SA 943. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 944. Mr. COLEMAN (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 945. Mr. SMITH, Mr. PRYOR, and Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 948. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 949. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 950. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 951. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 952. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 953. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 954. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 955. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 956. Mr. CRAPO (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 957. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 958. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 959. Mr. NELSON of Florida (for himself and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 960. Mr. LEVIN (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 961. Mr. BROWN (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 962. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 963. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 964. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 761, supra; which was ordered to lie on the table.

SA 965. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. FEASIBILITY STUDY ON FREE ONLINE COLLEGE DEGREE PROGRAM.

(a) In General.—Not later than 90 days after the date of enactment of this Act, the Secretary of Commerce shall enter into a contract with the National Academy of Sciences to conduct and complete a feasibility study on creating a national, free online college degree program that would be available to all United States citizens who wish to pursue a degree in a field of strategic importance to the United States and where expertise is in demand, such as mathematics, sciences, and foreign languages. The study shall look at the need for a free college degree program as well as the feasibility of—

(1) developing online content;

(2) developing sufficiently rigorous tests to determine mastery of a field of study; and

(3) sustaining the program through private funding.

(b) Study.—The study described in subsection (a) shall also include a review of existing online education programs to determine the extent to which these programs offer a rigorous curriculum in areas like mathematics and science and the National Academy of Sciences shall make recommendations for how online degree programs can be assessed and accredited.

(c) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $500,000 for fiscal year 2008.

SA 970. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. H-1B VISA EMPLOYER FEE.

(a) In General.—Section 214(c)(9)(B) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(9)(B)) is amended by striking "$1,500" and inserting "$2,000".

(b) Use of Additional Fee.—Section 286 of such Act (8 U.S.C. 1254a) is amended by adding at the end the following:


"(1) Definition.—There is established in the general fund of the Treasury a separate account, which shall be known as the ‘Gifted and Talented Students Education Account’. Proceeds from this account shall be deposited into the account established under paragraph (1) shall remain available to the Secretary of Education until expended for programs and projects authorized by the Act. The account shall be administered by the Secretary of Education.

"(2) Purpose.—Amounts deposited into the account shall be used—

(A) to provide opportunities for students; and

(B) to provide opportunities for students.

"(c) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $750,000 for fiscal year 2008.

SA 975. Mr. SMITH, Mr. PRESCOTT, and Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 10. IMPROVEMENTS TO EXISTING PROGRAMS AND INITIATIVES.

(a) Improvements to Existing Programs and Initiatives.—The Secretary, acting through the Director, shall establish or expand programs of summer institutes at each of the National Laboratories to provide—

(1) additional training to strengthen the mathematics and science teaching skills of teachers employed at public schools for kindergarten through grade 12, in accordance with the activities authorized under subsections (b) through (e); and

(2) experimental learning opportunities to advanced students in middle and secondary schools to strengthen learning in mathematics and science.

(b) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $1,000,000 for fiscal year 2009.

SA 976. Mr. SMITH, Mr. PRESCOTT, and Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 11. THE EXPANSION OF EXISTING PROGRAMS AND INITIATIVES.

(a) Improvements to Existing Programs and Initiatives.—The Secretary, acting through the Director, shall establish or expand programs of summer institutes at each of the National Laboratories to provide—

(1) additional training to strengthen the mathematics and science teaching skills of teachers employed at public schools for kindergarten through grade 12, in accordance with the activities authorized under subsections (b) through (e); and

(2) experimental learning opportunities to advanced students in middle and secondary schools to strengthen learning in mathematics and science.

(b) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $2,000,000 for fiscal year 2009.

SA 977. Mr. SMITH, Mr. PRESCOTT, and Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 12. THE EXPANSION OF EXISTING PROGRAMS AND INITIATIVES.

(a) Improvements to Existing Programs and Initiatives.—The Secretary, acting through the Director, shall establish or expand programs of summer institutes at each of the National Laboratories to provide—

(1) additional training to strengthen the mathematics and science teaching skills of teachers employed at public schools for kindergarten through grade 12, in accordance with the activities authorized under subsections (b) through (e); and

(2) experimental learning opportunities to advanced students in middle and secondary schools to strengthen learning in mathematics and science.

(b) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $2,000,000 for fiscal year 2009.
future research projects, and expose students to math and science career paths.”

**SA 917.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; as follows:

At the appropriate place, insert the following:

### Division E—General Provisions

**SEC. 4001. Sunset.**

(a) Amendments. The provisions of this Act, and the amendments made by this Act, shall cease to have force or effect on and after October 1, 2011.

(b) UNOBLIGATED BALANCES.

Any amounts appropriated for the Advanced Technology Program of the National Institute of Standards and Technology, which are unobligated as of the effective date of this section, shall be available for obligation for areas:

(1) the extent to which individuals are being equipped with the knowledge and skills necessary to succeed in the 21st century workforce, as measured by—

(A) elementary school and secondary school student academic achievement on the national assessment under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)), especially in mathematics, science, and reading, identified by ethnicity, race, and gender;

(B) the rate of student entrance into institutions of higher education, identified by ethnicity, race, and gender;

(C) the rates of—

(i) students successfully completing postsecondary education programs, identified by ethnicity, race, and gender; and

(ii) certificates, associate degrees, and baccalaureate degrees awarded in the fields of science, technology, engineering, and mathematics, identified by ethnicity, race, and gender; and

(D) access to, and availability of, high quality job training programs;

(2) the projected outcomes of increasing the number of members of underrepresented minorities in science, technology, engineering, and mathematics fields; and

(3) the identification of strategies to increase the participation of women and underrepresented minorities in science, technology, engineering, and mathematics fields.

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**On page 5, line 24, strike line 16 and all that follow, including recommendations to increase the representation of women and underrepresented minorities in science, engineering, and technology enterprises, for areas’.

Beginning on page 8, strike line 9 and all that follows through page 7, line 8, and insert the following:

### Chapter 4—Nuclear Science

**SA 921.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

### SEC. 4. DISCONTINUATION OF THE ADVANCED TECHNOLOGY PROGRAM.

(a) REPEAL. Section 503 of the Act of March 3, 1980 (15 U.S.C. 276j) is repealed.

(b) UNOBLIGATED BALANCES.

Any amounts appropriated for the Advanced Technology Program of the National Institute of Standards and Technology, which are unobligated as of the effective date of this section, shall be deposited in the General Fund of the Treasury of the United States for debt reduction.

(c) EFFECTIVE DATE. This section shall take effect on the date that is 90 days after the date of the enactment of this Act.

**SA 922.** Mr. OBAMA submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the end of title V of division A, add the following:

### Sec. 1503. NOAA Accountability and Transparency

(a) REVIEW OF ACTIVITIES CARRIED OUT WITH NOAA FUNDS.

(1) REPEAL. The Inspector General of the Department of Commerce shall conduct routine, independent reviews of the activities carried out with grants or other financial assistance made available by the Administrator of the National Oceanic and Atmospheric Administration. Such reviews shall include cost-benefit analysis of the activities and determine if the goals of such activities are being accomplished.

(b) PREFERENCE IN HIRE OF FEDERAL AND CONTRACTOR PERSONNEL.

(1) PREFERENCE. The Administrator of the National Oceanic and Atmospheric Administration shall ensure that hire of Federal and contractor personnel in positions where such personnel are hired at a rate of pay that is below the prevailing rate of pay for such positions is determined to be necessary for the performance of a contract or grant agreement by the Administrator, as determined by the Administrator, shall be given preference over hire of such personnel which is not so determined.

**SA 918.** Mr. COBURN submitted an amendment intended to be proposed by
On page 12, line 20, after “employees” insert the following: “, including partnerships with scientific, engineering, and mathematical professional organizations representing women and minorities underrepresented in such areas.”

On page 17, line 18, strike the period at the end and insert the following: “, including strategies for increasing the participation of women and underrepresented minorities in science, technology, engineering, and mathematics.”

On page 19, insert between lines 22 and 23, the following: “(vi) Nongovernmental organizations, such as corporations, that represent women and underrepresented minorities in the areas of science, engineering, technology, and mathematics.”

SA 924. Mr. OBAMA (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill, S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

On page 145, between lines 13 and 14, insert the following:

SEC. 3202. SUMMER TERM EDUCATION PROGRAMS.

(a) PURPOSE.—The purpose of this section is to enable opportunities for summer learning by providing students with access to summer learning in mathematics, technology, and problem-solving to ensure that students do not experience learning losses over the summer and to remedy, reinforce, and accelerate the learning of mathematics and problem-solving.

(b) DEFINITION.—In this section:

(1) EDUCATIONAL SERVICE AGENCY.—The term “educational service agency” means a State educational agency.

(2) AWARD BASIS.—

(A) IN GENERAL.—In awarding grants for the summer learning opportunity to eligible students, a State educational agency, when assigning eligible students with low levels of school readiness (based on school records and State approved indicators of Palau), or in the case of a summer learning grant determined under clause (i) of section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 101(a)), the term “student” means a student who is in good standing that has been previously approved by the State educational agency to provide supplemental educational services; or

(B) ANOTHER LOCAL EDUCATIONAL AGENCY.—

(i) A community-based youth development organization with a demonstrated record of effectiveness in helping students learn.

(ii) An institution of higher education.

(iii) An educational service agency.

(iv) A summer enrichment camp described in clause (ii).

(v) A summer enrichment program described in clause (ii).

(B) AMOUNT; FEDERAL AND NON-FEDERAL SOURCES.

(1) AMOUNT.—The amount of a summer learning grant provided under this section shall be funded in each of the fiscal years 2008 through 2011, $1,600; and

(ii) in the case of fiscal year 2012, $1,800.

(2) FEDERAL SHARE.—The Federal share of each summer learning grant shall not be more than 50 percent of the amount of the summer learning grant determined under clause (i).

(iii) NON-FEDERAL SHARE.—The non-Federal share of each summer learning grant shall be not less than 50 percent of the amount of the summer learning grant determined under clause (i).

(iv) GRANT FUND USE.—The grant funds shall be used to provide summer learning grants to the students described in clause (i) of section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 101(a)).

(c) DEMONSTRATION GRANT PROGRAM.—

(1) PROGRAM AUTHORIZED.—

(A) IN GENERAL.—From the funds appropriated under subsection (i) for a fiscal year, the Secretaries shall carry out a demonstration grant program in which the Secretary shall award grants, on a competitive basis, to the State educational agencies to pay the Federal share of summer learning grants for eligible students.

(B) AMOUNT; FEDERAL AND NON-FEDERAL SOURCES.

(1) AMOUNT.—The Federal share of each demonstration grant shall be not less than 50 percent of the amount of the demonstration grant determined under clause (i) of section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 101(a)).

(2) FEDERAL SHARE.—The Federal share of each demonstration grant shall be not less than 50 percent of the amount of the demonstration grant determined under clause (i).

(3) NON-FEDERAL SHARE.—The non-Federal share of each demonstration grant shall be not less than 50 percent of the amount of the demonstration grant determined under clause (i).

(d) MEASUREMENT OF EFFECTIVENESS.

(1) IN GENERAL.—Each State educational agency that receives a grant under subsection (c) for a fiscal year shall use the grant funds to provide summer learning grants for the fiscal year to eligible students in the State who desire to attend a summer learning opportunity offered by an eligible entity that enters into an agreement with the State educational agency under paragraph (4)(A).

(2) AMOUNT; FEDERAL AND NON-FEDERAL SOURCES.

(1) AMOUNT.—The amount of a summer learning grant provided under this section shall be

(i) funded in each of the fiscal years 2008 through 2011, $1,600; and

(ii) for fiscal year 2012, $1,800.

(2) FEDERAL SHARE.—The Federal share of each summer learning grant shall not be more than 50 percent of the amount of the summer learning grant determined under clause (i).

(iii) NON-FEDERAL SHARE.—The non-Federal share of each summer learning grant shall be not less than 50 percent of the amount of the summer learning grant determined under clause (i).

(iv) GRANT FUND USE.—The grant funds shall be used to provide summer learning grants to the students described in clause (i) of section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 101(a)).

(v) GRANT FUND USE.—The grant funds shall be used to provide summer learning grants to the students described in clause (i) of section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 101(a)).

(c) DEMONSTRATION GRANT PROGRAM.—

(1) PROGRAM AUTHORIZED.—

(A) IN GENERAL.—From the funds appropriated under subsection (i) for a fiscal year, the Secretaries shall carry out a demonstration grant program in which the Secretary shall award grants, on a competitive basis, to the State educational agencies to pay the Federal share of summer learning grants for eligible students.

(B) AMOUNT; FEDERAL AND NON-FEDERAL SOURCES.

(1) AMOUNT.—The Federal share of each demonstration grant shall be not less than 50 percent of the amount of the demonstration grant determined under clause (i) of section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 101(a)).

(2) FEDERAL SHARE.—The Federal share of each demonstration grant shall be not less than 50 percent of the amount of the demonstration grant determined under clause (i).

(3) NON-FEDERAL SHARE.—The non-Federal share of each demonstration grant shall be not less than 50 percent of the amount of the demonstration grant determined under clause (i).

(d) MEASUREMENT OF EFFECTIVENESS.

(1) IN GENERAL.—Each State educational agency that receives a grant under subsection (c) for a fiscal year shall use the
(i) the State educational agency shall agree to make payments to the eligible entity, in accordance with subparagraph (B), for a summer scholar; and

(ii) the Council on Climate Change and Energy Efficiency shall agree to provide the summer scholar with a summer learning opportunity that—

(A) information on the design of the summer learning opportunity;

(B) the alignment of the summer learning opportunity with State standards; and

(C) measurements of student mathematics and problem-solving skills for the summer scholars and on the attendance of the scholars, disaggregated by the subgroups described in clause (iv).

(2) REPORT.—For each year funds are appropriated under subsection (f) for this section, the Secretary shall prepare and submit a report to Congress on the summer learning grant programs, including the effectiveness of the summer learning opportunities in improving student achievement and learning.

(3) SUMMERSITES WEBSITE.—The Secretary shall make accessible, on the Department of Education website, information for parents and school personnel on successful technology transfer practices, for summer learning opportunities.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are appropriated to be authorized to carry out this section $50,000,000 for fiscal year 2008 and such sums as may be necessary for each of the fiscal years 2009 through 2012.

SA 925. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE — TECHNOLOGY TRANSFER

SEC. 101. TECHNOLOGY TRANSFER OPPORTUNITIES.

(a) IN GENERAL.—The Secretary of Commerce shall conduct a study of technology transfer barriers, best practices, and outcomes of technology transfer activities at Federal laboratories related to the licensing and commercialization of energy efficient technologies, and other technologies that, compared to similar technology in commercial use, result in reduced emissions of greenhouse gases, increased ability to adapt to climate changes, decreased and sequestration of greenhouse gases. The Secretary shall submit a report setting forth the findings and conclusions of the study to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science within 6 months after the date of enactment of this Act.

(b) BUSINESS OPPORTUNITIES STUDY.—The Secretary of Commerce shall perform an analysis of business opportunities, both domestic and internationally, available for climate change technologies. The Secretary shall transmit the Secretary’s findings and recommendations from the first such analysis to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science within 6 months after the date of enactment of this Act. The Secretary shall work with the existing interagency working group to address identified barriers to technology transfer.

(c) SERVICE SCIENCE DEFINED.—In this section, the term “service science” means the melding together of the fields of computer science, operations research, industrial engineering, mathematics, management science, decision sciences, social sciences, and legal sciences in a manner that may transform entities and drive innovation at the intersection of business and technology expertise.

SEC. 603. CLIMATE INNOVATION PARTNERHIPS.

(a) IN GENERAL.—The Secretary of Commerce, in consultation with the Director of the National Science Foundation, shall create a program of public-private partnerships that—

(1) focus on supporting climate change-related regional innovation;

(2) bridge the gap between the long-term research and commercialization;

(3) focus on deployment of technologies needed by a particular region in adapting or mitigating the impacts of climate change; and

(4) support activities that are selected from proposals submitted in merit-based competitions.

(b) INSTITUTIONAL DIVERSITY.—In creating the program, the Secretary and the Administrator shall—

(1) encourage institutional diversity; and

(2) provide that universities, research centers, national laboratories, and other nonprofit organizations are allowed to partner with private industry in submitting applications.

(c) GRANTS.—The Secretary may make grants under the program to the partner organizations. No grant for any project may not exceed 50 percent of the total investment in any fiscal year.
shall consult with Federal agencies participating in the United States Global Change Research Program established under section 103 of the Global Change Research Act of 1990 (15 U.S.C. 263) and any other appropriate Federal, State, or local agency.

(c) OFFICE OF CLIMATE CHANGE VULNERABILITY AND RESILIENCE.—The Secretary shall establish an Office of Climate Change Vulnerability and Resilience Research within the Department of Commerce, which shall—

(1) be responsible for managing the Program; and
(2) in accordance with the design of the Program, coordinate climate change and climatic variation vulnerability and resilience research in the United States.

