

Mr. EHLERS. Mr. Speaker, I yield back the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, as always, I would like to thank the ranking member, my friend from Michigan, for his cooperation, and I urge an "aye" vote.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 5893, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1215

# UNITED STATES CAPITOL POLICE ADMINISTRATIVE TECHNICAL CORRECTIONS ACT OF 2008

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5972) to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5972

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "United States Capitol Police Administrative Technical Corrections Act of 2008".

## SEC. 2. ADMINISTRATIVE AUTHORITIES OF THE CHIEF OF THE CAPITOL POLICE.

(a) CLARIFICATION OF CERTAIN HIRING AUTHORITIES.—

(1) CHIEF ADMINISTRATIVE OFFICER.—Section 108(a) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903(a)) is amended to read as follows:

"(a) CHIEF ADMINISTRATIVE OFFICER.—

"(1) ESTABLISHMENT.—There shall be within the Capitol Police an Office of Administration, to be headed by the Chief Administrative Officer, who shall report to and serve at the pleasure of the Chief of the Capitol Police.

"(2) APPOINTMENT.—The Chief Administrative Officer shall be appointed by the Chief of the Capitol Police, after consultation with the Capitol Police Board.

"(3) COMPENSATION.—The annual rate of pay for the Chief Administrative Officer shall be the amount equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police."

(2) PERSONNEL OF OFFICE OF ADMINISTRATION.—Section 108(c)(1) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903(c)(1)) is amended—

(A) by striking "The Chief Administrative Officer" and inserting "The Chief of the Capitol Police"; and

(B) by striking "but shall not" and all that follows and inserting a period.

(3) CERTIFYING OFFICERS.—Section 107 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1904) is amended—

(A) in subsection (a), by striking "the Capitol Police Board" and inserting "the Chief of the Capitol Police"; and

(B) in subsection (b)(1), by striking "the Capitol Police Board" and inserting "the Chief of the Capitol Police".

(4) REPEAL OF COMMITTEE APPROVAL FOR APPOINTMENTS, TERMINATIONS, AND PROMOTIONS.—Section 1018(e)(1)(B) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(e)(1)(B)) is amended to read as follows:

"(B) SPECIAL RULES FOR CERTAIN ACTIONS.—

"(i) PRIOR NOTICE REQUIRED FOR APPOINTMENTS, TERMINATIONS, AND PROMOTIONS.—In carrying out the authority under this paragraph, the Chief of the Capitol Police may carry out any of the following actions only after providing notice to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate and receiving an acknowledgment from each such Committee that the Committee has received the notice:

"(I) The appointment or termination of any officer, member, or employee.

"(II) The promotion of any noncivilian officer, member, or employee to any rank higher than Private First Class or the promotion of any civilian employee to any position.

"(ii) APPROVAL REQUIRED FOR ESTABLISHMENT OF NEW POSITIONS, RECLASSIFICATION OF POSITIONS, AND REORGANIZATION PLANS.—The establishment by the Chief of the Capitol Police of any new position for officers, members, or employees of the Capitol Police, the reclassification by the Chief of any position for officers, members, or employees of the Capitol Police, and any reorganization plan for the Capitol Police shall be subject to the approval of the Committees referred to in clause (i)."

(5) CONFORMING APPLICATION OF CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(A) IN GENERAL.—Section 101(9)(D) of the Congressional Accountability Act of 1995 (2 U.S.C. 1301(9)(D)) is amended by striking "the Capitol Police Board," and inserting "the United States Capitol Police."

(B) NO EFFECT ON CURRENT PROCEEDINGS.—Nothing in the amendment made by subparagraph (A) may be construed to affect any procedure initiated under title IV of the Congressional Accountability Act of 1995 prior to the date of the enactment of this Act.

(6) NO EFFECT ON CURRENT PERSONNEL.—Nothing in the amendments made by this subsection may be construed to affect the status of any individual serving as an officer or employee of the United States Capitol Police as of the date of the enactment of this Act.

(b) DEPOSIT OF REIMBURSEMENTS FOR LAW ENFORCEMENT ASSISTANCE.—

(1) IN GENERAL.—Section 2802 of the Supplemental Appropriations Act, 2001 (2 U.S.C. 1905) is amended—

(A) in subsection (a)(1), by striking "Capitol Police Board" each place it appears and inserting "United States Capitol Police"; and

(B) in subsection (a)(2), by striking "Capitol Police Board" and inserting "Chief of the United States Capitol Police".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if included in the enactment of the Supplemental Appropriations Act, 2001.

