

(f) Functions of Director

In carrying out sections 1862h to 1862j of this title, the Director shall—

- (1) award grants on a competitive, merit basis;
- (2) ensure an equitable geographic distribution of grant awards;
- (3) ensure that an applicant for a grant awarded under subsection (a), (b), or (c)(1) will make an in-cash or in-kind contribution in an amount equal to at least 25 percent of the cost of the program, and for a grant awarded under subsection (c)(2) will make an in-cash or in-kind contribution in an amount at least equal to the amount of the grant award;
- (4) establish and maintain a readily accessible inventory of the programs assisted under sections 1862h to 1862j of this title; and
- (5) designate an officer of the National Science Foundation to serve as a liaison with associate-degree-granting institutions for the purpose of enhancing the role of such institutions in the activities of the Foundation.

(g) Definitions

As used in this section—

- (1) the term “advanced-technology” includes advanced technical activities such as the modernization, miniaturization, integration, and computerization of electronic, hydraulic, pneumatic, laser, nuclear, chemical, telecommunication, fiber optic, robotic, and other technological applications to enhance productivity improvements in manufacturing, communication, transportation, commercial, and similar economic and national security activities;
- (2) the term “associate-degree-granting college” means an institution of higher education (as determined under section 101 of the Higher Education Act of 1965 [20 U.S.C. 1001]) that—
 - (A) is a nonprofit institution that offers a 2-year associate-degree program or a 2-year certificate program; or
 - (B) is a proprietary institution that offers a 2-year associate-degree program;
- (3) the term “bachelor-degree-granting institution” means an institution of higher education (as determined under section 101 of the Higher Education Act of 1965 [20 U.S.C. 1001]) that offers a baccalaureate degree program;
- (4) the term “eligible partnership” means one or more associate-degree-granting colleges in partnership with one or more separate bachelor-degree-granting institutions; and
- (5) the term “local educational agency” has the meaning given such term in section 2891(12)³ of title 20.

(Pub. L. 102-476, § 3, Oct. 23, 1992, 106 Stat. 2297; Pub. L. 105-244, title I, § 102(a)(13)(B), Oct. 7, 1998, 112 Stat. 1620; Pub. L. 107-368, § 21(a), (b), Dec. 19, 2002, 116 Stat. 3064; Pub. L. 110-69, title VII, § 7031(a), Aug. 9, 2007, 121 Stat. 710.)

REFERENCES IN TEXT

Sections 1862h to 1862j of this title, referred to in subsecs. (a) and (f), was in the original “this Act”, meaning Pub. L. 102-476, Oct. 23, 1992, 106 Stat. 2297, known

³ See References in Text note below.

as the Scientific and Advanced-Technology Act of 1992, which enacted this section and sections 1862h and 1862j of this title and amended section 1862 of this title. For complete classification of this Act to the Code, see Short Title of 1992 Amendment note set out under section 1861 of this title and Tables.

The Higher Education Act of 1965, referred to in subsecs. (c)(1)(C) and (d), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219, as amended. Part B of title I of the Act is classified generally to part B (§1011 et seq.) of subchapter I of chapter 28 of Title 20, Education. Pub. L. 105-244, title I, §101(a), Oct. 7, 1998, 112 Stat. 1585, amended title I of the Act generally and part B, which formerly related to articulation agreements, now relates to additional general provisions. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

Section 2891(12) of title 20, referred to in subsec. (g)(5), was in the original “section 1471(12) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(12))”, Pub. L. 89-10, and was omitted in the general amendment of that Act by Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3519. For provisions relating to definitions, see section 7801 of Title 20, Education.

CODIFICATION

Section was enacted as part of the Scientific and Advanced-Technology Act of 1992, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

AMENDMENTS

2007—Subsec. (a)(3)(A). Pub. L. 110-69, § 7031(a)(1)(A), which directed striking out “and” after the semicolon, was executed by striking out “and” after the comma, to reflect the probable intent of Congress.

Subsec. (a)(3)(B), (C). Pub. L. 110-69, § 7031(a)(1)(B), (C), substituted “; and” for semicolon in subpar. (B) and added subpar. (C).

Subsec. (c)(3). Pub. L. 110-69, § 7031(a)(2), added par. (3).

2002—Subsec. (a). Pub. L. 107-368, § 21(a)(1), inserted “, and to improve the quality of their core education courses in science and mathematics” after “education in advanced-technology fields” in introductory provisions.

Subsec. (a)(1). Pub. L. 107-368, § 21(a)(2), inserted “and in core science and mathematics courses” after “advanced-technology fields”.

Subsec. (a)(2). Pub. L. 107-368, § 21(a)(3), substituted “who provide instruction in science, mathematics, and advanced-technology fields” for “in advanced-technology fields”.

Subsec. (c)(1)(B)(iii), (iv). Pub. L. 107-368, § 21(b), added cls. (iii) and (iv).

1998—Subsec. (g)(2), (3). Pub. L. 105-244 substituted “section 101 of the Higher Education Act of 1965” for “section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a))”.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of Title 20, Education.