(d) VULNERABILITY ASSESSMENTS.—The Program shall include—

(1) evaluations, based on historical data, current observational data, and, where applicable, predictions, of local, State, regional, and national vulnerability to phenomena associated with climatic change and climatic variation, including—
(a) severe weather events, such as severe thunderstorms, tornadoes, and hurricanes;
(b) annual and interannual climate events, such as the El Niño Southern Oscillation and the North Atlantic Oscillation; and
(3) measure progress in increasing the capacity of each State to respond to climatic change and climatic variation hazards.

(e) PREPAREDNESS RECOMMENDATIONS.—Not later than 2 years after the date of enactment of this Act, the Office shall submit to Congress a report that—

(a) includes the vulnerability scorecards produced under subsection (d)(2); and
(b) identifies, and recommends implementation and funding strategies for, short-term and long-term actions that may be taken at the local, State, regional, or national level.

(f) INFORMATION AND TECHNOLOGY DISSEMINATION.—In addition to other responsibilities under this section, the Office shall—

(1) apply the results of available vulnerability research to develop and improve criteria that measure resilience to climatic change and climatic variation hazards at the local, State, regional, and national levels.
(2) coordinate the implementation of short-term and long-term research programs based on the recommendations made under subsection (e)(2);
(3) measure progress in increasing the capacity of each State to respond to climatic change and climatic variation hazards, using the vulnerability scorecards produced under subsection (d)(2); and
(4) not less than annually, review and, if appropriate due to the availability of additional information, update the vulnerability scorecards and the recommendations made under subsection (e)(2).

(g) INCREMENTAL AND NATURE OF TECHNOLOGY DISSEMINATION.—The Program shall include—

(1) make widely available appropriate information, technologies, and products to assist local, State, regional, and national efforts to reduce loss of life and property due to climatic change and climatic variation; and
(2) coordinate the dissemination of the information, technologies, and products through all appropriate channels.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $10,000,000.
On page 24, between lines 19 and 20, insert the following:

SEC. 1203. BRINGING UNIVERSITY GENERATED TECHNOLOGICAL INNOVATIONS TO MARKET.

Section 5 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 5704) is amended by adding at the end the following:

(ge) Grants To Bring Technological Innovations to Commercial Markets.—

(1) In general.—The Secretary shall establish a grant program to underwrite efforts by a higher education institution's technology transfer office—

(i) to identify technological innovations with significant potential commercial applications;

(ii) to evaluate steps necessary to modify, enhance, or further develop the technological innovations for commercial applications;

(iii) to assist in such modification, enhancement, or development; and

(iv) to bring the technological innovations to the attention of potential investors.

(2) Grant amounts.—The Secretary may make grants under the program—

(A) to a small business or nonprofit organization; and

(B) to a State or sub-State supported educational institution.

(3) Federal share.—The Federal share of the cost of activities funded under this subparagraph shall not exceed 50 percent.

SA 928. Mr. DeMINT, for himself, Mr. Martinez, Mr. Cornyn, and Mr. Ensign, submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

SEC. 1203. BRINGING UNIVERSITY GENERATED TECHNOLOGICAL INNOVATIONS TO MARKET.

Section 5 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 5704) is amended by adding at the end the following:

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(i) to identify technological innovations with significant potential commercial applications;

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(iii) to assist in such modification, enhancement, or development; and

(iv) to bring the technological innovations to the attention of potential investors.

(2) Grant amounts.—The Secretary may make grants under the program—

(A) to a small business or nonprofit organization; and

(B) to a State or sub-State supported educational institution.

(3) Federal share.—The Federal share of the cost of activities funded under this subparagraph shall not exceed 50 percent.
SEC. 931. Mrs. McCASKILL (for herself and Mr. DEMINT) submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

(a) REVIEW.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that—

(1) examines each annual and interim report required to be submitted under this Act (including any amendment made by this Act); and

(2) assesses the effectiveness of the activities, grants, and programs carried out under this Act (including any amendment made by this Act); and

(b) SURVEY.—

(1) IN GENERAL.—In carrying out subsection (a), the Comptroller General shall conduct a survey of employees of departments and agencies, contractors, and other recipients of relevant funds, and stakeholders to assess—

(A) compliance with the provisions of law applicable to activities, grants, and programs carried out under this Act (including any amendment made by this Act); and

(B) any mismanagement of such activities, grants, and programs; and

(C) (i) any retaliation or pressure against any individual who reports or refuses to participate in any violation of law applicable to such activities, grants, and programs, and

(ii) any retaliation or pressure against any individual who reports or refuses to participate in any violation of law applicable to such activities, grants, and programs.

(b) DIRECTOR.—

(1) E STABLISHMENT.—There is established within the Department of Commerce a pilot program, which shall be known as the “National Institute for Learning Science and Technology” (referred to in this section as the “Institute”), to provide leadership and coordination in developing applications for the research described in subsection (c)(1).

(2) DIRECTOR.—The Institute shall be headed by a Director, who shall be appointed by the Secretary of Commerce.

(c) GRANTS.—

(1) AUTHORIZATION.—The Director shall award grants, on a competitive basis, to entities with dem-
(A) conduct general outreach to small businesses and manufacturers in all industry sectors within the geographic region assigned to the Center by the Under Secretary; and

(B) conduct transfer, development, and utilization programs for businesses throughout the United States in the specific industry sector assigned to the Center by the Under Secretary.

(3) APPLICATION.—

(A) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit a proposal to the Under Secretary at such time, in such manner, and accompanied by such additional information as the Under Secretary may require.

(B) PUBLICATION IN FEDERAL REGISTER.—Not later than 6 months after the date of the enactment of this Act, the Under Secretary shall publish the requirements referred to in subparagraph (A) in the Federal Register.

(C) CONTENTS.—Each application submitted under subparagraph (A) shall—

(i) conform to the requirements prescribed by the Under Secretary under this paragraph; and

(ii) proposal for the allocation of the legal rights associated with any invention that may result from the activities of the proposed Center.

(D) ELECTRONIC CRITERIA.—In evaluating each application submitted under subparagraph (A) on the basis of merit, the Under Secretary may consider—

(i) the extent to which the eligible entity—

(I) has a partnership with nonprofit organizations, businesses, software vendors, and academia recognized for relevant expertise in its selected industry sector;

(II) uses State-funded academic supercomputing centers and universities or colleges with expertise in the computing and communication needs of the industry assigned to the eligible entity under paragraph (2)(A);

(III) has a history of working with small businesses and manufacturers;

(IV) has experience providing educational programs aimed at helping organizations adopt the use of high-performance computing and computational science;

(V) has partnerships with education or training organizations that can help educate future workers on the application of computer science to industry needs;

(VI) is accessible to businesses, academia, incubators, or other economic development organizations through a specified network; and

(VII) is capable of partnering with small businesses and manufacturers to enhance the ability of such entities to compete in the global marketplace;

(ii) the ability of the eligible entity to enter successfully into collaborative agreements with small businesses and manufacturers to experiment with new high performance computing and computational science technologies; and

(iii) such other factors that the Under Secretary may consider.

(4) MAXIMUM AMOUNT.—The Under Secretary may not award a grant under this section in an amount which exceeds $5,000,000 for any year of the grant period.

(5) DURATION.—

(A) IN GENERAL.—Except as provided under subparagraph (B), a grant may not be awarded under this subsection for a period exceeding 5 years.

(B) RENEWAL.—The Under Secretary may renew any grant awarded under this subsection.

(6) MATCHING REQUIREMENT.—

(A) IN GENERAL.—The Under Secretary may not award a grant under this subsection unless the eligible entity agrees to provide not less than 50 percent of the capital and annual operating and maintenance funds required to create and maintain the Center established with such grant funds.

(B) FUNDING FROM OTHER FEDERAL, STATE, OR LOCAL GOVERNMENTS.—(I) Funds provided by the eligible entity under subparagraph (A) may include amounts received by the eligible entity from the Federal Government (other than the Department of Commerce), a State, or a unit of local government.

(ii) LIMITATION ON ADMINISTRATIVE EXPENSES.—The Under Secretary may establish a reasonable limitation on the portion of each grant awarded under this subsection that may be used for administrative expenses or other overhead costs.

(C) FEES AND ALTERNATIVE FUNDING SOURCES AUTHORIZED.—

(A) IN GENERAL.—A Center established with a grant awarded under this Act may, in accordance with regulations established by the Under Secretary—

(i) collect a nominal fee from a small business or manufacturer for a service provided under this section, if such fee is utilized for the budget and operation of the Center; and

(ii) accept financial assistance from the Federal Government (other than the Department of Commerce) for capital costs and operating budget expenses.

(B) CONDITION.—Any Center receiving financial assistance from the Federal Government (other than the Department of Commerce) may be selected, and if selected shall be operated, in accordance with this section.

(6) help software vendors, small businesses, and academia recognize for relevant expertise in its selected industry sector; and

(7) maintain a research and outreach team that will work with small businesses and manufacturers to aid in the identification of software or computational science techniques which can be used to solve challenging problems, or meet contemporary business needs of such organizations.

(d) REPORTS AND EVALUATIONS.—

(1) ANNUAL REPORT.—Each eligible entity that receives a grant under subsection (b) shall submit an annual report to the Under Secretary that describes—

(I) the goals of the Center established by the eligible entity; and

(II) the progress made by the eligible entity in achieving the purposes described in subsection (b)(2).

(2) EVALUATION.—The Under Secretary shall establish a peer review committee, composed of representatives from industry and academia, to review the goals and progress made by each Center during the grant period.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated $25,000,000 for each of the fiscal years 2008 through 2012 to carry out this section.

(2) AVAILABILITY.—Funds appropriated pursuant to paragraph (1) shall remain available until expended.

SA 936. Mr. SANDERS (for himself, Mr. BAUCUS, Mr. LEAHY, and Mrs. LINCOLN) submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; as follows: At the appropriate place, insert the following:

SEC. 9. EMPLOYEE OWNERSHIP EXPANSION.

(A) FINDINGS.—Congress makes the following findings:

(1) Between 2000 and 2006, the United States lost more than 3,000,000 manufacturing jobs.

(2) In 2006, the international trade deficit of the United States was more than $763,000,000,000, $232,000,000,000 of which was due to the Nation’s trade imbalance with China.

(3) Preserving and increasing jobs in the United States that pay a living wage should be a priority of Congress.

(4) Providing loan guarantees, direct loans, grants, and technical assistance to employees to buy their own companies will increase the competitiveness of the United States.

(B) UNITED STATES EMPLOYEE OWNERSHIP COMPETITIVENESS FUND.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Commerce (referred to in this section as the “Secretary”) shall establish the United States Employee Ownership Competitiveness Fund (referred to in this section as the “Fund”) to foster increased employee ownership of companies and greater employee participation in company decision-making throughout the United States.

(2) ORGANIZATION.—

(A) MANAGEMENT.—The Fund shall be managed by a Director, who shall be appointed by, and serve at the pleasure of, the Secretary.

(B) STAFF.—The Director may select, appoint, employ, and fix the compensation of such personnel as shall be necessary to carry out the functions of the Fund.

(3) FUNCTIONS.—Amounts in the Fund established under paragraph (1) may be used to purchase—

(A) loans subordinated to the interests of all other creditors, loan guarantees, and technical assistance, on such terms and subject to such conditions as the Secretary determines to be appropriate, to employees to purchase a business through an employee stock ownership plan or eligible worker-owned cooperative that are at least 51 percent employee owned; and

(B) grants to States and nonprofit and cooperative organizations with experience in developing employee-owned businesses and worker-owned cooperatives to—

(i) provide education and outreach to inform people about the possibilities and benefits of employee ownership of companies, gain sharing, and participation in company decision-making, including some financial education;

(ii) provide technical assistance to assist employee efforts to become business owners; and

(iii) provide participation training to teach employees and employers methods of employee participation in company decision-making; and

(iv) conduct objective third party feasibility and feasibility studies to determine if employees desiring to start employee stock ownership plans or worker cooperatives could make a profit.
SA 938. Mr. SUNUNU submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; as follows:

SEC. 3003. CONSOLIDATION AND ELIMINATION AUTHORITY FOR STEM PROGRAMS.

(a) AUTHORITY.—Notwithstanding any other provision of law, the Director of the Office of Science and Technology Policy shall be authorized to—

(1) eliminate existing Federal education programs focusing on science, technology, engineering, and mathematics; or

(2) consolidate such Federal education programs.

(b) EFFECTIVE DATE OF ELIMINATION OR CONSOLIDATION.—The Director of the Office of Science and Technology Policy’s decision to eliminate or consolidate any program under subsection (a) shall become effective 60 days after the Director notifies Congress of such consolidation or elimination.

SA 939. Mr. SUNUNU submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; as follows:

SEC. 4. PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE.

Section 110(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking “taxes during the period beginning November 1, 2003, and ending November 1, 2007.” and inserting “taxes.”

SA 940. Mr. KENNEDY proposed an amendment to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; as follows:

On page 98, between lines 17 and 18, insert the following:

(3) to develop programs for professionals in mathematics, science, or critical foreign language that lead to a 1-year master’s degree in teaching that results in teacher certification.

On page 105, lines 19 and 20, strike “mathematics, science, and” and insert “mathematics, science, technology, and engineering.”

On page 105, lines 22 and 23, strike “mathematics, science, and” and insert “mathematics, science, technology, and engineering.”

On page 106, lines 15, 18, and 19, strike “mathematics and science” and insert “mathematics, science, and where applicable, technology and engineering.”

On page 106, line 18, strike “mathematics and science” and insert “mathematics, science, and, where available, technology and engineering.”

On page 106, lines 1 and 2, strike “MATHEMATICS, SCIENCE, and insert “MATHEMATICS, SCIENCE, TECHNOLOGY,”.

On page 107, line 10, strike “and implement” and all that follows through line 13, and insert the following:

(1) 2- or 3-year part-time master’s degree programs in mathematics, science, technology, or critical foreign language education for teachers in order to enhance the teacher’s content knowledge and teaching skills;

(2) programs for professionals in mathematics, science, engineering, or critical foreign language that lead to a 1-year master’s degree in teaching that results in teacher certification.

On page 109, line 18, strike “mathematics, science,” and insert “mathematics, science, engineering, technology,”

On page 109, line 21, insert “the” after “of.”

On page 109, lines 21 through 24, strike “in mathematics, science, and, where applicable, technology and engineering.”

On page 110, line 12, strike “mathematics and science” and insert “mathematics, science, and, where applicable, technology and engineering.”

On page 110, line 19, strike “teachers’” and insert “participants’.”

On page 110, line 22, strike “teachers” and insert “participants.”

On page 110, line 24, insert “mathematics, science, and, where applicable, technology and engineering.”

On page 111, line 12, strike “teachers participating in the program” and insert “the program participants.”

On page 112, lines 2 and 3, strike “mathematics and science” and insert “mathematics, science, technology, and engineering.”

On page 113, line 1, strike “mathematics, science,” and insert “mathematics, science, engineering, technology.”

On page 113, line 1, insert “and” between lines 6 and 7 the following:

(9) methods to ensure that grants to institutions provide for services in mathematics, science, and critical language education that lead to a master’s degree in teaching that results in teacher certification.

On page 113, line 19, insert “to provide for the development of programs for professionals in mathematics, science, or critical foreign language that lead to 1-year master’s degrees in teaching that result in teacher certification.”

On page 113, line 19, insert “to the development of programs for professionals in mathematics, science, or critical foreign language that lead to 1-year master’s degree in teaching that results in teacher certification.”

On page 113, lines 15 and 16, strike “mathematics, science,” and insert “mathematics, science, engineering, technology.”

On page 114, line 7, strike “and” and insert the following:

(9) bringing professionals in mathematics, science, engineering, or critical foreign language into the field of teaching.
(3) Retaining teachers who participate in the program.

On page 114, line 13, strike “section” and insert “subsection”.

On page 118, line 21, insert “., or another highly rigorous, evidence-based, postsecondary preparatory program terminating in an examination administered by a nationally recognized ‘educational association’ before the period at the end.

On page 129, between lines 11 and 12, insert the following:

Subsection—Promising Practices in Mathematics, Science, Technology, and Engineering Teaching

SEC. 3131. PROMISING PRACTICES.

(a) Purpose.—The purpose of this section is to encourage the skills of mathematicians, scientists, technology, and engineering teachers by identifying promising practices in the teaching of mathematics, science, technology, and engineering in elementary and secondary education.

(b) National Panel on Promising Practices in Teaching Mathematics, Science, Technology, and Engineering.—The Secretary is authorized to contract with the National Academy of Sciences to establish a panel to identify existing promising practices in the teaching of mathematics, science, technology, and engineering in kindergarten through grade 12.

