

117TH CONGRESS  
1ST SESSION

# S. 360

To amend title 51, United States Code, to modify the national space grant college and fellowship program, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 23, 2021

Mrs. CAPITO (for herself and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend title 51, United States Code, to modify the national space grant college and fellowship program, and for other purposes.

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 “21st Century Space  
5 Grant Modernization Act of 2021”.

6 **SEC. 2. NATIONAL SPACE GRANT COLLEGE AND FELLOW-**  
7 **SHIP PROGRAM.**

8 (a) PURPOSES.—Section 40301 of title 51, United  
9 States Code, is amended—

1 (1) in paragraph (3)—

2 (A) in subparagraph (B), by striking  
3 “and” at the end;

4 (B) in subparagraph (C), by adding “and”  
5 after the semicolon at the end; and

6 (C) by adding at the end the following:

7 “(D) promote equally the State and re-  
8 gional STEM interests of each space grant con-  
9 sortium;”; and

10 (2) in paragraph (4), by striking “made up of  
11 university and industry members, in order to ad-  
12 vance” and inserting “comprised of members of uni-  
13 versities in each State and other entities, such as 2-  
14 year colleges, industries, science learning centers,  
15 museums, and government entities, to advance”.

16 (b) DEFINITIONS.—Section 40302 of title 51, United  
17 States Code, is amended—

18 (1) by striking paragraph (3);

19 (2) by inserting after paragraph (2) the fol-  
20 lowing:

21 “(3) LEAD INSTITUTION.—The term ‘lead insti-  
22 tution’ means an entity in a State that—

23 “(A) was designated by the Administrator  
24 under section 40306, as in effect on the day be-  
25 fore the date of the enactment of the 21st Cen-

1 tury Space Grant Modernization Act of 2021;  
2 or

3 “(B) is designated by the Administrator  
4 under section 40303(d)(3).”;

5 (3) in paragraph (4), by striking “space grant  
6 college, space grant regional consortium, institution  
7 of higher education,” and inserting “lead institution,  
8 space grant consortium,”;

9 (4) by striking paragraphs (6), (7), and (8);

10 (5) by inserting after paragraph (5) the fol-  
11 lowing:

12 “(6) SPACE GRANT CONSORTIUM.—The term  
13 ‘space grant consortium’ means a statewide group,  
14 led by a lead institution, that has established part-  
15 nerships with other academic institutions, industries,  
16 science learning centers, museums, and government  
17 entities to promote a strong educational base in the  
18 space and aeronautical sciences.”;

19 (6) by redesignating paragraph (9) as para-  
20 graph (7);

21 (7) in paragraph (7)(B), as so redesignated, by  
22 inserting “and aeronautics” after “space”;

23 (8) by striking paragraph (10); and

24 (9) by adding at the end the following:

1           “(8) STEM.—The term ‘STEM’ means science,  
2           technology, engineering, and mathematics.”.

3           (c) PROGRAM OBJECTIVE.—Section 40303 of title  
4 51, United States Code, is amended—

5           (1) by striking subsections (d) and (e);

6           (2) by redesignating subsection (c) as sub-  
7           section (e); and

8           (3) by striking subsection (b) and inserting the  
9           following:

10          “(b) PROGRAM OBJECTIVE.—

11           “(1) IN GENERAL.—The Administrator shall  
12           carry out the national space grant college and fel-  
13           lowship program with the objective of providing  
14           hands-on research, training, and education programs  
15           with measurable outcomes in each State, including  
16           programs to provide—

17           “(A) internships, fellowships, and scholar-  
18           ships;

19           “(B) interdisciplinary hands-on mission  
20           programs and design projects;

21           “(C) student internships with industry or  
22           university researchers or at centers of the Ad-  
23           ministration;

24           “(D) faculty and curriculum development  
25           initiatives;

1           “(E) university-based research initiatives  
2 relating to the Administration and the STEM  
3 workforce needs of each State; or

4           “(F) STEM engagement programs for kin-  
5 dergarten through grade 12 teachers and stu-  
6 dents.

7           “(2) PROGRAM PRIORITIES.—In carrying out  
8 the objective described in paragraph (1), the Admin-  
9 istrator shall ensure that each program carried out  
10 by a space grant consortium under the national  
11 space grant college and fellowship program balances  
12 the following priorities:

13           “(A) The space and aeronautics research  
14 needs of the Administration, including the mis-  
15 sion directorates.

