

114TH CONGRESS  
1ST SESSION

# H. R. 1398

To prioritize funding for an expanded and sustained national investment  
in basic science research.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2015

Mr. FOSTER introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committees on Science, Space, and Technology and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To prioritize funding for an expanded and sustained national  
investment in basic science research.

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 “American Innovation  
5 Act”.

6 **SEC. 2. CAP ADJUSTMENT.**

7 (a) IN GENERAL.—Section 251(b)(2) of the Balanced  
8 Budget and Emergency Deficit Control Act of 1985 (2  
9 U.S.C. 901(b)(2)) is amended—

1           (1) by redesignating subparagraph (D) as sub-  
2           paragraph (E); and

3           (2) by inserting after subparagraph (C), the fol-  
4           lowing:

5                   “(D) BASIC SCIENCE RESEARCH.—

6                           “(i) NATIONAL SCIENCE FOUNDA-  
7                           TION.—If a bill or joint resolution making  
8                           appropriations for a fiscal year is enacted  
9                           that specifies amounts for the National  
10                           Science Foundation, then the adjustments  
11                           for that fiscal year shall be the amount of  
12                           additional new budget authority provided  
13                           in that Act for such programs for that fis-  
14                           cal year, but shall not exceed—

15                                   “(I) for fiscal year 2016,  
16                                   \$397,000,000 in additional new budg-  
17                                   et authority;

18                                   “(II) for fiscal year 2017,  
19                                   \$831,000,000 in additional new budg-  
20                                   et authority;

21                                   “(III) for fiscal year 2018,  
22                                   \$1,275,000,000 in additional new  
23                                   budget authority;

1                   “(IV) for fiscal year 2019,  
2                   \$1,765,000,000 in additional new  
3                   budget authority;

4                   “(V) for fiscal year 2020,  
5                   \$2,290,000,000 in additional new  
6                   budget authority; and

7                   “(VI) for fiscal year 2021,  
8                   \$2,867,000,000 in additional new  
9                   budget authority.

10                  “(ii) DEPARTMENT OF ENERGY OF-  
11                  FICE OF SCIENCE.—If a bill or joint reso-  
12                  lution making appropriations for a fiscal  
13                  year is enacted that specifies amounts for  
14                  the Office of Science of the Department of  
15                  Energy, then the adjustments for that fis-  
16                  cal year shall be the amount of additional  
17                  new budget authority provided in that Act  
18                  for such programs for that fiscal year, but  
19                  shall not exceed—

20                   “(I) for fiscal year 2016,  
21                   \$275,000,000 in additional new budg-  
22                   et authority;

23                   “(II) for fiscal year 2017,  
24                   \$566,000,000 in additional new budg-  
25                   et authority;

1                   “(III) for fiscal year 2018,  
2                   \$867,000,000 in additional new budg-  
3                   et authority;

4                   “(IV) for fiscal year 2019,  
5                   \$1,198,000,000 in additional new  
6                   budget authority;

7                   “(V) for fiscal year 2020,  
8                   \$1,555,000,000 in additional new  
9                   budget authority; and

10                  “(VI) for fiscal year 2021,  
11                  \$1,946,000,000 in additional new  
12                  budget authority.

13                  “(iii) DEPARTMENT OF DEFENSE  
14                  SCIENCE AND TECHNOLOGY PROGRAMS.—  
15                  If a bill or joint resolution making appro-  
16                  priations for a fiscal year is enacted that  
17                  specifies amounts for the Department of  
18                  Defense science and technology programs,  
19                  then the adjustments for that fiscal year  
20                  shall be the amount of additional new  
21                  budget authority provided in that Act for  
22                  such programs for that fiscal year, but  
23                  shall not exceed—

1           “(I) for fiscal year 2016,  
2           \$636,000,000 in additional new budg-  
3           et authority;

4           “(II) for fiscal year 2017,  
5           \$1,309,000,000 in additional new  
6           budget authority;

7           “(III) for fiscal year 2018,  
8           \$2,007,000,000 in additional new  
9           budget authority;

10          “(IV) for fiscal year 2019,  
11          \$2,773,000,000 in additional new  
12          budget authority;

13          “(V) for fiscal year 2020,  
14          \$3,603,000,000 in additional new  
15          budget authority; and

16          “(VI) for fiscal year 2021,  
17          \$4,512,000,000 in additional new  
18          budget authority.

