

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE  
OFFERED BY MR. GORDON OF TENNESSEE**

Page 60, lines 21 through 24, strike “describing the status” and all that follows through “subsection (b)(5).” and insert “describing—

- 1           (1) any priorities established under subsection
- 2           (b)(5);
- 3           (2) the status of any Federal science agency
- 4           policies related to public access to the results of fed-
- 5           erally funded research; and
- 6           (3) how any policies developed or being devel-
- 7           oped by Federal science agencies, as described in
- 8           paragraph (2), incorporate input from the non-Fed-
- 9           eral stakeholders described in subsection (b)(4).

Page 62, line 15, through page 66, line 13, amend section 212 to read as follows:

**10   SEC. 212. AUTHORIZATION OF APPROPRIATIONS.**

11           (a) FISCAL YEAR 2011.—

- 12           (1) IN GENERAL.—There are authorized to be
- 13           appropriated to the Foundation \$7,481,000,000 for
- 14           fiscal year 2011.

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

3                   (A) \$6,020,000,000 shall be made avail-  
4                   able for research and related activities;

5                   (B) \$945,000,000 shall be made available  
6                   for education and human resources;

7                   (C) \$166,000,000 shall be made available  
8                   for major research equipment and facilities con-  
9                   struction;

10                  (D) \$330,000,000 shall be made available  
11                  for agency operations and award management;

12                  (E) \$4,840,000 shall be made available for  
13                  the Office of the National Science Board; and

14                  (F) \$14,830,000 shall be made available  
15                  for the Office of Inspector General.

16       (b) FISCAL YEAR 2012.—

17           (1) IN GENERAL.—There are authorized to be  
18           appropriated to the Foundation \$8,127,000,000 for  
19           fiscal year 2012.

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

22                   (A) \$6,496,000,000 shall be made avail-  
23                   able for research and related activities;

24                   (B) \$1,020,000,000 shall be made avail-  
25                   able for education and human resources;

1 (C) \$235,000,000 shall be made available  
2 for major research equipment and facilities con-  
3 struction;

4 (D) \$356,000,000 shall be made available  
5 for agency operations and award management;

6 (E) \$5,010,000 shall be made available for  
7 the Office of the National Science Board; and

8 (F) \$15,350,000 shall be made available  
9 for the Office of Inspector General.

10 (c) FISCAL YEAR 2013.—

11 (1) IN GENERAL.—There are authorized to be  
12 appropriated to the Foundation \$8,764,000,000 for  
13 fiscal year 2013.

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

16 (A) \$7,009,000,000 shall be made avail-  
17 able for research and related activities;

18 (B) \$1,100,000,000 shall be made avail-  
19 able for education and human resources;

20 (C) \$250,000,000 shall be made available  
21 for major research equipment and facilities con-  
22 struction;

23 (D) \$384,000,000 shall be made available  
24 for agency operations and award management;

1 (E) \$5,180,000 shall be made available for  
2 the Office of the National Science Board; and

3 (F) \$15,890,000 shall be made available  
4 for the Office of Inspector General.

5 (d) FISCAL YEAR 2014.—

6 (1) IN GENERAL.—There are authorized to be  
7 appropriated to the Foundation \$9,436,000,000 for  
8 fiscal year 2014.

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

11 (A) \$7,562,000,000 shall be made avail-  
12 able for research and related activities;

13 (B) \$1,187,000,000 shall be made avail-  
14 able for education and human resources;

15 (C) \$250,000,000 shall be made available  
16 for major research equipment and facilities con-  
17 struction;

18 (D) \$415,000,000 shall be made available  
19 for agency operations and award management;

20 (E) \$5,370,000 shall be made available for  
21 the Office of the National Science Board; and

22 (F) \$16,440,000 shall be made available  
23 for the Office of Inspector General.

24 (e) FISCAL YEAR 2015.—

1           (1) IN GENERAL.—There are authorized to be  
2           appropriated to the Foundation \$10,161,000,000 for  
3           fiscal year 2015.

