

110th CONGRESS
1st Session
H. R. 3631

To authorize the establishment of a National Center for Learning Science and Technology Trust Fund.

IN THE HOUSE OF REPRESENTATIVES

September 20, 2007

Mr. YARMUTH (for himself, Mr. REGULA, Mr. KENNEDY, Mr. MARKEY, and Mr. HONDA) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To authorize the establishment of a National Center for Learning Science and Technology Trust Fund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Revolutionizing Education Through Digital Investment Act of 2007'.

SEC. 2. NATIONAL CENTER FOR LEARNING SCIENCE AND TECHNOLOGY TRUST FUND.

(a) Establishment- There is established a nonprofit corporation to be known as the 'National Center for Learning Science and Technology' (referred to in this Act as the 'Center') which shall not be an agency or establishment of the United States Government. The Center shall be subject to the provisions of this section, and, to the extent consistent with this section, to the District of Columbia Nonprofit Corporation Act (D.C. Code, section 29-501 et seq.).

(b) Funding-

(1) IN GENERAL- There is established in the Treasury a separate fund to be known as the 'National Center for Learning Science and Technology Trust Fund' (referred to in this Act as the 'Trust Fund'). The Trust Fund shall contain such amounts as are credited to the Trust Fund under paragraph (2) and other funds obtained under paragraph (3).

(2) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated to the Trust Fund such sums as may be necessary for the fiscal years 2008 through 2012.

(3) ADDITIONAL FUNDS- The Trust Fund is authorized--

(A) to accept funds from any Federal agency or entity;

(B) to accept, hold, administer, invest, and spend any gift, devise, or bequest of real or personal property made to the Center; and

(C) to enter into contracts with individuals, public or private organizations, professional societies, and government agencies for the purpose of carrying out the functions of the Center.

(c) Board of Directors; Functions, and Duties-

(1) IN GENERAL- A board of directors of the Center (referred to in this Act as the 'Board') shall be established to oversee the administration of the Center. The initial Board shall consist of 9 members to be appointed by the Secretary of Education from a list of recommendations received from the House and Senate, who--

(A) reflect representation from the public and private sectors; and

(B) shall provide, as nearly as practicable, a broad representation of various regions of the United States, various professions and occupations, and various kinds of talent and experience appropriate to the functions and responsibilities of the Center.

(2) ORGANIZATION AND OPERATION- The board shall incorporate and operate the center in accordance with the laws governing tax exempt organizations in the District of Columbia.

(d) Trust Fund Uses-

(1) USES OF FUNDS- To achieve the objectives of this Act, the Director of the Center, after consultation with the Board, shall use Trust funds to support research in the public interest unlikely to be undertaken entirely with private funds:-

(A) to support precompetitive basic and applied research, development, demonstrations, and assessments of prototypes of innovative digital learning and information technologies as well as the components and tools needed to create them;

(B) to support the pilot testing and evaluation of these prototype systems;

(C) to encourage the widespread adoption and use of effective, innovative, digital approaches to learning supported by this Act, and

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(D) to support innovative digital media education programs for parents, teachers, and children to help America's children learn digital safety and build technology literacy.

(2) CONTRACTS AND GRANTS-

(A) IN GENERAL- In order to carry out the activities described in paragraph (1), the Director of the Center, with the agreement of a majority of the members of the Board, shall award contracts and grants to colleges and universities, museums, libraries, public broadcasting entities and similar nonprofit organizations and public institutions with or without for-profit partners, and to for-profit organizations .

(B) (B) PUBLIC DOMAIN-

(i) IN GENERAL- The research and development properties and materials associated with a project in which a majority of the funding used to carry out the project is from a grant or contract under this Act shall be freely and nonexclusively available to the general public in a timely manner.

(ii) EXEMPTION- The Director of the Center may exempt specific projects from the requirement of clause (i) if the Director of the Center and a majority of the members of the Board determine that the general public will benefit significantly due to the project not being freely and nonexclusively available to the general public in a timely manner.

(C) PEER REVIEW- To the extent practicable, proposals for grants or contracts shall be evaluated on the basis of comparative merit by panels of experts who represent diverse interests and perspectives, and who are appointed by the

Director of the Center from recommendations from the fields served and from the Board of Directors.

(e) Accountability and Reporting-

(1) REPORT-

(A) IN GENERAL- Not later than April 30 of each year, the Director of the Center shall prepare a report for the preceding fiscal year that contains the information described in subparagraph (B).

(B) CONTENTS- A report under subparagraph (A) shall include--

- (i) a comprehensive and detailed report of the Center's operations, activities, financial condition, and accomplishments, and such recommendations as the Director of the Center determines appropriate;
- (ii) a comprehensive and detailed inventory of funds distributed from the Trust Fund during the fiscal year for which the report is being prepared;
- (iii) an independent audit of the Trust Fund's finances and operations, and of the implementation of the goals established by the Board ; and

(C) STATEMENT OF THE BOARD- Each report under subparagraph (A) shall include a statement from the Board containing--

- (i) a clear description of the plans and priorities of the Board for the subsequent 5-year period for expenditures from the Trust Fund; and
- (ii) an estimate of the funds that will be available for such expenditures from the Trust Fund.

(D) SUBMISSION TO THE PRESIDENT AND CONGRESS- A report under this subsection shall be submitted to the President and the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

(2) TESTIMONY- The Director and principal officers of the Center shall testify before the appropriate committees of Congress, upon request of such committees, with respect to--

(A) a report prepared under paragraph (1)(A); and

(B) any other matter that such committees may determine appropriate.

(f) Use of Funds Subject to Appropriations- The authority to make grants or enter into contracts or otherwise to expend funds under this section is subject to such amounts as are provided in advance in appropriations Acts.