

S 1407

106th CONGRESS

1st Session

S. 1407

[view laboratory appropriation authorizations](#)  
[view construction/maintenance appropriation authorizations](#)  
[view US/OTP appropriation authorizations](#)  
[view Office of Space Commercialization appropriation authorizations](#)  
[view Industrial Technology Services appropriation authorizations](#)

To authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 2000, 2001, and 2002, and for other purposes.

IN THE SENATE OF THE UNITED STATES

July 21, 1999

Mr. FRIST introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 2000, 2001, and 2002, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Technology Administration Authorization Act for Fiscal Years 2000, 2001, and 2002'.

"Taken from S. 1407

Technology Administration Authorization Act for Fiscal Years 2000, 2001, and 2002...

## SEC. 2. DEFINITIONS.

In this Act:

(1) DIRECTOR- The term `Director' means the Director of the National Institute of Standards and Technology.

(2) SECRETARY- The term `Secretary' means the Secretary of Commerce.

[\(return to top\)](#)

## SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES.

(a) LABORATORY ACTIVITIES- There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for the Scientific and Technical Research and Services laboratory activities of the National Institute of Standards and Technology--

(1) \$289,622,000 for fiscal year 2000;

(2) \$305,551,000 for fiscal year 2001; and

(3) \$322,356,000 for fiscal year 2002.

[\(return to top\)](#)

(b) CONSTRUCTION AND MAINTENANCE- There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for construction and maintenance of facilities of the National Institute of Standards and Technology--

(1) \$106,798,000 for fiscal year 2000;

(2) \$31,800,000 for fiscal year 2001; and

(3) \$16,800,000 for fiscal year 2002.

"Taken from S. 1407

Technology Administration Authorization Act for Fiscal Years 2000, 2001, and 2002...

#### SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR THE OFFICE OF THE UNDER SECRETARY FOR TECHNOLOGY.

[\(return to top\)](#)

(a) OFFICE OF TECHNOLOGY POLICY- There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for the activities of the Under Secretary for Technology and the Office of Technology Policy--

- (1) \$8,442,000 for fiscal year 2000;
- (2) \$8,695,000 for fiscal year 2001; and
- (3) \$8,956,000 for fiscal year 2002.

[\(return to top\)](#)

(b) OFFICE OF SPACE COMMERCIALIZATION- There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for the activities of the Office of Space Commercialization--

- (1) \$530,000 for fiscal year 2000;
- (2) \$550,000 for fiscal year 2001; and
- (3) \$570,000 for fiscal year 2002.

[\(return to top\)](#)

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR INDUSTRIAL TECHNOLOGY SERVICES.

[\(return to top\)](#)

There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for the industrial technology services activities of the National Institute of Standards and Technology--

- (1) \$316,405,000 for fiscal year 2000, of which--
  - (A) \$209,605,000 shall be for the Advanced Technology Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n); and
  - (B) \$106,800,000 shall be for the manufacturing extension partnerships program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l); and
- (2) \$322,693,000 for fiscal year 2001, of which--

"Taken from S. 1407

Technology Administration Authorization Act for Fiscal Years 2000, 2001, and 2002...

(A) \$215,893,000 shall be for the Advanced Technology Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n); and

(B) \$106,800,000 shall be for the manufacturing extension partnerships program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l).

(3) \$329,170,000 for fiscal year 2002, of which--

(A) \$222,370,000 shall be for the Advanced Technology Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n); and

(B) \$106,800,000 shall be for the manufacturing extension partnerships program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l).

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL TECHNICAL INFORMATION SERVICES.

(a) IN GENERAL- There are authorized to be appropriated for the National Technical Information Service \$2,000,000 for fiscal year 2000, to partially fund expenses related to the collection, input processing, and preservation of scientific and technical information, to remain available until expended.

(b) SUBMISSION OF PLAN- None of the funds authorized by subsection (a) may be obligated until the Secretary has submitted a plan on the future of NTIS to the Senate Committee on Commerce, Science, and Transportation, and the Committee on Science of the House of Representatives. The plan shall address--

(1) whether the Service should be abolished;

(2) whether the Service's mission should be modified to include new information technology-related services and products to other agencies as well as to the public;

(3) any reorganizations required to achieve either the current mission, or a newly defined or a modified mission for the Service;

(4) whether there should be annual appropriations to continue operations; and

(5) what changes in existing law would be necessary to support any recommendations made in the plan.

"Taken from S. 1407

Technology Administration Authorization Act for Fiscal Years 2000, 2001, and 2002...

## SEC. 7. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT AMENDMENTS.

(a) AMENDMENTS- Section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n) is amended--

(1) in subsection (d)--

(A) in paragraph (1)--

(i) by inserting '(A)' after '(1)';

(ii) by inserting 'and be of a nature and scope that would not be pursued in a timely manner without Federal assistance' after 'technical merit'; and

(iii) by adding at the end the following:

(B) Each applicant for a contract or award under the Program shall certify that the applicant has made an effort to secure private market funding for the research project involved. That certification shall include a written narrative description of the efforts made by the applicant to secure that funding.'; and

(B) by adding at the end the following:

(12) A large business may participate in a research project that is the subject of a contract or award under paragraph (3) only as a member of a joint venture that includes 1 or more small businesses as members.';

(2) in subsection (j)--

(A) by striking 'and' at the end of paragraph (1);

(B) by redesignating paragraph (2) as paragraph (5); and

(C) by inserting after paragraph (1) the following:

(2) the term 'large business' means a business that--

(A) is not a small business; and

"Taken from S. 1407

Technology Administration Authorization Act for Fiscal Years 2000, 2001, and 2002...