(c) Consultation.—The Secretary shall enter into a contract with the National Academy of Sciences to establish a panel to identify existing promising practices in the teaching of mathematics, science, technology, and engineering in elementary and secondary education with demonstrated evidence of increasing student academic achievement.

(d) Selection.—The National Academy of Sciences shall ensure that the panel established under paragraph (1) broadly represents scientists, practitioners, teachers, principals, and representatives from entities with expertise in education, mathematics, and science. The National Academy of Sciences shall ensure that the panel includes the following:

(A) A majority representation of teachers and principals directly involved in teaching mathematics, science, technology, or engineering in kindergarten through grade 12.

(B) A representation of teachers and principals from all demographic areas, including urban, suburban, and rural schools.

(C) A representation of teachers from public and private schools.

(D) Qualifications of Members.—The members of the panel shall be individuals who have substantial knowledge or experience relating to:

(A) Mathematics, science, technology, or engineering education programs or:

(B) Mathematics, science, technology, or engineering curricula content development.

(d) Authorized Activities of National Panel.—The panel shall—

(1) identify promising practices in the teaching of mathematics, science, technology, and engineering in elementary and secondary education;

(2) use techniques proven to help teachers increase their skills and expertise in improving student achievement in mathematics, science, technology, and engineering;

(3) identify areas of need for promising practices in mathematics, science, technology, and engineering;

(b) Mathematics, Science, Technology, and Engineering Promising Practices.—

(1) Reliability and Measurement.—The following practices in mathematics, science, technology, and engineering in elementary and secondary education collected under this section shall be:

(A) reviewed regularly to assess effectiveness; and

(B) reviewed in the context of the State academic assessments and student academic achievement standards.

(2) Students with Diverse Learning Needs.—Promising practices in the teaching of mathematics, science, technology, and engineering under this section, the panel established under subsection (c) shall take into account the needs of students with diverse learning needs, including students with disabilities and students who are limited English proficient.

(g) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2008.

On page 129, strike line 12 and insert the following:

TITLE II—MATHEMATICS

On page 129, lines 21 and 24, strike “based on the best available evidence of effectiveness and” and insert “research-based and reflect a demonstrated record of effectiveness.”

On page 133, strike lines 12 through 15 and insert the following:

(1) implementing mathematics programs or comprehensive initiatives that are research-based and reflect a demonstrated record of effectiveness;

On page 134, lines 10 through 11, strike “instructual materials and interventions (including intensive and systematic instruction)” and insert “‘programs or comprehensive mathematics initiatives’.

On page 135, lines 10 through 17, strike “based on the best available evidence of effectiveness and” and insert “research-based and reflect a demonstrated record of effectiveness”. On page 135, lines 17 and 18, strike “or materials or”.

On page 137, lines 1 and 2, strike “based on the best available evidence of effectiveness” and insert “research-based and reflect a demonstrated record of effectiveness.”

On page 137, line 11, strike “and”.

On page 137, line 19, strike the period at the end and insert “; and”.

On page 137, between lines 19 and 20, insert the following:

(B) an assurance that the State will establish a process to safeguard against conflicts of interest, consistent with subsection (g)(2), for individuals providing technical assistance on behalf of the State educational agency or participating State peer review process under this title.

On page 138, line 16, strike “materials or”.

On page 138, lines 20 and 21, strike “and materials are based on the best available evidence of effectiveness” and insert “‘are research-based and reflect a demonstrated record of effectiveness’”.

On page 139, strike lines 19 and 20 and insert the following:

(g) Prohibitions.—On page 146, between lines 5 and 6, insert the following:

(2) Conflicts of Interest.—Any Federal employee, contractor, or subcontractor involved in the administration, implementation, or provision of oversight or technical assistance duties or activities under this section shall—

(A) disclose to the Secretary any financial ties to publishers, entities, private individuals, or organizations that will benefit from funds provided under this section; and

(B) be prohibited from being appointed to significant financial interests in areas directly related to duties or activities under this section, unless granted a waiver by the Secretary.

(3) Reporting.—The Secretary shall report annually to the Committee on Appropriations, Science, Technology, and Engineering in elementary and secondary education in kindergarten through grade 12.

On page 146, line 6, strike “(2)” and insert “(3)”.

Beginning on page 156, line 24, strike “elementary and” and all that follows through “requirements” on page 157, line 1, and insert “State academic content standards”.

On page 157, lines 18 and 19, strike “prekindergarten” and insert “pre-kindergarten”.

On page 158, between lines 5 and 6, insert the following:

(iii) a representative of the agencies in the State that administer State-funded early childhood education programs;

(iv) not less than 1 representative of a public community college;

On page 158, strike lines 15 through 17 and insert the following:

(viii) not less than 1 early childhood educator in the State; and

On page 161, line 7, strike “prekindergarten” and insert “preschool”.

On page 161, line 21, after “developing” insert “or providing guidance to local educational agencies within the State on the adoption of”. On page 162, lines 20 through 22, strike “the students are adequately prepared when the students enter secondary school” and insert “such standards and assessments are appropriately aligned and adequately reflect the content needed to prepare students to enter the next educational grade, as determined by the Bureau of the Census, that demonstrate success in meeting the unique needs of the corporate, non-professional and government communities in the State, as evidenced by providing internships for professional science master’s degree students or similar partnership arrangements; or

On page 163, line 24, before “subparagraphs” strike “preschool” and insert “pre-kindergarten” and “preschool”.

On page 166, line 1, strike “preschool” and insert “pre-kindergarten”.

On page 166, line 2, strike “preschool” and insert “pre-kindergarten”.

On page 168, lines 1 through 2, strike “student knowledge and skills” and insert “State academic content standards”.

On page 168, line 25, after “school” insert “and preschool”.

On page 169, line 7, strike “content” and all that follows through “students” on line 11, and insert “academic content standards, substantive curricula, remediation, and acceleration opportunities for students, as well as other changes determined necessary by the State”.

On page 177, strike lines 7 through 15, and insert the following:

(3) Preferences.—The Director shall give preference in making awards to 4-year institutions of higher education seeking Federal funding to create or improve professional science master’s degree programs, to those applicants:

(A) located in States with low percentages of citizens with graduate or professional degrees, as determined by the Bureau of the Census, that demonstrate success in meeting the unique needs of the corporate, non-professional and government communities in the State, as evidenced by providing internships for professional science master’s degree students or similar partnership arrangements; or

(B) that secure more than 5% of the funding for such professional science master’s degree
programs from sources other than the Federal Government.

On page 181, line 17, after “science” insert “or technology.”

Strike section 4012 and insert the following:

SEC. 4012. ROBERT NOYCE TEACHER PROGRAM.

(a) IN GENERAL.—Section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1872a) is amended—

(1) in the section heading, by striking “SCHOLARSHIP” and inserting “TEACHER”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “(or consortia of such institutions)” and inserting “, consortia of such institutions”;

(ii) by striking “to provide scholarships, stipends, and programming designed”;

(iii) by inserting “and to provide scholarships, stipends, or fellowships to individuals participating in the program” after “science teachers”;

and

(iv) by striking “Scholarship” and inserting “TEACHER”;

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking “or consortia” and inserting “consortia, partnerships”;

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking “designing support to prepare college juniors and seniors majoring in” and inserting “recruit and prepare undergraduate students to pursue degrees in”;

(bb) by striking “to become” and inserting “and become qualified as”;

(II) in clause (i)—

(aa) by striking “scholarship recipients” and inserting “students participating in the program”;

(bb) by striking “programs that will result in” and inserting “such preparation as is necessary to meet requirements for”; and

(cc) by striking “licensing” and inserting “licensure”;

(III) in clause (iii)—

(aa) by striking “scholarship recipients” and inserting “students participating in the program”;

(bb) by striking “the program” in (A) and inserting “as an incentive to continue in the program”;

(cc) by striking “are” and inserting “those who”;

and

(dd) by inserting “and” at the end of the following:

“to become”;

and

(II) by striking clause (i)—

(aa) by striking “encourage top college juniors and seniors majoring in” and inserting “recruit and prepare undergraduate students to pursue degrees in”;

(bb) by striking “to become” and inserting “and become qualified as”;

(III) in clause (ii)—

(aa) by striking “eligible” and inserting “qualified as”;

(bb) by striking “in the matter preceding” and inserting “in the matter preceding”;

(cc) by inserting “; and” after “college”;

and

(dd) by inserting “and” at the end of the following:

“and be required”;

and

(IV) by striking “and” after “in the matter preceding” and inserting “and” after “in the matter preceding”;

(b) by designating paragraphs (1) through (6) as paragraphs (A) through (F), respectively;

(c) by redesignating subsection (a) as subsection (a)(1) and inserting the following:

(i) a description of the program that the applicant intends to operate, including.

(ii) offering academic courses and clinical teaching experiences that are designed to prepare students participating in the program to teach in secondary schools and that, in the case of programs being offered to prepare teachers to become NSF Master Teaching Fellows, result in a master’s degree in teaching and teacher certification or licensing; and

(iii) offering programs to participants in the program to enable the recipients of scholarships, stipends, or fellowships to obtain teacher certification or licensing under this section; and

(iv) by striking “National” and inserting “NSF” after “Teaching”;

(v) by striking “SCHOLARSHIP” and inserting “TEACHER”;

(vi) by striking “and” after “a number of opportunities” and inserting “and” after “opportunities”;

(vii) by striking “provide” and inserting “provide”;

(viii) by striking “projects” and inserting “programs”;

(ix) by striking “the” and inserting “the”;

(x) by striking “and” and inserting “and”;

(xi) by striking “Scholarship” and inserting “Teaching”;

(xii) by striking “or” and inserting “or”;

(xiii) by striking “and” and inserting “and”;

(xiv) by striking “Teaching” and inserting “Scholarship”;

(xv) by striking “and” and inserting “and”;

(xvi) by striking “in a master” and inserting “to provide scholarship support, unless

(xi) a description of the undergraduate program under subsection (a)(3)(A)(ii) that will enable a student to graduate in 4 years with a major in mathematics, science, or engineering, and to obtain teacher certification or licensing; or

(II) a description of the master’s degree programs offered under subsection (a)(3)(B)(iv); and

(III) a description of clinical teaching experiences proposed; and

(III) evidence of agreements between the applicant and the schools or school districts that are identified as the locations at which clinical teaching experiences will occur;

(IV) a description of the programs required under subparagraphs (B)(iii) (I), (III), or (IV) of subsection (a)(3), as applicable, including activities to assist new teachers in fulfilling their service requirements under this section; and

(V) an identification of the applicant’s mathematics, science, or engineering faculty and its education faculty who will carry out the development and implementation of the program as required under subsection (a)(4);”;

and

(B) in paragraph (2)—

(i) by redesignating subparagraphs (B) through (E) as subparagraphs (C) through (F), respectively;

(ii) by inserting after subparagraph (A) the following:

“(B) the extent to which the applicant’s mathematics, science, or engineering faculty and its education faculty have worked or will work collaboratively to design new or revised curricula that recognize the specialized pedagogy required to teach mathematics and science effectively in elementary schools and secondary schools;”;

and

(iii) in subparagraph (D) (as redesignated by clause (i)), by striking “or stipend” and inserting “, stipend, or fellowship”;

(c) in subsection (c)—

(A) in paragraph (3)—

(i) by striking “$7,500” and inserting “$10,000”; and

(ii) by striking “of scholarship support” and inserting “of scholarship support, unless the Director establishes a policy by which part-time students may receive additional years of support”; and

(B) in paragraph (4), by inserting “with a maximum service requirement of 4 years” after “scholarship was received”;

(d) in subsection (d)—

(A) by striking paragraph (1) and inserting the following:

“(1) PURPOSE.—The purpose of the follow-

(i) by striking “and” and inserting “the”;

and

(ii) by designating paragraphs (a) through (h) as paragraphs (1) through (8), respectively;

and

(iii) by striking “and” after “subsection (d)” and inserting “and” after “subsection (d)”;

and

(e) NATIONAL SCIENCE FOUNDATION TEACH-

creasing these partnerships by:

1. Offering academic courses and clinical teaching experiences that are designed to prepare students participating in the program to teach in secondary schools and that, in the case of programs being offered to prepare teachers to become NSF Master Teaching Fellows, result in a master’s degree in teaching and teacher certification or licensing;

2. Offering programs to participants in the program to enable the recipients of scholarships, stipends, or fellowships to obtain teacher certification or licensing under this section; and

3. Providing opportunities for teachers to become NSF Master Teaching Fellows.

(iii) a description of the academic courses and clinical teaching experiences required under this section; and

(iv) by striking “a description of” and inserting “the length of the program” after “stipend support”;

and

(C) in paragraph (4), by striking “for each year a stipend was received” and inserting “designating subsections (e) through (h) and subsection (i) as subsections (f) through (i) and subsection (1), respectively;”;

and

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

“(e) NATIONAL SCIENCE FOUNDATION TEACH-

increasing these partnerships by:

1. Offering academic courses and clinical teaching experiences that are designed to prepare students participating in the program to teach in secondary schools and that, in the case of programs being offered to prepare teachers to become NSF Master Teaching Fellows, result in a master’s degree in teaching and teacher certification or licensing;

2. Offering programs to participants in the program to enable the recipients of scholarships, stipends, or fellowships to obtain teacher certification or licensing under this section; and

3. Providing opportunities for teachers to become NSF Master Teaching Fellows.

(iii) a description of the academic courses and clinical teaching experiences required under this section; and

(iv) by striking “a description of” and inserting “the length of the program” after “stipend support”;

and

(C) in paragraph (4), by striking “for each year a stipend was received” and inserting “designating subsections (e) through (h) and subsection (i) as subsections (f) through (i) and subsection (1), respectively;”;

and

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

“(e) NATIONAL SCIENCE FOUNDATIONTEACH-

creasing these partnerships by:

1. Offering academic courses and clinical teaching experiences that are designed to prepare students participating in the program to teach in secondary schools and that, in the case of programs being offered to prepare teachers to become NSF Master Teaching Fellows, result in a master’s degree in teaching and teacher certification or licensing;

2. Offering programs to participants in the program to enable the recipients of scholarships, stipends, or fellowships to obtain teacher certification or licensing under this section; and

3. Providing opportunities for teachers to become NSF Master Teaching Fellows.

(iii) a description of the academic courses and clinical teaching experiences required under this section; and

(iv) by striking “a description of” and inserting “the length of the program” after “stipend support”;

and

(C) in paragraph (4), by striking “for each year a stipend was received” and inserting “designating subsections (e) through (h) and subsection (i) as subsections (f) through (i) and subsection (1), respectively;”;

and

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

“(e) NATIONAL SCIENCE FOUNDATION TEACH-

increasing these partnerships by:

1. Offering academic courses and clinical teaching experiences that are designed to prepare students participating in the program to teach in secondary schools and that, in the case of programs being offered to prepare teachers to become NSF Master Teaching Fellows, result in a master’s degree in teaching and teacher certification or licensing;
“(2) Partnership requirements.—In order to receive a grant under this section to carry out this subsection, the recipient of such grant shall be a partnership and the only local educational agencies that shall be members of the partnership shall be local educational agencies that agree not to reduce the base salary normally paid to an individual solely because such individual receives a salary supplement under this subsection.

“(3) General criteria.—A partnership receiving a grant to carry out a fellowship program under this subsection shall award such fellowships only to—

“(A) science, mathematics, or engineering professionals who enroll in a 1-year master’s degree program in teaching that result in teacher certification or licensing and who shall be referred to as ‘NSF Teaching Fellows’; and

“(B) mathematics and science teachers who possess a master’s degree in their field and who shall be referred to as ‘NSF Master Teaching Fellows’.

“(4) Selection.—Individuals shall be selected to receive fellowships under this section pursuant to the following:

“(A) professional achievement;

“(B) academic merit;

“(C) demonstrated advanced content knowledge;

“(D) in the case of NSF Master Teaching Fellows, demonstrated success in improving student academic achievement in mathematics, science, or engineering; and

“(E) by striking and inserting ‘‘...’’

“(5) Use of funds.—Each partnership receiving a grant under this section to award fellowships under this subsection shall—

“(A) provide a stipend to each NSF Teaching Fellow for the duration of the Fellow’s enrollment in the major degree program, to be used to fund the cost of tuition, fees, and living expenses; and

“(B) provide salary supplements to each NSF Teaching Fellow and NSF Master Teaching Fellow during the period of the Fellow’s service obligation under paragraph (4).

“(6) Service obligation.—If an individual is awarded a fellowship under this subsection, that individual shall be required to serve in a high-need local educational agency for—

“(A) in the case of a NSF Teaching Fellow, 4 years; and

“(B) in the case of a NSF Master Teaching Fellow, 5 years.

