

(B) the Foundation's grants address societal needs through basic research findings or through related activities; and

(4) as evidenced by the Foundation's contributions to scientific advancement, economic growth, human health, and national security, its peer review and merit review processes have identified and funded scientifically and societally relevant basic research and should be preserved.

**(b) Merit review criteria**

The Foundation shall maintain the intellectual merit and broader impacts criteria, among other specific criteria as appropriate, as the basis for evaluating grant proposals in the merit review process.

**(c) Updates**

If after January 6, 2017, a change is made to the merit-review process, the Director shall submit a report to the appropriate committees of Congress not later than 30 days after the date of the change.

(Pub. L. 114-329, title I, §101, Jan. 6, 2017, 130 Stat. 2970.)

CODIFICATION

Section was enacted as part of the American Innovation and Competitiveness Act, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

DEFINITIONS

Pub. L. 114-329, §2, Jan. 6, 2017, 130 Stat. 2970, provided that: "In this Act [see Short Title of 2017 Amendment note set out under section 1861 of this title and Tables], unless expressly provided otherwise:

"(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

"(2) FEDERAL SCIENCE AGENCY.—The term 'Federal science agency' has the meaning given the term in section 103 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6623).

"(3) FOUNDATION.—The term 'Foundation' means the National Science Foundation.

"(4) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

"(5) NIST.—The term 'NIST' means the National Institute of Standards and Technology.

"(6) STEM.—The term 'STEM' has the meaning given the term in section 2 of the American [sic] COMPETES Reauthorization Act of 2010 [Pub. L. 111-358] (42 U.S.C. 6621 note).

"(7) STEM EDUCATION.—The term 'STEM education' has the meaning given the term in section 2 of the STEM Education Act of 2015 [Pub. L. 114-59] (42 U.S.C. 6621 note)."

**§ 1862s-1. Transparency and accountability**

**(a) Findings**

(1)<sup>1</sup> building the understanding of and confidence in investments in basic research is essential to public support for sustained, predictable Federal funding;

(2) the Foundation has improved transparency and accountability of the outcomes made

<sup>1</sup> So in original. Probably should be preceded by introductory text.

through the merit review process, but additional transparency into individual grants is valuable in communicating and assuring the public value of federally funded research; and

(3) the Foundation should commit to transparency and accountability and to clear, consistent public communication regarding the national interest for each Foundation-awarded grant and cooperative agreement.

**(b) Guidance**

**(1) In general**

The Director of the Foundation shall issue and periodically update, as appropriate, policy guidance for both Foundation staff and other Foundation merit review process participants on the importance of transparency and accountability to the outcomes made through the merit review process.

**(2) Requirements**

The guidance under paragraph (1) shall require that each public notice of a Foundation-funded research project justify the expenditure of Federal funds by—

(A) describing how the project—

(i) reflects the statutory mission of the Foundation, as established in the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); and

(ii) addresses the Foundation's intellectual merit and broader impacts criteria; and

(B) clearly identifying the research goals of the project in a manner that can be easily understood by both technical and non-technical audiences.

(Pub. L. 114-329, title I, §102, Jan. 6, 2017, 130 Stat. 2971.)

REFERENCES IN TEXT

The National Science Foundation Act of 1950, referred to in subsec. (b)(2)(A)(i), is act May 10, 1950, ch. 171, 64 Stat. 149, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1861 of this title and Tables.

CODIFICATION

Section was enacted as part of the American Innovation and Competitiveness Act, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

Section is comprised of section 102 of Pub. L. 114-329. Subsec. (c) of section 102 of Pub. L. 114-329 amended section 1862p-14 of this title.

DEFINITIONS

For definitions of terms used in this section, see section 2 of Pub. L. 114-329, set out as a note under section 1862s of this title.

**§ 1862s-2. Oversight of NSF major multi-user research facility projects**

**(a) Facilities oversight**

**(1) In general**

The Director of the Foundation shall strengthen oversight and accountability over the full life-cycle of each major multi-user research facility project, including planning, development, procurement, construction, oper-