

[Committee Print]

APRIL 16, 2010

111TH CONGRESS
2D SESSION

H. R. _____

To reauthorize the National Institute of Standards and Technology, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To reauthorize the National Institute of Standards and
Technology, 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 Institute of
5 Standards and Technology Authorization Act of 2010”.

6 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) FISCAL YEAR 2011.—

1 (1) IN GENERAL.—There are authorized to be
2 appropriated to the Secretary of Commerce
3 \$1,012,100,000 for the National Institute of Stand-
4 ards and Technology for fiscal year 2011.

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

7 (A) \$620,000,000 shall be authorized for
8 scientific and technical research and services
9 laboratory activities;

10 (B) \$125,000,000 shall be authorized for
11 the construction and maintenance of facilities;
12 and

13 (C) \$267,100,000 shall be authorized for
14 industrial technology services activities, of
15 which—

16 (i) \$116,000,000 shall be authorized
17 for the Technology Innovation Program
18 under section 28 of the National Institute
19 of Standards and Technology Act (15
20 U.S.C. 278n);

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

1 (iii) \$10,000,000 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 (b) FISCAL YEAR 2012.—

7 (1) IN GENERAL.—There are authorized to be
8 appropriated to the Secretary of Commerce
9 \$1,035,400,000 for the National Institute of Stand-
10 ards and Technology for fiscal year 2012.

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

13 (A) \$657,200,000 shall be authorized for
14 scientific and technical research and services
15 laboratory activities;

16 (B) \$85,000,000 shall be authorized for
17 the construction and maintenance of facilities;
18 and

19 (C) \$293,200,000 shall be authorized for
20 industrial technology services activities, of
21 which—

22 (i) \$132,000,000 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) \$150,900,000 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) \$10,300,000 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).

12 (c) FISCAL YEAR 2013.—

13 (1) IN GENERAL.—There are authorized to be
14 appropriated to the Secretary of Commerce
15 \$1,137,809,000 for the National Institute of Stand-
16 ards and Technology for fiscal year 2013.

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

19 (A) \$696,700,000 shall be authorized for
20 scientific and technical research and services
21 laboratory activities;

22 (B) \$122,000,000 shall be authorized for
23 the construction and maintenance of facilities;
24 and

1 (C) \$319,109,000 shall be authorized for
2 industrial technology services activities, of
3 which—

4 (i) \$147,000,000 shall be authorized
5 for the Technology Innovation Program
6 under section 28 of the National Institute
7 of Standards and Technology Act (15
8 U.S.C. 278n);

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

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

18 (d) FISCAL YEAR 2014.—

19 (1) IN GENERAL.—There are authorized to be
20 appropriated to the Secretary of Commerce
21 \$1,188,277,000 for the National Institute of Stand-
22 ards and Technology for fiscal year 2014.

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

1 (A) \$738,500,000 shall be authorized for
2 scientific and technical research and services
3 laboratory activities;

4 (B) \$124,000,000 shall be authorized for
5 the construction and maintenance of facilities;
6 and

7 (C) \$325,727,000 shall be authorized for
8 industrial technology services activities, of
9 which—

10 (i) \$142,000,000 shall be authorized
11 for the Technology Innovation Program
12 under section 28 of the National Institute
13 of Standards and Technology Act (15
14 U.S.C. 278n);

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

19 (iii) \$10,927,000 shall be authorized
20 for the Malcolm Baldrige National Quality
21 Award program under section 17 of the
22 Stevenson-Wydler Technology Innovation
23 Act of 1980 (15 U.S.C. 3711a).

24 (e) FISCAL YEAR 2015.—

1 (1) IN GENERAL.—There are authorized to be
2 appropriated to the Secretary of Commerce
3 \$1,255,955,000 for the National Institute of Stand-
4 ards and Technology for fiscal year 2015.

