

111TH CONGRESS
2D SESSION

H. R. 5074

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2010

Mr. WU introduced the following bill; which was referred to the Committee
on Science and Technology

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.—

8 (1) IN GENERAL.—There are authorized to be
9 appropriated to the Secretary of Commerce

1 \$1,012,100,000 for the National Institute of Stand-
2 ards and Technology for fiscal year 2011.

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

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

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

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

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

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

23 (iii) \$10,000,000 shall be authorized
24 for the Malcolm Baldrige National Quality
25 Award program under section 17 of the

1 Stevenson-Wydler Technology Innovation
2 Act of 1980 (15 U.S.C. 3711a).

3 (b) FISCAL YEAR 2012.—

4 (1) IN GENERAL.—There are authorized to be
5 appropriated to the Secretary of Commerce
6 \$1,035,400,000 for the National Institute of Stand-
7 ards and Technology for fiscal year 2012.

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

10 (A) \$657,200,000 shall be authorized for
11 scientific and technical research and services
12 laboratory activities;

13 (B) \$85,000,000 shall be authorized for
14 the construction and maintenance of facilities;
15 and

16 (C) \$293,200,000 shall be authorized for
17 industrial technology services activities, of
18 which—

19 (i) \$132,000,000 shall be authorized
20 for the Technology Innovation Program
21 under section 28 of the National Institute
22 of Standards and Technology Act (15
23 U.S.C. 278n);

24 (ii) \$150,900,000 shall be authorized
25 for the Manufacturing Extension Partner-

1 ship program under sections 25 and 26 of
2 such Act (15 U.S.C. 278k and 278l); and
3 (iii) \$10,300,000 shall be authorized
4 for the Malcolm Baldrige National Quality
5 Award program under section 17 of the
6 Stevenson-Wydler Technology Innovation
7 Act of 1980 (15 U.S.C. 3711a).

8 (c) FISCAL YEAR 2013.—

9 (1) IN GENERAL.—There are authorized to be
10 appropriated to the Secretary of Commerce
11 \$1,137,809,000 for the National Institute of Stand-
12 ards and Technology for fiscal year 2013.

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

15 (A) \$696,700,000 shall be authorized for
16 scientific and technical research and services
17 laboratory activities;

18 (B) \$122,000,000 shall be authorized for
19 the construction and maintenance of facilities;
20 and

21 (C) \$319,109,000 shall be authorized for
22 industrial technology services activities, of
23 which—

24 (i) \$147,000,000 shall be authorized
25 for the Technology Innovation Program

1 under section 28 of the National Institute
2 of Standards and Technology Act (15
3 U.S.C. 278n);

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

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

13 (d) FISCAL YEAR 2014.—

14 (1) IN GENERAL.—There are authorized to be
15 appropriated to the Secretary of Commerce
16 \$1,188,277,000 for the National Institute of Stand-
17 ards and Technology for fiscal year 2014.

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

20 (A) \$738,500,000 shall be authorized for
21 scientific and technical research and services
22 laboratory activities;

23 (B) \$124,000,000 shall be authorized for
24 the construction and maintenance of facilities;
25 and

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

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

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

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

(e) FISCAL YEAR 2015.—

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

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

1 (A) \$782,800,000 shall be authorized for
2 scientific and technical research and services
3 laboratory activities;

4 (B) \$133,000,000 shall be authorized for
5 the construction and maintenance of facilities;
6 and

7 (C) \$340,155,000 shall be authorized for
8 industrial technology services activities, of
9 which—

10 (i) \$144,000,000 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) \$184,900,000 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) \$11,255,000 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).

