opportunity of leading the subcommittee as its acting chairman.

In April of this year at a subcommittee hearing the Director of the National Science Foundation stated that 50 percent of our country's economic growth in the last 50 years has come from technological innovation and the science that supports it. That is why we fund the National Science Foundation. We understand that our Nation's economic strength 25 years from now depends on our support for science and technology today.

The strong bipartisan support for H.R. 1273 demonstrates that this Congress understands and respects the role of the scientist in our society. We may not see them in action, but whether it is the growth of the Internet or the latest medical breakthrough, we see the results.

In my home State of Mississippi NSF has played an important role in the development of remote sensing in developing the next generation Internet and that our three supercomputing research centers through NSF's EPSCoR Program, the Mississippi Research Consortium, made up of the University of Mississippi, Mississippi State University, Jackson State University and the University of Southern Mississippi has done great work in areas as diverse as manufacturing polymers, to producing new technology for agricultural products, to cutting edge areas such as artificial intelligence. Again, we may not see the scientists in action, but eventually we see their results in our daily lives.

Through this bill and through the scientific research and science education program supported by the NSF, we demonstrate our commitment to advancing science and improving science and math education not just in theory, but in the classroom. We show our commitment to using biology and chemistry not only to improve our own lives, but also to improve our understanding of the world around us as we show our commitment to the next generation of Americans by assuring that our children will enjoy the economic prosperity that is produced by long-term dedication to science.

Mr. Speaker, the National Science Foundation does great work. This is an

excellent bill, and I urge all Members to support it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentlewoman from Texas for yielding this time to me.

Mr. Speaker, I want to express my enthusiastic support for the legislation before us today. The National Science Foundation is our main agency for strengthening our country in science and mathematics and technology, from investing in the training of teachers in math and science, to promoting outreach programs at our museums and supporting path-breaking research at our colleges and universities.

The impact of the National Science Foundation is particularly evident in my district in North Carolina. In the last fiscal year more than 350 NSF-sponsored grants were awarded to residents of the Research Triangle counties of North Carolina. Duke, North Carolina and North Carolina State Universities each received more than \$11 million for their researchers, and together they were awarded \$44 million for projects selected on their merits, for their scientific excellence and for their contribution to the national interest.

The National Science Foundation, for example, has helped fund Duke University research at Cape Hatteras on North Carolina's Outer Banks, has helped fund new laser-scanning technology at the University of North Carolina, and has supported a program widening educational opportunities for rural middle school students in conjunction with North Carolina State University.

I am also particularly proud that the Advanced Technological Education Program, a program launched through legislation that I initiated 6 years ago, is included in this legislation. The Advanced Technological Education Program has allowed NSF to become more involved with the community colleges in our country, helping our 2-year schools improve their science and math and technology education programs.

ATE creates a partnership between NSF and the community colleges similar to the one that has long been available to 4-year institutions, to develop improved curricula and teaching methods and to upgrade this country's advanced technology training programs, training at the level most of our new good jobs require.

As our country's educational needs continue to evolve, the role of 2-year institutions will increase. Quick training and retooling of our work force will be vital as we move toward a competitive global economy, and the ATE program will help ensure that our educational institutions and our students can meet this challenge.

Mr. Speaker, I urge my colleagues to support this legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. BROWN) our distinguished ranking member of the full committee.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Speaker, I will not take 5 minutes, but I do wish to make a brief statement that will hopefully supplement the already excellent statements made by all of my colleagues on both sides of the aisle. I would point out that the National Science Foundation with its programs for support of basic research and education and science and engineering has long enjoyed the bipartisan support of Congress. This bill, by providing for continued growth will help ensure that the Foundation can continue to fulfill that role.

#### TRIBUTE TO DR. NEAL LANE

Mr. Speaker, I would like to take a moment to recognize the contributions of the outgoing NSF Director, Dr. Neal Lane. Dr. Lane, who has served as director since 1993, will soon leave to become the President's science advisor and head of the Office of Science and Technology Policy.

