

104TH CONGRESS
1ST SESSION

S. 1445

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

IN THE SENATE OF THE UNITED STATES

DECEMBER 5, 1995

Mr. PRESSLER (for himself and Mr. BURNS) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources pursuant to the order of March 3, 1988, with instructions that, if reported, the bill then be referred to the Committee on Commerce, Science and Transportation for a period not to exceed 30 session days

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Science
5 Foundation Authorization Act of 1995.”

6 **SEC. 2. DEFINITIONS.**

7 For purposes of this Act—

1 (1) the term “Director” means the Director of
2 the Foundation;

3 (2) the term “Foundation” means the National
4 Science Foundation; and

5 (3) the term “United States” means the several
6 States, the District of Columbia, the Commonwealth
7 of Puerto Rico, the Virgin Islands, Guam, American
8 Samoa, the Commonwealth of the Northern Mariana
9 Islands, and any other territory or possession of the
10 United States.

11 **TITLE I—NATIONAL SCIENCE**
12 **FOUNDATION AUTHORIZATION**

13 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

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

15 (1) the programs of the Foundation are impor-
16 tant for the Nation to strengthen basic research and
17 develop human resources in science and engineering
18 and that those programs should be funded at an
19 adequate level;

20 (2) the primary mission of the Foundation con-
21 tinues to be the support of basic scientific research
22 and science education and the support of research
23 fundamental to the engineering process and engi-
24 neering education;

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

4 (4) it is in the national interest that all states
5 and regions of the country, including the Nation's
6 rural and sparsely populated states and regions, be
7 encouraged to contribute and participate in the fed-
8 eral science and technology enterprise.

9 (b) AUTHORIZATIONS.—For each of fiscal years
10 1996, 1997, and 1998, there are authorized to be appro-
11 priated to the Foundation the following amounts for the
12 accounts listed:

13 (1) Research and Related Activities,
14 \$2,294,000,000 (of which \$19,000,000 are author-
15 ized to be used for joint activities between the Foun-
16 dation's research directorates and the Experimental
17 Program to Stimulate Competitive Research, includ-
18 ing the pilot program authorized by section 102 of
19 this Act).

20 (2) Education and Human Resources Activities,
21 \$599,000,000 (of which \$37,000,000 are authorized
22 to be used for the Experimental Program to Stimu-
23 late Competitive Research).

24 (3) Major Research Equipment, \$70,000,000.

1 (4) Academic Research Facilities Moderniza-
2 tion, \$100,000,000.

3 (5) Salaries and Expenses, \$127,310,000.

4 (6) Office of Inspector General, \$4,500,000.

5 (7) Headquarters Relocation, \$5,200,000.

6 **SEC. 102. PILOT PROGRAM TO ENCOURAGE PARTNERSHIPS**
7 **FOR RESEARCH.**

8 (a) IN GENERAL.—For each of fiscal years 1996,
9 1997, and 1998, there are authorized \$10 million for the
10 initiation of a pilot program at the Foundation to fund
11 grants for science research and outreach proposals submit-
12 ted by consortia of research institutions led by institutions
13 from states eligible to compete in the Foundation’s exist-
14 ing Experimental Program to Stimulate Competitive Re-
15 search (EPSCoR). The program shall be aimed at encour-
16 aging EPSCoR institutions to enter into consortia with
17 non-EPSCoR institutions, including private sector institu-
18 tions, to develop grant proposals to support research,
19 science education, community outreach, technology trans-
20 fer, and any other activities consistent with the goals and
21 missions of the Foundation.

22 (b) GRANTS.—The grants shall be awarded by the
23 Foundation to such consortia on a competitive, peer-re-
24 viewed basis. In its selection process, the Foundation shall
25 give favorable consideration to proposals involving in-kind

1 or financial contributions from non-federal sources, in-
2 cluding state and local governments, consortium members,
3 other research institutions, or industry, but cost-sharing
4 shall not be a required feature of a proposal. In establish-
5 ing requirements for the grant proposals, the Foundation
6 shall require that the funds granted to a consortium must
7 be administered by a member thereof that is an institution
8 from an EPSCoR State and shall further require that
9 such institution have primary responsibility for the man-
10 agement and oversight of the activities funded by the
11 grant award.