1 **SEC. 3. UNDER SECRETARY OF COMMERCE FOR STAND-**
 2 **ARDS AND TECHNOLOGY.**

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

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

9 (2) in the heading in subsection (a), by striking
 10 “PROGRAM ESTABLISHMENT” and inserting “ES-
 11 TABLISHMENT OF EXPERIMENTAL PROGRAM TO
 12 STIMULATE COMPETITIVE TECHNOLOGY”;

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

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

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

19 “(1) ESTABLISHMENT.—

20 “(A) IN GENERAL.—There shall be in the
 21 Department of Commerce an Under Secretary
 22 of Commerce for Standards and Technology
 23 who shall serve as the Director of the National
 24 Institute of Standards and Technology and per-
 25 form such duties as provided for in law and as
 26 the Secretary shall prescribe.

1 “(B) APPOINTMENT.—The Under Sec-
2 retary of Commerce for Standards and Tech-
3 nology shall be appointed by the President by
4 and with the advice and consent of the Senate
5 and shall be compensated at the rate now or
6 hereafter provided for level III of the Executive
7 Schedule Pay Rates (5 U.S.C. 5314).

8 “(C) APPLICABILITY.—The individual serv-
9 ing on the date of enactment of the National
10 Institute of Standards and Technology Author-
11 ization Act of 2010 as the Director of the Na-
12 tional Institute of Standards and Technology
13 shall also serve as the Under Secretary of Com-
14 merce for Standards and Technology until such
15 time as a successor is appointed under subpara-
16 graph (B).

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

20 “(A) conduct policy analysis on innovation
21 and technical standards to improve and pro-
22 mote United States competitiveness in the con-
23 text of global competition;

24 “(B) propose and support studies, in co-
25 operation with other Federal agencies, to evalu-

1 ate the effectiveness of measures for improving
2 Federal Government technology transfer poli-
3 cies and initiatives;

4 “(C) provide that cooperative efforts to
5 stimulate competitiveness, job creation, and in-
6 novation be undertaken between the Under Sec-
7 retary and other officials in the Department of
8 Commerce responsible for such areas as trade
9 and economic assistance;

10 “(D) support the creation of partnerships
11 and other joint initiatives by State or local gov-
12 ernments, regional organizations, private busi-
13 nesses, institutions of higher education, non-
14 profit institutions, or Federal laboratories to
15 encourage technology transfer and innovation;

16 “(E) conduct research and support activi-
17 ties to improve training programs and curricula
18 for high-tech manufacturing skills and related
19 skill sets and encourage the dissemination of
20 best practices involving appropriate Federal
21 agencies, State or local governments, regional
22 organizations, institutions of higher education,
23 or nonprofit institutions; and

24 “(F) serve as a focal point for discussions
25 among United States companies on topics of in-

1 terest regarding technology innovation, competi-
2 tiveness, and job retention and creation.”.

3 (b) CONFORMING AMENDMENTS.—

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

8 “(c) COORDINATION.—To the extent practicable, in
9 carrying out subsection (b), the Secretary shall coordinate
10 the program established under such subsection with other
11 programs of the Department of Commerce.”.

12 (2) TITLE 5, UNITED STATES CODE.—

13 (A) LEVEL III.—Section 5314 of title 5,
14 United States Code, is amended by inserting
15 before the item “Associate Attorney General”
16 the following:

17 “Under Secretary of Commerce for Standards
18 and Technology, the incumbent of which also serves
19 as Director of the National Institute of Standards
20 and Technology.”.

21 (B) LEVEL IV.—Section 5315 of title 5,
22 United States Code, is amended by striking
23 “Director, National Institute of Standards and
24 Technology, Department of Commerce.”.

1 (3) NIST ACT.—Section 5 of the National In-
2 stitute of Standards and Technology Act (15 U.S.C.
3 274) is amended by striking the following: “The Di-
4 rector shall be compensated at the rate in effect for
5 level IV of the Executive Schedule under section
6 5315 of title 5, United States Code.”.

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

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

11 (1) The Physical Measurement Laboratory,
12 whose mission is to realize and disseminate the na-
13 tional standards for length, mass, time and fre-
14 quency, electricity, temperature, force, and radiation
15 by activities including fundamental research in
16 measurement science, the provision of measurement
17 services and standards, and the provision of testing
18 facilities resources for use by the Federal Govern-
19 ment.