§ 1862j. Authorization of appropriations

There are authorized to be appropriated, from sums otherwise authorized to be appropriated, to the Director for carrying out sections 1862h to 1862j of this title—

- (1) \$35,000,000 for fiscal year 1992; and
- (2) \$35,000,000 for fiscal year 1993.

(Pub. L. 102-476, § 5, Oct. 23, 1992, 106 Stat. 2301.)

REFERENCES IN TEXT

Sections 1862h to 1862j of this title, referred to in text, was in the original “this Act”, meaning Pub. L.

102-476, Oct. 23, 1992, 106 Stat. 2297, known as the Scientific and Advanced-Technology Act of 1992, which enacted this section and sections 1862h and 1862i of this title and amended section 1862 of this title. For complete classification of this Act to the Code, see Short Title of 1992 Amendment note set out under section 1861 of this title and Tables.

CODIFICATION

Section was enacted as part of the Scientific and Advanced-Technology Act of 1992, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

§ 1862k. Findings; core strategies

(a) Findings

Congress finds the following:

(1) The United States depends upon its scientific and technological capabilities to preserve the military and economic security of the United States.

(2) America's leadership in the global marketplace is dependent upon a strong commitment to education, basic research, and development.

(3) A nation that is not technologically literate cannot compete in the emerging global economy.

(4) A coordinated commitment to mathematics and science instruction at all levels of education is a necessary component of successful efforts to produce technologically literate citizens.

(5) Professional development is a necessary component of efforts to produce system-wide improvements in mathematics, engineering, and science education in secondary, elementary, and postsecondary settings.

(6)(A) The mission of the National Science Foundation is to provide Federal support for basic scientific and engineering research, and to be a primary contributor to mathematics, science, and engineering education at academic institutions in the United States.

(B) In accordance with such mission, the long-term goals of the National Science Foundation include providing leadership to—

(i) enable the United States to maintain a position of world leadership in all aspects of science, mathematics, engineering, and technology;

(ii) promote the discovery, integration, dissemination, and application of new knowledge in service to society; and

(iii) achieve excellence in United States science, mathematics, engineering, and technology education at all levels.

(b) Core strategies

In carrying out activities designed to achieve the goals described in subsection (a), the Foundation shall use the following core strategies:

(1) Develop intellectual capital, both people and ideas, with particular emphasis on groups and regions that traditionally have not participated fully in science, mathematics, and engineering.

(2) Strengthen the scientific infrastructure by investing in facilities planning and modernization, instrument acquisition, instrument design and development, and shared-use research platforms.

(3) Integrate research and education through activities that emphasize and strengthen the natural connections between learning and inquiry.

(4) Promote partnerships with industry, elementary and secondary schools, community colleges, colleges and universities, other agencies, State and local governments, and other institutions involved in science, mathematics, and engineering to enhance the delivery of math and science education and improve the technological literacy of the citizens of the United States.

(Pub. L. 105-207, title I, §101, July 29, 1998, 112 Stat. 869.)

CODIFICATION

Section was enacted as part of the National Science Foundation Authorization Act of 1998, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

INDIRECT COSTS

Pub. L. 105-207, title II, §203, July 29, 1998, 112 Stat. 875, provided that:

“(a) MATCHING FUNDS.—Matching funds required pursuant to section 204(a)(2)(C) of the Academic Research Facilities Modernization Act of 1988 (42 U.S.C. 1862c(a)(2)(C)) shall not be considered facilities costs for purposes of determining indirect cost rates under Office of Management and Budget Circular A-21.

“(b) REPORT.—

“(1) IN GENERAL.—The Director of the Office of Science and Technology Policy, in consultation with other Federal agencies the Director deems appropriate, shall prepare a report—

“(A) analyzing the Federal indirect cost reimbursement rates (as the term is defined in Office of Management and Budget Circular A-21) paid to universities in comparison with Federal indirect cost reimbursement rates paid to other entities, such as industry, government laboratories, research hospitals, and nonprofit institutions;

“(B)(i) analyzing the distribution of the Federal indirect cost reimbursement rates by category (such as administration, facilities, utilities, and libraries), and by the type of entity; and

“(ii) determining what factors, including the type of research, influence the distribution;

“(C) analyzing the impact, if any, that changes in Office of Management and Budget Circular A-21 have had on—

“(i) the Federal indirect cost reimbursement rates, the rate of change of the Federal indirect cost reimbursement rates, the distribution by category of the Federal indirect cost reimbursement rates, and the distribution by type of entity of the Federal indirect cost reimbursement rates; and

“(ii) the Federal indirect cost reimbursement (as calculated in accordance with Office of Management and Budget Circular A-21), the rate of change of the Federal indirect cost reimbursement, the distribution by category of the Federal indirect cost reimbursement, and the distribution by type of entity of the Federal indirect cost reimbursement;

“(D) analyzing the impact, if any, of Federal and State law on the Federal indirect cost reimbursement rates;

“(E)(i) analyzing options to reduce or control the rate of growth of the Federal indirect cost reimbursement rates, including options such as benchmarking of facilities and equipment cost, elimination of cost studies, mandated percentage reductions in the Federal indirect cost reimbursement; and