16           “(B) The need to develop a national  
17 STEM workforce.

18           “(C) The STEM workforce needs of the  
19 State.

20           “(c) PROGRAM ADMINISTERED THROUGH SPACE  
21 GRANT CONSORTIA.—The Administrator shall carry out  
22 the national space grant college and fellowship program  
23 through the space grant consortia.

24           “(d) SUSPENSION; TERMINATION; NEW COMPETI-  
25 TION.—

1           “(1) SUSPENSION.—The Administrator may,  
 2           for cause and after an opportunity for hearing, sus-  
 3           pend a lead institution that was designated by the  
 4           Administrator under section 40306, as in effect on  
 5           the day before the date of the enactment of the 21st  
 6           Century Space Grant Modernization Act of 2021.

7           “(2) TERMINATION.—If the issue resulting in a  
 8           suspension under paragraph (1) is not resolved with-  
 9           in a period determined by the Administrator, the  
 10          Administrator may terminate the designation of the  
 11          entity as a lead institution.

12          “(3) NEW COMPETITION.—If the Administrator  
 13          terminates the designation of an entity as a lead in-  
 14          stitution, the Administrator may initiate a new com-  
 15          petition in the applicable State for the designation of  
 16          a lead institution.”.

17          (d) GRANTS.—Section 40304 of title 51, United  
 18          States Code, is amended to read as follows:

19          “§ 40304. Grants

20          “(a) ELIGIBLE SPACE GRANT CONSORTIUM DE-  
 21          FINED.—In this section, the term ‘eligible space grant  
 22          consortium’ means a space grant consortium that the Ad-  
 23          ministrator has determined—

1           “(1) has the capability and objective to carry  
2 out not fewer than 3 of the 6 programs under sec-  
3 tion 40303(b)(1);

4           “(2) will carry out programs that balance the  
5 priorities described in section 40303(b)(2); and

6           “(3) is engaged in research, training, and edu-  
7 cation relating to space and aeronautics.

8           “(b) GRANTS.—

9           “(1) IN GENERAL.—The Administrator shall  
10 award grants to the lead institutions of eligible space  
11 grant consortia to carry out the programs under sec-  
12 tion 40303(b)(1).

13           “(2) REQUEST FOR PROPOSALS.—

14           “(A) IN GENERAL.—Not later than 180  
15 days after the date of the enactment of the 21st  
16 Century Space Grant Modernization Act of  
17 2021, the Administrator shall issue a request  
18 for proposals from space grant consortia for the  
19 award of grants under this section.

20           “(B) APPLICATIONS.—A lead institution of  
21 a space grant consortium that seeks a grant  
22 under this section shall submit, on behalf of  
23 such space grant consortium, an application to  
24 the Administrator at such time, in such man-

1           ner, and accompanied by such information as  
2           the Administrator may require.

3           “(3) GRANT AWARDS.—The Administrator shall  
4           award 1 or more 5-year grants, disbursed in annual  
5           installments, to the lead institution of the eligible  
6           space grant consortium of—

7                   “(A) each State;

8                   “(B) the District of Columbia; and

9                   “(C) the Commonwealth of Puerto Rico.

10           “(4) USE OF FUNDS.—A grant awarded under  
11           this section shall be used by an eligible space grant  
12           consortium to carry out not fewer than 3 of the 6  
13           programs under section 40303(b)(1).

14           “(c) ALLOCATION OF FUNDING.—

15                   “(1) PROGRAM IMPLEMENTATION.—

16                           “(A) IN GENERAL.—To carry out the ob-  
17                           jective described in section 40303(b)(1), of the  
18                           funds made available under section 40306 each  
19                           fiscal year for the national space grant college  
20                           and fellowship program, the Administrator shall  
21                           allocate not less than 85 percent as follows:

22                                   “(i) The 52 eligible space grant con-  
23                                   sortia shall each receive an equal share.

24                                   “(ii) The territories of Guam and the  
25                                   United States Virgin Islands shall each re-



1           ceive funds equal to approximately  $\frac{1}{5}$  of  
2           the share for each eligible space grant con-  
3           sortia.