(c) AUTHORITY TO SEEK WAIVERS FOR CLAIMS TO RECOVER ERRONEOUS PAYMENTS.—

(1) IN GENERAL.—Section 1018(a)(2) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(a)(2)) is amended to read as follows:

"(2) TRANSFER.—

"(A) IN GENERAL.—Any statutory function, duty, or authority of the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate as disbursing officers for the Capitol Police shall transfer to the Chief of the Capitol Police as the single disbursing officer for the Capitol Police.

"(B) AUTHORITY TO SEEK WAIVERS FOR CLAIMS TO RECOVER ERRONEOUS PAYMENTS.—In the case of the authority to waive a claim of the United States against a person arising out of an erroneous payment of any pay or allowances to an officer or employee of the Capitol Police—

"(i) the Chief of the Capitol Police shall exercise such authority in the same manner as the Secretary of the Senate under section 2 of the Act entitled 'An Act to authorize the waiver of claims of the United States arising out of erroneous payments of pay and allowances to certain officers and employees of the legislative branch', approved July 25, 1974 (2 U.S.C. 130c);

"(ii) an application for a waiver of such a claim shall be investigated by the Chief Administrative Officer of the Capitol Police, who shall submit a written report of the investigation to the Chief; and

"(iii) an application for a waiver of such a claim in an amount aggregating more than \$1,500 may also be investigated by the Comptroller General, who shall submit a written report of the investigation to the Chief."

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply as if included in the enactment of the Legislative Branch Appropriations Act, 2003, except that nothing in the amendment may be construed to affect the validity of any waiver granted prior to the date of the enactment of this Act with respect to a claim of the United States against a person arising out of an erroneous payment of any pay or allowances to an officer or employee of the United States Capitol Police.

(d) MODIFICATION OF AUTHORITY TO MAKE ADVANCE PAYMENTS FOR SUBSCRIPTION SERVICES.—

(1) IN GENERAL.—Section 1002 of the Legislative Branch Appropriations Act, 2008 (Public Law 110-161) is amended—

(A) by striking "fiscal year 2008 and each succeeding fiscal year" and inserting "each of the fiscal years 2008 through 2012"; and

(B) by inserting after "the Senate," the following: "the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate,".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2008.

(e) PRIOR NOTICE TO AUTHORIZING COMMITTEES OF DEPLOYMENT OUTSIDE JURISDICTION.—Section 1007(a)(1) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 1978(a)(1)) is amended by striking "prior notification to" and inserting the following: "prior notification to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and,".

## SEC. 3. GENERAL COUNSEL TO THE CHIEF OF POLICE AND THE UNITED STATES CAPITOL POLICE.

(a) APPOINTMENT AND SERVICE.—

(1) IN GENERAL.—There shall be within the United States Capitol Police the General Counsel to the Chief of Police and the United States Capitol Police (hereafter in this subsection referred to as the "General Counsel").

(2) APPOINTMENT.—The General Counsel shall be appointed by the Chief of the Capitol Police in accordance with section 1018(e)(1)(B)(i) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C.

1907(e)(1)(B)(i)) (as amended by section 2(a)(4)), without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

(3) **COMPENSATION.**—The annual rate of pay for the General Counsel shall be the amount equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.

(4) **CONFORMING AMENDMENT.**—House Resolution 661, Ninety-fifth Congress, agreed to July 29, 1977, as enacted into permanent law by section 111 of the Legislative Branch Appropriation Act, 1979 (2 U.S.C. 1901 note) is repealed.

(5) **NO EFFECT ON CURRENT GENERAL COUNSEL.**—Nothing in this subsection or the amendments made by this subsection may be construed to affect the status of the individual serving as the General Counsel to the Chief of Police and the United States Capitol Police as of the date of the enactment of this Act.

(b) **CONFORMING AMENDMENT TO LEGAL REPRESENTATION AUTHORITY.**—

(1) **IN GENERAL.**—Section 1002(a)(2)(A) of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1908(a)(2)(A)) is amended by striking “the General Counsel for the United States Capitol Police Board and the Chief of the Capitol Police” and inserting “the General Counsel to the Chief of Police and the United States Capitol Police”.

(2) **NO EFFECT ON CURRENT PROCEEDINGS.**—Nothing in the amendment made by paragraph (1) may be construed to affect the authority of any individual to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof which is initiated prior to the date of the enactment of this Act.