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

6                   (A) \$8,160,000,000 shall be made avail-  
7                   able for research and related activities;

8                   (B) \$1,281,000,000 shall be made avail-  
9                   able for education and human resources;

10                   (C) \$250,000,000 shall be made available  
11                   for major research equipment and facilities con-  
12                   struction;

13                   (D) \$447,000,000 shall be made available  
14                   for agency operations and award management;

15                   (E) \$5,550,000 shall be made available for  
16                   the Office of the National Science Board; and

17                   (F) \$17,020,000 shall be made available  
18                   for the Office of Inspector General.

Page 91, lines 3 through 21, strike “(a) SECTION 10  
AMENDMENTS” and all that follows through “(b) SEC-  
TION 10A AMENDMENTS”.

Page 121, line 8, strike “and”.

Page 121, line 9, insert “and” after the semicolon.

Page 121, after line 9, insert the following new clause:

1                   “(ix) carbon capture and sequestra-  
2                   tion science and engineering;”.

Page 135, strike line 13 and all that follows through line 17 on page 141 and insert the following:

3   **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

4       (a) FISCAL YEAR 2011.—

5           (1) IN GENERAL.—There are authorized to be  
6       appropriated to the Secretary of Commerce  
7       \$991,100,000 for the National Institute of Stand-  
8       ards and Technology for fiscal year 2011.

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

11           (A) \$620,000,000 shall be authorized for  
12      scientific and technical research and services  
13      laboratory activities;

14           (B) \$125,000,000 shall be authorized for  
15      the construction and maintenance of facilities;  
16      and

17           (C) \$246,100,000 shall be authorized for  
18      industrial technology services activities, of  
19      which—

1 (i) \$95,000,000 shall be authorized  
2 for the Technology Innovation Program  
3 under section 28 of the National Institute  
4 of Standards and Technology Act (15  
5 U.S.C. 278n);

6 (ii) \$141,100,000 shall be authorized  
7 for the Manufacturing Extension Partner-  
8 ship program under sections 25 and 26 of  
9 such Act (15 U.S.C. 278k and 278l); and

10 (iii) \$10,000,000 shall be authorized  
11 for the Malcolm Baldrige National Quality  
12 Award program under section 17 of the  
13 Stevenson-Wydler Technology Innovation  
14 Act of 1980 (15 U.S.C. 3711a).

15 (b) FISCAL YEAR 2012.—

16 (1) IN GENERAL.—There are authorized to be  
17 appropriated to the Secretary of Commerce  
18 \$992,400,000 for the National Institute of Stand-  
19 ards and Technology for fiscal year 2012.

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

22 (A) \$657,200,000 shall be authorized for  
23 scientific and technical research and services  
24 laboratory activities;

1 (B) \$85,000,000 shall be authorized for  
2 the construction and maintenance of facilities;  
3 and

4 (C) \$250,200,000 shall be authorized for  
5 industrial technology services activities, of  
6 which—

7 (i) \$89,000,000 shall be authorized  
8 for the Technology Innovation Program  
9 under section 28 of the National Institute  
10 of Standards and Technology Act (15  
11 U.S.C. 278n);

12 (ii) \$150,900,000 shall be authorized  
13 for the Manufacturing Extension Partner-  
14 ship program under sections 25 and 26 of  
15 such Act (15 U.S.C. 278k and 278l); and

16 (iii) \$10,300,000 shall be authorized  
17 for the Malcolm Baldrige National Quality  
18 Award program under section 17 of the  
19 Stevenson-Wydler Technology Innovation  
20 Act of 1980 (15 U.S.C. 3711a).

21 (c) FISCAL YEAR 2013.—

22 (1) IN GENERAL.—There are authorized to be  
23 appropriated to the Secretary of Commerce  
24 \$1,079,809,000 for the National Institute of Stand-  
25 ards and Technology for fiscal year 2013.

