

Science, Space, and Technology Committee should make an informed recommendation for funding the agency's critical work and the human and physical infrastructure that supports that work.

NIST's aging infrastructure is crumbling and creating safety issues. NIST struggles to compete with the private sector in attracting top, new technical talent. Congress continually expands the responsibilities and authorities of this important agency. If we want the agency to be successful, we must be willing to fund it.

I support this bill today for what it does to encourage NIST's public and private collaborative efforts; however, I look forward to providing funding recommendations in the near future for all of the important work that NIST does to promote innovation and maintain U.S. competitiveness.

I want to thank Representative MOOLENAAR for introducing this bill and Chairman SMITH for moving it to the floor.

Mr. Speaker, I reserve the balance of my time.

Mr. MOOLENAAR. Mr. Speaker, I thank the gentlewoman from Texas, the ranking member, for her support and leadership on this legislation.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SMITH), chairman of the Committee on Science, Space, and Technology.

Mr. SMITH of Texas. First of all, I want to thank the gentleman from Michigan (Mr. MOOLENAAR), the vice chairman of the Research and Technology Subcommittee, for introducing this important piece of legislation.

I am pleased to cosponsor H.R. 5639, the National Institute of Standards and Technology Improvement Act of 2016, to authorize the policy and programs of this leading Department of Commerce technology agency.

The National Institute of Standards and Technology, or NIST, supports scientific and technical research and services that are critical to American innovation and industrial competitiveness.

NIST helps maintain industrial and technical standards, manages cybersecurity guidelines for Federal agencies, and promotes U.S. innovation and international competitiveness that enhances economic security and improves our quality of life.

In 2007, Congress passed and President Bush signed into law the first COMPETES Act, which implemented President Bush's major domestic research policy priority, the American Competitiveness Initiative.

The centerpiece of the American Competitiveness Initiative was the prioritization of basic research in the physical sciences and engineering. Physical sciences research develops and advances fundamental knowledge and foundational technologies that are used by scientists in nearly every other field.

The American Competitiveness Initiative calls for strengthening Federal

investments in these areas by reallocating existing Federal resources to the three major innovation-enabling basic research agencies: the National Science Foundation, the Department of Energy's Office of Science and its national labs, and NIST's core lab research and facilities, which is the subject of the bill before us tonight.

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H.R. 5639 authorizes NIST's programs that contribute directly to U.S. economic competitiveness, including NIST laboratory programs, education and research initiatives for young scientists, and industrial technical services.

Again, I want to thank Science Committee colleague, Vice Chairman MOOLENAAR, for his efforts, and I again urge my colleagues to support this bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. MOOLENAAR. Mr. Speaker, I would encourage our colleagues to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WEBER of Texas). The question is on the motion offered by the gentleman from Michigan (Mr. MOOLENAAR) that the House suspend the rules and pass the bill, H.R. 5639, 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 INSTITUTE OF STANDARDS AND TECHNOLOGY CAMPUS SECURITY ACT

Mr. LOUDERMILK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5636) to increase the effectiveness of and accountability for maintaining the physical security of NIST facilities and the safety of the NIST workforce.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5636

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 Institute of Standards and Technology Campus Security Act".

SEC. 2. NIST CAMPUS SECURITY.

(a) SUPERVISORY AUTHORITY.—The Department of Commerce Office of Security shall directly manage the law enforcement and security programs of the National Institute of Standards and Technology through an assigned Director of Security for the National Institute of Standards and Technology. This subsection shall be carried out without increasing the number of full time equivalent employees of the Department of Commerce, including the National Institute of Standards and Technology.

(b) REPORTS.—Such Director of Security shall provide an activities and security report on a quarterly basis for the first year after the date of enactment of this Act, and on an annual basis thereafter, to the Under

Secretary for Standards and Technology and to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(c) COMPTROLLER GENERAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit a report to the Secretary of Commerce, and to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation in the Senate, that—

(1) evaluates the costs and performance of the National Institute of Standards and Technology Police Services Group;

(2) compares the total costs of that Police Services Group with the estimated cost of private police contractors to perform the same work;

(3) examines any potential concerns with private police contractors performing the duties of the Police Services Group;

(4) makes recommendations, based on the findings under paragraphs (2) and (3), for how the National Institute of Standards and Technology should spend its money on security without diminishing the security on its campuses;

(5) proposes oversight and direction that the Police Services Group or outside security contractors need to ensure physical security at National Institute of Standards and Technology campuses;

(6) establishes the percentage of National Institute of Standards and Technology personnel, including the Police Services Group and outside security contractors, that follow security policies, processes, and procedures applicable to their responsibilities;

(7) determines the number of known security breaches and other similar incidents at National Institute of Standards and Technology campuses involving National Institute of Standards and Technology personnel and external parties from fiscal year 2012 to the date of the completion of this report, and their impact and resolution; and

(8) analyzes management, operational, and other challenges encountered in the course of protecting National Institute of Standards and Technology facilities and the extent to which such challenges impact security, and includes assessment of the National Institute of Standards and Technology's attempts to mitigate those challenges.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. LOUDERMILK) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. LOUDERMILK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 5636, the bill now under consideration.