#### **SEC. 4. CLARIFICATION OF AUTHORITIES REGARDING CERTAIN PERSONNEL BENEFITS.**

(a) **NO LUMP SUM PAYMENT PERMITTED FOR UNUSED COMPENSATORY TIME.**—

(1) **IN GENERAL.**—No officer or employee of the United States Capitol Police whose service with the United States Capitol Police is terminated may receive any lump-sum payment with respect to accrued compensatory time off, except to the extent permitted under section 203(c)(4) of the Congressional Accountability Act of 1995 (2 U.S.C. 1313(c)(4)).

(2) **REPEAL OF RELATED OBSOLETE PROVISIONS.**—(A) Section 3 of House Resolution 449, Ninety-second Congress, agreed to June 2, 1971, as enacted into permanent law by chapter IV of the Supplemental Appropriations Act, 1972 (85 Stat. 636) (2 U.S.C. 1924), together with any other provision of law which relates to compensatory time for the Capitol Police which is codified at section 1924 of title 2, United States Code (2000 Editions, Supp. V), is hereby repealed.

(B) The last full paragraph under the heading “Administrative Provisions” in the appropriation for the Senate in the Legislative Branch Appropriations Act, 1972 (85 Stat. 130) (2 U.S.C. 1925) is hereby repealed.

(b) **OVERTIME COMPENSATION FOR OFFICERS AND EMPLOYEES EXEMPT FROM FAIR LABOR STANDARDS ACT OF 1938.**—

(1) **CRITERIA UNDER WHICH COMPENSATION PERMITTED.**—The Chief of the Capitol Police may provide for the compensation of overtime work of exempt individuals which is performed on or after the date of the enactment of this Act, in the form of additional pay or compensatory time off, only if—

(A) the overtime work is carried out in connection with special circumstances, as determined by the Chief;

(B) the Chief has established a monetary value for the overtime work performed by such individual; and

(C) the sum of the total amount of the compensation paid to the individual for the overtime work (as determined on the basis of the monetary value established under subparagraph (B)) and the total regular compensation paid to the individual with respect to the pay period involved may not exceed an amount equal to the cap on the aggregate amount of annual compensation that may be paid to the individual under applicable law during the year in which the pay period occurs, as allocated on a per pay period basis consistent with premium pay regulations of the Capitol Police Board.

(2) **EXEMPT INDIVIDUALS DEFINED.**—In this subsection, an “exempt individual” is an officer or employee of the United States Capitol Police—

(A) who is classified under regulations issued pursuant to section 203 of the Congressional Accountability Act of 1995 (2 U.S.C. 1313) as exempt from the application of the rights and protections established by subsections (a)(1) and (d) of section 6, section 7, and section 12(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 (a)(1) and (d), 207, 212(c)); or

(B) whose annual rate of pay is not established specifically under any law.

(3) **CONFORMING AMENDMENT.**—

(A) **IN GENERAL.**—Section 1009 of the Legislative Branch Appropriations Act, 2003 (Public Law 108–7; 117 Stat. 359) is repealed.

(B) **EFFECTIVE DATE.**—The amendment made by subparagraph (A) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2003, except that the amendment shall not apply with respect to any overtime work performed prior to the date of the enactment of this Act.

(c) **AUTHORITY TO SUSPEND EMPLOYEES FOR APPROPRIATE REASONS.**—

(1) **IN GENERAL.**—Section 1018(e)(1)(A) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(e)(1)(A)) is amended by inserting “suspend with or without pay,” after “hire.”

(2) **REPEAL OF RELATED OBSOLETE PROVISIONS.**—(A) Section 1823 of the Revised Statutes of the United States (2 U.S.C. 1928) is hereby repealed.

(B) The proviso in the Act of Mar. 3, 1875 (ch. 129; 18 Stat. 345.), popularly known as the “Legislature, Executive, and Judicial Appropriation Act, fiscal year 1876”, which is codified at section 1929 of title 2, United States Code (2000 Editions, Supp. V), is repealed.

#### **SEC. 5. OTHER MISCELLANEOUS TECHNICAL CORRECTIONS.**

(a) **REPEAL OF OBSOLETE PROCEDURES FOR INITIAL APPOINTMENT OF CHIEF ADMINISTRATIVE OFFICER.**—Section 108 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903) is amended by striking subsections (d) through (g).

(b) **REPEAL OF REQUIREMENT THAT OFFICERS PURCHASE OWN UNIFORMS.**—Section 1825 of the Revised Statutes of the United States (2 U.S.C. 1943) is repealed.