19          “(iv) NATIONAL INSTITUTE OF  
20          STANDARDS AND TECHNOLOGY SCIENTIFIC  
21          AND TECHNICAL RESEARCH AND SERV-  
22          ICES.—If a bill or joint resolution making  
23          appropriations for a fiscal year is enacted  
24          that specifies amounts for the Scientific  
25          and Technical Research and Services with-

1 in the National Institute of Standards and  
2 Technology of the Department of Com-  
3 merce, then the adjustments for that fiscal  
4 year shall be the amount of additional new  
5 budget authority provided in that Act for  
6 such programs for that fiscal year, but  
7 shall not exceed—

8 “(I) for fiscal year 2016,  
9 \$31,000,000 in additional new budget  
10 authority;

11 “(II) for fiscal year 2017,  
12 \$62,000,000 in additional new budget  
13 authority;

14 “(III) for fiscal year 2018,  
15 \$96,000,000 in additional new budget  
16 authority;

17 “(IV) for fiscal year 2019,  
18 \$132,000,000 in additional new budg-  
19 et authority;

20 “(V) for fiscal year 2020,  
21 \$173,000,000 in additional new budg-  
22 et authority; and

23 “(VI) for fiscal year 2021,  
24 \$216,000,000 in additional new budg-  
25 et authority.

1           “(v) NATIONAL AERONAUTICS AND  
2           SPACE ADMINISTRATION SCIENCE DIREC-  
3           TORATE.—If a bill or joint resolution mak-  
4           ing appropriations for a fiscal year is en-  
5           acted that specifies amounts for the  
6           Science Mission Directorate of the Na-  
7           tional Aeronautics and Space Administra-  
8           tion, then the adjustments for that fiscal  
9           year shall be the amount of additional new  
10          budget authority provided in that Act for  
11          such program for that fiscal year, but shall  
12          not exceed—

13                 “(I) for fiscal year 2016,  
14                 \$267,000,000 in additional new budg-  
15                 et authority;

16                 “(II) for fiscal year 2017,  
17                 \$559,000,000 in additional new budg-  
18                 et authority;

19                 “(III) for fiscal year 2018,  
20                 \$876,000,000 in additional new budg-  
21                 et authority;

22                 “(IV) for fiscal year 2019,  
23                 \$1,222,000,000 in additional new  
24                 budget authority;

1                   “(V) for fiscal year 2020,  
2                   \$1,598,000,000 in additional new  
3                   budget authority; and

4                   “(VI) for fiscal year 2021,  
5                   \$2,006,000,000 in additional new  
6                   budget authority.

7                   “(vi) DEFINITIONS.—As used in this  
8                   subparagraph:

9                   “(I) ADDITIONAL NEW BUDGET  
10                  AUTHORITY.—The term ‘additional  
11                  new budget authority’ means—

12                   “(aa) with respect to the  
13                   National Science Foundation, the  
14                   amount provided for a fiscal  
15                   year, in excess of the amount  
16                   provided in fiscal year 2015, in  
17                   an appropriation Act and speci-  
18                   fied to support the National  
19                   Science Foundation;

20                   “(bb) with respect to the  
21                   Department of Energy Office of  
22                   Science, the amount provided for  
23                   a fiscal year, in excess of the  
24                   amount provided in fiscal year  
25                   2015, in an appropriation Act



1 and specified to support the De-  
2 partment of Energy Office of  
3 Science;

4 “(cc) with respect to the De-  
5 partment of Defense Science and  
6 Technology Programs, the  
7 amount provided for a fiscal  
8 year, in excess of the amount  
9 provided in fiscal year 2015, in  
10 an appropriation Act and speci-  
11 fied to support the Department  
12 of Defense Science and Tech-  
13 nology Programs;

14 “(dd) with respect to the  
15 National Institute of Standards  
16 and Technology Scientific and  
17 Technical Research Services, the  
18 amount provided for a fiscal  
19 year, in excess of the amount  
20 provided in fiscal year 2015, in  
21 an appropriation Act and speci-  
22 fied to support the National In-  
23 stitute of Standards and Tech-  
24 nology Scientific and Technical  
25 Research Services; and

1           “(ee) with respect to the  
2           National Aeronautics and Space  
3           Administration Science Direc-  
4           torate, the amount provided for a  
5           fiscal year, in excess of the  
6           amount provided in fiscal year  
7           2015, in an appropriation Act  
8           and specified to support the Na-  
9           tional Aeronautics and Space Ad-  
10          ministration Science Directorate.

