

115TH CONGRESS  
1ST SESSION

# H. R. 4386

To establish a grant program that encourages States to establish subgrant programs that encourage recipients to create, maintain, and improve digital fabrication laboratories, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2017

Mr. DUFFY introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To establish a grant program that encourages States to establish subgrant programs that encourage recipients to create, maintain, and improve digital fabrication laboratories, 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 “Fab Lab Classroom  
5 Modernization Act”.

6 **SEC. 2. GRANT PROGRAM.**

7 (a) IN GENERAL.—From the amounts made available  
8 pursuant to section 9 for any fiscal year, the Secretary

1 shall award a grant to each State with an approved appli-  
2 cation under section 3.

3 (b) GRANT FREQUENCY.—The Secretary may not  
4 award more than 1 grant under this Act to a State for  
5 a fiscal year.

6 (c) AWARD AMOUNT LIMIT.—No grant awarded  
7 under this Act may exceed \$200,000.

8 **SEC. 3. APPLICATION.**

9 Each State desiring a grant under this Act shall sub-  
10 mit an application to the Secretary at such time and in  
11 such manner as the Secretary may require that shall in-  
12 clude—

13 (1) a description of the State’s proposed or ex-  
14 isting competitive subgrant program;

15 (2) a description of how the State’s program  
16 will comply or does comply with the requirements set  
17 forth in section 4; and

18 (3) any other information the Secretary may re-  
19 quire.

20 **SEC. 4. USE OF FUNDS.**

21 (a) IN GENERAL.—Each State that receives a grant  
22 under this Act shall use the funds to—

23 (1) establish a program that complies with the  
24 requirements set forth in this section under which

1 the State awards, on a competitive basis, subgrants  
2 to eligible entities; or

3 (2) expand an existing competitive subgrant  
4 program that complies with such requirements.

5 (b) LIMITATION; PRIORITY.—

6 (1) LIMITATION.—A State that receives a grant  
7 under this Act may not use any of such grant to pay  
8 any administrative costs associated with carrying out  
9 subsection (a).

10 (2) PRIORITY.—In awarding subgrants under  
11 this section, a State shall use not less than 15 per-  
12 cent of the grant received under this Act to award  
13 such subgrants to eligible entities in rural areas, ex-  
14 cept that a State may apply to the Secretary for a  
15 waiver of the requirement under this paragraph.

16 (c) SUBGRANT FREQUENCY.—A State may not award  
17 more than 1 subgrant under this section to an eligible en-  
18 tity for a fiscal year.

19 (d) SUBGRANT AMOUNT LIMITS.—A subgrant may  
20 not be awarded under this section in an amount greater  
21 than—

22 (1) in the case of an eligible entity described in  
23 section 10(1)(A), \$25,000; or

24 (2) in the case of an eligible entity described in  
25 section 10(1)(B), \$50,000.

1 (e) USE OF SUBGRANT.—

2 (1) IN GENERAL.—An eligible entity that re-  
3 ceives a subgrant under this section shall use the  
4 subgrant for the purposes of—

5 (A) purchasing equipment for use in a dig-  
6 ital fabrication laboratory; or

7 (B) providing professional development  
8 that relates to the incorporation of the digital  
9 fabrication laboratory into curriculum instruc-  
10 tion.

11 (2) LIMITATION.—An eligible entity that re-  
12 ceives a subgrant under this section may not use any  
13 of such subgrant to pay any administrative costs as-  
14 sociated with carrying out paragraph (1).

15 (f) APPLICATION.—An eligible entity that desires a  
16 subgrant under this section shall, at such time and in such  
17 manner as the State that awards the subgrant may re-  
18 quire, submit an application to such State that includes—

19 (1) an assurance that the eligible entity will  
20 adopt a policy that any digital fabrication laboratory  
21 equipped using subgrant funds shall be used pre-  
22 dominantly for instructional and educational pur-  
23 poses by students enrolled in one of the eligible enti-  
24 ty's elementary or secondary schools; and

25 (2) a description of—

1 (A) how the eligible entity plans to use the  
2 subgrant;

3 (B) how ready the eligible entity is to pur-  
4 chase equipment for a digital fabrication labora-  
5 tory;

6 (C) the eligible entity's long-term plan for  
7 the digital fabrication laboratory;

8 (D) how the eligible entity will incorporate  
9 the digital fabrication laboratory into cur-  
10 riculum instruction;

11 (E) how constructing the digital fabrica-  
12 tion laboratory aligns with the eligible entity's  
13 academic goals;

14 (F) the extent to which the eligible entity  
15 plans to partner with local businesses and other  
16 community participants;

17 (G) the eligible entity's financial need;

18 (H) how, if applicable, the eligible entity  
19 has utilized previous subgrant awards; and

20 (I) any other information the State may  
21 require.