“(7) Duties.—A recipient of a fellowship under this section, during the service obligation required under paragraph (6) and in addition to regular classroom activities, shall take on a leadership role within the school or local educational agency in which the recipient is employed, as defined by the partnership, according to the recipient’s expertise, including serving as a mentor or master teacher, developing curricula, and assisting in the development and implementation of professional development activities.

“(8) in subsection (f) (as redesignated by paragraph (6))—

“(A) by striking paragraph (1) and inserting the following:

“(1) accepting—

“(A) the terms of the scholarship pursuant to subsection (c), the stipend pursuant to subsection (f) on the fellowship pursuant to subsection (e); and

“(B) the terms regarding the failure to complete a service obligation required for the scholarship, stipend, or fellowship pursuant to subsection (h);” and

“(B) in paragraph (3)—

“(i) by striking ‘‘scholarship’’; and

“(ii) by striking ‘‘stipend’’ and inserting ‘‘scholarship, stipend, or fellowship’’;

“and

“(i) by striking ‘‘subsection (g)’’ and inserting ‘‘subsection (b);’’

“(9) in subsection (g)(1) (as redesignated by paragraph (6))—

“(A) by striking ‘‘(or consortium thereof)’’ and inserting ‘‘, consortium, or partnership;’’ and

“(B) by striking ‘‘scholarship and stipend’’ and inserting ‘‘scholarship, stipend, and fellowship’’;

“(10) in subsection (h) (as redesignated by paragraph (6))—

“(A) in paragraph (1)—

“(1) in the matter preceding subparagraph (A), by inserting ‘(i) that stipend, or fellowship after ‘scholarship’;’ and

“(ii) in subparagraph (C), by striking ‘‘bac- calculated degree’’; and

“(B) by striking paragraph (2) and inserting the following:

“(2) REPAYMENT FOR FAILURE TO COMPLETE SERVICE.—

“(A) LESS THAN 1 YEAR OF SERVICE.—If a circumstance described in paragraph (1) occurs before the completion of 1 year of a service obligation under this section, the sum of the total amount of awards received by the individual under this section shall be treated as a loan payable to the Federal Government, consistent with the provisions of part B or D of title IV of the Higher Education Act of 1965, and shall be subject to repayment in accordance with terms and conditions specified by the Secretary in regulations promulgated to carry out this paragraph.

“(B) 1 YEAR OR MORE OF SERVICE.—If a circumstance described in paragraph (1) occurs after the completion of 1 year of a service obligation under this section, an amount equal to 1/2 of the sum of the total amount of awards received by the individual under this section shall be treated as a loan payable to the Federal Government, consistent with the provisions of part B or D of title IV of the Higher Education Act of 1965, and shall be subject to repayment in accordance with terms and conditions specified by the Secretary in regulations promulgated to carry out this paragraph.

“(C) ASSESSMENT OF TEACHER RETENTION.—Not later than 4 years after the date of enactment of the America COMPETES Act, the Director shall transmit to Congress a report on the effectiveness of the program carried out under this section.

“(d) ASCEND好似 mean.

“(e) Science and Mathematics Scholarship Gift Fund.—In accordance with section 9101 of the National Science Foundation Act of 1950, the Director is authorized to accept donations from the private sector to supplement the programs under this section.

“(f) Science and Mathematics Scholarship Gift Fund.—In accordance with section 111 (f) of the National Science Foundation Act of 1950, the Director is authorized to—

“(1) accept donations from the private sector to supplement the programs under this section.

“(2) be subject to repayment in accordance with terms and conditions specified by the Secretary in regulations promulgated to carry out this paragraph.

“(e)(1) in subsection (i) (as redesignated by paragraph (8))—

“(A) by striking ‘‘mathematics and science’’ and inserting ‘‘mathematics, science, engineering, or technology teaching at the elementary or secondary school level’’;

“(B) by inserting after paragraph (4) (as redesignated by subparagraph (A)) the following:

“(6) the term ‘mathematics and science teaching’ means mathematics, science, engineering, or technology teaching at the elementary or secondary school level’);

“(F) in paragraph (1) (as redesignated by subparagraph (A))—

“(i) the term ‘high-need local educational agency’ means a local educational agency or educational service agency (as defined in section 9101 of the Elementary and Secondary Education Act of 1965) that serves not less than 10,000 children from low-income families;

“(ii) for which not less than 20 percent of the children served by the agency are children from low-income families; or

“(iii) with a total of less than 600 students in average daily attendance at the schools served by the agency; and

“(G) by inserting after paragraph (7) (as redesignated by subparagraph (A)) the following:

“(8) the term ‘partnership’ means a partnership that shall include—

“(A) an institution of higher education or a consortium of such institutions;

“(B) a department within an institution of higher education participating in the partnership that provides an advanced program of study in mathematics and science;

“(C)(i) a school or department within an institution of higher education participating in the partnership that provides a master teacher preparation program; or

“(ii) a 2-year institution of higher education that has a teacher preparation offerings or a dual enrollment program with an institution of higher education participating in the partnership;

“(D) not less than 1 high-need local educational agency and a public school or a consortium of public schools served by the agency; and

“(E) or more nonprofit organizations that have capacity to provide expertise or support to meet the purposes of this section; and

“(F) by adding at the end the following:

“(G) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—Within the amounts authorized to be appropriated by section 4001 of the America COMPETES Act and except as provided in paragraph (2) there are authorized to be appropriated to the Director for the Robert Noyce Teacher Program under this section—

“(1) $18,000,000 for fiscal year 2008, of which at least $18,000,000 shall be used for capacity building activities described in clauses (ii) and (iii) of subsection (a)(3)(A), (B), and (C), and clauses (ii) and (iii) of subsection (a)(3)(B);
(B) $130,000,000 for fiscal year 2009, of which at least $21,000,000 shall be used for such capacity building activities; 
(C) $146,000,000 for fiscal year 2010, of which at least $24,000,000 shall be used for such capacity building activities; and 
(D) $200,000,000 for fiscal year 2011, of which at least $27,000,000 shall be used for such capacity building activities.

(2) EXCEPTION.—For any fiscal year for which the funding allocated for activities under this section is less than $165,000,000, the amount of funding available for capacity building activities described in subparagraphs (A) through (D) of paragraph (1) shall not exceed 15 percent of the allocated funds.

(b) CONFORMING AMENDMENTS.—
(1) SECTION 4.—Section 4 of the National Science Foundation Authorization Act of 2002 (2 U.S.C. 278k(c)(3)) is amended to read—

(2) SECTION 8.—Section 8(b) of the National Science Foundation Authorization Act of 2002 (Public Law 107–346) is amended—

(c) REPEAL.—
(1) Paragraph (3) of section 25(c) of the National Aeronautics and Space Act (15 U.S.C. 276(c)(3)) is amended to read as follows:

3. SCHOLARSHIP

Parish (3) of section 25(c) of the National Aeronautics and Space Act (15 U.S.C. 276(c)(3)) is amended to read as follows:

4. CENTER CONTRIBUTIONS—In order to support under this subsection, in accordance with the procedures established by the Secretary and published in the Federal Register under paragraph (c).

5. AGREEMENTS WITH OTHER ENTITIES.—In meeting the 50 percent requirement, it is anticipated that a Center will enter into agreements with other entities such as private industry, universities, and State governments to accomplish programmatic objectives and access new and existing resources that will further the impact of the Federal investment made on behalf of small- and medium-sized manufacturing companies. All non-Federal costs charged to a project and determined by a Center as programmatically reasonable and allocable are includable as a portion of the Center's contribution.

3. ALLOCATION OF LEGAL RIGHTS.—Each applicant under subparagraph (A) shall also submit a proposal for the allocation of any legal right associated with any invention that may result from an activity of a Center for which such applicant receives financial assistance under this section.

SA 942. Mr. KOHL (for himself, Ms. SNOWE, Mr. REED, Ms. STABENOW, Mr. BROWN, Mr. LEVIN, Mr. DURBIN, Mrs. CLINTON, Mr. KERRY, Mr. LEAHY, Mr. ROBERTS, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

On page 34, line 17, strike “$120,000,000” and insert “$122,005,000.”

On page 34, line 20, strike “$125,000,000” and insert “$311,766,000.”

On page 34, line 23, strike “$130,000,000” and insert “$132,300,000.”

SA 943. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SA 944. Mr. COLEMAN (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

SA 945. Mr. WYDEN (for himself, Mr. SMITH, Mr. PRYOR, and Mr. KERRY) submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

In division D, insert after section 401 the following:

SA 946. Mr. KERR submitted an amendment with respect to the Committee on Appropriations, for which the grant is awarded, as compared to the school year preceding the school year for which the grant is awarded; and

On each of the bills S. 368, S. 2011, to each of the 3 elementary schools and each of the 3 secondary schools in each State, whose students demonstrate the most improvement in mathematics, as measured by the improvement in the students' average score on the State's assessment for mathematically determined by a program of small- and medium-sized manufacturing companies. All non-Federal costs charged to a project and determined by a Center as programmatically reasonable and allocable are includable as a portion of the Center's contribution.

(b) ALLOCATION OF LEGAL RIGHTS.—Each applicant under subparagraph (A) shall also submit a proposal for the allocation of any legal right associated with any invention that may result from an activity of a Center for which such applicant receives financial assistance under this section.

SA 942. Mr. KOHL (for himself, Ms. SNOWE, Mr. REED, Ms. STABENOW, Mr. BROWN, Mr. LEVIN, Mr. DURBIN, Mrs. CLINTON, Mr. KERRY, Mr. LEAHY, Mr. ROBERTS, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

On page 34, line 17, strike “$120,000,000” and insert “$122,005,000.”

On page 34, line 20, strike “$125,000,000” and insert “$311,766,000.”

On page 34, line 23, strike “$130,000,000” and insert “$132,300,000.”

SA 943. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SA 944. Mr. COLEMAN (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the end of title IV of division A, insert the following:

SEC. 1407. CLARIFICATION OF ELIGIBLE CONTRIBUTIONS IN CONNECTION WITH REGIONAL CENTERS RESPONSIBLE FOR IMPLEMENTING THE OBJECTIVES OF THE ROLLINGS MANUFACTURING PARTNERSHIP PROGRAM.

Paragraph (3) of section 25(c) of the National Aeronautics and Space Act (15 U.S.C. 276(c)(3)) is amended to read as follows:

3. SCHOLARSHIP

Paragraph (3) of section 25(c) of the National Aeronautics and Space Act (15 U.S.C. 276(c)(3)) is amended to read as follows:

4. CENTER CONTRIBUTIONS—In order to receive assistance under this section, an applicant for financial assistance under subparagraph (c) shall provide adequate assurances that non-Federal assets obtained from the applicant and the applicant's partnering organizations will be used as a funding source to match at least 50 percent of the costs incurred for the first 3 years and an increasing share for each of the last 3 years.

For purposes of the preceding sentence, the costs incurred means the costs incurred in connection with the activities undertaken to improve the management, productivity, and technological performance of small- and medium-sized manufacturing companies.

5. AGREEMENTS WITH OTHER ENTITIES.—In meeting the 50 percent requirement, it is anticipated that a Center will enter into agreements with other entities such as private industry, universities, and State governments to accomplish programmatic objectives and access new and existing resources that will further the impact of the Federal investment made on behalf of small- and medium-sized manufacturing companies. All non-Federal costs charged to a project and determined by a Center as programmatically reasonable and allocable are includable as a portion of the Center's contribution.

6. ALLOCATION OF LEGAL RIGHTS.—Each applicant under subparagraph (A) shall also submit a proposal for the allocation of any legal right associated with any invention that may result from an activity of a Center for which such applicant receives financial assistance under this section.

There are authorized to be appropriated to carry out this section $15,000,000 for fiscal year 2008, and $30,000,000 for each of the fiscal years 2009 through 2011.

SEC. 4015. NANOTECHNOLOGY IN THE SCHOOLS.

(a) FINDINGS.—Congress makes the following findings:

(1) The rapidly growing field of nanotechnology is generating scientific and technological breakthroughs that will benefit society by improving the way many things are designed and made.

(2) Nanotechnology is likely to have a significant, positive impact on the security, economic well-being, and health of Americans as fields related to nanotechnology expand.

(3) In order to maximize the benefits of nanotechnology to individuals in the United States, the United States must maintain world leadership in the field of nanotechnology, including nanoscience and nanotechnology. In particular, the United States must determine competition from other nations.

(4) According to the National Science Foundation, foreign students on temporary visas earned 32 percent of all science and engineering doctorates awarded in the United States in 2005, the last year for which data is available. Foreign students earned 53 percent of the engineering doctorates. Many of these students expressed an intent to return to their country of origin after completing their studies.

(5) To maintain world leadership in nanotechnology, the United States must make a long-term investment in educating United States students in secondary schools and institutions of higher education, so that the students are able to conduct nanoscience research and develop and commercialize nanotechnology applications.

(6) Preparing United States students for careers in nanotechnology, including nanoscience, requires that the students have access to nanoscience and related fields as a field related to nanotechnology expansion.

(b) Purpose.—The purpose of this section is to strengthen the capacity of United States students in each State, whose students demonstrate the most improvement in mathematics, as measured by the improvement in the students' average score on the State's assessment for the school year for which the grant is awarded, as compared to the school year preceding the school year for which the grant is awarded; and

On page 34, line 8, strike “$120,000,000” and insert “$122,005,000.”

On page 34, line 23, strike “$130,000,000” and insert “$132,300,000.”

SEC. 101. MATHEMATICS AND SCIENCE PARTNERSHIP BONUS GRANTS.

(a) IN GENERAL.—From amounts appropriated under subsection (d), the Secretary of Education shall award a grant—

(i) for each of the school years 2007–2008 through 2010–2011, to each of the 3 elementary schools and each of the 3 secondary schools in each State, whose students demonstrate the most improvement in mathematics, as measured by the improvement in the students' average score on the State's assessment for mathematically
States secondary schools and institutions of higher education to prepare students for careers in nanotechnology by providing grants to those schools and institutions to provide the tools necessary for such preparation.

(c) DEFINITIONS.—In this section:

(A) public or charter secondary school that offers 1 or more advanced placement science courses or international baccalaureate science courses;

(B) community college, as defined in section 3301 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7011); or

(C) a division of higher education or a branch, within the meaning of section 498 of the Higher Education Act of 1965 (20 U.S.C. 1099c), of such an institution.

(2) QUALIFIED NANOTECHNOLOGY EQUIPMENT.—The term ‘‘qualified nanotechnology equipment’’ means equipment, instrumentation, or hardware that is—

(A) used for teaching nanotechnology in the classroom; and

(B) manufactured in the United States at least 50 percent from articles, materials, or supplies that are produced, produced, or manufactured, as the case may be, in the United States.

(d) PROGRAM AUTHORIZED.—

(1) USES.—The Director of the National Science Foundation (referred to in this section as the ‘‘Director’’) shall establish a nanotechnology in the schools program to strengthen the capacity of eligible institutions to provide instruction in nanotechnology. In carrying out the program, the Director shall award grants of not more than $15,000 to eligible institutions to provide such instruction.

(2) ACTIVITIES SUPPORTED.—

(A) IN GENERAL.—An eligible institution shall use a grant awarded under this section—

(i) to acquire qualified nanotechnology equipment and software designed for teaching students about nanotechnology in the classroom;

(ii) to develop and provide educational services, including carrying out faculty development for faculty seeking a degree or certificate that is approved by the State, or a regional accrediting body recognized by the Secretary of Education; and

(iii) to provide teacher education and certification to individuals who seek to acquire or enhance technology skills in order to use nanotechnology in the classroom or instructional process.

(B) LIMITATION.—

(i) USES.—Not more than 1/4 of the amount of the funds made available through a grant awarded under this section may be used for software, educational services, or teacher education and certification as described in this paragraph.

(ii) PROGRAMS.—In the case of a grant awarded under this section to a community college or institution of higher education, the funds made available through the grant may be used only in undergraduate programs.

(3) APPLICATIONS AND SELECTION.—

(A) IN GENERAL.—To be eligible to receive a grant under this section, an eligible institution shall submit an application to the Director at such time, in such manner, and accompanied by such information as the Director may reasonably require.

(B) PROCEDURE.—Not later than 180 days after the date of enactment of this Act, the Director shall establish a procedure for accepting such applications and publish an announcement of such procedure, including a statement regarding the availability of funds, in the Federal Register.

(C) SELECTION.—In selecting eligible institutions to receive grants under this section, and in determining the amount of any grant to apply for such grants, the Director shall, to the greatest extent practicable—

(i) select eligible institutions in geographically diverse locations;

(ii) encourage the application of historically Black colleges and universities (meaning part B institutions, as defined in section 365 of such Act (20 U.S.C. 1067k)); and

(iii) select eligible institutions that include institutions located in States participating in the Experimental Program to Stimulate Competitive Research (commonly known as ‘‘EPSCoR’’).