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

There was no objection.

Mr. LOUDERMILK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5636, the National Institute of Standards and Technology Campus Security Act. I would like to thank Chairman SMITH for his hard work in bringing

this bill through the House Science, Space, and Technology Committee.

I chair the Oversight Subcommittee of the House Science, Space, and Technology Committee, and my subcommittee has been involved in the investigation of security issues at the National Institute of Standards and Technology over the past year.

Not only did a now-former NIST police officer cause an explosion on the Gaithersburg campus while attempting to manufacture methamphetamine, there was also an alarming incident that took place on the NIST campus in Boulder, Colorado.

In April, an individual with no identification, who was not an employee of NIST, was found in a building on the campus. The incident required a summons to county firefighters because of concerns that the individual may have been exposed to chlorine gas stored in the building's "clean" room. He was eventually transported to the local hospital, and the incident is currently part of an ongoing criminal investigation.

There are quite a few reasons why this situation is so concerning to me.

First, how does a non-NIST employee get on a campus, into a secure building, and then into a room where potentially dangerous, hazardous, or poisonous chemicals may be present.

Most importantly, how did all this take place without NIST police or security knowledge? And what is the extent of damage that an individual could have caused by having access to that building and room?

For a Federal agency that received a notice of violation by the Nuclear Regulatory Commission just 1 year ago for failing to—and I quote—"keep records showing the receipt, inventory, acquisition, transfer, and disposal of all special nuclear materials in its possession," this is extremely concerning.

In the National Regulatory Commission's investigation, they discovered "radioactive material and sources that were not included" in the NIST inventory. While this raises additional accountability issues and concerns, it also emphasizes the need for adequate and effective security at NIST campuses.

Having held numerous managerial and executive positions in the private and public sector, I know how important accountability is to the success and future of an organization. It is inexcusable that an important government agency like NIST is lagging behind in accountability, especially when it comes to the security and protection of its campuses and its employees.

This legislation is an important example of how congressional oversight works. Being able to "check on and check the Executive" allows Congress to step in when an agency is lacking in efficiency and effectiveness to ensure adequate measures are taken and taxpayer dollars are protected.

This bill directs the Department of Commerce Office of Security to get in-

involved in the law enforcement and security programs at NIST. The bill also requires the Government Accountability Office to produce an analysis on the performance and efficiency of NIST security in its current state, make recommendations on how to improve security on NIST campuses, and look into the possibility of privatizing the NIST police force.

This legislation takes an important step to protect the safety and security of those who work at, visit, and live in the vicinity of NIST campuses. We must take action to ensure accountability and effective security in one of our Nation's oldest physical science laboratories.

I urge my colleagues to support this important piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

There have been two high-profile security incidents at the National Institute of Standards and Technology, NIST, facilities in the past year: one on the Gaithersburg campus and the other in Boulder, Colorado.

These incidents have raised legitimate oversight questions that the Science, Space, and Technology Committee has pursued through both hearings and a year-long investigation.

This bill, I take it, is meant to kick the investigation over to GAO since our own efforts, which were focused more on "gotcha" questions than substance, yielded little.

Unfortunately, what this bill does not account for is that the security incidents also prompted the Director of NIST to take seriously the need to improve security policies, procedures, and management of the two NIST campuses.

Last December, the Director, Dr. Willie May, convened an ad hoc panel of security experts to make recommendations accordingly. The experts made a number of significant recommendations on all aspects of NIST security. By mid April, the NIST Director had developed an action plan to immediately implement many of those recommendations while initiating more in-depth studies of other recommendations. These are very positive steps on the part of the agency and should not be overlooked or, worse, undetermined.

Science Committee minority staff have received copies of both the recommendations and the action plan because they asked for it. I wonder if the majority also thought to ask for these documents before drafting this bill without any expert input.

We certainly agree with the majority that the GAO may have an important role in the process of strengthening security at NIST. However, any such GAO review should take into account ongoing reform at NIST as well as the expert opinion of GAO itself.