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

3                   (A) \$696,700,000 shall be authorized for  
4                   scientific and technical research and services  
5                   laboratory activities;

6                   (B) \$122,000,000 shall be authorized for  
7                   the construction and maintenance of facilities;  
8                   and

9                   (C) \$261,109,000 shall be authorized for  
10                  industrial technology services activities, of  
11                  which—

12                           (i) \$89,000,000 shall be authorized  
13                           for the Technology Innovation Program  
14                           under section 28 of the National Institute  
15                           of Standards and Technology Act (15  
16                           U.S.C. 278n);

17                           (ii) \$161,500,000 shall be authorized  
18                           for the Manufacturing Extension Partner-  
19                           ship program under sections 25 and 26 of  
20                           such Act (15 U.S.C. 278k and 278l); and

21                           (iii) \$10,609,000 shall be authorized  
22                           for the Malcolm Baldrige National Quality  
23                           Award program under section 17 of the  
24                           Stevenson-Wydler Technology Innovation  
25                           Act of 1980 (15 U.S.C. 3711a).

1 (d) FISCAL YEAR 2014.—

2 (1) IN GENERAL.—There are authorized to be  
3 appropriated to the Secretary of Commerce  
4 \$1,126,227,000 for the National Institute of Stand-  
5 ards and Technology for fiscal year 2014.

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

8 (A) \$738,500,000 shall be authorized for  
9 scientific and technical research and services  
10 laboratory activities;

11 (B) \$124,000,000 shall be authorized for  
12 the construction and maintenance of facilities;  
13 and

14 (C) \$263,727,000 shall be authorized for  
15 industrial technology services activities, of  
16 which—

17 (i) \$80,000,000 shall be authorized  
18 for the Technology Innovation Program  
19 under section 28 of the National Institute  
20 of Standards and Technology Act (15  
21 U.S.C. 278n);

22 (ii) \$172,800,000 shall be authorized  
23 for the Manufacturing Extension Partner-  
24 ship program under sections 25 and 26 of  
25 such Act (15 U.S.C. 278k and 278l); and

1 (iii) \$10,927,000 shall be authorized  
2 for the Malcolm Baldrige National Quality  
3 Award program under section 17 of the  
4 Stevenson-Wydler Technology Innovation  
5 Act of 1980 (15 U.S.C. 3711a).

6 (e) FISCAL YEAR 2015.—

7 (1) IN GENERAL.—There are authorized to be  
8 appropriated to the Secretary of Commerce  
9 \$1,191,955,000 for the National Institute of Stand-  
10 ards and Technology for fiscal year 2015.

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

13 (A) \$782,800,000 shall be authorized for  
14 scientific and technical research and services  
15 laboratory activities;

16 (B) \$133,000,000 shall be authorized for  
17 the construction and maintenance of facilities;  
18 and

19 (C) \$276,155,000 shall be authorized for  
20 industrial technology services activities, of  
21 which—

22 (i) \$80,000,000 shall be authorized  
23 for the Technology Innovation Program  
24 under section 28 of the National Institute

1 of Standards and Technology Act (15  
2 U.S.C. 278n);

3 (ii) \$184,900,000 shall be authorized  
4 for the Manufacturing Extension Partner-  
5 ship program under sections 25 and 26 of  
6 such Act (15 U.S.C. 278k and 278l); and

7 (iii) \$11,255,000 shall be authorized  
8 for the Malcolm Baldrige National Quality  
9 Award program under section 17 of the  
10 Stevenson-Wydler Technology Innovation  
11 Act of 1980 (15 U.S.C. 3711a).

Page 145, line 17, strike “shared-use” and insert  
“user”.

Page 145, after line 24, insert the following:

12 (b) ADDITIONAL DUTIES.—The Director may assign  
13 additional duties to the operational units listed in sub-  
14 section (a) that are consistent with the missions of such  
15 units.