20 (2) The Information Technology Laboratory,
21 whose mission is to develop and disseminate stand-
22 ards, measurements, and testing capabilities for
23 interoperability, security, usability, and reliability of
24 information technologies, including cybersecurity
25 standards and guidelines for Federal agencies,

1 United States industry, and the public, through fun-
2 damental and applied research in computer science,
3 mathematics, and statistics.

4 (3) The Engineering Laboratory, whose mission
5 is to develop and disseminate advanced manufac-
6 turing and construction technologies to the United
7 States manufacturing and construction industries
8 through activities including measurement science re-
9 search, performance metrics, tools for engineering
10 applications, promotion of green infrastructure, and
11 energy efficiency measurements and standards.

12 (4) The Material Measurement Laboratory,
13 whose mission is to serve as the national reference
14 laboratory in biological, chemical, and material
15 sciences and engineering through activities including
16 fundamental research in the composition, structure,
17 and properties of biological and environmental mate-
18 rials and processes, the development of certified ref-
19 erence materials and critically evaluated data, and
20 other programs to assure measurement quality in
21 materials and biotechnology fields.

22 (5) The Center for Nanoscale Science and
23 Technology, a national shared-use facility for
24 nanoscale fabrication and measurement, whose mis-
25 sion is to develop innovative nanoscale measurement

1 and fabrication capabilities to support researchers
2 from industry, institutions of higher education, the
3 National Institute of Standards and Technology, and
4 other Federal agencies in nanoscale technology from
5 discovery to production.

6 (6) The NIST Center for Neutron Research, a
7 national shared-use facility, whose mission is to pro-
8 vide neutron-based measurement capabilities to re-
9 searchers from industry, institutions of higher edu-
10 cation, the National Institute of Standards and
11 Technology, and other Federal agencies in support
12 of materials research, nondestructive evaluation,
13 neutron imaging, chemical analysis, neutron stand-
14 ards, dosimetry, and radiation metrology.

15 (b) REVISION.—

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

20 (2) REPORT TO CONGRESS.—Any revision to
21 the organization of such program under paragraph
22 (1) shall be submitted in a report to the Committee
23 on Science and Technology of the House of Rep-
24 resentatives and the Committee on Commerce,

1 Science, and Transportation of the Senate at least
2 60 days before the effective date of such revision.

3 **SEC. 5. FEDERAL GOVERNMENT STANDARDS AND CON-**
4 **FORMITY ASSESSMENT COORDINATION.**

5 (a) COORDINATION.—Section 2(b) of the National In-
6 stitute of Standards and Technology Act (15 U.S.C.
7 272(b)) is amended—

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

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

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

14 “(14) to promote collaboration among Federal
15 departments and agencies and private sector stake-
16 holders in the development and implementation of
17 standards and conformity assessment frameworks to
18 address specific Federal Government policy goals;
19 and

20 “(15) to convene Federal departments and
21 agencies, as appropriate, to—

22 “(A) coordinate and determine Federal
23 Government positions on specific policy issues
24 related to international technical standards and
25 conformity assessment-related activities; and

1 “(B) coordinate Federal department and
2 agency engagement in the development of inter-
3 national technical standards and conformity as-
4 sessment-related activities.”.

5 (b) REPORT.—The Director, in consultation with ap-
6 propriate Federal agencies, shall submit a report annually
7 to Congress addressing the Federal Government’s tech-
8 nical standards and conformity assessment-related activi-
9 ties. The report shall identify—

10 (1) current and anticipated international stand-
11 ards and conformity assessment-related issues that
12 have the potential to impact the competitiveness and
13 innovation capabilities of the United States;

14 (2) any action being taken by the Federal Gov-
15 ernment to address these issues and the Federal
16 agency taking that action; and

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

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

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

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

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

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

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

10 (b) INNOVATIVE SERVICES INITIATIVE.—

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

14 “(g) INNOVATIVE SERVICES INITIATIVE.—

15 “(1) ESTABLISHMENT.—The Director may es-
16 tablish, within the Centers program under this sec-
17 tion, an innovative services initiative to assist small-
18 and medium-sized manufacturers in—

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

21 “(B) accelerating the domestic commer-
22 cialization of new product technologies, includ-
23 ing components for renewable energy systems.