22 (g) MATCHING REQUIREMENT.—

23 (1) IN GENERAL.—Subject to paragraph (2), an  
24 eligible entity receiving a subgrant under this section  
25 shall provide, from non-Federal sources, an amount

1 equal to the amount of the subgrant (which may be  
2 provided in cash or in-kind) to carry out the activi-  
3 ties supported by the subgrant, except that an eligi-  
4 ble may use up to 5 percent of such amount for ad-  
5 ministrative costs associated with carrying out such  
6 activities.

7 (2) WAIVER OPTION AUTHORIZED.—A State  
8 awarding a subgrant under this section may waive  
9 all or part of the matching requirement described in  
10 paragraph (1) for an eligible entity if the State de-  
11 termines that applying the matching requirement  
12 would—

13 (A) result in a serious financial hardship

14 for the eligible entity; or

15 (B) otherwise be inappropriate.

16 (h) REPORTING REQUIREMENT.—

17 (1) IN GENERAL.—At the end of each subgrant  
18 period, an eligible entity receiving a subgrant under  
19 this section shall submit, to the State that awards  
20 the subgrant, a performance report that documents  
21 any information that the Secretary determines to be  
22 appropriate.

23 (2) PERFORMANCE REPORT FORM.—The per-  
24 formance report described in paragraph (1) shall be  
25 submitted on a form created by the State that

1       awards the subgrant and approved by the Secretary  
2       before being used.

3   **SEC. 5. MATCHING REQUIREMENT.**

4       Each State that receives a grant under this Act shall  
5       provide, from non-Federal sources, an amount equal to the  
6       amount of the grant to carry out the activities described  
7       in section 3.

8   **SEC. 6. STATE REPORTS.**

9       Each State that receives a grant under this Act  
10      shall—

11           (1) at the end of the 1-year period that begins  
12           on the date the State receives the grant, submit a  
13           report to the Secretary containing any information  
14           the Secretary determines to be appropriate; and

15           (2) in the case in which the State does not re-  
16           ceive a grant for the next fiscal year following the  
17           fiscal year for which the grant was received, submit  
18           a report to the Secretary containing any information  
19           the Secretary determines to be appropriate at the  
20           end of a 2-year period that begins on the date the  
21           State receives the grant.

22   **SEC. 7. EVALUATION.**

23           (a) IN GENERAL.—The Secretary shall establish an  
24       evaluation program to determine the efficacy of the grant

1 program established by this Act that shall commence 18  
2 months after the first grant under this Act is awarded.

3 **SEC. 8. SUNSET.**

4 The Secretary may not award grants under this Act  
5 after the end of the 5-year period that begins on the date  
6 the Secretary awards the first grant under this Act.

7 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

8 (a) IN GENERAL.—There is authorized to be appro-  
9 priated \$10,000,000 for each of the fiscal years 2019  
10 through 2023 to carry out this Act.

11 (b) LIMITATION.—Of the amounts appropriated pur-  
12 suant to subsection (a) for a fiscal year, the Secretary may  
13 not use more than 5 percent to pay any administrative  
14 costs associated with carrying out section 1.

15 **SEC. 10. DEFINITIONS.**

16 In this Act:

17 (1) DIGITAL FABRICATION LABORATORY.—The  
18 term “digital fabrication laboratory” means a high-  
19 technology workspace that is equipped with com-  
20 puter-controlled additive and subtractive manufac-  
21 turing components such as 3-dimensional printers,  
22 laser engravers, computer numerical control routers,  
23 and plasma cutters.

24 (2) ELIGIBLE ENTITY.—The term “eligible enti-  
25 ty” means—



1 (A) a local educational agency; or

2 (B) a consortium of two or more local edu-  
3 cational agencies.

4 (3) ESEA DEFINITIONS.—The terms “elemen-  
5 tary school”, “local educational agency”, “profes-  
6 sional development”, and “secondary school” have  
7 the meanings given the terms, respectively, in sec-  
8 tion 8101 of the Elementary and Secondary Edu-  
9 cation Act of 1965 (20 U.S.C. 7801).

10 (4) EXISTING COMPETITIVE SUBGRANT PRO-  
11 GRAM.—The term “existing competitive subgrant  
12 program” means a competitive subgrant program  
13 that is being carried out by a State as of the date  
14 the State applies for a grant under this Act and  
15 under which the State awards subgrants to eligible  
16 entities to purchase equipment to be used in a dig-  
17 ital fabrication laboratory or provide professional de-  
18 velopment that relates to the incorporation of the  
19 digital fabrication laboratory into curriculum in-  
20 struction.

21 (5) SECRETARY.—The term “Secretary” means  
22 the Secretary of Education.

23 (6) STATE.—The term “State” means each of  
24 the 50 States and the District of Columbia.

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