

***In the Senate of the United States,***

*October 9 (legislative day, October 2), 1998.*

*Resolved*, That the bill from the House of Representatives (H.R. 1274) entitled “An Act to authorize appropriations for the National Institute of Standards and Technology for fiscal years 1998 and 1999, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Technology Administra-*  
3 *tion Act of 1998”.*

4 ***SEC. 2. MANUFACTURING EXTENSION PARTNERSHIP PRO-***

5 ***GRAM CENTER EXTENSION.***

6 *Section 25(c)(5) of the National Institute of Standards*  
7 *and Technology Act (15 U.S.C. 278k(c)(5)) is amended by*  
8 *striking “, which are designed” and all that follows through*  
9 *“operation of a Center.” and inserting in lieu thereof “.*  
10 *After the sixth year, a Center may receive additional finan-*

1 cial support under this section if it has received a positive  
2 evaluation through an independent review, under proce-  
3 dures established by the Institute. Such an independent re-  
4 view shall be required at least every two years after the sixth  
5 year of operation. Funding received for a fiscal year under  
6 this section after the sixth year of operation shall not exceed  
7 one third of the capital and annual operating and mainte-  
8 nance costs of the Center under the program.”.

9 **SEC. 3. MALCOLM BALDRIGE QUALITY AWARD.**

10 (a) *ADDITIONAL AWARDS.*—Section 17(c)(3) of the  
11 *Stevenson-Wydler Technology Innovation Act of 1980* (15  
12 *U.S.C. 3711a(c)(3)*) is amended by inserting “, unless the  
13 Secretary determines that a third award is merited and can  
14 be given at no additional cost to the Federal Government”  
15 after “in any year”.

16 (b) *CATEGORIES.*—Section 17(c)(1) of the *Stevenson-*  
17 *Wydler Technology Innovation Act of 1980* (15 *U.S.C.*  
18 *3711a(c)(1)*) is amended by adding at the end the following:

19 “(D) Health care providers.

20 “(E) Education providers.”.

21 **SEC. 4. NOTICE.**

22 (a) *REDESIGNATION.*—Section 31 of the *National In-*  
23 *stitute of Standards and Technology Act* is redesignated as  
24 section 32.

1           (b) *NOTICE.*—*The National Institute of Standards and*  
2 *Technology Act (15 U.S.C. 271 et seq.) is amended by in-*  
3 *serting after section 30 the following new section:*

4   “*NOTICE*

5           “*SEC. 31. (a) NOTICE OF REPROGRAMMING.*—*If any*  
6 *funds authorized for carrying out this Act are subject to*  
7 *a reprogramming action that requires notice to be provided*  
8 *to the Appropriations Committees of the House of Rep-*  
9 *resentatives and the Senate, notice of such action shall con-*  
10 *currently be provided to the Committee on Science of the*  
11 *House of Representatives and the Committee on Commerce,*  
12 *Science, and Transportation of the Senate.*

13           “*(b) NOTICE OF REORGANIZATION.*—

14   “*(1) REQUIREMENT.*—*The Secretary shall pro-*  
15 *vide notice to the Committees on Science and Appro-*  
16 *priations of the House of Representatives, and the*  
17 *Committees on Commerce, Science, and Transpor-*  
18 *tation and Appropriations of the Senate, not later*  
19 *than 15 days before any major reorganization of any*  
20 *program, project, or activity of the Institute.*

21   “*(2) DEFINITION.*—*For purposes of this sub-*  
22 *section, the term “major reorganization” means any*  
23 *reorganization of the Institute that involves the reas-*  
24 *signment of more than 25 percent of the employees of*  
25 *the Institute.”.*

1 **SEC. 5. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.**

2 *With the year 2000 fast approaching, it is the sense*  
 3 *of Congress that the National Institute of Standards and*  
 4 *Technology should—*

5 *(1) give high priority to correcting all 2-digit*  
 6 *date-related problems in its computer systems to en-*  
 7 *sure that those systems continue to operate effectively*  
 8 *in the year 2000 and beyond; and*

