

only once for a maximum of 2 additional years.

(5) Evaluation and reports

(A) Development of performance benchmarks

Prior to the start of the grant program, the Director, in collaboration with 4-year institutions of higher education (including applicable graduate schools and academic departments), and industries and Federal agencies that employ science-trained personnel, shall develop performance benchmarks to evaluate the pilot programs assisted by grants under this section.

(B) Evaluation

For each year of the grant period, the Director, in consultation with 4-year institutions of higher education (including applicable graduate schools and academic departments), and industries and Federal agencies that employ science-trained personnel, shall complete an evaluation of each program assisted by grants under this section. Any program that fails to satisfy the performance benchmarks developed under subparagraph (A) shall not be eligible for further funding.

(C) Report

Not later than 180 days after the completion of an evaluation described in subparagraph (B), the Director shall submit a report to Congress that includes—

- (i) the results of the evaluation; and
- (ii) recommendations for administrative and legislative action that could optimize the effectiveness of the pilot programs, as the Director determines to be appropriate.

(Pub. L. 110-69, title VII, §7034, Aug. 9, 2007, 121 Stat. 712.)

Editorial Notes

REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in subsec. (b)(2)(D), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219. Titles IV and VII of the Act are classified generally to subchapters IV (§1070 et seq.) and VII (§1133 et seq.), respectively, of chapter 28 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

CODIFICATION

Section was enacted as part of the America COMPETES Act, also known as the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Act, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of terms used in this section, see section 7001 of Pub. L. 110-69, set out as a note under section 1862o of this title.

§ 1862o-14. Major research instrumentation

(a) Award amount

The minimum amount of an award under the Major Research Instrumentation program shall

be \$100,000. The maximum amount of an award under the program shall be \$4,000,000 except if the total amount appropriated for the program for a fiscal year exceeds \$125,000,000, in which case the maximum amount of an award shall be \$6,000,000.

(b) Use of funds

In addition to the acquisition of instrumentation and equipment, funds made available by awards under the Major Research Instrumentation program may be used to support the operations and maintenance of such instrumentation and equipment.

(c) Cost sharing

(1) In general

An institution of higher education receiving an award under the Major Research Instrumentation program shall provide at least 30 percent of the cost from private or non-Federal sources.

(2) Exceptions

Institutions of higher education that are not Ph.D.-granting institutions are exempt from the cost sharing requirement in paragraph (1), and the Director may reduce or waive the cost sharing requirement for—

(A) institutions—

(i) that are not ranked among the top 100 institutions receiving Federal research and development funding, as documented by the statistical data published by the Foundation; and

(ii) for which the proposed project will make a substantial improvement in the institution's capabilities to conduct leading edge research, to provide research experiences for undergraduate students using leading edge facilities, and to broaden the participation in science and engineering research by individuals identified in section 1885a or 1885b of this title; and

(B) consortia of institutions of higher education that include at least one institution that is not a Ph.D.-granting institution.

(Pub. L. 110-69, title VII, §7036, Aug. 9, 2007, 121 Stat. 714.)

Editorial Notes

CODIFICATION

Section was enacted as part of the America COMPETES Act, also known as the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Act, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of terms used in this section, see section 7001 of Pub. L. 110-69, set out as a note under section 1862o of this title.

§ 1862o-15. Limit on proposals

(a) Policy

For programs supported by the Foundation that require as part of the selection process for