Page 145, line 25, strike “(b)” and insert “(c)”.

Page 147, line 8, strike “to international” and insert  
“to the development of international”.

Page 189, lines 15 and 16, strike “Office of Advanced Scientific Computing Research” and insert “Advanced Scientific Computing Research program”.

Page 190, lines 5 and 7, strike “Director” and insert “Secretary”.

Page 194, line 19, strike “REGIONAL AND GLOBAL CLIMATE” and insert “CLIMATE AND EARTH”.

Page 207, line 21, through page 209, line 23, amend section 611 to read as follows:

**1 SEC. 611. AUTHORIZATION OF APPROPRIATIONS.**

2       There are authorized to be appropriated to the Sec-  
3 retary for the activities of the Office of Science—

4           (1) \$5,247,000,000 for fiscal year 2011, of  
5       which—

6           (A) \$1,875,000,000 shall be for Basic En-  
7       ergy Sciences activities under section 604;

8           (B) \$667,000,000 shall be for Biological  
9       and Environmental Research activities under  
10      section 605; and

11          (C) \$466,000,000 shall be for Advanced  
12      Scientific Computing Research activities under  
13      section 606;

14          (2) \$5,614,000,000 for fiscal year 2012, of  
15      which—

1 (A) \$2,025,000,000 shall be for Basic En-  
2 ergy Sciences activities under section 604;

3 (B) \$720,000,000 shall be for Biological  
4 and Environmental Research activities under  
5 section 605; and

6 (C) \$503,000,000 shall be for Advanced  
7 Scientific Computing Research activities under  
8 section 606;

9 (3) \$6,007,000,000 for fiscal year 2013, of  
10 which—

11 (A) \$2,187,000,000 shall be for Basic En-  
12 ergy Sciences activities under section 604;

13 (B) \$778,000,000 shall be for Biological  
14 and Environmental Research activities under  
15 section 605; and

16 (C) \$544,000,000 shall be for Advanced  
17 Scientific Computing Research activities under  
18 section 606;

19 (4) \$6,428,000,000 for fiscal year 2014, of  
20 which—

21 (A) \$2,362,000,000 shall be for Basic En-  
22 ergy Sciences activities under section 604;

23 (B) \$840,000,000 shall be for Biological  
24 and Environmental Research activities under  
25 section 605; and

1 (C) \$587,000,000 shall be for Advanced  
2 Scientific Computing Research activities under  
3 section 606; and

4 (5) \$6,878,000,000 for fiscal year 2015, of  
5 which—

6 (A) \$2,551,000,000 shall be for Basic En-  
7 ergy Sciences activities under section 604;

8 (B) \$907,000,000 shall be for Biological  
9 and Environmental Research activities under  
10 section 605; and

11 (C) \$634,000,000 shall be for Advanced  
12 Scientific Computing Research activities under  
13 section 606.

Page 211, lines 17 through 23, amend paragraph  
(1) to read as follows:

14 “(1) IN GENERAL.—The Director shall establish  
15 and maintain within ARPA-E a staff with sufficient  
16 qualifications and expertise to enable ARPA-E to  
17 carry out its responsibilities under this section in  
18 conjunction with the operations of the rest of the  
19 Department.”.

Page 216, lines 14 through 25, amend paragraph  
(2) to read as follows:

1           “(2) AUTHORIZATION OF APPROPRIATIONS.—

2           Subject to paragraph (4), there are authorized to be  
3           appropriated to the Director for deposit in the  
4           Fund, without fiscal year limitation—

5                   “(A) \$300,000,000 for fiscal year 2011;

6                   “(B) \$450,000,000 for fiscal year 2012;

7                   “(C) \$600,000,000 for fiscal year 2013;

8                   “(D) \$800,000,000 for fiscal year 2014;

9                   “(E) \$1,000,000,000 for fiscal year 2015;

10           and

11                   “(F) such sums as are necessary for each  
12           of fiscal years 2016 through 2020.”.