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

7 (A) \$782,800,000 shall be authorized for
8 scientific and technical research and services
9 laboratory activities;

10 (B) \$133,000,000 shall be authorized for
11 the construction and maintenance of facilities;
12 and

13 (C) \$340,155,000 shall be authorized for
14 industrial technology services activities, of
15 which—

16 (i) \$144,000,000 shall be authorized
17 for the Technology Innovation Program
18 under section 28 of the National Institute
19 of Standards and Technology Act (15
20 U.S.C. 278n);

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

1 (iii) \$11,255,000 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 **SEC. 3. UNDER SECRETARY OF COMMERCE FOR STAND-**
7 **ARDS AND TECHNOLOGY.**

8 (a) IN GENERAL.—Section 5 of the Stevenson-
9 Wydler Technology Innovation Act of 1980 (15 U.S.C.
10 3704) is amended—

11 (1) in the heading, by striking “**EXPERI-**
12 **MENTAL PROGRAM TO STIMULATE COMPETI-**
13 **TIVE**” and inserting “**STANDARDS AND**”;

14 (2) in the heading in subsection (a), by striking
15 “PROGRAM ESTABLISHMENT” and inserting “ES-
16 TABLISHMENT OF EXPERIMENTAL PROGRAM TO
17 STIMULATE COMPETITIVE TECHNOLOGY”;

18 (3) by redesignating subsections (a) through (c)
19 as subsections (b) through (d), respectively; and

20 (4) by inserting before subsection (b), as so re-
21 designated, the following:

22 “(a) UNDER SECRETARY OF COMMERCE FOR STAND-
23 ARDS AND TECHNOLOGY.—

24 “(1) ESTABLISHMENT.—

1 “(A) IN GENERAL.—There shall be in the
2 Department of Commerce an Under Secretary
3 of Commerce for Standards and Technology
4 who shall serve as the Director of the National
5 Institute of Standards and Technology and per-
6 form such duties as provided for in law and as
7 the Secretary shall prescribe.

8 “(B) APPOINTMENT.—The Under Sec-
9 retary of Commerce for Standards and Tech-
10 nology shall be appointed by the President by
11 and with the advice and consent of the Senate
12 and shall be compensated at the rate now or
13 hereafter provided for level III of the Executive
14 Schedule Pay Rates (5 U.S.C. 5314).

15 “(C) APPLICABILITY.—The individual serv-
16 ing on the date of enactment of the National
17 Institute of Standards and Technology Author-
18 ization Act of 2010 as the Director of the Na-
19 tional Institute of Standards and Technology
20 shall also serve as the Under Secretary of Com-
21 merce for Standards and Technology until such
22 time as a successor is appointed under subpara-
23 graph (B).

1 “(2) DUTIES.—The Secretary, acting through
2 the Under Secretary of Commerce for Standards
3 and Technology, as appropriate, shall—

4 “(A) conduct policy analysis on innovation
5 and technical standards to improve and pro-
6 mote United States competitiveness in the con-
7 text of global competition;

8 “(B) propose and support studies, in co-
9 operation with other Federal agencies, to evalu-
10 ate the effectiveness of measures for improving
11 Federal Government technology transfer poli-
12 cies and initiatives;

13 “(C) provide that cooperative efforts to
14 stimulate competitiveness, job creation, and in-
15 novation be undertaken between the Under Sec-
16 retary and other officials in the Department of
17 Commerce responsible for such areas as trade
18 and economic assistance;

19 “(D) support the creation of partnerships
20 and other joint initiatives by State or local gov-
21 ernments, regional organizations, private busi-
22 nesses, institutions of higher education, non-
23 profit institutions, or Federal laboratories to
24 encourage technology transfer and innovation;

1 “(E) conduct research and support activi-
2 ties to improve training programs and curricula
3 for high-tech manufacturing skills and related
4 skill sets and encourage the dissemination of
5 best practices involving appropriate Federal
6 agencies, State or local governments, regional
7 organizations, institutions of higher education,
8 or nonprofit institutions; and

9 “(F) serve as a focal point for discussions
10 among United States companies on topics of in-
11 terest regarding technology innovation, competi-
12 tiveness, and job retention and creation.”.

13 (b) CONFORMING AMENDMENTS.—

14 (1) STEVENSON-WYDLER.—Subsection (c) of
15 section 5 of such Act (15 U.S.C. 3704), as redesign-
16 ated in subsection (a)(3), is amended to read as
17 follows:

18 “(c) COORDINATION.—To the extent practicable, in
19 carrying out subsection (b), the Secretary shall coordinate
20 the program established under such subsection with other
21 programs of the Department of Commerce.”.

