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Contents:

H.R. 5116 - Amendments to the America COMPETES Reauthorization Act of 2010

The bill is scheduled to be considered on Wednesday, May 12, 2010 under a structured rule ([H.Res.1344](#)) that provides for one hour of debate equally divided and controlled by the majority and minority, waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI (earmarks & “pay-go”), makes in order one amendment that self-executes under Part A of the rule, provides for consideration of **54** amendments (***only 4 of which are Republican***), and provides one motion to recommit with or without instructions.

AMENDMENT CONSIDERED TO BE ADOPTED FOR H.R. 5116– PART A

1. The self-executing amendment strike the new Bioscience Research Program at NIST to support the development of standard reference materials and measurements to advance biologic drug research and development and excludes “medical research” from activities at the DOE Office of Science (Title VI).

AMENDMENTS MADE IN ORDER FOR H.R. 5116–PART B

1. **Gordon (D-TN)**. The manager’s amendment makes several technical corrections to the bill, amends the Robert Noyce Teacher Scholarship Program to require institution receiving grants less than \$1.5 million to provide 30% from non-federal sources and for grants over \$1.5 million to provide 50% from non-federal sources. The amendment also requires the Director of NIST to submit a detailed report to Congress within one year examining the use of high-performance computational modeling and simulation by small- and medium-sized manufacturers.

The amendment also redefines “regional innovation clusters” to be comprised of a geographically bounded network of similar, synergistic, or complementary entities that are engaged with a particular industry sector, have active channels for transactions and business communications, share specialized infrastructure, market structure, or infrastructure, and leverage the regions unique competitive strengths to stimulate innovation and create jobs.

Finally, the manager’s amendment makes changes to clarify the role of special consideration for STEM programs that serve veterans with disabilities, exempts individuals convicted of rape, child molestation, or other forms of sexual assault from participation in any program, and bans lobbying on the bill.

2. **Cardoza (D-CA).** The amendment requires the Director of NIST to create a “green” construction and manufacturing initiative to develop sustainability standards to improve energy performance, service life, and indoor air quality of new and retrofitted buildings.
3. **Matsui (D-CA).** The amendment requires the inclusion of “smart grid technologies” as a qualified research and development project at the DOE Energy Innovation Hub program.
4. **Matsui (D-CA).** The amendment requires the inclusion of “smart grid technologies” to be considered for research and development programs under the DOE’s Advanced Scientific Computing Research Program.
5. **Wu (D-OR).** The amendment requires the DOE Advanced Research Projects Agency program to grant awards designed to overcome the long-term and high-risk barriers and provide increased emphasis for small businesses and entrepreneurs to access projects that specify areas of technical innovation and broadly defined areas of science and technology.
6. **Broun (R-GA).** The amendment strikes Title V of the bill involving the creation of an Office of Innovation and Entrepreneurship to provide loan guarantees and implement the “regional innovation clusters” program.
7. **Boswell (D-IA)/Michaud (D-ME).** The amendment adds “biomass technology systems” to the definition of qualified STEM education program at the DOE.
8. **Davis (D-IL)/Grijalva (D-AZ).** The amendment requires the NSF Director to include “disaggregated cross-tabulated by race, ethnicity, and gender” to be included under the reporting requirements for research grants. Additionally, the amendment requires the NSF to also consider students enrolled in two-year, certificate, associate, or baccalaureate programs to be eligible for STEM programs. Finally, the amendment requires a report from the Office of Science and Technology Policy to be presented to Congress within six months on the evaluating the “role of 2-year institutions of higher education as STEM educators, including in the preparation of students for direct entry into the STEM workforce and in preparation of students for transition into 4-year STEM degree programs, as well as the role of the Federal Government in helping 2-year institutions of higher education build their capacity to be effective STEM educators.”
9. **Kanjorski (D-PA).** The amendment allows “regional innovation clusters” to be eligible for funding in order to interact with state and local governments to meet the goals of the cluster.
10. **Markey (D-MA).** The amendment adds a new program under Title V (Innovation) of the bill to establish a “Clean Energy Consortium” to promote the commercial application of clean energy. The amendment does not include nuclear energy in the definition of “clean.” Consortia eligible for public support must be comprised of at least two research universities with a combined annual research budget of \$500 million and one other qualifying entity (other state or federal institution or NGO with expertise in clean energy). A Consortium would have a technology focus to which at least 50 percent of support would be directed. All remaining funds could be directed to support clean energy technology projects conducting “translational” research. The grant to establish and operate the Consortium is for an amount not more than \$10,000,000 per year and is for a period not to exceed 3 years.

