

113TH CONGRESS
2D SESSION

H. R. 4410

To improve the national defense laboratories by increasing retention and hiring flexibility to enable the laboratories to perform breakthrough scientific research and effectively fulfill the needs of members of the Armed Forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2014

Ms. TSONGAS (for herself, Mr. LANGEVIN, and Mr. RUPPERSBERGER) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To improve the national defense laboratories by increasing retention and hiring flexibility to enable the laboratories to perform breakthrough scientific research and effectively fulfill the needs of members of the Armed Forces, 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 “DoD Laboratory Au-
5 thorities for Breakthrough Scientific Research Act” or the
6 “DoD LABS Research Act”.

1 **SEC. 2. TRAVEL TO TECHNICAL SYMPOSIUM OR TECHNICAL**
2 **CONFERENCE.**

3 The Secretary of Defense may not prohibit an em-
4 ployee of a defense laboratory from traveling to a technical
5 symposium or technical conference if the head of the de-
6 fense laboratory—

7 (1) determines that there are sufficient
8 amounts available to the defense laboratory for such
9 travel; and

10 (2) approves of such travel using the standard
11 procedures for approving travel.

12 **SEC. 3. INCLUSION OF QUALIFIED STUDENTS IN THE TEM-**
13 **PORARY AUTHORITIES FOR CERTAIN POSI-**
14 **TIONS AT DEPARTMENT OF DEFENSE RE-**
15 **SEARCH AND ENGINEERING FACILITIES.**

16 Section 1107(a)(1) of the National Defense Author-
17 ization Act for Fiscal Year 2014 (Public Law 113–66; 127
18 Stat. 887; 10 U.S.C. 2358 note) is amended to read as
19 follows:

20 “(1) CANDIDATES FOR SCIENTIFIC AND ENGI-
21 NEERING POSITIONS AT SCIENCE AND TECHNOLOGY
22 REINVENTION LABORATORIES.—

23 “(A) The director of any Science and
24 Technology Reinvention Laboratory (hereinafter
25 in this section referred to as an ‘STRL’) may
26 appoint qualified candidates to positions de-

scribed in paragraph (1) of subsection (b) as an employee in a laboratory described in that paragraph without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than section 3303 and 3328 of such title).

“(B) Notwithstanding the provisions of chapter 51 of title 5, United States Code, for purposes of this subsection, the term ‘qualified candidate’ means an individual who—

“(i) has earned a bachelor’s degree; or

“(ii) is a student enrolled in a program of undergraduate or graduate instruction leading to a bachelor’s or master’s degree in a scientific, technical, engineering, mathematical, or medical course of study at an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001)).”.

SEC. 4. ASSESSMENT OF CERTAIN DEPARTMENT OF DEFENSE HIRING PRACTICES.

(a) ASSESSMENT REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Serv-

ices of the Senate and the House of Representatives a report on the implementation and use by the Department of Defense of the following hiring authorities:

(1) Section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note).

(2) Section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 887; 10 U.S.C. 2358 note).

(3) Section 9903 of title 5, United States Code (relating to highly qualified experts).

(4) The Intergovernmental Personnel Act (5 U.S.C. 3371 et seq.).

(b) CONTENTS.—The report required under subsection (a) shall contain—

(1) a description, including quantitative data, of the implementation and use by each service and Defense Agency within the Department of Defense of each authority in subsection (a), including issues encountered, successes, and lessons learned; and

(2) recommendations with respect to—

(A) improvements for such authorities;

(B) tailoring the number of positions or eliminating any limitation on the numbers of

1 positions provided in such authorities (if appli-
2 cable);

3 (C) how such authorities can be used or
4 improved to best suit the needs of each Depart-
5 ment of Defense laboratory; and

6 (D) the continuance of the hiring authority
7 provided under section 1107 of the National
8 Defense Authorization Act for Fiscal Year 2014
9 (Public Law 113–66; 127 Stat. 887; 10 U.S.C.
10 2358 note) beyond the sunset date provided in
11 subsection (e) of such section.

12 **SEC. 5. PERMANENT AUTHORITY FOR EXPERIMENTAL PER-**
13 **SONNEL PROGRAM FOR SCIENTIFIC AND**
14 **TECHNICAL PERSONNEL.**

15 (a) IN GENERAL.—Section 1101 of the Strom Thur-
16 mond National Defense Authorization Act for Fiscal Year
17 1999 (Public Law 105–261) is amended by striking sub-
18 sections (e) and (f).

19 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
20 Such section is further amended—

21 (1) in the section heading, by striking “**EXPER-**
22 **IMENTAL**”;

23 (2) in subsection (a)—

1 (A) by striking “During the program pe-
2 riod specified in subsection (e)(1), the” and in-
3 serting “The”; and

4 (B) by striking “experimental”;
5 (3) in subsection (d)(1)—

6 (A) in the matter preceding subparagraph
7 (A), by striking “12-month period” and insert-
8 ing “calendar year”; and

9 (B) in subparagraph (A), striking “fiscal
10 year” and inserting “calendar year”;

11 (4) by redesignating subsection (g) as sub-
12 section (e); and

13 (5) in subsection (e) (as redesignated by para-
14 graph (4)), by striking “in which the authority
15 under this section is in effect”.

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