22 (2) TITLE 5, UNITED STATES CODE.—

23 (A) LEVEL III.—Section 5314 of title 5,
24 United States Code, is amended by inserting

1 before the item “Associate Attorney General”
2 the following:

3 “Under Secretary of Commerce for Standards
4 and Technology, the incumbent of which also serves
5 as Director of the National Institute of Standards
6 and Technology.”.

7 (B) LEVEL IV.—Section 5315 of title 5,
8 United States Code, is amended by striking
9 “Director, National Institute of Standards and
10 Technology, Department of Commerce.”.

11 (3) NIST ACT.—Section 5 of the National In-
12 stitute of Standards and Technology Act (15 U.S.C.
13 274) is amended by striking the following: “The Di-
14 rector shall be compensated at the rate in effect for
15 level IV of the Executive Schedule under section
16 5315 of title 5, United States Code.”.

17 **SEC. 4. REORGANIZATION OF NIST LABORATORIES.**

18 (a) ORGANIZATION.—The Director shall reorganize
19 the scientific and technical research and services labora-
20 tory program into the following operational units:

21 (1) The Physical Measurement Laboratory,
22 whose mission is to realize and disseminate the na-
23 tional standards for length, mass, time and fre-
24 quency, electricity, temperature, force, and radiation
25 by activities including fundamental research in

1 measurement science, the provision of measurement
2 services and standards, and the provision of testing
3 facilities resources for use by the Federal Govern-
4 ment.

5 (2) The Information Technology Laboratory,
6 whose mission is to develop and disseminate stand-
7 ards, measurements, and testing capabilities for
8 interoperability, security, usability, and reliability of
9 information technologies, including cybersecurity
10 standards and guidelines for Federal agencies,
11 United States industry, and the public, through fun-
12 damental and applied research in computer science,
13 mathematics, and statistics.

14 (3) The Engineering Laboratory, whose mission
15 is to develop and disseminate advanced manufac-
16 turing and construction technologies to the United
17 States manufacturing and construction industries
18 through activities including measurement science re-
19 search, performance metrics, tools for engineering
20 applications, promotion of green infrastructure, and
21 energy efficiency measurements and standards.

22 (4) The Material Measurement Laboratory,
23 whose mission is to serve as the national reference
24 laboratory in biological, chemical, and material
25 sciences and engineering through activities including

1 fundamental research in the composition, structure,
2 and properties of biological and environmental mate-
3 rials and processes, the development of certified ref-
4 erence materials and critically evaluated data, and
5 other programs to assure measurement quality in
6 materials and biotechnology fields.

7 (5) The Center for Nanoscale Science and
8 Technology, a national shared-use facility for
9 nanoscale fabrication and measurement, whose mis-
10 sion is to develop innovative nanoscale measurement
11 and fabrication capabilities to support researchers
12 from industry, institutions of higher education, the
13 National Institute of Standards and Technology, and
14 other Federal agencies in nanoscale technology from
15 discovery to production.

16 (6) The NIST Center for Neutron Research, a
17 national shared-use facility, whose mission is to pro-
18 vide neutron-based measurement capabilities to re-
19 searchers from industry, institutions of higher edu-
20 cation, the National Institute of Standards and
21 Technology, and other Federal agencies in support
22 of materials research, nondestructive evaluation,
23 neutron imaging, chemical analysis, neutron stand-
24 ards, dosimetry, and radiation metrology.

25 (b) REVISION.—

1 (1) IN GENERAL.—Subsequent to the reorga-
2 nization required under subsection (a), the Director
3 may revise the organization of the scientific and
4 technical research and services laboratory program.

5 (2) REPORT TO CONGRESS.—Any revision to
6 the organization of such program under paragraph
7 (1) shall be submitted in a report to the Committee
8 on Science and Technology of the House of Rep-
9 resentatives and the Committee on Commerce,
10 Science, and Transportation of the Senate at least
11 60 days before the effective date of such revision.