9 *(2) develop contingency plans for those systems*  
 10 *that the Institute is unable to correct in time.*

11 **SEC. 6. ENHANCEMENT OF SCIENCE AND MATHEMATICS**  
 12 **PROGRAMS.**

13 *(a) DEFINITIONS.—In this section—*

14 *(1) EDUCATIONALLY USEFUL FEDERAL EQUIP-*  
 15 *MENT.—The term “educationally useful Federal*  
 16 *equipment” means computers and related peripheral*  
 17 *tools and research equipment that is appropriate for*  
 18 *use in schools.*

19 *(2) SCHOOL.—The term “school” means a public*  
 20 *or private educational institution that serves any of*  
 21 *the grades of kindergarten through grade 12.*

22 *(b) SENSE OF CONGRESS.—*

23 *(1) IN GENERAL.—It is the sense of Congress*  
 24 *that the Director of the National Institute of Stand-*  
 25 *ards and Technology should, to the greatest extent*  
 26 *practicable and in a manner consistent with applica-*

1 *ble Federal law (including Executive Order No.*  
2 *12999), donate educationally useful Federal equip-*  
3 *ment to schools in order to enhance the science and*  
4 *mathematics programs of those schools.*

5 *(2) REPORTS.—*

6 *(A) IN GENERAL.—Not later than 1 year after*  
7 *the date of enactment of this Act, and annually there-*  
8 *after, the Director of the National Institute of Stand-*  
9 *ards and Technology shall prepare and submit to the*  
10 *President a report. The President shall submit the re-*  
11 *port to Congress at the same time as the President*  
12 *submits a budget request to Congress under section*  
13 *1105(a) of title 31, United States Code.*

14 *(B) CONTENTS OF REPORT.—The report pre-*  
15 *pared by the Director under this paragraph shall de-*  
16 *scribe any donations of educationally useful Federal*  
17 *equipment to schools made during the period covered*  
18 *by the report.*

19 **SEC. 7. TEACHER SCIENCE AND TECHNOLOGY ENHANCE-**  
20 **MENT INSTITUTE PROGRAM.**

21 *The National Institute of Standards and Technology*  
22 *Act (15 U.S.C. 271 et seq.) is amended by inserting after*  
23 *section 19 the following:*

24 *“SEC. 19A. (a) The Director shall establish within the*  
25 *Institute a teacher science and technology enhancement pro-*

1 gram to provide for professional development of mathe-  
2 matics and science teachers of elementary, middle, and sec-  
3 ondary schools (as those terms are defined by the Director),  
4 including providing for the improvement of those teachers  
5 with respect to the understanding of science and the impacts  
6 of science on commerce.

7 “(b) In carrying out the program under this section,  
8 the Director shall focus on the areas of—

9 “(1) scientific measurements;

10 “(2) tests and standards development;

11 “(3) industrial competitiveness and quality;

12 “(4) manufacturing;

13 “(5) technology transfer; and

14 “(6) any other area of expertise of the Institute  
15 that the Director determines to be appropriate.

16 “(c) The Director shall develop and issue procedures  
17 and selection criteria for participants in the program.

18 “(d) The program under this section shall be conducted  
19 on an annual basis during the summer months, during the  
20 period of time when a majority of elementary, middle, and  
21 secondary schools have not commenced a school year.

22 “(e) The program shall provide for teachers’ participa-  
23 tion in activities at the laboratory facilities of the Institute,  
24 or shall utilize other means of accomplishing the goals of  
25 the program as determined by the Director, which may in-

1 *clude the Internet, video conferencing and recording, and*  
2 *workshops and conferences.”.*

3 **SEC. 8. OFFICE OF SPACE COMMERCIALIZATION.**

4 *(a) ESTABLISHMENT.—There is established within the*  
5 *Department of Commerce an Office of Space Commer-*  
6 *cialization (referred to in this section as the “Office”).*

