

116TH CONGRESS  
1ST SESSION

# S. 1249

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

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IN THE SENATE OF THE UNITED STATES

APRIL 30, 2019

Mr. DURBIN (for himself, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. VAN HOLLEN,  
and Ms. BALDWIN) introduced the following bill; which was read twice  
and referred to the Committee on the Budget

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## 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 2020,  
16                                   \$565,000,000 in additional new budg-  
17                                   et authority;

18                                   “(II) for fiscal year 2021,  
19                                   \$1,170,000,000 in additional new  
20                                   budget authority;

21                                   “(III) for fiscal year 2022,  
22                                   \$1,820,000,000 in additional new  
23                                   budget authority;

1                   “(IV) for fiscal year 2023,  
2                   \$2,510,000,000 in additional new  
3                   budget authority; and

4                   “(V) for fiscal year 2024,  
5                   \$3,250,000,000 in additional new  
6                   budget authority.

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

17                  “(I) for fiscal year 2020,  
18                  \$461,000,000 in additional new budg-  
19                  et authority;

20                  “(II) for fiscal year 2021,  
21                  \$954,000,000 in additional new budg-  
22                  et authority;

23                  “(III) for fiscal year 2022,  
24                  \$1,480,000,000 in additional new  
25                  budget authority;

1                   “(IV) for fiscal year 2023,  
2                   \$2,050,000,000 in additional new  
3                   budget authority; and

4                   “(V) for fiscal year 2024,  
5                   \$2,650,000,000 in additional new  
6                   budget authority.

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

18                   “(I) for fiscal year 2020,  
19                   \$1,120,000,000 in additional new  
20                   budget authority;

21                   “(II) for fiscal year 2021,  
22                   \$2,310,000,000 in additional new  
23                   budget authority;

1                   “(III) for fiscal year 2022,  
2                   \$3,590,000,000 in additional new  
3                   budget authority;

4                   “(IV) for fiscal year 2023,  
5                   \$4,960,000,000 in additional new  
6                   budget authority; and

7                   “(V) for fiscal year 2024,  
8                   \$6,430,000,000 in additional new  
9                   budget authority.

10                  “(iv) NATIONAL INSTITUTE OF  
11                  STANDARDS AND TECHNOLOGY SCIENTIFIC  
12                  AND TECHNICAL RESEARCH AND SERV-  
13                  ICES.—If a bill or joint resolution making  
14                  appropriations for a fiscal year is enacted  
15                  that specifies amounts for the scientific  
16                  and technical research and services of the  
17                  National Institute of Standards and Tech-  
18                  nology at the Department of Commerce,  
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 2020,  
2           \$51,000,000 in additional new budget  
3           authority;

4           “(II) for fiscal year 2021,  
5           \$105,000,000 in additional new budg-  
6           et authority;

7           “(III) for fiscal year 2022,  
8           \$163,000,000 in additional new budg-  
9           et authority;

10          “(IV) for fiscal year 2023,  
11          \$225,000,000 in additional new budg-  
12          et authority; and

13          “(V) for fiscal year 2024,  
14          \$292,000,000 in additional new budg-  
15          et authority.

16          “(v) NATIONAL AERONAUTICS AND  
17          SPACE ADMINISTRATION SCIENCE MISSION  
18          DIRECTORATE.—If a bill or joint resolution  
19          making appropriations for a fiscal year is  
20          enacted that specifies amounts for the  
21          Science Mission Directorate at the Na-  
22          tional Aeronautics and Space Administra-  
23          tion, then the adjustments for that fiscal  
24          year shall be the amount of additional new  
25          budget authority provided in that Act for

1 such programs for that fiscal year, but  
2 shall not exceed—

3 “(I) for fiscal year 2020,  
4 \$483,000,000 in additional new budg-  
5 et authority;

6 “(II) for fiscal year 2021,  
7 \$1,000,000,000 in additional new  
8 budget authority;

9 “(III) for fiscal year 2022,  
10 \$1,500,000,000 in additional new  
11 budget authority;

12 “(IV) for fiscal year 2023,  
13 \$2,150,000,000 in additional new  
14 budget authority; and

15 “(V) for fiscal year 2024,  
16 \$2,780,000,000 in additional new  
17 budget authority.

18 “(vi) DEFINITIONS.—As used in this  
19 subparagraph:

20 “(I) ADDITIONAL NEW BUDGET  
21 AUTHORITY.—The term ‘additional  
22 new budget authority’ means—

23 “(aa) with respect to the  
24 National Science Foundation, the  
25 amount provided for a fiscal

1 year, in excess of the amount  
2 provided in fiscal year 2019, in  
3 an appropriation Act and speci-  
4 fied to support the National  
5 Science Foundation;

6 “(bb) with respect to the  
7 Department of Energy Office of  
8 Science, the amount provided for  
9 a fiscal year, in excess of the  
10 amount provided in fiscal year  
11 2019, in an appropriation Act  
12 and specified to support the De-  
13 partment of Energy Office of  
14 Science;