`(B) has gross annual revenues in an amount greater than \$2,500,000,000;

`(3) the term `medium business' means a business that--

`(A) is not a small business; and

`(B) has gross annual revenues in an amount less than or equal to \$2,500,000,000;

`(4) the term `small business' means a small business concern, as described in section 3(a)(1) of the Small Business Act (15 U.S.C. 632(a)(1)); and';

(3) by redesignating subsection (j) as subsection (m); and

(4) by inserting after subsection (i) the following:

`(j) Notwithstanding subsection (b)(1)(B) and subsection (d)(3), the Director may grant an extension beyond the applicable deadline specified in subsection (b)(1)(B) or (d)(3) for a joint venture or single applicant recipient of assistance to expend Federal funds to complete the project assisted with that assistance, if that extension--

`(1) is granted with no additional cost to the Federal Government; and

`(2) is in the interest of the Federal Government.

`(k)(1) The Secretary, acting through the Director, may vest title to tangible personal property in any recipient of financial assistance under this section if--

`(A) the property is purchased with funds provided under this section; and

`(B) the Secretary, acting through the Director, determines that the vesting of such property furthers the objectives of the Institute.

`(2) Vesting under this subsection shall--

`(A) be subject to such limitations as are prescribed by the Secretary, acting through the Director; and

`(B) be made without further obligation to the United States Government.

In carrying out this section, the Secretary, acting through the Director, shall ensure that the requirements of Circular No. A-110 issued by the Office of Management and

"Taken from S. 1407

Technology Administration Authorization Act for Fiscal Years 2000, 2001, and 2002...

Budget are met with respect to the valuation of cost-share items used by participants in the Program.

`(l) AWARDS BASED ON COMPETITION- All amounts appropriated for grants under subsection (b) for fiscal years beginning after the date of enactment of the Technology Administration Authorization Act for Fiscal Years 2000, 2001, and 2002 shall be used for grants awarded on the basis of general open competition.'

(b) ADDITIONAL AMENDMENT-

(1) IN GENERAL- Section 28(d)(11)(A) of the National Institute of Standards and Technology Act (15 U.S.C. 278n(d)(11)(A)) is amended by striking the period at the end of the first sentence and inserting the following: `or any other university or nonprofit awardee or subawardee (as those terms are defined by the Secretary) receiving financial assistance under this section, as agreed by the parties, notwithstanding the requirements of chapter 18 of title 35, United States Code.'

(2) APPLICABILITY- The amendment made by this subsection shall apply only with respect to assistance for which solicitations for proposals are made after the date of enactment of this Act.

SEC. 8. REPORTS.

(a) STATUS OF MANUFACTURING SECTOR- Within 6 months after the enactment of this Act, the Director shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives on the following issues concerning the manufacturing sector:

(1) An expanded definition of manufacturing in the digital age.

(2) The role of the manufacturing sector in the digital age.

(3) Any legislative revisions to existing Federal programs, such as Manufacturing Extension Program, to reflect requirements imposed on the manufacturing sector by the knowledge-based economy.

(4) Needs for technical assistance for small businesses, in coordination with existing efforts from state and local governments and the Experimental Program to Stimulate Competitive Technology program.

"Taken from S. 1407

Technology Administration Authorization Act for Fiscal Years 2000, 2001, and 2002...

(b) NATIONAL LABORATORIES- The Assistant Secretary for Technology Policy, in consultation with the Office of Science and Technology Policy and the Secretary of Energy, shall, within 9 months after enactment of this Act, submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science on the following issues concerning the national laboratories:

(1) Whether the laboratories have clearly defined and focused missions that are distinct from one another.

(2) The existence of barriers in establishing and retaining resources to maintain competitive centers of excellence at the laboratories.

(3) The extent to which the laboratories collaborate with one another on research programs with industry.

(4) The specific actions that can be taken in the short term to strengthen the national laboratories technically and technologically.

(5) Any specific recommendations to increase the efficiency and effectiveness of the national laboratories in the long term, including systemic changes whether new or previously proposed.

(c) TECHNICAL STANDARDS- The Director, in consultation with the United States Trade Representative and any other appropriate agencies, shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science within 6 months after the enactment of this Act on the following issues concerning technical standards:

(1) The role and impact of international technical standards on global commerce and international trade.

(2) The role of national standards, including their use as barriers, in international commerce and trade policies.

(3) The timeliness of the domestic and international standards process and its impact on the development of new markets and new technologies, including the use of technical draft standards to accommodate the fast pace of change in market environment and technologies.

(4) Market, industry, and technology input into the standards process.



"Taken from S. 1407

Technology Administration Authorization Act for Fiscal Years 2000, 2001, and 2002...

(5) Open and fair access in representation to the domestic and international standards process.

(6) Any recommendation for changes to the domestic standards process.

END