Majority and minority staff alike received an e-mail from GAO experts the

night before the committee markup expressing concern about the nature of some of the questions being asked of them in this legislation. Neither their feedback nor NIST's own feedback was incorporated during the committee markup. The bill was rushed through the committee and now is being rushed to the floor.

I am also quite puzzled as to the need for this bill since the chairman already sent a joint request to GAO, along with the chairman of the Senate Committee on Commerce, Science, and Transportation, for a similarly scoped review of NIST security. GAO confirmed that review is already in their work queue.

At best, this is an exercise in duplication, and we always talk about saving money. At worst, it is the wasting of valuable expertise of the GAO on an ill-conceived and ill-timed report.

This bill may lead to an inefficient use of taxpayers dollars, but, at the end of the day, it will not do any other harm. I have faith in the GAO to make lemonade out of lemons. For that reason, I am not opposing moving forward today.

However, I do call on my colleagues on the Science, Space, and Technology Committee to take more seriously our oversight responsibility and our responsibility to the taxpayer by taking into consideration expert input and relevant activities at the agency in question before rushing a sloppy bill to the floor just for a press release.

Mr. Speaker, I reserve the balance of my time.

Mr. LOUDERMILK. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space and Technology Committee.

Mr. SMITH of Texas. Mr. Speaker, first of all, I want to thank the gentleman from Georgia (Mr. LOUDERMILK), who is the chairman of the Oversight Subcommittee, for his significant oversight work on this issue and for introducing the result of that work, this bill, H.R. 5636.

I am pleased to cosponsor the National Institute of Standards and Technology Campus Security Act to help improve the safety and security of NIST facilities and their surrounding areas.

Last July, a senior officer with the NIST Police Services Group attempted illegal production of meth at one of the laboratories located at NIST's Gaithersburg, Maryland, campus. The officer, who was previously the acting chief of police at the Gaithersburg campus, amazingly caused an explosion that burned his face and arm and blew out the lab windows.

It is shocking that a Federal agency didn't know that a meth lab was being run on its property right under its nose, and, without the explosion, it might never have been discovered. The meth lab explosion and subsequent investigation have raised serious concerns about the safety and security of the entire NIST operation.

Further, information obtained during the Science, Space, and Technology Committee's investigation of the meth lab appears to show a pattern of waste, fraud, abuse and misconduct by the NIST Police Services Group.

For example, according to a recent Department of Commerce Inspector General's report, the very officer who caused the explosion on NIST's campus had committed time and attendance fraud by claiming that he worked many hours when he did not.

So how do we know that this is not happening throughout the Police Services Group at NIST?

These unfortunate examples undermine and jeopardize NIST's mission to promote U.S. innovation and industrial competitiveness, which enhances economic security and improves our quality of life.

This legislation is an important step forward to analyze the work of NIST's Police Services Group and outside contractors to ensure that they are adequately securing both NIST campuses to protect NIST employees, contractors, visitors, and surrounding communities from any potential hazards.

This legislation and a thorough review, evaluation, and report by the U.S. Government Accountability Office will provide further recommendations and options to ensure a safe and secure NIST in the future.

Again, I want to thank Chairman LOUDERMILK for his work on this matter, and I urge my colleagues to support the bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. LOUDERMILK. Mr. Speaker, I urge my colleagues to join us in this bipartisan effort to ensure the safety and security of many—not just employees, but citizens and visitors to this important facility, and I urge them to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MOLENAAR). The question is on the motion offered by the gentleman from Georgia (Mr. LOUDERMILK) that the House suspend the rules and pass the bill, H.R. 5636.

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

A motion to reconsider was laid on the table.

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ELECTRICITY STORAGE INNOVATION ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5640) to provide for the establishment at the Department of Energy of an Electricity Storage Basic Research Initiative, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5640

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 “Electricity Storage Innovation Act”.

SEC. 2. ELECTRICITY STORAGE BASIC RESEARCH INITIATIVE.

(a) AMENDMENT.—Section 975 of the Energy Policy Act of 2005 (42 U.S.C. 16315) is amended to read as follows:

“SEC. 975. ELECTRICITY STORAGE BASIC RESEARCH INITIATIVE.

“(a) INITIATIVE.—

“(1) IN GENERAL.—The Secretary shall carry out a research initiative, to be known as the Electricity Storage Basic Research Initiative, to expand theoretical and fundamental knowledge to control, store, and convert electrical energy to chemical energy and the inverse. This initiative shall support scientific inquiry into the practical understanding of chemical and physical processes that occur within systems involving crystalline and amorphous solids, polymers, and organic and aqueous liquids.