11           “(II) NATIONAL SCIENCE FOUN-  
12          DATION.—The term ‘National Science  
13          Foundation’ means the appropriations  
14          accounts that support the various in-  
15          stitutes, offices, and centers that  
16          make up the National Science Foun-  
17          dation.

18           “(III) DEPARTMENT OF ENERGY  
19          OFFICE OF SCIENCE.—The term ‘De-  
20          partment of Energy Office of Science’  
21          means the appropriations accounts  
22          that support the various institutes, of-  
23          fices, and centers that make up the  
24          Department of Energy Office of  
25          Science.

1                   “(IV) DEPARTMENT OF DE-  
2 FENSE SCIENCE AND TECHNOLOGY  
3 PROGRAMS.—The term ‘Department  
4 of Defense Science and Technology  
5 programs’ means the appropriations  
6 accounts that support the various in-  
7 stitutes, offices, and centers that  
8 make up the Department of Defense  
9 Science and Technology programs.

10                   “(V) NATIONAL INSTITUTE OF  
11 STANDARDS AND TECHNOLOGY SCI-  
12 ENTIFIC AND TECHNICAL RESEARCH  
13 AND SERVICES.—The term ‘National  
14 Institute of Standards and Tech-  
15 nology Scientific and Technical Re-  
16 search and Services’ means the appro-  
17 priations accounts that support the  
18 various institutes, offices, and centers  
19 that make up the National Institute  
20 of Standards and Technology Sci-  
21 entific and Technical Research and  
22 Services.

23                   “(VI) NATIONAL AERONAUTICS  
24 AND SPACE ADMINISTRATION SCIENCE  
25 DIRECTORATE.—The term ‘National

1           Aeronautics and Space Administration  
2           Science Directorate’ means the appro-  
3           priations accounts that support the  
4           various institutes, offices, and centers  
5           that make up the National Aero-  
6           nautics and Space Administration  
7           Science Directorate.”.

8           (b) FUNDING.—There are hereby authorized to be  
9 appropriated—

10           (1) for the National Science Foundation, the  
11           amounts provided for under clause (i) of such sec-  
12           tion 251(b)(2)(D) in each of fiscal years 2016  
13           through 2021, and such sums as may be necessary  
14           for each subsequent fiscal year;

15           (2) for the Department of Energy Office of  
16           Sciences, the amounts provided for under clause (ii)  
17           of such section 251(b)(2)(D) in each of fiscal years  
18           2016 through 2021, and such sums as may be nec-  
19           essary for each subsequent fiscal year;

20           (3) for the Department of Defense Science and  
21           Technology programs, the amounts provided for  
22           under clause (iii) of such section 251(b)(2)(D) in  
23           each of fiscal years 2016 through 2021, and such  
24           sums as may be necessary for each subsequent fiscal  
25           year;

1           (4) for the National Institute of Standards and  
2           Technology Scientific and Technical Research and  
3           Services, the amounts provided for under clause (iv)  
4           of such section 251(b)(2)(D) in each of fiscal years  
5           2016 through 2021, and such sums as may be nec-  
6           essary for each subsequent fiscal year; and

7           (5) for the National Aeronautics and Space Ad-  
8           ministration Science Directorate, the amounts pro-  
9           vided for under clause (iv) of such section  
10          251(b)(2)(D) in each of fiscal years 2016 through  
11          2021, and such sums as may be necessary for each  
12          subsequent fiscal year.

13          (c) MINIMUM CONTINUED FUNDING REQUIRE-  
14          MENT.—Amounts appropriated for each of the programs  
15          and agencies described in section 251(b)(2)(D) of the Bal-  
16          anced Budget and Emergency Deficit Control Act of 1985  
17          (as added by subsection (a)) for each of fiscal years 2016  
18          through 2021, and each subsequent fiscal year, shall not  
19          be less than the amounts appropriated for such programs  
20          and agencies for fiscal year 2015.

21          (d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM  
22          SEQUESTRATION.—

23                 (1) IN GENERAL.—Section 255(g)(1)(A) of the  
24                 Balanced Budget and Emergency Deficit Control  
25                 Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting

1 after “Advances to the Unemployment Trust Fund  
2 and Other Funds (16–0327–0–1–600).” the fol-  
3 lowing:

4 “Appropriations under the American  
5 Innovation Act.”.

6 (2) APPLICABILITY.—The amendment made by  
7 this section shall apply to any sequestration order  
8 issued under the Balanced Budget and Emergency  
9 Deficit Control Act of 1985 (2 U.S.C. 900 et seq.)  
10 on or after the date of enactment of this Act.

○