24 “(2) MARKET DEMAND.—The Director may not
25 undertake any activity to accelerate the domestic

1 commercialization of a new product technology
2 under this subsection unless an analysis of market
3 demand for the new product technology has been
4 conducted.”.

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

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

11 (c) REPORTS.—Section 25 of such Act (15 U.S.C.
12 278k) is further amended by adding at the end the fol-
13 lowing:

14 “(h) REPORTS.—

15 “(1) IN GENERAL.—In submitting the 3-year
16 programmatic planning document and annual up-
17 dates under section 23, the Director shall include an
18 assessment of the Director’s governance of the pro-
19 gram established under this section.

20 “(2) CRITERIA.—In conducting such assess-
21 ment, the Director shall use the criteria established
22 pursuant to the Malcolm Baldrige National Quality
23 Award under section 17(d)(1)(C) of the Stevenson-
24 Wydler Technology Innovation Act of 1980 (15
25 U.S.C. 3711a(d)(1)(C)).”.

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

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

7 (2) in paragraph (3)—

8 (A) in subparagraph (B)—

9 (i) by striking “not less than 50 per-
10 cent of the costs incurred for the first 3
11 years and an increasing share for each of
12 the last 3 years” and inserting “the appli-
13 cant’s share of the costs incurred (in this
14 subsection referred to as ‘cost share’)”;
15 and

16 (ii) by striking “For purposes of the
17 preceding sentence, the” and inserting
18 “The”;

19 (B) by redesignating subparagraphs (C)
20 and (D) as subparagraphs (D) and (E), respec-
21 tively;

22 (C) by inserting after subparagraph (B)
23 the following new subparagraph:

24 “(C) The Secretary shall by rule establish
25 appropriate criteria to be considered in deter-

1 mining a Center's cost share. A Center's cost
2 share shall in no case exceed 50 percent of the
3 costs incurred by such Center. The Secretary
4 shall review each Center's cost share annually
5 and at such other times as the Secretary con-
6 siderers appropriate. An adjustment to a Center's
7 cost share in a year shall not affect the amount
8 of Federal funds such Center receives in such
9 year."; and

10 (D) in subparagraph (D), as redesignated
11 by subparagraph (B)—

12 (i) by striking "50 percent" and in-
13 serting "cost share"; and

14 (ii) by striking "Center's contribu-
15 tion" and inserting "Center's cost share";
16 and

17 (3) in paragraph (5)—

18 (A) in the sixth sentence, by striking "at
19 declining levels"; and

20 (B) in the last sentence—

21 (i) by striking "Funding" and insert-
22 ing "Unless otherwise determined under
23 paragraph (3)(C), funding"; and

24 (ii) by striking "one third" and insert-
25 ing "50 percent".

1 (e) ADVISORY BOARD.—Section 25(e)(4) of such Act
2 (15 U.S.C. 278k(e)(4)) is amended to read as follows:

3 “(4) FEDERAL ADVISORY COMMITTEE ACT AP-
4 PLICABILITY.—

5 “(A) IN GENERAL.—In discharging its du-
6 ties under this subsection, the MEP Advisory
7 Board shall function solely in an advisory ca-
8 pacity, in accordance with the Federal Advisory
9 Committee Act.