11. **McCarthy (D-NY).** The amendment requires the NIST emergency communications and tracking technologies research initiative to incorporate and build upon existing reports and studies improving emergency communications.
12. **Miller (D-CA).** The amendment allows all public institutions of higher education that employ individuals represented by a labor organization to be eligible to use funding for facility and administrative costs for any activity or program supported by H.R. 5116. The amendment requires an institution to establish an inquiry process for unions to determine the administrative costs associated with participation in a program authorized in H.R. 5116. If an institution fails to comply with the request in 30 days, the amendment would require the suspension of payments to the institution for facilities and administrative costs until compliance is achieved. Some conservatives have expressed concern this provision grants unions additional benefits over other employments and shifts priorities of STEM from students, to union employees.
13. **Reyes (D-TX)/ Connolly (D-VA).** The amendment requires STEM Education coordination to include the promotion of public understanding of career opportunities in the STEM fields, including outreach to women, Latinos, African American's, Native Americans, and other under represented populations. The amendment also requires the establishment of a publicly accessible online database of all federally sponsored STEM education programs.
14. **Loretta Sanchez (D-CA).** The amendment requires the inclusion of elementary and secondary school administration association in under the STEM education advisory committee established under the bill.
15. **Bishop (D-NY).** The amendment requires the Director of NIST to develop a nanomaterial research initiative to determine the physical and chemical properties of nanomaterials, and conduct other nanotechnology research and development initiatives.
16. **Barrow (D-GA).** The amendment requires the NSF to describe how federal agencies that support manufacturing research and development will strengthen all levels of manufacturing education and training programs under the STEM strategic plan developed under the bill.
17. **Carney (D-PA).** The amendment requires rural outreach to be included as a priority for STEM education internship programs.
18. **Clarke (D-NY).** The amendment specifies that STEM education activities developed by the Secretary should specifically emphasize the participation of women and underrepresented minority students.
19. **Cohen (D-TN).** The amendment includes a "sense of congress" that particular emphasis should be given to K-12 education for the inclusion of engineering education in STEM programs.
20. **Cuellar (D-TX).** The amendment requires the Director of NIST to additional emphasis to conduct outreach efforts to encourage applications from underrepresented groups to participate in STEM post doctoral research programs.

- 21. Gingrey (R-GA).** The amendment establishes a new Green Chemistry Basic Research program the NSF to award competitive, merit-based grant to support the research into green and sustainable chemistry which will lead to clean, safe, and economical alternatives to traditional chemical products.
- 22. Herseth-Sandlin (D-SD).** The amendment adds a “sense of congress” to encourage the NSF to coordinate and collaborate with other federal agencies, including the Department of Energy's Office of Science, to ensure that joint investments may be made when practicable.
- 23. Holt (D-NJ)/ Kind (D-WI).** The amendment requires that within one year, the White House Office of Science and Technology Policy submit to Congress and the President a national competitiveness and innovation strategy for strengthening the innovative and competitive capacity of the federal government, state and local governments, institutions of higher education, and the private sector.
- 24. Holt (D-NJ)/Ehlers (R-MI).** The amendment adds a “sense of congress” to Title I of the bill to emphasize the importance of scientific peer review. The amendment further requires that the National Science and Technology Council working group established under this section should take into account the role that scientific publishers play in the peer review process.
- 25. Honda (D-CA).** The amendment would coordinate federally supported STEM programs with state level activities. This includes the efforts of P-16 and P-20 councils in the states by facilitating coordination between these efforts as one of the responsibilities of the STEM Advisory Committee created under the bill. P-16 refers to a system of education that encompasses preschool through undergraduate level education. P-20 encompasses preschool to graduate level education.
- 26. Issa (R-CA).** This amendment would eliminate section 124, “Fulfilling the Potential of Academic Women in Academic Science and Engineering.” *Some conservatives have expressed concern that this section of the bill is jamming in political correctness measures into science and math education efforts.*
- 27. Jackson-Lee (D-TX).** This amendment would require the STEM Industry Internship Program report to include an economic and ethnic breakdown of the participating students. *Some conservatives would argue that the federal government should not collect this information.*
- 28. Marshall (D-GA).** This amendment would direct the Office of Innovation and Entrepreneurship to focus on the needs of rural communities and small businesses when strengthening the collaboration on and coordination between the Department of Commerce and between the Department of Commerce and other Federal agencies.
- 29. Michaud (D-ME).** This amendment directs the Secretary of Energy to attempt collaboration with other federal agencies, including through multiagency funding opportunities, on regional innovation strategies. It further directs the Secretary to ensure that this collaboration prioritizes the needs and challenges of small businesses.