12 **SEC. 5. FEDERAL GOVERNMENT STANDARDS AND CON-**
13 **FORMITY ASSESSMENT COORDINATION.**

14 (a) COORDINATION.—Section 2(b) of the National In-
15 stitute of Standards and Technology Act (15 U.S.C.
16 272(b)) is amended—

17 (1) in paragraph (12), by striking “and” after
18 the semicolon;

19 (2) in paragraph (13), by striking the period at
20 the end and inserting a semicolon; and

21 (3) by adding after paragraph (13) the fol-
22 lowing:

23 “(14) to promote collaboration among Federal
24 departments and agencies and private sector stake-
25 holders in the development and implementation of

1 standards and conformity assessment frameworks to
2 address specific Federal Government policy goals;
3 and

4 “(15) to convene Federal departments and
5 agencies, as appropriate, to—

6 “(A) coordinate and determine Federal
7 Government positions on specific policy issues
8 related to international technical standards and
9 conformity assessment-related activities; and

10 “(B) coordinate Federal department and
11 agency engagement in the development of inter-
12 national technical standards and conformity as-
13 sessment-related activities.”.

14 (b) REPORT.—The Director, in consultation with ap-
15 propriate Federal agencies, shall submit a report annually
16 to Congress addressing the Federal Government’s tech-
17 nical standards and conformity assessment-related activi-
18 ties. The report shall identify—

19 (1) current and anticipated international stand-
20 ards and conformity assessment-related issues that
21 have the potential to impact the competitiveness and
22 innovation capabilities of the United States;

23 (2) any action being taken by the Federal Gov-
24 ernment to address these issues and the Federal
25 agency taking that action; and

1 (3) any action that the Director is taking or
2 will take to ensure effective Federal Government en-
3 gagement on technical standards and conformity as-
4 sessment-related issues, as appropriate, where the
5 Federal Government is not effectively engaged.

6 **SEC. 6. MANUFACTURING EXTENSION PARTNERSHIP.**

7 (a) COMMUNITY COLLEGE SUPPORT.—Section 25(a)
8 of the National Institute of Standards and Technology Act
9 (15 U.S.C. 278k(a)) is amended—

10 (1) in paragraph (4), by striking “and” after
11 the semicolon;

12 (2) in paragraph (5), by striking the period at
13 the end and inserting “; and”; and

14 (3) by adding after paragraph (5) the following:

15 “(6) providing to community colleges informa-
16 tion about the job skills needed in small- and me-
17 dium-sized manufacturing businesses in the regions
18 they serve.”.

19 (b) INNOVATIVE SERVICES INITIATIVE.—

20 (1) IN GENERAL.—Section 25 of such Act (15
21 U.S.C. 278k) is amended by adding at the end the
22 following:

23 “(g) INNOVATIVE SERVICES INITIATIVE.—

24 “(1) ESTABLISHMENT.—The Director may es-
25 tablish, within the Centers program under this sec-

1 tion, an innovative services initiative to assist small-
2 and medium-sized manufacturers in—

3 “(A) reducing their energy usage and envi-
4 ronmental waste to improve profitability; and

5 “(B) accelerating the domestic commer-
6 cialization of new product technologies, includ-
7 ing components for renewable energy systems.

8 “(2) MARKET DEMAND.—The Director may not
9 undertake any activity to accelerate the domestic
10 commercialization of a new product technology
11 under this subsection unless an analysis of market
12 demand for the new product technology has been
13 conducted.”.

14 (2) GRANTS.—Section 33 of such Act (15
15 U.S.C. 278r) is amended by adding at the end the
16 following:

17 “(g) INNOVATIVE SERVICES.—The Director may
18 make awards under this section to carry out the innovative
19 services initiative under section 25(g).”.

20 (c) REPORTS.—Section 25 of such Act (15 U.S.C.
21 278k) is further amended by adding at the end the fol-
22 lowing:

23 “(h) REPORTS.—

24 “(1) IN GENERAL.—In submitting the 3-year
25 programmatic planning document and annual up-

1 dates under section 23, the Director shall include an
2 assessment of the Director's governance of the pro-
3 gram established under this section.

4 “(2) CRITERIA.—In conducting such assess-
5 ment, the Director shall use the criteria established
6 pursuant to the Malcolm Baldrige National Quality
7 Award under section 17(d)(1)(C) of the Stevenson-
8 Wydler Technology Innovation Act of 1980 (15
9 U.S.C. 3711a(d)(1)(C)).”.