7 *(b) DIRECTOR.—The Office shall be headed by a Direc-*  
8 *tor, who shall be a senior executive and shall be com-*  
9 *pensated at a level in the Senior Executive Service under*  
10 *section 5382 of title 5, United States Code, as determined*  
11 *by the Secretary of Commerce.*

12 *(c) FUNCTIONS OF THE OFFICE; DUTIES OF THE DI-*  
13 *RECTOR.—The Office shall be the principal unit for the co-*  
14 *ordination of space-related issues, programs, and initiatives*  
15 *within the Department of Commerce. The primary respon-*  
16 *sibilities of the Director, in carrying out the functions of*  
17 *the Office, shall include—*

18 *(1) promoting commercial provider investment*  
19 *in space activities by collecting, analyzing, and dis-*  
20 *seminating information on space markets, and con-*  
21 *ducting workshops and seminars to increase aware-*  
22 *ness of commercial space opportunities;*

23 *(2) assisting United States commercial providers*  
24 *in the efforts of those providers to conduct business*  
25 *with the United States Government;*

1           (3) acting as an industry advocate within the  
2 executive branch of the Federal Government to ensure  
3 that the Federal Government meets the space-related  
4 requirements of the Federal Government, to the fullest  
5 extent feasible, using commercially available space  
6 goods and services;

7           (4) ensuring that the United States Government  
8 does not compete with United States commercial pro-  
9 viders in the provision of space hardware and services  
10 otherwise available from United States commercial  
11 providers;

12           (5) promoting the export of space-related goods  
13 and services;

14           (6) representing the Department of Commerce in  
15 the development of United States policies and in ne-  
16 gotiations with foreign countries to ensure free and  
17 fair trade internationally in the area of space com-  
18 merce; and

19           (7) seeking the removal of legal, policy, and in-  
20 stitutional impediments to space commerce.

21 **SEC. 9. EXPERIMENTAL PROGRAM TO STIMULATE COMPETI-**  
22 **TIVE TECHNOLOGY.**

23           Section 5 of the Stevenson-Wydler Technology Innova-  
24 tion Act of 1980 (15 U.S.C. 3704) is amended by adding  
25 at the end the following:

1       “(f) *EXPERIMENTAL PROGRAM TO STIMULATE COM-*  
2 *PETITIVE TECHNOLOGY.*—

3               “(1) *IN GENERAL.*—*The Secretary, acting*  
4 *through the Under Secretary, shall establish for fiscal*  
5 *year 1999 a program to be known as the Experi-*  
6 *mental Program to Stimulate Competitive Technology*  
7 *(referred to in this subsection as the ‘program’). The*  
8 *purpose of the program shall be to strengthen the tech-*  
9 *nological competitiveness of those States that have his-*  
10 *torically received less Federal research and develop-*  
11 *ment funds than those received by a majority of the*  
12 *States.*

13               “(2) *ARRANGEMENTS.*—*In carrying out the pro-*  
14 *gram, the Secretary, acting through the Under Sec-*  
15 *retary, shall—*

16                       “(A) *enter into such arrangements as may*  
17 *be necessary to provide for the coordination of*  
18 *the program through the State committees estab-*  
19 *lished under the Experimental Program to Stim-*  
20 *ulate Competitive Research of the National*  
21 *Science Foundation; and*

22                       “(B) *cooperate with—*

23                               “(i) *any State science and technology*  
24 *council established under the program*  
25 *under subparagraph (A); and*

1                   “(ii) representatives of small business  
2                   firms and other appropriate technology-  
3                   based businesses.

4                   “(3) GRANTS AND COOPERATIVE AGREEMENTS.—  
5                   In carrying out the program, the Secretary, acting  
6                   through the Under Secretary, may make grants or  
7                   enter into cooperative agreements to provide for—

8                   “(A) technology research and development;

9                   “(B) technology transfer from university re-  
10                  search;

11                  “(C) technology deployment and diffusion;  
12                  and

13                  “(D) the strengthening of technological ca-  
14                  pabilities through consortia comprised of—

15                         “(i) technology-based small business  
16                         firms;

17                         “(ii) industries and emerging compa-  
18                         nies;

19                         “(iii) universities; and

20                         “(iv) State and local development  
21                         agencies and entities.