(4) MATCHING REQUIREMENT AND LIMITATION.—

(A) IN GENERAL.—

(i) REQUIREMENT.—The Director may not award a grant to an eligible institution under this section unless such institution agrees, with respect to the costs to be incurred by the institution in carrying out the program for which the grant was awarded, such institution will make available (directly or through public or private entities) non-Federal contributions in an amount equal to 1/4 of the amount of the grant.

(ii) WAIVER.—The Director shall waive the matching requirement described in clause (i) for any institution with no endowment, or an endowment that has a dollar value lower than $5,000,000, as of the date of the waiver.

(B) LIMITATION.—

(1) BRANCHES.—If a branch described in subsection (c)(1) receives a grant under this section that exceeds $100,000, that branch shall not be eligible, until 2 years after the date of receipt of the grant, to receive another grant under this section.

(2) OTHER ELIGIBLE INSTITUTIONS.—If an eligible institution other than a branch referred to in clause (i) receives a grant under this section that exceeds $100,000, that branch shall not be eligible, until 2 years after the date of receipt of the grant, to receive another grant under this section.

(5) ANNUAL REPORT AND EVALUATION.

(A) REPORT BY INSTITUTIONS.—Each institution that receives a grant under this section shall prepare and submit to the Director a report on the activities carried out under the grant, including the extent to which the funds made available through the grant were used to carry out the activities described in this section, and shall recommend to the Director any other potential uses of the funds.

(B) REVIEW AND EVALUATION.—

(i) REVIEW.—The Director shall annually review the reports submitted under subparagraph (A).

(ii) EVALUATION.—At the end of the second year following the date of receipt of the grant, the Director shall evaluate the program authorized by this section on the basis of those reports. The Director, in the evaluation, shall describe the activities carried out under the grants under this section and shall assess the short-range and long-range impact of the activities carried out under the grants on the students, faculty, and staff of the institutions.

(C) REPORT TO CONGRESS.—Not later than 6 months after conducting an evaluation under subparagraph (B), the Director shall prepare and submit a report to the Committee on Science describing the findings of the evaluation. In the report, the Director shall include such recommendations, including recommendations concerning the continuing need for Federal support of the program carried out under this section, as may be appropriate.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director to carry out this section $15,000,000 for fiscal year 2008, and such sums as may be necessary for fiscal years 2009 through 2011.

SA 946. Mr. COLEMAN (for himself and Mr. FYI) submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy, as follows:

At the appropriate place, insert the following:

SEC. 498. SBIR-STEM WORKFORCE DEVELOPMENT GRANT PILOT PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘Administrator’’ means the Administrator of the Small Business Administration;

(2) the term ‘‘eligible entity’’ means a grantee under the SBIR Program that provides an internship program for STEM college students;

(3) the terms ‘‘Phase I’’ and ‘‘Phase II’’ mean Phase I and Phase II grants under the SBIR Program, respectively;

(4) the term ‘‘pilot program’’ means the SBIR-STEM Workforce Development Grant Pilot Program established under subsection (b); and

(5) the term ‘‘SBIR Program’’ has the meaning given that term in section 9(e) of the Small Business Act (15 U.S.C. 638(e)); and

(b) PILOT PROGRAM ESTABLISHED.—From amounts made available to carry out this section, the Administrator shall establish an SBIR-STEM Workforce Development Grant Pilot Program to encourage the business community to provide workforce development opportunities to STEM college students, by providing an SBIR bonus grant to eligible entities.

(c) GRANTS.—A bonus grant to an eligible entity under the pilot program shall be in an amount equal to 10 percent of either a Phase I or Phase II grant, as applicable, with a total award maximum of not more than $10,000 per year.

(d) EVALUATION.—Following the fourth year, or any succeeding year, the Administrator shall submit a report to Congress on the results of the pilot program.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $1,000,000 for fiscal year 2008;

(2) $1,000,000 for fiscal year 2009;

(3) $1,000,000 for fiscal year 2010; and

(4) $1,000,000 for fiscal year 2011.

SA 947. Mr. BINGAMAN (for Mr. DODD (for himself, Mr. SHELY, and Mr. REED)) proposed an amendment to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy, as follows:

At the appropriate place, insert the following:

SEC. 4994. SENSE OF THE SENATE REGARDING SMALL BUSINESS GROWTH AND CAPITAL MARKETS.

(a) FINDINGS.—The Congress finds that—

(1) the United States has the most fair, most transparent, and most efficient capital market in the world, in part due to its strong securities statutory and regulatory scheme;

(2) it is of paramount importance for the continued growth of our Nation’s economy, that our capital markets retain their leading position in the world;
(3) small businesses are vital participants in United States capital markets, and play a critical role in future economic growth and high-wage job creation;

(4) the passage of the Sarbanes-Oxley Act of 2002, has greatly enhanced the quality of corporate governance and financial reporting for public companies and increased investor confidence;

(5) the Securities and Exchange Commission (in this section referred to as the “Commission”) and the Public Company Accounting Oversight Board (in this section referred to as the “PCAOB”) have both determined that the current auditing standard implementing section 404 of the Sarbanes-Oxley Act of 2002 and other necessary and intended cost burdens on small and mid-sized public companies;

(6) the Commission and PCAOB are now near completion of a 2-year process intended to revise the standard in order to provide more efficient and effective regulation; and

(7) the chairman of the Commission recently has stated, with respect to section 404 of the Sarbanes-Oxley Act of 2002, that, “We don’t need to change the law, we need to change the way the law is implemented. It is the implementation of the law that has caused the excessive burden, not the law itself. That’s an important distinction. I don’t believe these important investor protection principles, even if only new for a few years old, should be opened up for amendment, or that they need to be.”

(b) Center or Node.—It is the sense of the Senate that the Commission and the PCAOB should complete promulgation of the final rules implementing section 404 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7262).

SA 948. Mr. PRYOR submitted an amendment intended to be proposed by him to S. 761, to invest in nanotechnology and engineering.

SEC. 4015. CENTER FOR NANOTECHNOLOGY RESEARCH AND ENGINEERING.

(a) Center Established.—The Director of the National Science Foundation shall establish a nanoscience and engineering Institute under the name Center for Nanotechnology Research and Engineering (hereafter in this section referred to as the “Center”) to focus on:

(1) the discovery, design and manufacturing of multifunctional nanoscale systems and materials at the nanoscale in multiple dimensions; or

(2) nanotechnology for sustainable energy, water, agriculture, and the environment.

(b) Center or Node.—The Center may be a Nanoscale Science and Engineering Center or a National Nanotechnology Infrastructure Network Node.

(c) Composition.—The Center shall consist of a lead academic institution located in an Experimental Program to Stimulate Competitive Research (EPSCoR) State and at least 1 additional academic institution located in a second EPSCoR State.

(d) Duties.—The Center shall—

(1) collaborate with other National Science Foundation grantees, and with grantees from other Federal agencies, working on nanomanufacturing;

(2) share resources with the programs of the principal place of business; and

(3) work toward a nanomanufacturing network that encourages extensive industrial collaboration.

(e) Authorization of Appropriations.—There are authorized to be appropriated to the National Science Foundation to carry out this section $2,500,000 for each of the fiscal years 2008 through 2012.

SA 949. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 902 proposed by Mr. CORNYN to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

On page 21, after line 2, add the following:—

Subtitle E—H-1B and L-1 Visa Fraud and Abuse Prevention

SEC. 1651. SHORT TITLE.

This section may be cited as the “H-1B and L-1 Visa Fraud and Abuse Prevention Act of 2007”.

SEC. 1652. H-1B EMPLOYER REQUIREMENTS.

(a) Application of Nondisplacement and Good Faith Recruitment Requirements to All H-1B Employers.—

(1) AMENDMENTS.—Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1153(n)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (E), in clause (i), by striking “(E)(i)” and inserting “(E)(i)”, and striking clause (ii); and

(ii) by striking clause (ii);

(B) in subparagraph (G), by striking “In the case of an application described in clause (ii) and all that follows through where— and inserting the following: ‘The employer will not place the nonimmigrant with another employer if—’; and

(C) by striking paragraph (3).

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to applications filed on or after the date of the enactment of this Act.

(b) Nondisplacement Requirement.—

(1) EXTENSION.—Section 212(n) of such Act, as amended by subsection (a), is further amended—

(A) in paragraph (1) —

(i) in subparagraph (E), by striking “90 days” each place it appears and inserting “180 days”;

(ii) in subparagraph (F)(i), by striking “90 days” each place it appears and inserting “180 days”;

(iii) in subparagraph (F)(ii), by striking “90 days” each place it appears and inserting “180 days”;

(iv) in paragraph (2)(C)(iii), by striking “90 days” each place it appears and inserting “180 days”;

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) apply to applications filed on or after the date of the enactment of this Act;

(B) shall not apply to displacements for periods occurring more than 90 days before such date.

(c) Public Listing of Available Positions.—

(1) LISTING OF AVAILABLE POSITIONS.—Section 212(n)(1)(C) of such Act is amended—

(A) in clause (i), by striking “(i) has provided” and inserting the following:—

(‘‘(i) has provided’’); and

(B) by redesignating clause (ii) as subclause (III); and

(C) by inserting before clause (II), as redesignated, the following:

(i) has advertised the job availability on the list described in paragraph (6), for at least 30 calendar days;

(2) LIST MAINTAINED BY THE DEPARTMENT OF LABOR.—Section 212(n) of such Act, as amended by this section, is further amended by adding at the end the following:

(A) Not later than 90 days after the date of the enactment of this paragraph, the Secretary of Labor shall establish a list of available jobs, which shall be publicly accessible without charge—

(i) on a website maintained by the Department of Labor, which website shall be search engine friendly;

(ii) the date on which the job is expected to begin;

(iii) the title and description of the job;

(iv) the State and city (or county) at which the work will be performed; and

(v) at each 1-stop center created under the Workforce Investment Act of 1998 (Public Law 105-222).

Each available job advertised on the list shall include—

(A) the employer’s full legal name;

(B) the address of the employer’s principal place of business;

(C) the employer’s State, city, and zip code;

(D) the employer’s Federal Employer Identification Number;

(E) the phone number, including area code and extension, as appropriate, of the hiring official or other designated official of the employer;

(F) the e-mail address, if available, of the hiring official or other designated official of the employer;

(G) the wage rate to be paid for the position and, if the wage rate in the offer is expressed as a range, the bottom of the wage range;

(H) whether the rate of pay is expressed on an annual, monthly, biweekly, weekly, or hourly basis;

(I) a statement of the expected hours per week that the job will be performed;

(J) the date on which the job is expected to begin;

(K) the date on which the job is expected to end, if applicable;

(L) the number of persons expected to be employed for the job;

(M) the job title;

(N) the job description;

(O) the city and State of the physical location at which the work will be performed; and

(P) a description of a process by which a United States worker may submit an application to be considered for the job.

(B) The Secretary of Labor may charge a nominal filing fee to employers who advertise available jobs on the list established under this paragraph to cover expenses for establishing and administering the requirements under this paragraph.

(C) The Secretary of Labor may promulgate rules, after notice and a period for comment—

(i) to carry out the requirements of this paragraph;

(ii) to require employers to provide other information in order to advertise available jobs on the list;

(iii) to publish the list; and

(iv) to establish a list of available jobs on the list established under this paragraph to cover expenses for establishing and administering the requirements under this paragraph.

(D) The amendments made by paragraph (1) apply to employers engaging in activities covered by paragraphs (1), (2), and (3) on or after the date of the enactment of this Act.
(B) shall apply to all applications filed on or after such date.

(d) H-1B NONIMMIGRANTS NOT ADMITTED FOR JOBS ADVERTISED OR OFFERED ONLY TO H-1B NONIMMIGRANTS.—Section 212(n)(1) of such Act, as amended by this section, is further amended—

(1) by inserting after subparagraph (G) the following:

“(H) The employer has not advertised the available jobs specified in the application in an advertisement that states or indicates that—

“(i) the job or jobs are only available to persons who are or who may become H-1B nonimmigrants; or

“(ii) persons who are or who may become H-1B nonimmigrants shall receive priority or a preference in the hiring process.

“(ii) The employer has not only recruited persons who are, or who may become, H-1B nonimmigrants to fill the job or jobs; and

(2) in the undesignated paragraph at the end, by striking “The employer” and inserting the following:

“(K) The employer.”

(e) PROHIBITION OF OUTPLACEMENT.—

(1) IN GENERAL.—Section 212(n) of such Act, as amended by this section, is further amended—

(A) in paragraph (1), by amending subparagraph (F) to read as follows:

“(F) in the undesignated paragraph at the end, by striking ‘The employer’ and inserting ‘The Secretary’;

(B) in paragraph (2), by striking subparagraph (E).

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to applications filed on or after the date of the enactment of this Act.

(g) LIMIT ON PERCENTAGE OF H-1B EMPLOYERS.—Section 212(n)(1) of such Act, as amended by this section, is further amended by inserting after subparagraph (H), as added by subsection (d)(1), the following:

“(I) if the employer employs not less than 50 employees in the United States, not more than 50 percent of such employees are H-1B nonimmigrants.”

(h) DETERMINATION.—

(1) CHANGE IN MINIMUM WAGES.—Section 212(n)(1) of such Act, as amended by this section, is further amended—

(A) by amending subparagraph (A) to read as follows:

“(A) The employer—

“(i) is offering and will offer, during the period of authorized employment, to aliens admitted or provided status as an H-1B nonimmigrant, wages, based on the best information available at the time the application is filed, which are not less than the highest of—

“(I) the locally determined prevailing wage level for the occupational classification in the area of employment;

“(II) the median average wage for all workers in the occupational classification in the area of employment; or

“(III) the median wage for skill level 2 in the occupational classification found in the most recent Occupational Employment Statistics survey; and

“(ii) will provide working conditions for such a nonimmigrant that will not adversely affect the working conditions of workers similarly employed;.”

(B) in paragraph (2), by striking “$1,000” and inserting “$1,000 and any other Federal or State agency that is responsible for enforcing worker rights under this section.”

(i) REQUIREMENTS UNDER THIS SUBSECTION.—Section 212(n)(2)(A) of such Act, as amended by this section, is further amended by inserting the following:

“(I) The employer has not advertised the available jobs specified in the application in an advertisement that states or indicates that—

“(i) the job or jobs are only available to persons who are or who may become H-1B nonimmigrants; or

“(ii) persons who are or who may become H-1B nonimmigrants shall receive priority or a preference in the hiring process.

“(ii) The employer has not only recruited persons who are, or who may become, H-1B nonimmigrants to fill the job or jobs; and

(2) in the undesignated paragraph at the end, by striking “The employer” and inserting the following:

“(K) The employer.”

(j) IMPEACHMENT.—

(1) IN GENERAL.—Section 212(n)(2)(E) of such Act, as amended by this section, is further amended—

(A) by inserting “The Secretary” after “Secretary”;

(B) by striking “The Secretary shall construe” and inserting “The Secretary shall construe and determine”;

(C) by inserting “within 7 days of” and inserting “not later than 14 days after”; and

(D) by adding at the end the following:

“If the Secretary of Labor, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the employer has not complied with the requirements under this subsection, the Secretary shall provide interested parties with notice of such determination and an opportunity to appear in person or by representative before the Secretary to present additional evidence. A determination by the Secretary under this clause shall not be subject to judicial review.”;

(k) PERIOD OF AUTHORIZED EMPLOYMENT.—Section 212(n)(2)(F) of such Act, as amended by this section, is further amended—

(A) by inserting the following:

“(I) If the employer employs not less than 50 employees in the United States, not more than 50 percent of such employees are H-1B nonimmigrants.”

(B) by amending clause (I) to read as follows:

“(I)(i) The employer has advertised the available jobs specified in the application in an advertisement that states or indicates that—

“(II) persons who are or who may become H-1B nonimmigrants shall receive priority or a preference in the hiring process.

“(II) The employer has not only recruited persons who are, or who may become, H-1B nonimmigrants to fill the job or jobs;.”

(l) STANDARDS OF COMPLIANCE DETERMINATION.—

(1) REVISED DETERMINATIONS.—The amendments under this subsection, unless the Secretary determines that such compliance under this subparagraph.

(2) INVESTIGATION.—Section 212(n)(2)(G) of such Act, as amended by this section, is further amended by inserting the following:

“(G) INVESTIGATIONS.—The Secretary shall conduct annual compliance audits of employers that employ H-1B nonimmigrants.