10 (d) HOLLINGS MANUFACTURING EXTENSION PART-
11 NERSHIP PROGRAM COST-SHARING.—Section 25(c) of
12 such Act (15 U.S.C. 278k(e)) is amended—

13 (1) in paragraph (1), by inserting “, unless oth-
14 erwise determined under paragraph (3)(C)” before
15 the period at the end;

16 (2) in paragraph (3)—

17 (A) in subparagraph (B)—

18 (i) by striking “not less than 50 per-
19 cent of the costs incurred for the first 3
20 years and an increasing share for each of
21 the last 3 years” and inserting “the appli-
22 cant's share of the costs incurred (in this
23 subsection referred to as ‘cost share’)”;
24 and

1 (ii) by striking “For purposes of the
2 preceding sentence, the” and inserting
3 “The”;

4 (B) by redesignating subparagraphs (C)
5 and (D) as subparagraphs (D) and (E), respec-
6 tively;

7 (C) by inserting after subparagraph (B)
8 the following new subparagraph:

9 “(C) The Secretary shall by rule establish
10 appropriate criteria to be considered in deter-
11 mining a Center’s cost share. A Center’s cost
12 share shall in no case exceed 50 percent of the
13 costs incurred by such Center. The Secretary
14 shall review each Center’s cost share annually
15 and at such other times as the Secretary con-
16 siders appropriate. An adjustment to a Center’s
17 cost share in a year shall not affect the amount
18 of Federal funds such Center receives in such
19 year.”; and

20 (D) in subparagraph (D), as redesignated
21 by subparagraph (B)—

22 (i) by striking “50 percent” and in-
23 serting “cost share”; and

1 (ii) by striking “Center’s contribu-
2 tion” and inserting “Center’s cost share”;
3 and

4 (3) in paragraph (5)—

5 (A) in the sixth sentence, by striking “at
6 declining levels”; and

7 (B) in the last sentence—

8 (i) by striking “Funding” and insert-
9 ing “Unless otherwise determined under
10 paragraph (3)(C), funding”; and

11 (ii) by striking “one third” and insert-
12 ing “50 percent”.

13 (e) ADVISORY BOARD.—Section 25(e)(4) of such Act
14 (15 U.S.C. 278k(e)(4)) is amended to read as follows:

15 “(4) FEDERAL ADVISORY COMMITTEE ACT AP-
16 PPLICABILITY.—

17 “(A) IN GENERAL.—In discharging its du-
18 ties under this subsection, the MEP Advisory
19 Board shall function solely in an advisory ca-
20 pacity, in accordance with the Federal Advisory
21 Committee Act.

22 “(B) EXCEPTION.—Section 14 of the Fed-
23 eral Advisory Committee Act shall not apply to
24 the MEP Advisory Board.”.

1 (f) DEFINITIONS.—Section 25 of such Act (15 U.S.C.
2 278k) is further amended by adding at the end the fol-
3 lowing:

4 “(i) DEFINITION.—In this section, the term ‘commu-
5 nity college’ means an institution of higher education (as
6 defined under section 101(a) of the Higher Education Act
7 of 1965 (20 U.S.C. 1001(a))) at which the highest degree
8 that is predominately awarded to students is an associate’s
9 degree.”.

10 **SEC. 7. BIOSCIENCE RESEARCH PROGRAM.**

11 (a) IN GENERAL.—The National Institute of Stand-
12 ards and Technology Act (15 U.S.C. 271 et seq.) is
13 amended—

14 (1) by redesignating section 34 as section 35;
15 and

16 (2) by inserting after section 33 the following:

17 **“SEC. 34. BIOSCIENCE RESEARCH PROGRAM.**

18 “(a) IN GENERAL.—The Director shall establish a
19 bioscience research program to support research and de-
20 velopment of standard reference materials, measurements,
21 methods, and genomic and other data to advance—

22 “(1) biological drug research and development;

23 “(2) molecular diagnostics;

24 “(3) medical imaging technologies; and

25 “(4) personalized medicine.

1 “(b) UNIVERSITY RESEARCH CENTERS.—

2 “(1) ESTABLISHMENT.—The Director may es-
3 tablish research centers at institutions of higher edu-
4 cation (in this section referred to as ‘university re-
5 search centers’) through a competitive application
6 process to conduct research that furthers the objec-
7 tives of the bioscience research program.