(c) **REPEAL OF REFERENCES TO OFFICERS AND PRIVATES IN AUTHORITIES RELATING TO HOUSE AND SENATE OFFICE BUILDINGS.**—

(1) **HOUSE OFFICE BUILDINGS.**—The item relating to “House of Representatives Office Building” in the Act entitled “An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eight, and for other purposes”, approved March 4, 1907 (34 Stat. 1365; 2 U.S.C. 2001), is amended by striking “other than officers and privates of the Capitol police” each place it appears and inserting “other than the United States Capitol Police”.

(2) **SENATE OFFICE BUILDINGS.**—The item relating to “Senate Office Building” in the

Legislative Branch Appropriation Act, 1943 (56 Stat. 343; 2 U.S.C. 2023) is amended by striking “other than for officers and privates of the Capitol Police” each place it appears and inserting “other than for the United States Capitol Police”.

(d) **CLARIFICATION OF APPLICABILITY OF U.S. CAPITOL POLICE AND LIBRARY OF CONGRESS POLICE MERGER IMPLEMENTATION ACT OF 2007.**—

(1) **REPEAL OF DUPLICATE PROVISIONS.**—Effective as if included in the enactment of the Legislative Branch Appropriations Act, 2008 (Public Law 110–161), section 1004 of such Act is repealed, and any provision of law amended or repealed by such section is restored or revived to read as if such section had not been enacted into law.

(2) **NO EFFECT ON OTHER ACT.**—Nothing in paragraph (1) may be construed to prevent the enactment or implementation of any provision of the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007 (Public Law 110–178), including any provision of such Act that amends or repeals a provision of law which is restored or revived pursuant to paragraph (1).

(e) **AUTHORITY OF CHIEF OF POLICE.**—

(1) **REPEAL OF CERTAIN PROVISIONS CODIFIED IN TITLE 2, UNITED STATES CODE.**—The provisions appearing in the first paragraph under the heading “Capitol Police” in the Act of April 28, 1902 (ch. 594, 32 Stat. 124), and the provisions appearing in the first paragraph under the heading “Capitol Police” in title I of the Legislative and Judiciary Appropriation Act, 1944 (ch. 173, 57 Stat. 230), insofar as all of those provisions are related to the sentence “The captain and lieutenants shall be selected jointly by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives; and one-half of the privates shall be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House of Representatives.”, which appears in 2 U.S.C. 1901 (2000 Edition, Supp. V), are repealed.

(2) **RESTORATION OF REPEALED PROVISION.**—Section 1018(h)(1) of the Legislative Branch Appropriations Act, 2003 (Public Law 108–7, div. H, title I, 117 Stat. 368) is repealed, and the sentence “The Capitol Police shall be headed by a Chief who shall be appointed by the Capitol Police Board and shall serve at the pleasure of the Board.”, which was repealed by such section, is restored to appear at the end of section 1821 of the Revised Statutes of the United States (2 U.S.C. 1901).

(3) **CONFORMING AMENDMENT.**—The first sentence of section 1821 of the Revised Statutes of the United States (2 U.S.C. 1901) is amended by striking “, the members of which shall be appointed by the Sergeants-at-Arms of the two Houses and the Architect of the Capitol Extension”.

(4) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2003.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to present the United States Capitol Police Administrative Technical Corrections Act of 2008. As its title suggests, H.R. 5972 is not intended to make substantive policy changes for the Capitol Police. It corrects drafting errors, modernizes outdated terms, and repeals redundant and inconsistent provisions already on the books.

My favorite correction is a long overdue repeal of the 1868 law requiring Capitol Police officers to buy their uniforms. Congress decided years ago to provide their uniforms, but has never repealed the 1868 law. Chief Phillip Morse requested most of these corrections, the committee found others, and we included several excellent suggestions offered by the gentleman from Michigan (Mr. EHLERS). Again, it was a pleasure to work with him and his staff, as always.

The bill has the support of Chief Morse and our House Sergeant-at-Arms, Wilson Livingood, and I urge an "aye" vote.

I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I rise today in support of H.R. 5972. While I would have preferred that we would have addressed these items in regular order, I am pleased that the proposed technical corrections in this bill will create a stronger operational framework for the Capitol Police. As often happens when language is tied to an appropriations bill in a hasty fashion, several requirements in the original legislation governing Capitol Police operations proved problematic under greater scrutiny and further use. This bill will bring clarity to the administration of the U.S. Capitol Police and will eliminate those provisions which are in conflict with one another or are antiquated and therefore unnecessary.

I would also point out that this illustrates the importance of the appropriations subcommittees to work together with the authorizing committees, because virtually all the problems that have arisen in the past in this area resulted from a lack of cooperation between the authorizing and appropriating committees.