During his tenure at NSF, Dr. Lane has provided strong leadership and has made noteworthy contributions to the Foundation's effectiveness. He has worked to improve the process by which priorities are established for NSF's major activities and to identify promising cross-disciplinary research programs. In addition, he has maintained a wide ranging portfolio of programs to strengthen science and engineering education in the Nation's schools and institutions of higher education.

Dr. Lane recognized early on how the new computer and information-driven world would enable new ways to conduct research and would establish new skill requirements for the future workforce. The Knowledge and Distributed Intelligence initiative launched under his stewardship will lead to Foundation-wide activities focused on improving ways to discover, collect, represent, transmit, and apply information.

Similarly, Dr. Lane applied information technology to streamline the internal operations of NSF itself. He led the reengineering of the major business transactions between NSF and the research community, replacing paper-based processes with simpler, more efficient electronic transactions using the Internet. Today, more than 80 percent of all NSF funding is accomplished by electronic means.

Also, Dr. Lane is to be commended for assuming the role of a vocal champion for U.S. leadership in science and engineering research and for his efforts in challenging the research community to see its responsibilities in the larger context of societal values and needs. He has encouraged scientists and engineers to communicate more effectively with the public, which will help to make science more accessible to everyone.

Dr. Lane has left a lasting imprint at NSF, and he will be missed. I wish him well as he assumes his new responsibilities in the White House for the Nation's research and development enterprise.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I thank the gentleman from Wisconsin for yielding this time to me.

I rise not so much in opposition to this authorization, but frankly against the appropriation which will come later this week, because it seems to me that last year on this House floor, when the gentleman from California (Mr. LEWIS) and the gentleman from Missouri (Mr. CLAY) offered an amendment to cut \$174,000 out of the bill which at that time would have studied the reasons people do not run for elected office, of which I assume there are many. Basically what they are trying to signal to the Science Foundation was that we need a tighter grip on the way they spend money; that when people back home think about spending a dollar, they really run through a lot of priorities, and they run through a lot of interests that they have before they decide on actually spending that dollar, and that this organization ought to do the same. And so I rise to, in essence, follow up on what they tried to do last year in sending a message on the importance of sharpening a pencil, because when I look at the grants that have come since then, and there are a list of several that have come since then; I look here at, as my colleagues know, \$210,000 to study ATMs, I look at \$17,000 to study interactive video-on-demand services for popular videos, I look at \$220,000 to look at why women smile more than men, and I guess there are many reasons there. As my colleagues know, \$193,000 to study collaborative activity on poker, or \$147,000, and I cannot quite figure out what this means, but to study how globalization has transformed legal consciousness and personal injury in Thailand, or \$334,000 to study methods for routing pick-up and delivery vehicles in real time, or finally, \$12,000 to study cheap talk.

I look at again a little bit more in the way of pencil sharpening that it seems to me that needs to be done, that we do have a duty, if my colleagues will, to authorize the study of basic sciences in this country, but we also have a duty to watch out for the taxpayer, and that is why later in this week I will be offering an amendment in the appropriations bill to tighten the pencil a little bit because it seems to me that some of this at minimum could be done by the private sector.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Ms. STABENOW).

Ms. STABENOW. Mr. Speaker, it is my pleasure today to rise in strong support of this authorization bill for the National Science Foundation, to commend the Chair and ranking members of the committee and the subcommittee for their very, very important work. I cannot think of a more important subject for the Federal Government to be involved in than basic research and the development of technology for the future as it relates to

jobs, our ability to compete in a world economy. The kinds of focuses by the National Science Foundation are critical to the quality of life of my constituents and all of the families of America. I commend them for their work.

Mr. Speaker, I commend universities in my district: the Michigan State University efforts, University of Michigan research efforts, that were continually in partnership with NSF to promote the quality of life through research that we need to be promoting across this country.