15 “(cc) with respect to the De-  
16 partment of Defense science and  
17 technology programs, the amount  
18 provided for a fiscal year, in ex-  
19 cess of the amount provided in  
20 fiscal year 2019, in an appropria-  
21 tion Act and specified to support  
22 the Department of Defense  
23 science and technology programs;

24 “(dd) with respect to the  
25 National Institute of Standards



1 and Technology scientific and  
2 technical research services, the  
3 amount provided for a fiscal  
4 year, in excess of the amount  
5 provided in fiscal year 2019, in  
6 an appropriation Act and speci-  
7 fied to support the National In-  
8 stitute of Standards and Tech-  
9 nology scientific and technical re-  
10 search services; and

11 “(ee) with respect to the  
12 National Aeronautics and Space  
13 Administration Science Mission  
14 Directorate, the amount provided  
15 for a fiscal year, in excess of the  
16 amount provided in fiscal year  
17 2019, in an appropriation Act  
18 and specified to support the Na-  
19 tional Aeronautics and Space Ad-  
20 ministration Science Mission Di-  
21 rectorate.

22 “(II) DEPARTMENT OF DEFENSE  
23 SCIENCE AND TECHNOLOGY PRO-  
24 GRAMS.—The term ‘Department of  
25 Defense science and technology pro-

1           grams’ means the appropriations ac-  
2           counts that support the various insti-  
3           tutes, offices, and centers that make  
4           up the Department of Defense science  
5           and technology programs.

6                   “(III) DEPARTMENT OF ENERGY  
7           OFFICE OF SCIENCE.—The term ‘De-  
8           partment of Energy Office of Science’  
9           means the appropriations accounts  
10          that support the various institutes, of-  
11          fices, and centers that make up the  
12          Department of Energy Office of  
13          Science.

14                   “(IV) NATIONAL AERONAUTICS  
15          AND SPACE ADMINISTRATION SCIENCE  
16          MISSION DIRECTORATE.—The term  
17          ‘National Aeronautics and Space Ad-  
18          ministration Science Mission Direc-  
19          torate’ means the appropriations ac-  
20          counts that support the various insti-  
21          tutes, offices, and centers that make  
22          up the National Aeronautics and  
23          Space Administration Science Mission  
24          Directorate.

1                   “(V) NATIONAL INSTITUTE OF  
2                   STANDARDS AND TECHNOLOGY SCI-  
3                   ENTIFIC AND TECHNICAL RESEARCH  
4                   AND SERVICES.—The term ‘National  
5                   Institute of Standards and Tech-  
6                   nology scientific and technical re-  
7                   search and services’ means the appro-  
8                   priations accounts that support the  
9                   various institutes, offices, and centers  
10                  that make up the National Institute  
11                  of Standards and Technology sci-  
12                  entific and technical research and  
13                  services.

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

21                  (b) FUNDING.—There are hereby authorized to be  
22                  appropriated—

23                         (1) for the National Science Foundation, the  
24                         amounts provided for under clause (i) of such sec-  
25                         tion 251(b)(2)(D) in each of fiscal years 2020

1 through 2024, and such sums as may be necessary  
2 for each subsequent fiscal year;

3 (2) for the Department of Energy Office of  
4 Science, the amounts provided for under clause (ii)  
5 of such section 251(b)(2)(D) in each of fiscal years  
6 2020 through 2024, and such sums as may be nec-  
7 essary for each subsequent fiscal year;

8 (3) for the Department of Defense science and  
9 technology programs, the amounts provided for  
10 under clause (iii) of such section 251(b)(2)(D) in  
11 each of fiscal years 2020 through 2024, and such  
12 sums as may be necessary for each subsequent fiscal  
13 year;

14 (4) for the National Institute of Standards and  
15 Technology scientific and technical research and  
16 services, the amounts provided for under clause (iv)  
17 of such section 251(b)(2)(D) in each of fiscal years  
18 2020 through 2024, and such sums as may be nec-  
19 essary for each subsequent fiscal year; and

20 (5) for the National Aeronautics and Space Ad-  
21 ministration Science Mission Directorate, the  
22 amounts provided for under clause (v) of such sec-  
23 tion 251(b)(2)(D) in each of fiscal years 2020  
24 through 2024, and such sums as may be necessary  
25 for each subsequent fiscal year.

1 (c) MINIMUM CONTINUED FUNDING REQUIRE-  
2 MENT.—Amounts appropriated for each of the programs  
3 and agencies described in section 251(b)(2)(D) of the Bal-  
4 anced Budget and Emergency Deficit Control Act of 1985  
5 (as added by subsection (a)) for each of fiscal years 2020  
6 through 2024, and each subsequent fiscal year, shall not  
7 be less than the amounts appropriated for such programs  
8 and agencies for fiscal year 2019.

9 (d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM  
10 SEQUESTRATION.—

11 (1) IN GENERAL.—Section 255(g)(1)(A) of the  
12 Balanced Budget and Emergency Deficit Control  
13 Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting  
14 after “Advances to the Unemployment Trust Fund  
15 and Other Funds (16–0327–0–1–600).” the fol-  
16 lowing:

17 “Appropriations under the American  
18 Innovation Act.”.

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

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