“(2) LEVERAGING.—The Secretary shall leverage expertise and resources from the Basic Energy Sciences Program, Advanced Scientific Computing Research Program, and Biological and Environmental Research Program within the Office of Science, and the Office of Energy Efficiency and Renewable Energy, as provided under subsections (b), (c), and (d).

“(3) TEAMS.—The Secretary shall organize activities under the Electricity Storage Basic Research Initiative to include multidisciplinary teams leveraging expertise from the National Laboratories, universities, and the private sector to the extent practicable. These multidisciplinary teams shall pursue aggressive, milestone-driven basic research goals. The Secretary shall provide sufficient resources for those teams to achieve those goals over a period of time to be determined by the Secretary.

“(4) ADDITIONAL ACTIVITIES.—The Secretary is authorized to organize additional activities under this subsection through Energy Frontier Research Centers, Energy Innovation Hubs, or other organizational structures.

“(b) MULTIVALENT SYSTEMS.—

“(1) IN GENERAL.—The Secretary shall, as part of the Electricity Storage Basic Research Initiative, carry out a program to support research needed to bridge scientific barriers and discover knowledge relevant to multivalent ion materials in electric energy storage systems. In carrying out activities under this subsection, the Director of the Office of Basic Energy Sciences shall investigate electrochemical properties and the dynamics of materials, including charge transfer phenomena and mass transport in materials. The Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under this subsection.

“(2) STANDARD OF REVIEW.—The Secretary shall review the program activities under this subsection to determine the achievement of technical milestones.

“(3) AUTHORIZATION OF APPROPRIATIONS.—

“(A) AUTHORIZATION.—Subject to subsection (e), there are authorized for carrying out activities under this subsection for each of fiscal years 2017 through 2020—

“(i) \$50,000,000 from funds within the Basic Energy Sciences Program account; and

“(ii) \$25,000,000 from funds within the Energy Efficiency and Renewable Energy account.

“(B) PROHIBITION.—No funds authorized under this subsection may be obligated or expended for commercial application of energy technology.

“(c) ELECTROCHEMISTRY MODELING AND SIMULATION.—

“(1) IN GENERAL.—The Secretary shall, as part of the Electricity Storage Basic Research Initiative, carry out a program to support research to model and simulate organic electrolytes, including their static and dynamic electrochemical behavior and phenomena at the molecular and atomic level in monovalent and multivalent systems. In carrying out activities under this subsection, the Director of the Office of Basic Energy Sciences shall, in coordination with the Associate Director of Advanced Scientific Computing Research, support the development of high performance computational tools through a joint development process to maximize the effectiveness of current and projected high performance computing systems. The Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under this subsection.

“(2) STANDARD OF REVIEW.—The Secretary shall review the program activities under this subsection to determine the achievement of technical milestones.

“(3) AUTHORIZATION OF APPROPRIATIONS.—

“(A) AUTHORIZATION.—Subject to subsection (e), there are authorized for carrying out activities under this subsection for each of fiscal years 2017 through 2020—

“(i) \$30,000,000 from funds within the Basic Energy Sciences Program and Advanced Scientific Computing Research Program accounts; and

“(ii) \$15,000,000 from funds within the Energy Efficiency and Renewable Energy account.

“(B) PROHIBITION.—No funds authorized under this subsection may be obligated or expended for commercial application of energy technology.

“(d) MESOSCALE ELECTROCHEMISTRY.—

“(1) IN GENERAL.—The Secretary shall, as part of the Electricity Storage Basic Research Initiative, carry out a program to support research needed to reveal electrochemistry in confined mesoscale spaces, including scientific discoveries relevant to bio-electrochemistry and electrochemical energy conversion and storage in confined spaces and the dynamics of these phenomena. In carrying out activities under this subsection, the Director of the Office of Basic Energy Sciences and the Associate Director of Biological and Environmental Research shall investigate phenomena of mesoscale electrochemical confinement for the purpose of replicating and controlling new electrochemical behavior. The Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under this subsection.

“(2) STANDARD OF REVIEW.—The Secretary shall review the program activities under this subsection to determine the achievement of technical milestones.

“(3) AUTHORIZATION OF APPROPRIATIONS.—

“(A) AUTHORIZATION.—Subject to subsection (e), there are authorized for carrying out activities under this subsection for each of fiscal years 2017 through 2020—

“(i) \$20,000,000 from funds within the Basic Energy Sciences Program and the Biological and Environmental Research Program accounts; and

“(ii) \$10,000,000 from funds within the Energy Efficiency and Renewable Energy account.

“(B) PROHIBITION.—No funds authorized under this subsection may be obligated or expended for commercial application of energy technology.

“(e) FUNDING.—No additional funds are authorized to be appropriated under this section. This section shall be carried out using funds otherwise authorized by law.”.