It is also important, as we all know, to focus on our future scientists by promoting quality math and science education, encouraging both boys and girls to be focused and to pick math and science education as future endeavors. As part of that, it is important that we make sure our schools are equipped with technology and the research equipment that they need so that we can excite young people about science and involve them in the future of math and science, and I want to particularly point out to my colleagues a section of the bill that I think is important in making sure our schools have that kind of equipment and the kind of computers that they need.

□ 1445

I am very pleased to commend the committee for putting into the bill section 206, which provides an encouragement to NSF to donate surplus computers and research equipment to our schools.

I would just speak to the fact that I have been involved in the last year and a half in providing wiring through the Internet. We have wired almost 50 schools in my district through volunteer efforts to the Internet, and we have seen one school in my district, Lansing Sexton High School, that has benefited directly from this kind of a donation from the Federal Government. The EPA provided enough computers, and very high-quality computers, to Lansing Sexton to equip an entire computer lab. We now have young people, with wiring done through our Net Day and the computers donated through EPA, who are able to work on sophisticated equipment and be learning more about math and science and technology as a result of that partnership.

I would encourage NSF as we pass this authorization to work with us to provide that kind of equipment to our schools as we look for ways to join together to encourage math and science education for the future and make sure that our children have the kind of technology that they need in the classroom to be prepared.

This bill is about basic research, it is about developing technology, it is about at the same time a focus on our future children and developing the skills in math and science that are so critical. I commend the committee and urge its adoption.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I, too, would like to thank the committee and as well thank Dr. Lane for his outstanding leadership of the National Science Foundation and to congratulate him as he embarks on his new opportunity as adviser to the President on science.

I also rise in support of this bill, which authorizes funds for the National Science Foundation through the year 2000. The National Science Foundation provides this Nation with the tools to remain a superpower in a world where technology remains supreme. It helps develop new technologies, not only on its own, but also through its partnerships with other government agencies, like NASA, and as well educational institutions and private institutions. I am likewise proud of my locally-based institutions, like the University of Houston, the Texas Medical Center, Texas Southern University, Houston Baptist College, the Houston Community College, Rice University, and many, many others that have embellished and bolstered their own science interests and activity.

Additionally, let me acknowledge Dr. Joshua Hill of Texas Southern University, who, as we speak, is conducting a science program with high school students.

The National Science Foundation is largely responsible for many of the scientific breakthroughs that we currently enjoy in this country. In fact, many of our more important scientific achievements started with either an experiment in an NSF lab or with an NSF grant to a university or a private corporation.

When this bill was in markup, I am very delighted that my colleagues joined me as I amended this particular legislation to provide for a provision which asked the Federal Government to do what it can to help educate our children. Section 206 is a simple process, but through this simple act it encourages the NSF to donate used computer research equipment to needy school children. I can assure you that many around this country are anxiously waiting for this legislation to pass so this wonderful partnership can be established.

I feel it is a simple solution to a complex problem, the underdevelopment of our public school computer and technology infrastructure. We cannot expect our children to be prepared for the next millennium if we do not have the right equipment to learn on.

Mr. Speaker, trying to teach children computer science without the benefit of a computer is like trying to teach English to children with the benefit of vocabulary or books. We must do our

part to ensure that our children have the opportunity to learn, especially in the areas of math and science.

This year in the House Committee on Science we have heard a myriad of testimony during such hearings regarding the undereducation of our children in the hard sciences. In fact, it has been disappointing that we have not gotten our hands around that issue, and we must, in order to be competitive, work on getting our children to that competitive level.

It has gotten to the point that the media fails to report scientific breakthroughs, and we discussed that, not because of lack of public interest, but often because they feel that the general public will not understand the scientific achievement and what it means to them. This I think is something we cannot stand for, Mr. Speaker, and I would hope that this Congress would very quickly and efficiently pass this legislation and move our children along to the 21st Century.

Mr. Speaker, I rise to speak on behalf of this bill, which authorized funds for the National Science Foundation through the year 2000.