(1) The Secretary may conduct surveys of the employers as part of the adjudication process that indicates that the employer is not complying with H-1B visa program requirements. The Secretary may initiate and conduct an investigation and hearing under this paragraph after receiving information of noncompliance under this subparagraph.”;

(m) AUDITS.—Section 212(n)(2)(H) of such Act, as amended by this section, is further amended by adding at the end the following:

“The Secretary may conduct surveys of the employers as part of the adjudication process that indicates that the employer is not complying with H-1B visa program requirements. The Secretary may initiate and conduct an investigation and hearing under this paragraph after receiving information of noncompliance under this subparagraph.”;

(n) PENALTIES.—Section 212(n)(2)(I) of such Act, as amended by this section, is further amended—

(1) in clause (i), by striking “$1,000” and inserting “$2,000”;
(2) in clause (i)(I), by striking “$5,000” and inserting “$10,000”; and
(3) in clause (v)(III), by striking “$1,000” and inserting “$2,000.”

(1) for hearing described in subsection (2), unless the Secretary of Homeland Security issues a visa, in writing on a form developed and provided by the Secretary and completed by or on behalf of the person.

(2) for hearing described in clause (1) based on such investigation may be conducted with respect to information about a failure to comply with the requirements under this subsection, if more than 15 percent of such employees; and shall be provided in such a manner, and shall contain sufficient detail, to permit the employer or applicable source to the Alleged Investigation to conduct such investigation. If the Secretary is not required to comply with the clause if the Secretary determines that to do so would interfere with an employee to investigate or secure compliance by the employer with the requirements of this subsection, such employee to conduct such investigation. If the Secretary finds that the respondent is in violation of the requirements described in the subsection, the Secretary may impose a penalty under section 214(c)(2)(J).

The Secretary of Homeland Security may impose a penalty under section 214(c)(2)(J), which is not greater than the lesser of $10,000 or the aggregate amount equal to 15 percent of the value of the goods or services provided by the respondent and the amount of any profits realized by the respondent in connection with the violation.

(4) The Secretary of Homeland Security may impose a penalty under section 214(c)(2)(J) if the respondent is an employer of nonimmigrants described in section 101(a)(15)(L). The Secretary may impose such other administrative remedies (including civil monetary penalties in the aggregate amount equal to 15 percent of the value of the goods or services provided by the respondent and the amount of any profits realized by the respondent in connection with the violation).
approve a petition for that employer to employ 1 or more aliens as such nonimmigrants.

“(ii) If the Secretary of Homeland Security finds, on such other administrative records and in a petition to employ 1 or more aliens as nonimmigrants described in section 101(a)(15)(L)—

“(I) the Secretary of Homeland Security may impose such other administrative remedies (including civil monetary penalties in an amount not to exceed $10,000 per violation) as the Secretary determines to be appropriate; and

“(II) the Secretary of Homeland Security may, not during a period of at least 2 years, approve a petition filed for that employer to employ 1 or more aliens as such nonimmigrants.

“(iii) If the Secretary of Homeland Security, after notice and an opportunity for a hearing, a willful failure by an employer to meet a condition under subparagraph (F), (G), (H), (I), or (K) or a misrepresentation of material fact in a petition to employ 1 or more aliens as nonimmigrants described in section 101(a)(15)(L)—

“(I) the Secretary of Homeland Security may impose such other administrative remedies (including civil monetary penalties in an amount not to exceed $10,000 per violation) as the Secretary determines to be appropriate; and

“(II) the employer offers to United States workers, (101(a)(15)(L), to aliens as nonimmigrants described in section who has filed a petition to import 1 or more nonimmigrant for such period of time as the Secretary determines to be appropriate; and

“(III) the Secretary of Homeland Security may, not during a period of at least 2 years, approve a petition filed for that employer to employ 1 or more aliens as such nonimmigrants.

“(ii) If the employer before a date mutually agreed to by the nonimmigrant and the employer; or

“(III) provide working conditions for such nonimmigrant that will not adversely affect the working conditions of workers similarly employed.

“(ii) If an employer, in such previous period specified by the Secretary of Homeland Security, employed 1 or more L-1 nonimmigrants, the employer shall provide to the Secretary of Homeland Security through the Department of Commerce $3,000,000 for each of the fiscal years 2008, 2009, 2010, 2011, 2012, to carry out the provisions of this section.

“(I) a current employee;

“(II) a former employee; and

“(III) an applicant for employment.

“(a) for fiscal year 2009; and

“(3) $6,000,000,000 for fiscal year 2009;

“(5) $8,000,000,000 for fiscal year 2011.

“(b) for fiscal year 2010; and

“(2) $7,000,000,000 for fiscal year 2010; and

“(4) $7,000,000,000 for fiscal year 2010; and

“(6) $7,000,000,000 for fiscal year 2011.”.

“SA 954. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

Strike section 2005 and insert the following:

SEC. 2005. ADVANCED RESEARCH PROJECTS ADMINISTRATION-ENERGY.

(a) ESTABLISHMENT.—There is established the Advanced Research Projects Administration-Energy (referred to in this section as ‘‘ARPA-E’’),
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(b) GOALS.—The goals of ARPA-E are to reduce the quantity of energy the United States imports from foreign sources and to improve the competitiveness of the United States economy by:

(1) promoting revolutionary changes in the critical technologies that would promote energy competitiveness;

(2) turning cutting-edge science and engineering into technologies for energy and environmental application; and

(3) accelerating innovation in energy and the environment for both traditional and alternative energy sources and in energy efficiency mechanisms to:

(A) increase efficiency;

(B) decrease the reliance of the United States on foreign energy sources; and

(C) improve energy competitiveness.

(c) DIRECTOR.—

(1) IN GENERAL.—ARPA-E shall be headed by a Director (referred to in this section as the "Director") appointed by the President.

(2) POSITIONS AT LEVEL V.—Section 5316 of title 5, United States Code, is amended by adding at the end the following:

"Director, Advanced Research Projects Administration–Energy."

(d) DUTIES.—

(1) IN GENERAL.—In carrying out this section, the Director shall award competitive grants, cooperative agreements, or contracts to institutions of higher education, companies, or consortia of such entities (which may include not-for-profit entities, research centers, and development centers) to achieve the goal described in subsection (b) through acceleration of:

(A) energy-related research;

(B) development of resultant techniques, processes, and technologies, and related testing and evaluation; and

(C) the translation of commercial application of the most promising technologies and research applications.

(2) SMALL-BUSINESS CONCERNS.—The Director shall carry out programs established under this section, to the maximum extent practicable, in a manner that is similar to the Small Business Innovation Research Program established under section 9 of the Small Business Act (15 U.S.C. 638) to ensure that small-business concerns are fully able to participate in the programs.

(e) PERSONNEL.—

(1) PROGRAM MANAGERS.—

(A) APPOINTMENT.—The Director shall appoint program managers for each of the programs that are established to carry out the duties of ARPA-E under this section.

(B) TECHNICAL PROGRAM MANAGERS.—The Director shall appoint technical program managers to serve as program managers for each of the programs that are established to carry out the duties of ARPA-E under this section.

(2) OTHER PERSONNEL.—

(A) IN GENERAL.—Subject to subparagraph (B), the Director may appoint such employees as are necessary to carry out the duties of ARPA-E under this section.

(B) LIMITATIONS.—The Director shall appoint not more than 250 employees to carry out the duties of ARPA-E under this section, including not less than 180 technical staff, of which—

(i) not less than 20 staff shall be senior technical managers (including program managers designated under paragraph (1)); and

(ii) not less than 30 staff shall be technical program managers.

(3) EXPERIMENTAL PERSONNEL AUTHORITY.—In appointing personnel for ARPA-E, the Director shall have the hiring and management authorities described in section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note).

(4) MAXIMUM DURATION OF EMPLOYMENT.—(A) PROGRAM MANAGERS AND SENIOR TECHNICAL MANAGERS.—

(I) IN GENERAL.—Subject to clause (i), a program manager and a senior technical manager appointed under this subsection shall serve for not more than 4 years after the date of appointment.

(II) EXTENSIONS.—The Director may extend the term of employment of a program manager or a senior technical manager appointed under this subsection for not more than 4 years through 1 or more 2-year terms.

(B) TECHNICAL PROGRAM MANAGERS.—A technical program manager appointed under this subsection shall serve for a term not to exceed 6 years after the date of appointment.

(5) LOCATION.—The Director shall not be located in the headquarters of the Department of Energy.

(f) TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS.—

(1) IN GENERAL.—To carry out projects through ARPA-E, the Director may enter into other transactions (other than contracts, cooperative agreements, and grants) to carry out advanced research projects under this section under similar terms and conditions as the authority is exercised under section 646(g) of the Department of Energy Organization Act (42 U.S.C. 7256(g)).

(2) SUBMISSION OF REPORT.—Peer review shall not be required for 75 percent of the research projects carried out by the Director under this section.

(g) CREDENTIALS FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.—The Director may carry out a program to award cash prizes in recognition of outstanding achievements in basic science, applied research, technology development, and prototype development that have the potential for application to the performance of ARPA-E projects under similar terms and conditions as the authority is exercised under section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 15386).

(h) COORDINATION OF ACTIVITIES.—

(1) PROGRAMS.—The Director shall ensure that the activities of ARPA-E are coordinated with activities of other agencies; and

(2) REPORT.—Not later than September 30, 2008, the Director shall submit to Congress a report on the activities of ARPA-E under this section, including a determination on whether ARPA-E needs an energy research laboratory.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $300,000,000 for fiscal year 2008;

(2) $500,000,000 for fiscal year 2009;

(3) $1,100,000,000 for fiscal year 2010;

(4) $1,500,000,000 for fiscal year 2011; and

(5) $2,000,000,000 for fiscal year 2012.

SA 955. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

SEC. 5. PROHIBITION AGAINST FUNDING ANTI-COMPETITIVENESS.

Notwithstanding any other provision of this Act, no federal funds provided to any organization or entity that advocates against tax competition or United States tax competitiveness.

SA 956. Mr. CRAPO (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 761, to encourage innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

SEC. 6. SENSE OF THE SENATE REGARDING CAPITAL MARKETS.

(a) FINDINGS.—The Senate finds that—

(1) United States capital markets are losing their competitive edge in the face of intensifying global competition, posing a risk to economic growth, a problem that is well-documented in initial public offerings (IPOs), over-the-counter (OTC) derivatives, securitization, and traditional lending; and

(2) according to the Senate's Charles E. Schumer and Mayor Michael R. Bloomberg report, entitled “Sustaining New York's and the US's Global Financial Services Leadership,” “In looking at several of the critical contested investment banking and sales and trading markets—initial public offerings (IPOs), over-the-counter (OTC) derivatives, and securitization—the US is moving in the wrong direction.”

(b) LIMITATIONS.—The Director shall—

(1) undertake a study and report on the activities of ARPA-E to improve the United States' competitiveness in the financial markets; and

(2) implement the recommendations of the study and report to the extent practicable.

(c) APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $2,000,000,000 for fiscal year 2008;

(2) $600,000,000 for fiscal year 2009;

(3) $300,000,000 for fiscal year 2011, and

(4) $500,000,000 for fiscal year 2012.

SEC. 7. FURTHER AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this section—

(a) $300,000,000 for fiscal year 2008;

(b) $500,000,000 for fiscal year 2009;

(c) $1,100,000,000 for fiscal year 2010;

(d) $1,500,000,000 for fiscal year 2011; and

(e) $2,000,000,000 for fiscal year 2012.
Indeed, the derivatives markets can be more liquid than the underlying cash markets. Therefore, as London takes the global lead in derivatives, America’s competitiveness in both the derivatives and traditional financial flows must be maintained, as is its position as a center for financial innovation.

On page 109, line 24, insert before the semicolon the following: “or a school or department within the eligible recipient with a competency-based degree program has ensured, in the development of a master’s degree program, the provision of rigorous studies in mathematics, science, or a critical foreign language that enhance the teachers’ content knowledge and teaching skills.”

On page 111, line 16, insert after “program” the following: “or a full-time online master’s degree program.”

SA 958. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1601. BROADBAND REPORTING REQUIREMENTS.

(a) REPORTING REQUIREMENTS.—The Federal Communications Commission shall revise FCC Form 477 reporting requirements within 180 days after the date of enactment of this Act to require broadband service providers to report the following information:

(1) Identification of where the provider offers broadband service to customers, identified by zip code plus 4 digit location (hereinafter referred to as “service area”).

(b) Percentage of households and businesses in each service area that are offered broadband service by the provider, and the percentage of such households that subscribe to each service plan offered.

(c) The average price per megabyte of download speed and upload speed in each service area.

(d) Identification by service area of the provider’s broadband service plan—

(i) actual average throughput; and

(ii) contention ratio of the number of users sharing the same line.

Exception.—The Federal Communications Commission shall exempt a broadband service provider from the requirements in paragraph (1) if the Commission determines that a provider’s compliance with the reporting requirements is cost prohibitive, as defined by the Commission.

D. DEMOGRAPHIC INFORMATION FOR UNSERVED AREAS.—The Federal Communications Commission, using available Census Bureau data, shall provide to Congress, on an annual basis, a report containing the following information for service area that is not served by any broadband service provider—

(1) population;

(2) median family income; and

(3) average per capita income.

SA 960. Mr. LEVIN (for himself and Mr. VONNOCH) submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

On page 48, line 9, strike “ocean” and insert “ocean, coastal, Great Lakes.”

On page 48, line 22, insert “Great Lakes,” after “coastal.”

SA 961. Mr. BROWN (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

On page 24, between lines 19 and 20, insert the following:
SEC. 1205. REVOLVING LOAN FUNDS FOR SMALL MANUFACTURERS.

(a) DEFINITIONS.—In this section:

(1) CENTER.—The term “Center” means a Regional Manufacturing Extension Partnership Transfer of Manufactur- ing Technology described in section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k).

(2) MANUFACTURING EXTENSION PARTNERSHIP PROGRAM.—The term “Manufacturing Extension Partnership program” means the program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278i).

(3) REVOLVING LOAN FUND.—The term “revolving loan fund” means a revolving loan fund described in subsection (d).

(4) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(b) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary is author- ized to award grants to States to establish revolving loan funds.

(2) MAXIMUM AMOUNT.—The Secretary may not award a grant under this section in an amount that exceeds $10,000,000.

(3) GRANT PERIOD.—A grant shall be for a period of not more than 3 years.

(c) CRITERIA FOR THE AWARDING OF GRANTS.—

(1) MATCHING FUNDS.—The Secretary may not award a grant to a State under this section unless the State agrees to provide con- tributions in an amount equal to not less than the Secretary shall provide in regulations.

(2) PREVIOUS AWARD.—In awarding grants each year, the Secretary shall give preference to States that have previously been awarded a grant under this section.

(d) REVOLVING LOAN FUNDS.—

(1) IN GENERAL.—A State receiving a grant under this section shall use the amount in the revolving loan fund to make the fol- lowing loans:

(A) stage-1 loans.—A stage-1 loan means a loan made to a small manufacturer in an amount not to exceed $50,000, for new product development to conduct the following:

(i) Patent research.

(ii) Market research.

(iii) Technical feasibility testing.

(iv) Competitive analysis.

(B) stage-2 loans.—A stage-2 loan means a loan made to a small manufacturer in an amount not to exceed $100,000 to develop a prototype of and test a new product.

(2) INTEREST.—Loans so provided shall bear interest at a rate of 3.5 percent annually.

(3) PAYMENTS.—The Secretary may not require a recipient of a loan to make in- terest payments on a loan during the first 3 years of such loan.

(4) COLLATERAL.—No collateral or personal guaranty shall be required for receipt of a loan.

(5) SECURED INTEREST IN INTELLECTUAL PROPERTY.—Each loan shall be secured by an interest in any intellectual property developed by the recipient of such loan.

(e) ADMINISTRATION.—Each State receiving a grant under this section shall:

(1) Cooperate with the Secretary to carry out the provisions of this section.

(2) Forward to the Secretary any proposal or loan applications submitted under this section.

(f) DISBURSEMENT.—A stage-1 loan shall consist of the following:

(1) Amounts from grants awarded under this section.

(2) All amounts held or received by the State in respect of the provisions of the act described in subsection (e), including all collec- tions of principal and interest.

(3) EXPENDITURES.—Accounts in the revolving loan fund shall be available for the provi- sion and administration of loans in accord- ance with subsection (e).

(4) ADMINISTRATION.—A State may enter into an agreement with a Center to admin- ister a revolving loan fund.

(g) LOANS.—

(1) IN GENERAL.—A State receiving a grant under this section shall use the amount in the revolving loan fund to make the fol- lowing loans:

(A) stage-1 loans.—A stage-1 loan means a loan made to a small manufacturer in an amount not to exceed $50,000, for new product development to conduct the following:

(i) Patent research.

(ii) Market research.

(iii) Technical feasibility testing.

(iv) Competitive analysis.