The changes specified in this bill will also establish a transparent and decisive governance framework and create a clear reporting structure within the U.S. Capitol Police. The clarified language provides the Chief of the Capitol Police with explicit authority to perform all hiring and termination actions, which will assist the U.S. Capitol Police's legal staff in executing its duties regarding personnel matters.

This bill also clarifies that the Capitol Police must notify this committee, as well as the Senate Rules and Administration Committee, of substantive administrative and operational actions, such as notices of personnel actions or deployment of personnel outside of the

Capitol Police's jurisdiction. This language further strengthens this committee's function as an oversight body and allows us to address any such issues as they occur.

I thank Chairman BRADY for his work on this bill, which will, upon its passage, create a stronger law enforcement organization, and a safer, more secure Capitol complex.

I reserve the balance of my time.

Mr. BRADY of Pennsylvania. I have no further speakers.

Mr. EHLERS. I have no further speakers. I will make some concluding comments.

First of all, Mr. Speaker, I want to thank my chairman, Mr. BRADY. He and I have worked very, very well together on a number of issues, and I believe that, if there were a competition, we would probably hold the prize among the committees of the House as to the best functioning committees who really try to get business done without a lot of partisanship. I commend my colleague for his great attitude on this.

One other comment I will make in regard to the Capitol Police. The one area we did not examine, which I think needs examination at some point, and I hope our committee will take it up at some point, the duties of the Capitol Police Board are not as clearly outlined as they might be. The composition, I believe, is lacking. We have a GAO report of a few years ago which pointed out some severe shortcomings in the operations and decision-making processes of the Capitol Police Board, and I think we would be well-served in this institution to re-examine that issue.

We have done so much in the past decade to modernize the police force; make them provide more ready responses to the trauma that we face today in this time of terrorism. I think we would be well-advised to look at the governing structure once again too, which to my knowledge, has not been examined for a long time.

With that, I will yield back the balance of my time.

Mr. BRADY of Pennsylvania. Again, I thank the gentleman from Michigan. He is right: it is a pleasure to work together. I look forward to working together with you in your interest on the Capitol Police Board. With that, I urge an "aye" vote.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 5972, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## NATIONAL NANOTECHNOLOGY INITIATIVE AMENDMENTS ACT OF 2008

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5940) to authorize activities for support of nanotechnology research and development, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5940

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "National Nanotechnology Initiative Amendments Act of 2008".*

### SEC. 2. NATIONAL NANOTECHNOLOGY PROGRAM AMENDMENTS.

*The 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501 et seq.) is amended—*

*(1) by striking section 2(c)(4) and inserting the following new paragraph:*

*"(4) develop, within 12 months after the date of enactment of the National Nanotechnology Initiative Amendments Act of 2008, and update every 3 years thereafter, a strategic plan to guide the activities described under subsection (b) that specifies near-term and long-term objectives for the Program, the anticipated time frame for achieving the near-term objectives, and the metrics to be used for assessing progress toward the objectives, and that describes—*

*"(A) how the Program will move results out of the laboratory and into applications for the benefit of society, including through cooperation and collaborations with nanotechnology research, development, and technology transition initiatives supported by the States;*

*"(B) how the Program will encourage and support interdisciplinary research and development in nanotechnology; and*

*"(C) proposed research in areas of national importance in accordance with the requirements of section 5 of the National Nanotechnology Initiative Amendments Act of 2008;"*

*(2) in section 2—*

*(A) in subsection (d)—*

*(i) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and*

*(ii) by inserting the following new paragraph before paragraph (2), as so redesignated by clause (i) of this subparagraph:*

*"(1) the Program budget, for the previous fiscal year, for each agency that participates in the Program, including a breakout of spending for the development and acquisition of research facilities and instrumentation, for each program component area, and for all activities pursuant to subsection (b)(10);"* and

*(B) by inserting at the end the following new subsection:*

*"(e) STANDARDS SETTING.—The agencies participating in the Program shall support the activities of committees involved in the development of standards for nanotechnology and may reimburse the travel costs of scientists and engineers who participate in activities of such committees;"*

*(3) by striking section 3(b) and inserting the following new subsection:*

*"(b) FUNDING.—(1) The operation of the National Nanotechnology Coordination Office shall be supported by funds from each agency participating in the Program. The portion of such Office's total budget provided by each agency for each fiscal year shall be in the same proportion as the agency's share of the total budget for the Program for the previous fiscal year, as specified in the report required under section 2(d)(1).*