The National Science Foundation (NSF) provides this Nation with the tools to remain a superpower in a world where technology remains supreme. It helps develop new technologies, not only on its own, but also through its partnerships with other government agencies, like NASA, and with private institutions.

The NSF is largely responsible for many of the scientific breakthroughs that we currently enjoy in this country. In fact, many of our more important scientific achievements started either with an experiment in a NSF lab, or with a NSF grant to a university or private corporation.

When this bill was in markup, I was able to amend it to include a provision which asks the Federal Government to do what it can to help educate our children. In this case, through the simple act of donating used computer and research equipment to needy schoolchildren.

I feel it is a simple solution to a complex problem, the under-development of our public school computer and technology infrastructure. We cannot expect our children to be prepared for the next millennium if they do not have the right equipment to learn on. Ladies and gentlemen, trying to teach children computer science without the benefit of a computer is like trying to teach English to children without books—utterly impossible.

We must do our part to ensure that our children have the opportunity to learn, especially in the areas of math in science. This year in the House Science Committee, we have heard a myriad of testimony during hearings regarding the under-education of our youth in the hard science. It has gotten to the point that the media fails to report scientific breakthroughs, not because of lack of public interest, but often because they do not feel that the general public will understand the scientific achievement and what it means to them. That is shameful. If this Nation intends to remain a world leader, we must do our part to educate our children in the ways of the future.

Here in Congress, we have worked long and hard to rectify this problem. We have sought to increase funding for education. We

have tried to provide targeted discounts to schools and libraries so that they can get on the Internet. Those initiatives are controversial, but his provision is not. Its costs are low, and its benefits high. In short, this is "good legislation".

I encourage you all to vote for this authorization, and invest in our future generations.

Mr. SENSENBRENNER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendment to H.R. 1273.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the Senate amendment to H.R. 1273.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Thomas, one of his secretaries.

#### TECHNOLOGY TRANSFER COMMERCIALIZATION ACT OF 1998

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2544) to improve the ability of Federal agencies to license federally owned inventions, as amended.

The Clerk read as follows:

H.R. 2544

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

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Technology Transfer Commercialization Act of 1998".

##### SEC. 2. COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.

Section 12(b)(1) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a(b)(1)) is amended by inserting "or, subject to section 209 of title 35, United States Code, may grant a license to an invention which is federally owned, made before the granting of the license, and directly related to the scope of the work under the agreement," after "under the agreement,".

##### SEC. 3. LICENSING FEDERALLY OWNED INVENTIONS.

(a) AMENDMENT.—Section 209 of title 35, United States Code, is amended to read as follows:

##### "§ 209. Licensing federally owned inventions

"(a) AUTHORITY.—A Federal agency may grant an exclusive or partially exclusive li-

cense on a federally owned invention only if—

"(1) granting the license is a reasonable and necessary incentive to—

"(A) call forth the investment capital and expenditures needed to bring the invention to practical application; or

"(B) otherwise promote the invention's utilization by the public;

"(2) the Federal agency finds that the public will be served by the granting of the license, as indicated by the applicant's intentions, plans, and ability to bring the invention to practical application or otherwise promote the invention's utilization by the public, and that the proposed scope of exclusivity is not greater than reasonably necessary to provide the incentive for bringing the invention to practical utilization, as proposed by the applicant, or otherwise to promote the invention's utilization by the public;

"(3) the applicant makes a commitment to achieve practical utilization of the invention within a reasonable time;

"(4) granting the license will not tend to substantially lessen competition or create or maintain a violation of the Federal antitrust laws; and

"(5) in the case of an invention covered by a foreign patent application or patent, the interests of the Federal Government or United States industry in foreign commerce will be enhanced.

"(b) MANUFACTURE IN UNITED STATES.—A Federal agency shall normally grant a license to use or sell any federally owned invention in the United States only to a licensee who agrees that any products embodying the invention or produced through the use of the invention will be manufactured substantially in the United States.