(B) stage-2 loans.—A stage-2 loan means a loan made to a small manufacturer in an amount not to exceed $100,000 to develop a prototype of and test a new product.

The following shall apply with respect to loans pro- vided under paragraph (1):

(A) DURATION.—Except as provided in sub- paragraph (B), loans shall be for a period not to exceed 10 years.

(B) PREPAYMENT.—A recipient of a loan may prepay such loan at any time without penalty.

(C) INTEREST RATE.—Loans shall bear inter- est at a rate of 3.5 percent annually.

(D) ACCRUAL OF INTEREST.—Loans shall ac- crue interest during the entire duration of the loan.

(E) PAYMENT OF INTEREST.—A State may require a recipient of a loan to make in- terest payments on a loan during the first 3 years of such loan.

(F) COLLATERAL.—No collateral or personal guaranty shall be required for receipt of a loan.

(G) SECURED INTEREST IN INTELLECTUAL PROPERTY.—Each loan shall be secured by an interest in any intellectual property developed by the recipient of such loan.

(H) DEVELOPMENT OF BUSINESS PLANS AND BUDGETS.—Each recipient of a loan shall de- sign, develop, and submit, to the Secretary a business plan and a budget for the use of loan amounts.

(I) PREFERENCES FOR LOAN APPLICANTS THAT PARTICIPATE IN THE MANUFACTURING EXTENSION PARTNERSHIP PROGRAM.—In selecting small manufacturers to receive a loan, a recipi- ent of a grant under this section shall give preference to applicants that are participants in the Manufacturing Extension Partnership program.

(J) LOCAL PRODUCT DEVELOPMENT.—Each recipient of a loan shall commit to de- veloping and manufacturing the product for which a loan is sought in the State that pro- vides the loan for the duration of the loan if such product is developed during such dura- tion.

(K) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out the provisions of this section, $35,000,000 for each of the fiscal years 2008 through 2014, of which—

(1) $5,000,000 shall be for grants under this section; and

(2) $2,000,000 shall be for the costs of adminis- tering grants awarded under this section.

SA 962. MR. SANDERS submitted an amendment intended to be proposed by him to the bill S. 761, to invest in inno- vation and education to improve the competitiveness of the United States in the global economy, as follows:

At the end, add the following:

DIVISION E—GENERAL PROVISIONS

SEC. 5001. REQUIREMENTS FOR RECEIPT OF FED- ERAL ASSISTANCE BY CERTAIN LARGE BUSINESS ENTITIES

(a) INFORMATION REQUIRED.—Each Federal department or agency that provides grants,

loans, or loan guarantees to certain large business entities after the date of the enact- ment of this Act shall require that, as a condi- tion of that grant, loan, or loan guarantee, the Secretary to the department or agency on an annual basis for the duration of the grant, loan, or loan guar- antee the following information:

(1) The number of individuals employed by the business entity in the United States.

(2) The number of individuals employed by the business entity outside the United States.

(3) A description of the wages and benefits being provided to the employees of the busi- ness entity in the United States.

(4) A description of the wages and benefits being provided to the employees of the busi- ness entity outside the United States.

(b) CERTIFICATION REQUIRED.—In addition to the information required under subsection (a), beginning on the date that is 1 year after the date on which a Federal department or agency provides a grant, loan, or loan guarantee to a large business entity, the department or agency shall require the recipient of a grant, loan, or loan guarantee to provide a written certification that contains the fol- lowing information:

(1) The percentage of the workforce of the business entity that has been laid off or induced to resign from the business entity during the 12-month period preceding the submission of the certification.

(2) The percentage of the total workforce of the business entity that has been laid off or induced to resign from the business entity during the 12-month period preceding the submission of the certification.

(3) The number of employees of the business entity worldwide, as that number was, on the later of—

(A) The date the business entity last made a certification under subsection (b), con- cerning the same financial assistance, that did not cause the business entity to become ineligible under this subsection for further financial assistance; or

(B) The date on which the business entity received the financial assistance for which this certification is being made.

(c) DEFINITIONS.—

(1) BUSINESS ENTITY.—LARGE BUSINESS ENTI- TY.—The terms “business entity” and “large business entity” mean a corporation, part- nership, or any other business entity that employs 1,000 or more employees, including the subsidiaries, parent companies, and af- filiated businesses of the entity.

(2) UNITED STATES.—The term “United States” includes the territories of the United States.

SA 963. MR. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him
to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

On page 3, after line 5, add the following:

 subtitle _H-1B and L-1 Visa Fraud and Abuse Prevention_

SEC. 1. SHORT TITLE.

This subtitle may be cited as the “H-1B and L-1 Visa Fraud and Abuse Prevention Act of 2007.”

SEC. 2. H-1B EMPLOYER REQUIREMENTS.

(a) APPLICATION OF NONDISPLACEMENT AND GOOD FAITH RECRUITMENT REQUIREMENTS TO ALL H-1B EMPLOYERS—

(1) AMENDMENTS.—Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (E),

(ii) in clause (i), by striking “(E)(ii)” in the case of an application described in clause (ii), the and inserting “(E)(ii)”;

(II) in paragraph (2), by striking “of the employer”;

(ii) in subparagraph (F), by striking “In the case of an application described in sub-paragraph (E)(ii), subject” and inserting “Subject”;

(B) in paragraph (3),—

(i) in subparagraph (E), by striking “If an H-1B-dependent employer” and inserting “If an employer that employs H-1B nonimmigrants”;

(ii) in subparagraph (F), by striking “The preceding sentence shall apply to an em-ployer that employs H-1B nonimmigrants—” and inserting “The employer shall not place the nonimmigrant and another employer if—”;

(iii) in subparagraph (G), by striking “In the case of an application described in sub-paragraph (E)(ii), subject” and inserting “Subject”;

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to applications filed on or after the date of the enactment of this Act.

(b) NONDISPLACEMENT REQUIREMENT—

(1) EXTENDING TIME PERIOD FOR NON- DISPLACEMENT.—Section 212(n)(2) of such Act, as amended by subsection (a), is further amended—

(A) in paragraph (1)—

(i) in subparagraph (E), by striking “90 days” each place it appears and inserting “180 days”;

(ii) in subparagraph (F)(ii), by striking “90 days” each place it appears and inserting “180 days”;

(B) in paragraph (2)(C)(iii), by striking “90 days” each place it appears and inserting “180 days”;

(2) EFFECTIVE DATE.—The amendments made by paragraph (1)—

(A) shall apply to applications filed on or after the date of the enactment of this Act; and

(B) shall not apply to displacements for pe-riods occurring more than 90 days before such date.

(c) PUBLIC LISTING OF AVAILABLE POSITIONS.—

(1) LISTING OF AVAILABLE POSITIONS.—Section 212(n)(1)(C) of such Act is amended—

(A) in clause (i), by striking “(i) has pro-vided” and inserting the following:—

“(i) has advertised the job availability on the list described in paragraph (6), for at least 30 days ending on the date on which the job is advertised.”;

(B) by redesigning clause (ii) as sub- clause (i); and

(C) by inserting before clause (ii), as redesignated, the following:—

“(i) has advertised the job availability on the list described in paragraph (6), for at least 30 days ending on the date on which the job is advertised.”;

(2) LIST MAINTAINED BY THE DEPARTMENT OF LABOR.—Section 212(n)(2) of such Act, as amended by this section, is further amended by adding at the end the following:

“(G)(ii) Not later than 90 days after the date of the enactment of this paragraph, the Secretary of Labor shall establish a list of available jobs, which shall be publicly accessible without charge—

(i) on a website maintained by the Depart-ment of Labor, which website shall be searchable by—

(A) the name, city, State, and zip code of the employer;

(B) the date on which the job is expected to begin;

(C) the title and description of the job; and

(D) the State and city (or county) at which the work will be performed; and

(ii) at each 1-stop center created under the Workforce Investment Act of 1998 (Public Law 105-250).

(b) Each available job advertised on the list shall include—

(i) the employer’s full legal name;

(ii) the address of the employer’s prin-cipal place of business;

(iii) the employer’s State, city, and zip code;

(iv) the employer’s Federal Employer Identification Number;

(v) the phone number, including area code and extension, as appropriate, of the hiring official or other designated official of the employer;

(vi) the e-mail address, if available, of the hiring official or other designated official of the employer;

(vii) the wage rate to be paid for the position;

(viii) whether the rate of pay is expressed on an annual, monthly, biweekly, weekly, or hourly basis;

(ix) a statement of the expected hours per week that the job will require;

(x) the date on which the job is expected to begin;

(xi) the date on which the job is expected to end, if applicable;

(xii) the number of persons expected to be employed for the job;

(xiii) the job description;

(xiv) the job classification;

(xv) the city and State of the physical loca-tion at which the work will be performed; and

(xvi) a description of a process by which a United States worker may charge a nominal filing fee to employers who adver-tise available jobs on the list established under this paragraph to cover expenses for establishing and administering the require-ments under this paragraph.

(D) The Secretary may promulgate rules, after notice and a period for comment—

(i) to carry out the requirements of this paragraph; and

(ii) that require employers to provide other information in order to advertise available jobs on the list.

(3) EFFECTIVE DATE.—The amendments made by paragraph (1)—

(A) shall take effect on the date that is 90 days after the creation of the list described in section 212(n)(6) of the Immigration and Nationality Act, as added by paragraph (2); and

(B) shall apply to all applications filed on or after such date.

(d) H-1B NONIMMIGRANTS NOT ADMITTED FOR JOBS ADVERTISED OR OFFERED ONLY TO H-1B EMPLOYERS.—Section 212(n)(1)(H) of such Act, as amended by this section, is further amended—

(1) by inserting after subparagraph (G) the following:

“(H)(i) The employer has not advertised the available jobs specified in the applica-tion in an advertisement that states or indi-cates that—

(I) the job or jobs are only available to persons who are or who may become H-1B nonimmigrants; or

(II) persons who are or who may become H-1B nonimmigrants shall receive priority or a preference in the hiring process.

(ii) The employer has only recruited persons who are, or who may become, H-1B nonimmigrants to fill the job or jobs.”;

(2) in the undesignated paragraph at the end, by striking “The employer” and insert-
(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to applications filed on or after the date of the enactment of this Act.

(b) IDENTIFICATION DOCUMENTS.—Section 204 of such Act (8 U.S.C. 1154) is amended by adding at the end the following:

"(v) The Secretary of Labor shall provide notice to an employer of the intent to conduct an investigation. The notice shall be provided in a manner that will contain sufficient detail, to permit the employer to respond to the allegations before an investigation is conducted. The Secretary is not required to comply with this clause if the Secretary determines that such compliance would interfere with an effort by the Secretary or another Federal agency to investigate or secure compliance by the employer with the requirements of this subsection. A determination by the Secretary under this clause shall not be subject to judicial review.

(H) in clause (vi), as redesignated, by striking "‘an investigation’ and all that follows through the ‘determination,’ and inserting ‘if the Secretary of Labor, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the employer has failed to comply with the requirements under this subsection, the Secretary shall provide interested parties with notice of such determination and an opportunity for a hearing in accordance with section 1555 of title 8, United States Code, not later than 120 days after the date of such determination.’; and

(i) by adding at the end the following:

"(iii) If the Secretary, after a hearing, finds a reasonable basis to believe that the employer has violated the requirements under this subsection, the Secretary may impose a penalty under subparagraph (C),"; and

(4) by striking paragraph (h), (i), and (j);

(5) by striking paragraphs (k) and (l);

(6) by striking paragraph (m); and

(7) by striking paragraph (n).

(c) EVIDENCE.—In determining whether an employer is not complying with section 101(a)(15)(L), who

[399x410]'', presents clear indicators of fraud or misrepresentation of material fact, or is otherwise inaccurate;

(F) by striking "the Secretary’s review of an application"

and inserting "the Secretary’s review of an application"

identifying clear indicators of fraud or misrepresentation of material fact, the Secretary may conduct an investigation and hearing under paragraph (2)."

(d) EFFECTIVE DATE.—This section shall take effect 180 days after the date of the enactment of this Act.

SEC. 3. HUMAN GOVERNMENT AUTHORITY AND REQUIREMENTS.

(a) SAFEGUARDS AGAINST FRAUD AND MISREPRESENTATION IN APPLICATION REVIEW PROCESS.—Section 212(n)(1)(E) of the Immigration and Nationality Act, as redesignated by section 2(d)(2), is amended—

(1) in subparagraph (A) (i) by striking 

"and through the website of the Department of Labor, without charge." after "D.C.;"

(2) by inserting 

"clear indicators of fraud, misrepresentation of material fact," after "completeness;"

(3) by striking "or obviously inaccurate" and inserting "or presents clear indicators of fraud or misrepresentation of material fact," or is obviously inaccurate;

(4) by striking "within 7 days of" and inserting "not later than 14 days after"; and

(b) INVESTIGATIONS BY DEPARTMENT OF LABOR.—Section 212(n)(2) of such Act is amended—

(1) in subparagraph (A)—

(A) by striking "12 months" and inserting "24 months"; and

(B) by striking paragraph (2), as redesignated by this subsection, which contains the following:

"(2) in subparagraph (B), (C)(i), (E), (F), (H), (I), or (J) of paragraph (1);" and

(C) by striking "(1)(C)" and inserting "(1)(A)";

(2) in subparagraph (G) (i) by striking "the Secretary shall conduct" and adding 

"all that follows and inserting "Upon the receipt of a complaint, the Secretary may initiate an investigation to determine whether a failure to provide the information required by this subsection has occurred."; and

(3) in subparagraph (C)(i)—

(A) by striking "(2) in subparagraph (B), (C)(i), (E), (F), (H), (I), or (J) of paragraph (1);" and

(B) by striking "(1)(C)" and inserting "(1)(A)";

(3) in subparagraph (G)—

(A) by striking "(the Secretary may conduct surveys of degree to which employers comply with the requirements under this subsection and may conduct annual compliance audits of employers that employ H-1B nonimmigrants.)" and inserting "(the Secretary may conduct annual compliance audits of employers that employ H-1B nonimmigrants.)"

(B) in clause (ii), by striking "and whose identity" and adding "and whose identity and all that follows through "failure or failures," and inserting "the Secretary of Labor may conduct an investigation into the employer’s compliance with the requirements of this subsection.");

(C) in clause (iii), by striking the last sentence;

(D) by striking clauses (iv) and (v);

(E) by redesignating clauses (vi), (vii), and (viii) of such paragraph (iv), (v), and (vi), respectively;

(F) in clause (iv), as redesignated, by striking "meet a condition described in clause (ii)" and adding "meet a condition described in clause (ii) under which an investigation into the employer’s compliance with the requirements not later than 12 months" and inserting "comply with the requirements not later than 12 months";

(G) by amending clause (v), as redesignated, by striking "and inserting "(2) in clause (i)(B), by striking "$2,000" and inserting "$5,000" and inserting "$10,000"; and

(H) by striking clause (vi)(III), as redesignated, by striking "$1,000" and inserting "$2,000." and inserting "(I) INVESTIGATIONS BY DEPARTMENT OF LABOR.—Section 212(n)(3) of such Act, as amended by this section, is further amended by inserting after paragraph (2) the following:

"(3)(A) Upon issuing an H–1B visa to an applicant outside the United States, the Department of Labor shall provide the applicant with—

"(i) a brochure outlining the employer’s obligations and the employee’s rights under Federal law, including labor and wage protections;

"(ii) the contact information for Federal agencies that can offer more information or assistance in clarifying employer obligations and workers’ rights; and

"(iii) a copy of the employer’s H–1B application for the position that the H–1B non–immigrant has been issued the visa to fill.

(B) Upon the issuance of an H–1B visa to an alien inside the United States, the officer of the Department of Homeland Security shall provide the applicant with—

"(i) a brochure outlining the employer’s obligations and the employee’s rights under Federal law, including labor and wage protections;

"(ii) the contact information for Federal agencies that can offer more information or assistance in clarifying employer obligations and workers’ rights; and

"(iii) a copy of the employer’s H–1B application for the position that the H–1B non–immigrant has been issued the visa to fill.

SEC. 4. VISA FRAUD AND ABUSE PROTECTIONS.