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

13 (f) DEFINITIONS.—Section 25 of such Act (15 U.S.C.
14 278k) is further amended by adding at the end the fol-
15 lowing:

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

22 **SEC. 7. BIOSCIENCE RESEARCH PROGRAM.**

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

1 (1) by redesignating section 34 as section 35;
2 and

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

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

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

9 “(1) biological drug research and development;

10 “(2) molecular diagnostics;

11 “(3) medical imaging technologies; and

12 “(4) personalized medicine.

13 “(b) UNIVERSITY RESEARCH CENTERS.—

14 “(1) ESTABLISHMENT.—The Director may es-
15 tablish research centers at institutions of higher edu-
16 cation (in this section referred to as ‘university re-
17 search centers’) through a competitive application
18 process to conduct research that furthers the objec-
19 tives of the bioscience research program.

20 “(2) APPLICATION.—

21 “(A) IN GENERAL.—An institution of high-
22 er education seeking to establish a university
23 research center under this subsection shall sub-
24 mit an application to the Director at such time,
25 in such manner, and containing such informa-

tion and assurances as the Director may require.

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

“(i) the relevant research and instructional capacity of the applicant;

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

“(iii) the extent to which the applicant will partner with industry and the role industry will play in the research undertaken by the university research center;

“(iv) how the applicant will disseminate research results effectively; and

“(v) the metrics that will be used to evaluate the success of the projects under clause (ii) and the contribution of the university research center in furthering the objectives of the bioscience research program.

“(3) ASSESSMENT.—Not later than 3 years after the date on which a university research center is established and every 3 years thereafter, the Director shall evaluate the university research center

1 for its contributions to the bioscience research pro-
2 gram.

3 “(4) ANNUAL MEETING.—If the Director estab-
4 lishes more than 1 university research center, the
5 Director shall convene an annual meeting of re-
6 searchers from all of the university research centers
7 and the Institute to foster collaboration and commu-
8 nication.

9 “(c) USER FACILITY.—The Director may establish a
10 bioscience user facility to provide access to advanced or
11 unique equipment, services, materials, and other resources
12 to industry, institutions of higher education, nonprofit or-
13 ganizations, and government agencies to perform research
14 and testing.

15 “(d) POSTDOCTORAL FELLOWS.—The Director shall,
16 to the extent practicable, assign 1 or more fellows from
17 the postdoctoral fellowship program established in section
18 19 to the bioscience research program.

19 “(e) PROGRAMMATIC PLANNING DOCUMENT.—The
20 Director shall ensure that the updates to the pro-
21 grammatic planning document transmitted to Congress
22 under section 23(d) include the bioscience research pro-
23 gram.

24 “(f) DEFINITIONS.—In this section:

1 “(1) BIOSCIENCE RESEARCH PROGRAM.—The
2 term ‘bioscience research program’ means the re-
3 search and development program authorized under
4 subsection (a).

5 “(2) INSTITUTION OF HIGHER EDUCATION.—
6 The term ‘institution of higher education’ has the
7 same meaning given the term in section 101(a) of
8 the Higher Education Act of 1965 (20 U.S.C.
9 1001(a)).”.

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

14 (1) in subsection (a)—

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

18 (B) by striking “at least 10” and inserting
19 “at least 13”; and

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

1 **SEC. 8. TIP ADVISORY BOARD.**

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

5 “(4) FEDERAL ADVISORY COMMITTEE ACT AP-
6 PLICABILITY.—

7 “(A) IN GENERAL.—In discharging its du-
8 ties under this subsection, the TIP Advisory
9 Board shall function solely in an advisory ca-
10 pacity, in accordance with the Federal Advisory
11 Committee Act.

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

15 **SEC. 9. DEFINITIONS.**

16 In this Act:

17 (1) DIRECTOR.—The term “Director” means
18 the Director of the National Institute of Standards
19 and Technology.

20 (2) FEDERAL AGENCY.—The term “Federal
21 agency” has the meaning given such term in section
22 4 of the Stevenson-Wydler Technology Innovation
23 Act of 1980 (15 U.S.C. 3703).

○