4           “(B) MATCHING REQUIREMENT.—Each el-  
5           igible space grant consortium shall match the  
6           funds allocated under subparagraph (A)(i) on a  
7           basis of not less than 1 non-Federal dollar for  
8           every 1 Federal dollar, except that any program  
9           funded under paragraph (3) or any program to  
10          carry out 1 or more internships or fellowships  
11          shall not be subject to that matching require-  
12          ment.

13          “(2) PROGRAM ADMINISTRATION.—

14                 “(A) IN GENERAL.—Of the funds made  
15                 available under section 40306 each fiscal year  
16                 for the national space grant college and fellow-  
17                 ship program, the Administrator shall allocate  
18                 not more than 10 percent for the administra-  
19                 tion of the program.

20                 “(B) COSTS COVERED.—The funds allo-  
21                 cated under subparagraph (A) shall cover all  
22                 costs of the Administration associated with the  
23                 administration of the national space grant col-  
24                 lege and fellowship program, including—

1           “(i) direct costs of the program, in-  
2           cluding costs relating to support services  
3           and civil service salaries and benefits;

4           “(ii) indirect general and administra-  
5           tive costs of centers and facilities of the  
6           Administration; and

7           “(iii) indirect general and administra-  
8           tive costs of the Administration head-  
9           quarters.

10           “(3) SPECIAL PROGRAMS.—Of the funds made  
11           available under section 40306 each fiscal year for  
12           the national space grant college and fellowship pro-  
13           gram, the Administrator shall allocate not more than  
14           5 percent to the lead institutions of space grant con-  
15           sortia established as of the date of the enactment of  
16           the 21st Century Space Grant Modernization Act of  
17           2021 for grants to carry out innovative approaches  
18           and programs to further science and education relat-  
19           ing to the missions of the Administration and STEM  
20           disciplines.

21           “(d) TERMS AND CONDITIONS.—

22           “(1) LIMITATIONS.—Amounts made available  
23           through a grant under this section may not be ap-  
24           plied to—

25           “(A) the purchase of land;

1           “(B) the purchase, construction, preserva-  
2           tion, or repair of a building; or

3           “(C) the purchase or construction of a  
4           launch facility or launch vehicle.

5           “(2) LEASES.—Notwithstanding paragraph (1),  
6           land, buildings, launch facilities, and launch vehicles  
7           may be leased under a grant on written approval by  
8           the Administrator.

9           “(3) RECORDS.—

10           “(A) IN GENERAL.—Any person that re-  
11           ceives or uses the proceeds of a grant under  
12           this section shall keep such records as the Ad-  
13           ministrator shall by regulation prescribe as  
14           being necessary and appropriate to facilitate ef-  
15           fective audit and evaluation, including records  
16           that fully disclose the amount and disposition  
17           by a recipient of such proceeds, the total cost  
18           of the program or project in connection with  
19           which such proceeds were used, and the  
20           amount, if any, of such cost that was provided  
21           through other sources.

22           “(B) MAINTENANCE OF RECORDS.—  
23           Records under subparagraph (A) shall be main-  
24           tained for not less than 3 years after the date  
25           of completion of such a program or project.

1           “(C) ACCESS.—For the purpose of audit  
2           and evaluation, the Administrator and the  
3           Comptroller General of the United States shall  
4           have access to any books, documents, papers,  
5           and records of receipts relating to a grant  
6           under this section, as determined by the Admin-  
7           istrator or Comptroller General.”.

8           (e) PROGRAM STREAMLINING.—Title 51, United  
9 States Code, is amended—

10           (1) by striking sections 40305 through 40308,  
11           40310, and 40311; and

12           (2) by redesignating section 40309 as section  
13           40305.

14           (f) AUTHORIZATION OF APPROPRIATIONS.—Title 51,  
15 United States Code, is amended by adding after section  
16 40305, as redesignated by subsection (e)(2), the following:

17 **“§ 40306. Authorization of appropriations**

18           “There are authorized to be appropriated such sums  
19 as may be necessary to carry out the national space grant  
20 college and fellowship program.”.

21           (g) CONFORMING AMENDMENT.—The table of sec-  
22 tions at the beginning of chapter 403 of title 51, United  
23 States Code, is amended by striking the items relating to  
24 sections 40304 through 40311 and inserting the following:

“40304. Grants.

“40305. Availability of other Federal personnel and data.  
“40306. Authorization of appropriations.”.