(a) IN GENERAL.—Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1181(c)(2)) is amended—

(1) by striking "Attorney General each place it appears and inserting "Secretary of Homeland Security";

(2) by striking paragraph (E), by striking "the case of an alien spouse admitted under section 101(a)(15)(L), who" and inserting "except as provided in subparagraph (H), if an alien spouse admitted under section 101(a)(15)(L);" and

(3) by adding at the end the following:

"(G)(i) If the beneficiary of a petition under this subsection is coming to the United States to open, or be employed in, a new facility, the petition may be approved for up to 12 months only if the employer operating the new facility has—

"(I) a business plan;" and

"(II) sufficient physical premises to carry out the proposed business activities; and

(ii) an extension of the approval period under clause (i) may not be granted until the importing employer submits an application to the Secretary of Homeland Security that contains—

"(I) evidence that the importing employer meets the requirements of this subsection;

"(II) evidence that the beneficiary meets the requirements under section 101(a)(15)(L); and

"(III) a statement summarizing the original petition;"

"(IV) evidence that the importing employer has fully complied with the business plan submitted under clause (i)(I); and

"(V) evidence of the truthfulness of any representations made in connection with the filing of the original petition;"

"(VI) evidence that the importing employer, during the preceding 12 months, has been doing business at the new facility through regular, systematic, and continuous production of goods or services, or has otherwise been taking commercially reasonable steps to establish the new facility as a commercial enterprise;

"(VII) a statement of the duties the beneficiary has performed at the new facility during the preceding 12 months and the duties
the beneficiary will perform at the new facility during the extension period approved under this clause:

'(VIII) a statement describing the staffing at the new facility including the number of employees and the types and positions held by such employees;

'(IX) evidence of wages paid to employees;

'(X) a statement of the financial status of the new facility; and

'(XI) any other evidence or data prescribed by the Secretary.

'(ii) Notwithstanding subclauses (I) through (VI) of clause (i), and subject to the maximum period of authorized admission set forth in subparagraph (D), the Secretary of Homeland Security may approve a petition subsequently filed on behalf of the beneficiary to continue employment at the facility described in this subsection for a period beyond the maximum period if the importing employer demonstrates that the failure to satisfy any of the requirements described in those subclauses was directly caused by extraordinary circumstances beyond the control of the importing employer.

'(iv) For purposes of determining the eligibility for classification under section 101(a)(15)(L), the Secretary of Homeland Security shall work cooperatively with the Secretary of State to verify a company or facility existence in the United States and abroad.'

(b) Restriction on Blanket Petitions.—Section 214(c)(2)(A) of such Act is amended to read—

'(2)(A) The Secretary of Homeland Security may not permit the use of blanket petitions to import aliens as nonimmigrants described in section 101(a)(15)(L).'

(c) Prohibition on Outplacement.—Section 214(c)(2) of such Act, as amended by this section, is further amended by adding at the end the following:

'(H) An employer who imports 1 or more aliens as nonimmigrants described in section 101(a)(15)(L) shall not place, outsource, lease, or otherwise contract for the placement of an alien admitted or provided status as an L-1 nonimmigrant with another employer.'

(d) Reporting Requirement by Department of Homeland Security.—(1) Department of Homeland Security Investigations.—Section 214(c)(2) of such Act, as amended by this section, is further amended by adding at the end the following:

'(i)(I) The Secretary of Homeland Security may initiate an investigation of any employer who imports nonimmigrants described in section 101(a)(15)(L) with regard to the employer's compliance with the requirements of this subsection.

'(II) The Secretary of Homeland Security receives specific credible information from a source who is likely to have knowledge of an employer's practices, employment conditions, or wages, and the Secretary finds, after a hearing, that an employer has willfully failed to respond to the allegations before an investigation is commenced. The Secretary shall provide notice to the employer of the intent to conduct such investigation. The notice shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced. The Secretary is not required to consider a class of employers if the Secretary determines that to do so would interfere with an effort by the Secretary to investigate or secure compliance by the employer with the requirements of this subsection. There shall be no judicial review of a determination by the Secretary under this clause.

'(ii) If the Secretary of Homeland Security, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to believe that the employer has violated the requirements under this subsection, the Secretary may impose a penalty under section 101(a)(15)(L).'(E) Penalties.—Section 214(c)(2) of such Act, as amended by this section, is further amended by adding at the end the following:

'(H) The Secretary of Homeland Security finds, after notice and an opportunity for a hearing, a failure by an employer to meet a condition under subparagraph (L)(I)—

'(I) the Secretary of Homeland Security shall impose such other administrative remedies (including civil monetary penalties in an amount not to exceed $1,000 per violation) as the Secretary determines to be appropriate; and

'(II) the Secretary of Homeland Security may impose such other administrative remedies (including civil monetary penalties in an amount not to exceed $1,000 per violation) as the Secretary determines to be appropriate, and

'(III) the Secretary of Homeland Security may impose such other administrative remedies (including civil monetary penalties in an amount not to exceed $1,000 per violation) as the Secretary determines to be appropriate, and

'(IV) impose an amount not to exceed $500 per violation

'(a) the locally determined prevailing wage level for the occupational classification in the area of employment;

'(b) the median average wage for all workers in the occupational classification in the area of employment; or

'(c) the median wage for skill level 2 in the occupational classification found in the most recent Occupational Employment Statistics survey; and

'(d) provide working conditions for such nonimmigrant that will not adversely affect the working conditions of workers similarly employed.

'(H)(I) If an employer, in such previous period specified by the Secretary of Homeland Security, employed 1 or more L-1 nonimmigrants, the employer shall provide to the Secretary of Homeland Security and the Internal Revenue Service Form W-2 Wage and Tax Statement filed by the employer with respect to such nonimmigrants for such period.

'(III) It is a failure to meet a condition under this subparagraph for an employer who has filed a petition to import 1 or more aliens as nonimmigrants described in section 101(a)(15)(L), to—

'(I) require such a nonimmigrant to pay a penalty for ceasing employment with the employer before a date mutually agreed to by the nonimmigrant and the employer; or

'(a) the opportunity to participate in health, life, disability, and other insurance plans;

'(b) the opportunity to participate in retirement and savings plans; and

'(c) cash bonuses, additional compensation, such as stock options (whether or not based on performance).
“(iv) The Secretary of Homeland Security shall determine whether a required payment under clause (iii)(I) is a penalty (and not liquidated damages) pursuant to relevant State law.”

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to applications filed on or after the date of the enactment of this Act.

SEC. 5. WHISTLEBLOWER PROTECTIONS.

(a) H-1B WHISTLEBLOWER PROTECTIONS.—Section 212(n)(2)(C)(iv) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(C)(iv)) is amended—

(i) by inserting “take, fail to take, or threaten to take or fail to take, a personnel action, or” before “to intimidate”;

(ii) by adding at the end the following: “An employer that violates this clause shall be liable to the employees harmed by such violation for lost wages and benefits.”

(b) L-1 WHISTLEBLOWER PROTECTIONS.—Section 214(c)(2) of such Act, as amended by section 4, is further amended by adding at the end the following:

“(L)(i) It is a violation of this subclause for an employer who has filed a petition under section 106(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1154) to take, fail to take, or threaten to take or fail to take, a personnel action, or to intimidate, coerce, blacklist, discharge, or discriminate in any other manner against an employee because the employee—

(I) has disclosed information that the employer reasonably believes evidences a violation of this subsection, or any rule or regulation pertaining to this subsection; or

(II) cooperates or seeks to cooperate with the requirements of this subsection, or any rule or regulation pertaining to this subsection.

(ii) An employer that violates this subparagraph shall be liable to the employees harmed by such violation for lost wages and benefits.

(iii) In this subparagraph, the term ‘employee’ includes—

(I) a current employee;

(II) a former employee; and

(III) any applicant for employment.”

SEC. 6. ADDITIONAL DEPARTMENT OF LABOR EMPLOYEES.

(a) IN GENERAL.—The Secretary of Labor is authorized to hire 200 additional employees to administer, oversee, investigate, and enforce programs involving H-1B nonimmigrant workers.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SA 964. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 764, to invest in innovation to improve the competitiveness of the United States in the global economy, which was ordered to lie on the table; as follows:

On page 36, between lines 14 and 15, insert the following:

(c) DEVELOPMENT OF SCIENCE PARKS.—

(1) FINDING.—Section 2 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701) is amended by adding at the end the following:

“(12) It is in the best interests of the Nation to encourage the formation of science parks to promote the clustering of innovation through high technology activities.”

(2) DEFINITION.—Section 4 of such Act (15 U.S.C. 3702) is amended by adding at the end the following:

“(14) ‘Business or industrial park’ means a primarily for-profit real estate venture of businesses or industries which do not necessarily reinforce each other through supply chain or technology transfer mechanisms.”

(3) INFRASTRUCTURE.

There are authorized to be appropriated $7,500,000 for the construction of science park infrastructure.

(4) LIMITATIONS ON GUARANTEE AMOUNTS.—The maximum amount of loan principal guaranteed under this subsection may not exceed—

(A) $50,000,000 with respect to any single project; and

(B) $500,000,000 with respect to all projects.

(5) SELECTION OF GUARANTEE RECIPIENTS.—The Secretary shall select recipients of loan guarantees under this subsection based upon the determination by the Secretary that the loan amount would not be subordinate to any other debt contracted by the borrower or to any other obligations in case of default.

(6) TERMS AND CONDITIONS FOR LOAN GUARANTEES.—The guarantee provided under this subsection shall be subject to such terms and conditions as the Secretary may prescribe, except that—

(i) the final maturity of such loans made or guaranteed may not exceed the lesser of—

(I) 30 years and 32 days; or

(II) 90 percent of the useful life of any physical asset to be financed; and

(ii) the loan guaranteed under this subsection may not exceed the lesser of—

(I) the income from such loan is excluded from gross income of purposes of chapter 1 of the Internal Revenue Code of 1986; or

(II) the guarantee provided under this subsection is—

(A) the credit risk of new and existing direct loans or guaranteed loans; and

(B) $500,000,000 with respect to all projects.

(7) DISBURSEMENT OF LOAN GUARANTEES.—The Secretary may extend credit assistance under the provisions of this subsection through—

(A) the extension of direct loans or guaranteed loans; and

(B) new loan guarantees may not be committed except to the extent that appropriate applications for new loan guarantees are approved by the Secretary.

(8) ASSIGNMENT OF RIGHTS.—The Secretary may assign its rights under this subsection to any person or entity for purposes of realizing repayment of amounts paid under this subsection.

(9) AUTHORIZATION OF APPROPRIATIONS.—The Secretary shall be authorized to appropriate such sums as may be necessary to carry out this subsection.

(10) FORMS.—The Secretary shall prescribe such regulations as are necessary to carry out the provisions of this subsection.

(11) REVIEW.—The Secretary may not provide loan guarantees or direct loans under this subsection unless the Secretary certifies to the Congress that the guarantee is for a project that—

(I) promotes the development of a business or industrial park; and

(ii) is consistent with the purposes of this subsection.

(12) LOAN GUARANTEES FOR SCIENCE PARK INFRASTRUCTURE.—The Secretary may guarantee up to 80 percent of the loan amount for loans exceeding $10,000,000 for projects for the construction of science park infrastructure.

(13) LOAN GUARANTEES FOR SCIENCE PARK INFRASTRUCTURE.—

(a) IN GENERAL.—The Secretary may guarantee up to 80 percent of the loan amount for loans exceeding $10,000,000 for projects for the construction of science park infrastructure.

(b) LOAN GUARANTEES FOR SCIENCE PARK INFRASTRUCTURE.—The Secretary may guarantee up to 80 percent of the loan amount for loans exceeding $10,000,000 for projects for the construction of science park infrastructure.

(c) LOAN GUARANTEES FOR SCIENCE PARK INFRASTRUCTURE.—The Secretary may guarantee up to 80 percent of the loan amount for loans exceeding $10,000,000 for projects for the construction of science park infrastructure.

(d) LOAN GUARANTEES FOR SCIENCE PARK INFRASTRUCTURE.—The Secretary may guarantee up to 80 percent of the loan amount for loans exceeding $10,000,000 for projects for the construction of science park infrastructure.

(e) LOAN GUARANTEES FOR SCIENCE PARK INFRASTRUCTURE.—The Secretary may guarantee up to 80 percent of the loan amount for loans exceeding $10,000,000 for projects for the construction of science park infrastructure.

(f) LOAN GUARANTEES FOR SCIENCE PARK INFRASTRUCTURE.—The Secretary may guarantee up to 80 percent of the loan amount for loans exceeding $10,000,000 for projects for the construction of science park infrastructure.

(g) LOAN GUARANTEES FOR SCIENCE PARK INFRASTRUCTURE.—The Secretary may guarantee up to 80 percent of the loan amount for loans exceeding $10,000,000 for projects for the construction of science park infrastructure.
all the rights of the recipient of the payment. The Secretary shall be entitled to recover from the borrower the amount of any payments made pursuant to any guarantee entered into under this section.

"(B) ENFORCEMENT OF RIGHTS.—The Attorney General shall take such action as may be appropriate to enforce any right accruing to the United States as a result of the issuance of any guarantee under this section.

"(C) FORBEARANCE.—Nothing in this section may be construed to preclude any forbearance for the benefit of the borrower which may be agreed upon by the parties to the guaranteed loan and approved by the Secretary, if budget authority for any resulting subsidies is available under the Federal Credit Reform Act of 1990.

"(D) MANAGEMENT OF PROPERTY.—Notwithstanding any other provision of law relating to the acquisition, handling, or disposal of property by the United States, the Secretary may complete, recondition, reconstruct, renovate, repair, maintain, operate, or sell any property acquired by the Secretary pursuant to the provisions of this section.

"(6) REVIEW.—The Comptroller General of the United States shall, not later than 2 years after the date of the enactment of this section—

"(A) conduct a review of the subsidy estimates for the loan guarantees under this subsection; and

"(B) submit to Congress a report on the review conducted under this paragraph.

"(7) TERMINATION.—A loan may not be guaranteed under this subsection after September 30, 2012.

"(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

"(A) $50,000,000 for the cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of guaranteeing $500,000,000 of loans under this subsection; and

"(B) administrative expenses for fiscal year 2008, and such sums as necessary for administrative expenses in subsequent years.

"(c) NATIONAL ACADEMY OF SCIENCES EVALUATION.—

"(1) IN GENERAL.—The Secretary shall enter into an agreement with the National Academy of Sciences under which the Academy shall conduct, every 3 years, the activities under this section.

"(2) TRI-ANNUAL REPORT.—Under the agreement entered into under paragraph (1), the Academy shall report to the Secretary a report on its evaluation of science park development under that paragraph. Each report may include such recommendations as the Academy considers appropriate for additional activities to promote and facilitate the development of science parks in the United States.

"(d) TRI-ANNUAL REPORT.—Not later than March 31 of every third year, the Secretary shall submit to Congress a report on the activities under this section during the preceding 3 years, including any recommendations made by the National Academy of Sciences under subsection (c)(2) during such period. Each report may include such recommendations for legislative or administrative action as the Secretary considers appropriate to further promote and facilitate the development of science parks in the United States.

"(e) RULEMAKING.—Not later than 1 year after the date of the enactment of this section, the Secretary shall prescribe regulations to carry out this section in accordance with—

"(1) the management and budget circular A-129, ‘‘Policies for Federal Credit Programs and Non-Tax Receivables’’."

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on April 24, 2007, at 9:30 a.m. in SD-106. The title of this committee hearing is, “Challenges and Opportunities Facing American Agriculture Producers Today.”

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 24, 2007, at 9:30 a.m., in open session to receive testimony on United States Pacific Command, United States Forces Korea, and United States Special Operations Command in reviewing the authorization request for fiscal year 2008 and the future years defense program.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCER, SCIENCE, AND TRANSPORTATION

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Tuesday, April 24, 2007, at 9:45 a.m., in room 253 of the Russell Senate Office Building.

The hearing will examine the state of U.S. broadband deployment and penetration. In addition, it will provide a forum for considering the state of U.S. telecommunications research and development and the consequences for competitiveness in the global economy.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, April 24, 2007, at 9:45 a.m. in Room 406 of the Dirksen Senate Office Building.

The agenda to be considered: Hearing on the Implications of the Supreme Court’s Decision Regarding EPA’s Authorities with Respect to Greenhouse Gases under the Clean Air Act.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, PENSIONS, AND LABOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing on the No Child Left Behind Reauthorization during the session of the Senate on Tuesday, April 24, 2007 at 10 a.m. in SD-628.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INTELLIGENCE

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Intelligence be authorized to meet during the session of the Senate on April 24, 2007 at 2:30 p.m. to hold a closed hearing.

THE PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INVESTIGATIONS

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Select Committee on Investigations be authorized to meet on Tuesday, April 24, 2007, at 9:30 a.m. for a hearing titled “Beyond Trailers, Part I: Creating a More Flexible, Efficient, and Cost-Effective Federal Disaster Housing Program.”

THE PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations be authorized to meet on Tuesday, April 24, 2007, at 2:30 p.m., for a hearing entitled “Transit Benefits: How Some Federal Employees Are Taking Uncle Sam for a Ride.”

THE PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Subcommittee on Human Rights and the Law be authorized to meet on Tuesday, April 24, 2007 at 10 a.m. to conduct a hearing on “A Long Way Gone: Memoirs of a Boy Soldier” in room 226 of the Dirksen Senate Office Building.

Witness List