"(c) SMALL BUSINESS.—First preference for the granting of any exclusive or partially exclusive licenses under this section shall be given to small business firms having equal or greater likelihood as other applicants to bring the invention to practical application within a reasonable time.

"(d) TERMS AND CONDITIONS.—Licenses granted under this section shall contain such terms and conditions as the granting agency considers appropriate. Such terms and conditions shall include provisions—

"(1) retaining a nontransferable, irrevocable, paid-up license for the Federal agency to practice the invention or have the invention practiced throughout the world by or on behalf of the Government of the United States;

"(2) requiring periodic reporting on utilization of the invention, and utilization efforts, by the licensee, but only to the extent necessary to enable the Federal agency to determine whether the terms of the license are being complied with; and

"(3) empowering the Federal agency to terminate the license in whole or in part if the agency determines that—

"(A) the licensee is not executing its commitment to achieve practical utilization of the invention, including commitments contained in any plan submitted in support of its request for a license, and the licensee cannot otherwise demonstrate to the satisfaction of the Federal agency that it has taken, or can be expected to take within a reasonable time, effective steps to achieve practical utilization of the invention;

"(B) the licensee is in breach of an agreement described in subsection (b);

"(C) termination is necessary to meet requirements for public use specified by Federal regulations issued after the date of the license, and such requirements are not reasonably satisfied by the licensee; or

"(D) the licensee has been found by a competent authority to have violated the Fed-

eral antitrust laws in connection with its performance under the license agreement.

"(e) PUBLIC NOTICE.—No exclusive or partially exclusive license may be granted under this section unless public notice of the intention to grant an exclusive or partially exclusive license on a federally owned invention has been provided in an appropriate manner at least 15 days before the license is granted, and the Federal agency has considered all comments received in response to that public notice. This subsection shall not apply to the licensing of inventions made under a cooperative research and development agreement entered into under section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a).

"(f) BASIC BUSINESS PLAN.—A Federal agency may grant a license on a federally owned invention only if the person requesting the license has supplied to the agency a basic business plan with development milestones, commercialization milestones, or both.

"(g) NONDISCLOSURE OF CERTAIN INFORMATION.—Any basic business plan, and revisions thereto, submitted by an applicant for a license, and any report on the utilization or utilization efforts of a licensed invention submitted by a licensee, shall be treated by the Federal agency as commercial and financial information obtained from a person and not subject to disclosure under section 552 of title 5, United States Code."

(b) CONFORMING AMENDMENT.—The item relating to section 209 in the table of sections for chapter 18 of title 35, United States Code, is amended to read as follows:

"209. Licensing federally owned inventions."

##### SEC. 4. TECHNICAL AMENDMENTS TO BAYH-DOLE ACT.

Chapter 18 of title 35, United States Code (popularly known as the "Bayh-Dole Act"), is amended—

(1) by amending section 202(e) to read as follows:

"(e) In any case when a Federal employee is a coinventor of any invention made under a funding agreement with a nonprofit organization or small business firm, the Federal agency employing such coinventor may, for the purpose of consolidating rights in the invention—

"(1) license or assign whatever rights it may acquire in the subject invention from its employee to the nonprofit organization or small business firm; or

"(2) acquire any rights in the subject invention, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction."; and

(2) in section 207(a)—

(A) by striking "patent applications, patents, or other forms of protection obtained" and inserting "inventions" in paragraph (2); and

(B) by inserting "including acquiring rights for the Federal Government in any invention, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction, to facilitate the licensing of a federally owned invention" after "or through contract" in paragraph (3).

##### SEC. 5. TECHNICAL AMENDMENTS TO THE STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.

Section 14(a)(1) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710c(a)(1)) is amended—

(1) in subparagraph (A)(i), by inserting "if the inventor's or coinventor's rights are assigned to the United States" after "inventor or coinventors"; and

(2) in subparagraph (B), by striking "succeeding fiscal year" and inserting "2 succeeding fiscal years".