12 (c) IMPLEMENTATION OF PROGRAM.—The Founda-
13 tion shall implement the pilot program in a manner that
14 will complement the Foundation’s existing EPSCoR pro-
15 gram and advance the common goal of both programs to
16 enhance the capability of quality research groups and in-
17 stitutions in rural and sparsely populated States to con-
18 tribute to the vast federal research enterprise. Projects
19 may be funded for up to three years through grants
20 awarded under this program, with the potential for an-
21 other two-year extension following the review and approval
22 of the Foundation. At the time of the Foundation’s budget
23 submission to Congress for fiscal year 1997, the Founda-
24 tion shall provide to the Committee on Commerce, Science,
25 and Transportation and the Committee on Labor and

1 Human Resources of the Senate and the Committee on
2 Science of the House of Representatives a strategic plan
3 for the implementation of the pilot program authorized in
4 this section.

5 **SEC. 103. SUPPORT FOR COMPUTING ACTIVITIES AT TRIB-**
6 **AL COLLEGES.**

7 The Director of the National Science foundation shall
8 design and implement a pilot program to provide financial
9 assistance, through competitive selection processes, to
10 States in which are located 2 or more tribally-controlled
11 community colleges. The objective of the pilot program
12 shall be to establish interactive telecommunications sys-
13 tems among such tribally-controlled community colleges in
14 such States in order to assist the tribal community in edu-
15 cation, job training, and other appropriate activities.

16 **SEC. 104. CONSULTATION AND REPRESENTATION EX-**
17 **PENSES.**

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

1 **SEC. 105. REPROGRAMMING.**

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

7 (b) GREATER THAN \$500,000.—The Director may
8 propose transfers to or from any subcategory exceeding
9 \$500,000. An explanation of any proposed transfer under
10 this subsection must be transmitted in writing to the Com-
11 mittee on Science of the House of Representatives, and
12 the Committees on Labor and Human Resources and
13 Commerce, Science, and Transportation of the Senate.
14 The proposed transfer may be made only when 30 cal-
15 endar days have passed after transmission of such written
16 explanation.

17 **TITLE II—GENERAL PROVISIONS**

18 **SEC. 201. ANNUAL REPORT.**

19 Section 3(f) of the National Science Foundation Act
20 of 1950 (42 U.S.C. 1862(f)) is amended to read as fol-
21 lows:

22 “(f) The Foundation shall provide an annual report
23 to the President which shall be submitted by the Director
24 to the Congress at the time of the President’s annual
25 budget submission. The report shall—

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

3 “(A) defines for a three-year period the
4 overall goals for the Foundation and specific
5 goals for each major activity of the Foundation,
6 including each scientific directorate, the edu-
7 cation directorate, and the polar programs of-
8 fice; and

9 “(B) describe how the identified goals re-
10 late to national needs and will exploit new op-
11 portunities in science and technology;

12 “(2) identify the criteria and describe the proce-
13 dures which the Foundation will use to assess
14 progress toward achieving the goals identified in ac-
15 cordance with paragraph (1);

16 “(3) review the activities of the Foundation
17 during the preceding year which have contributed to-
18 ward achievement of goals identified in accordance
19 with paragraph (1) and summarize planned activities
20 for the coming three years in the context of the
21 identified goals, with particular emphasis on the
22 Foundation’s planned contributions to major multi-
23 agency research and education initiatives;

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

1 “(5) include information on the acquisition and
2 disposition by the Foundation of any patents and
3 patent rights.”.

4 **SEC. 202. ADMINISTRATIVE AMENDMENTS.**

5 (a) NATIONAL SCIENCE FOUNDATION ACT OF 1950
6 AMENDMENTS.—The National Science Foundation Act of
7 1950 (42 U.S.C. 1861 et seq.) is amended—

8 (1) by redesignating the subsection (k) of sec-
9 tion 4 (42 U.S.C. 1863(k)) that was added by sec-
10 tion 108 of the National Science Foundation Au-
11 thorization Act of 1988 as subsection (l); and

12 (2) by striking “Atomic Energy Commission” in
13 section 15(a) (42 U.S.C. 1874(a)) and inserting
14 “Secretary of Energy”.

15 (b) NATIONAL SCIENCE FOUNDATION AUTHORIZA-
16 TION ACT, 1976 AMENDMENTS.—Section 6(a) of the Na-
17 tional Science Foundation Authorization Act, 1976 (42
18 U.S.C. 1881a(a)) is amended by striking “social,” the
19 first place it appears.

20 (c) TECHNICAL AMENDMENT.—The second sub-
21 section (g) of section 3 of the National Science Foundation
22 Act of 1950 (42 U.S.C. 1862(g)) is repealed.

23 **SEC. 203. FINANCIAL DISCLOSURE.**

24 Persons temporarily employed by or at the Founda-
25 tion shall be subject to the same financial disclosure re-

1 quirements and related sanctions under the Ethics in Gov-
2 ernment Act of 1978 as are permanent employees of the
3 Foundation in equivalent positions.

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