

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.

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

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.”.