22                   “(4) REQUIREMENTS FOR MAKING AWARDS.—

23                   “(A) IN GENERAL.—In making awards  
24                   under this subsection, the Secretary, acting  
25                   through the Under Secretary, shall ensure that

1           *the awards are awarded on a competitive basis*  
2           *that includes a review of the merits of the activi-*  
3           *ties that are the subject of the award.*

4           “(B) *MATCHING REQUIREMENT.*—*The non-*  
5           *Federal share of the activities (other than plan-*  
6           *ning activities) carried out under an award*  
7           *under this subsection shall be not less than 25*  
8           *percent of the cost of those activities.*

9           “(5) *CRITERIA FOR STATES.*—*The Secretary,*  
10          *acting through the Under Secretary, shall establish*  
11          *criteria for achievement by each State that partici-*  
12          *pates in the program. Upon the achievement of all*  
13          *such criteria, a State shall cease to be eligible to par-*  
14          *ticipate in the program.*

15          “(6) *COORDINATION.*—*To the extent practicable,*  
16          *in carrying out this subsection, the Secretary, acting*  
17          *through the Under Secretary, shall coordinate the pro-*  
18          *gram with other programs of the Department of Com-*  
19          *merce.*

20          “(7) *REPORT.*—

21                 “(A) *IN GENERAL.*—*Not later than 90 days*  
22                 *after the date of enactment of the Technology Ad-*  
23                 *ministration Act of 1998, the Under Secretary*  
24                 *shall prepare and submit a report that meets the*  
25                 *requirements of this paragraph to the Secretary.*

1           *Upon receipt of the report, the Secretary shall*  
2           *transmit a copy of the report to the Committee*  
3           *on Commerce, Science, and Transportation of*  
4           *the Senate and the Committee on Science of the*  
5           *House of Representatives.*

6           “(B) *REQUIREMENTS FOR REPORT.—The*  
7           *report prepared under this paragraph shall con-*  
8           *tain with respect to the program—*

9                   “(i) *a description of the structure and*  
10                   *procedures of the program;*

11                   “(ii) *a management plan for the pro-*  
12                   *gram;*

13                   “(iii) *a description of the merit-based*  
14                   *review process to be used in the program;*

15                   “(iv) *milestones for the evaluation of*  
16                   *activities to be assisted under the program*  
17                   *in fiscal year 1999;*

18                   “(v) *an assessment of the eligibility of*  
19                   *each State that participates in the Experi-*  
20                   *mental Program to Stimulate Competitive*  
21                   *Research of the National Science Founda-*  
22                   *tion to participate in the program under*  
23                   *this subsection; and*

24                   “(vi) *the evaluation criteria with re-*  
25                   *spect to which the overall management and*

1                   *effectiveness of the program will be evalu-*  
2                   *ated.”.*

3 **SEC. 10. NATIONAL TECHNOLOGY MEDAL FOR ENVIRON-**  
4                   **MENTAL TECHNOLOGY.**

5           *In the administration of section 16 of the Stevenson-*  
6 *Wydler Technology Innovation Act of 1980 (15 U.S.C.*  
7 *3711), Environmental Technology shall be established as a*  
8 *separate nomination category with appropriate unique cri-*  
9 *teria for that category.*

10 **SEC. 11. INTERNATIONAL ARCTIC RESEARCH CENTER.**

11           *The Congress finds that the International Arctic Re-*  
12 *search Center is an internationally-supported effort to con-*  
13 *duct important weather and climate studies, and other re-*  
14 *search projects of benefit to the United States. It is, there-*  
15 *fore, the sense of the Congress that, as with similar research*  
16 *conducted in the Antarctic, the United States should pro-*  
17 *vide similar support for this important effort.*

Attest:

*Secretary.*

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 1274**

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**AMENDMENT**