30. **Michaud (D-ME)**. This amendment directs the Secretary of Energy to give special consideration to applications from regions that contain communities negatively impacted by trade when awarding Regional Innovation Cluster grants.
31. **Michaud (D-ME)**. The amendment requires the Advisory Committee on STEM Education to consider the needs of rural schools.
32. **Ruppersberger (D-MD)**. This amendment would clarify that the retired mathematics professionals are eligible for the Robert Noyce Teacher Scholarship Program.
33. **Ruppersberger (D-MD)**. This amendment directs the Director of NSF to identify ways to use cyber-enabled learning to create an innovative STEM workforce and to help retrain and retain existing members of the STEM workforce to address national challenges, including national security and competitiveness.
34. **Bocchieri (D-OH)/Schauer (D-MI)**. This amendment would increase the authorization level for funding for the Federal Loan Guarantees for Innovative Technologies in Manufacturing from \$50 million to \$100 million.
35. **Childers (D-MS)**. This amendment would instruct the Director of NSF to develop a disaster resilient buildings and infrastructure program. The Director shall develop the capability to test real-scale structure under realistic fire and structural loading conditions and will assist in the validation of predictive models by developing a database on the performance of large-scale structures under these conditions
36. **Chu (D-CA)**. The amendment would add language that requires that the Innovation through Institutional Integration grant program to help for under-represented students in STEM fields transition from 2-year institutions to 4-year institutions of higher education. The underlying bill did not include language regarding the inclusion of 2-year to 4-year institutions.
37. **Ellsworth (D-IN)**. The amendment states that no funds in this bill shall be used to purchase “gift items, knickknacks, souvenirs, trinkets, or other items without direct educational value.”
38. **Halvorson (D-IL)**. The amendment would require the Director of the National Science Foundation to give consideration to the goal of promoting the participation of veterans in the postdoctoral research fellowship program established Section 246, regarding postdoctoral research fellowships. The amendment defines the term veteran.
39. **Hare (D-IL)**. The amendment includes a sense of Congress stating that when more than one applicant is competing for the same grant, the grant-awarding authority should give consideration to an applicant that has not previously received funding and an applicant that is an institution of higher learning in a rural area.
40. **Heinrich (D-NM)**. Allows a “regional innovation program” to include science parks and federal labs.
41. **Heinrich (D-NM)**. The amendment would allow the Secretary of Energy to establish an online database of “technologies, capabilities and resources available to the public at the National Laboratories.”

42. **Kissell (D-NC)**. The amendment would require the Secretary of Energy to consider the amount of the obligation when determining application fees for the newly established Innovative Technologies in Manufacturing Loan Guarantee Program.
43. **Klein (D-FL)**. The amendment would instruct the director of the Hollings Manufacturing Extension Partnership (MEP) within NIST to evaluate “obstacles unique to small manufacturers.” The Director shall evaluate obstacles that prevent them from effectively competing in a global market, implement a comprehensive plan to train the Centers to address the obstacles, and facilitate improved communication between the Centers to assist the manufacturers in implementing solutions to the obstacles.
44. **Kratovil (D-MD)/Connolly (D-VA)**. The amendment would encourage federal scientists and engineers to participate in STEM Education. Calls on the Director of the Office of Science and Technology Policy, in consultation with the Department of Education to develop a policy to increase volunteerism in STEM education activities, and support increased communication and partnerships between scientists and engineers from federal science agencies.
45. **McNerney (D-CA)**. The amendment would add “marine and hydrokinetic technology systems” to the list of energy efficiency and renewable energy technology systems that would be included in the Department of Energy STEM education initiatives authorized under the section.
46. **Minnick (D-ID)**. The amendment would require that the President’s Advisory Panel on STEM to provide “advice to federal agencies on how their STEM technical training and education programs can be better aligned with the workforce needs of states and regions.”
47. **Moore (D-WI)**. The amendment would add the Great Lakes to the climate and environmental science research of the Earth's atmosphere and biosphere. The underlying bill includes research in oceans, not the Great Lakes.
48. **Murphy (D-PA)/Altmire (D-PA)**. The amendment would include in the list of STEM education programs and activities at the Department of Energy “competitive grants for institutions of higher education, including 2 year institutions of higher education, to establish or expand degree programs or courses in energy systems science and engineering.”
49. **Perriello (D-VA)**. The amendment would add federal agencies to the list of agencies that the President's advisory committee on STEM can provide advice.
50. **Quigley (IL)/Flake (D-AZ)**. The amendment expresses the sense of Congress that “retaining graduate-level talent trained at American universities in STEM fields is critical to enhancing the competitiveness of American businesses.”
51. **Salazar (D-CO)**. The amendment would provide the Department of Energy with the authority to conduct “professional training for energy auditors, field technicians, and building contractors in the areas of building energy retrofits and audits or related renewable energy technology installations.”

- 52. Schock (R-IL).** The amendment would require the Secretary of Commerce to give special consideration to an eligible recipient who agrees to collaborate with local workforce investment area boards.
- 53. Space (D-OH).** The amendment would add a new section to the bill requiring that the Director of NIST carry out a program to support transformational manufacturing research.
- 54. Titus (D-NV).** The amendment would clarify that “pre-service and in-service STEM teacher training and professional development” shall be considered when identifying grand challenges in pre-K-12 STEM education. The underlying bill only states “STEM teacher professional development.”

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