8 “(2) APPLICATION.—

9 “(A) IN GENERAL.—An institution of high-
10 er education seeking to establish a university
11 research center under this subsection shall sub-
12 mit an application to the Director at such time,
13 in such manner, and containing such informa-
14 tion and assurances as the Director may re-
15 quire.

16 “(B) COMPONENTS.—The application shall
17 include, at a minimum, a description of—

18 “(i) the relevant research and instruc-
19 tional capacity of the applicant;

20 “(ii) the research projects that will be
21 undertaken by the applicant;

22 “(iii) the extent to which the applicant
23 will partner with industry and the role in-
24 dustry will play in the research undertaken
25 by the university research center;

1 “(iv) how the applicant will dissemi-
2 nate research results effectively; and

3 “(v) the metrics that will be used to
4 evaluate the success of the projects under
5 clause (ii) and the contribution of the uni-
6 versity research center in furthering the
7 objectives of the bioscience research pro-
8 gram.

9 “(3) ASSESSMENT.—Not later than 3 years
10 after the date on which a university research center
11 is established and every 3 years thereafter, the Di-
12 rector shall evaluate the university research center
13 for its contributions to the bioscience research pro-
14 gram.

15 “(4) ANNUAL MEETING.—If the Director estab-
16 lishes more than 1 university research center, the
17 Director shall convene an annual meeting of re-
18 searchers from all of the university research centers
19 and the Institute to foster collaboration and commu-
20 nication.

21 “(c) USER FACILITY.—The Director may establish a
22 bioscience user facility to provide access to advanced or
23 unique equipment, services, materials, and other resources
24 to industry, institutions of higher education, nonprofit or-

1 ganizations, and government agencies to perform research
2 and testing.

3 “(d) POSTDOCTORAL FELLOWS.—The Director shall,
4 to the extent practicable, assign 1 or more fellows from
5 the postdoctoral fellowship program established in section
6 19 to the bioscience research program.

7 “(e) PROGRAMMATIC PLANNING DOCUMENT.—The
8 Director shall ensure that the updates to the pro-
9 grammatic planning document transmitted to Congress
10 under section 23(d) include the bioscience research pro-
11 gram.

12 “(f) DEFINITIONS.—In this section:

13 “(1) BIOSCIENCE RESEARCH PROGRAM.—The
14 term ‘bioscience research program’ means the re-
15 search and development program authorized under
16 subsection (a).

17 “(2) INSTITUTION OF HIGHER EDUCATION.—
18 The term ‘institution of higher education’ has the
19 same meaning given the term in section 101(a) of
20 the Higher Education Act of 1965 (20 U.S.C.
21 1001(a)).”.

22 (b) VISITING COMMITTEE ON ADVANCED TECH-
23 NOLOGY AMENDMENTS.—Section 10 of the National Insti-
24 tute of Standards and Technology Act (15 U.S.C. 278)
25 is amended—

1 (1) in subsection (a)—

2 (A) by striking “15 members” and insert-
3 ing “at least 15, but not more than 20, mem-
4 bers”; and

5 (B) by striking “at least 10” and inserting
6 “at least 13”; and

7 (2) in subsection (h)(1), by striking “Program
8 established under section 28” and inserting “pro-
9 grams established under sections 28 and 34”.

10 **SEC. 8. TIP ADVISORY BOARD.**

11 Section 28(k)(4) of the National Institute of Stand-
12 ards and Technology Act (15 U.S.C. 278n(k)(4)) is
13 amended to read as follows:

14 “(4) FEDERAL ADVISORY COMMITTEE ACT AP-
15 PPLICABILITY.—

16 “(A) IN GENERAL.—In discharging its du-
17 ties under this subsection, the TIP Advisory
18 Board shall function solely in an advisory ca-
19 pacity, in accordance with the Federal Advisory
20 Committee Act.

21 “(B) EXCEPTION.—Section 14 of the Fed-
22 eral Advisory Committee Act shall not apply to
23 the TIP Advisory Board.”.

24 **SEC. 9. DEFINITIONS.**

25 In this Act:

1 (1) DIRECTOR.—The term “Director” means
2 the Director of the National Institute of Standards
3 and Technology.

4 (2) FEDERAL AGENCY.—The term “Federal
5 agency” has the meaning given such term in section
6 4 of the Stevenson-Wydler Technology Innovation
7 Act of 1980 (15 U.S.C. 3703).