

ing for alcoholic beverages, lobbying, meals or entertainment for non-business purposes, non-business travel, and any other purpose the Director determines is inappropriate.

**(f) Oversight implementation progress**

The Director of the Foundation shall—

(1) not later than 90 days after January 6, 2017, and periodically thereafter until the completion date, provide a briefing to the appropriate committees of Congress on the response to or progress made toward implementation of—

(A) this section;

(B) all of the issues and recommendations identified in cooperative agreement audit reports and memoranda issued by the Inspector General of the Foundation in the last 5 years; and

(C) all of the issues and recommendations identified by a panel of the National Academy of Public Administration in the December 2015 report entitled “National Science Foundation: Use of Cooperative Agreements to Support Large Scale Investment in Research”; and

(2) not later than 1 year after January 6, 2017, notify the appropriate committees of Congress when the Foundation has implemented the recommendations identified in a panel of the National Academy of Public Administration report issued December 2015.

**(g) Definitions**

In this section:

**(1) Appropriate committees of Congress**

The term “appropriate committees of Congress” means the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives.

**(2) Major multi-user research facility project**

The term “major multi-user research facility project”<sup>1</sup> means a science and engineering facility project that—

(A) exceeds the lesser of—

(i) 10 percent of a Directorate’s annual budget; or

(ii) \$100,000,000 in total project costs; or

(B) is funded by the major research equipment and facilities construction account, or any successor account.

(Pub. L. 114-329, title I, §110, Jan. 6, 2017, 130 Stat. 2988.)

REFERENCES IN TEXT

Section 2 of the National Science Foundation Authorization Act of 1998, referred to in subsec. (b)(1), is section 2 of Pub. L. 105-207, July 29, 1998, 112 Stat. 869, which is set out as a note under section 1862k of this title.

CODIFICATION

Section was enacted as part of the American Innovation and Competitiveness Act, and not as part of the

<sup>1</sup>So in original. The single quotation marks probably should not appear.

National Science Foundation Act of 1950 which comprises this chapter.

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-3. Personnel oversight**

**(a) Conflicts of interest**

The Director of the Foundation shall update the policy and procedure of the Foundation relating to conflicts of interest to improve documentation and management of any known conflict of interest of an individual on temporary assignment at the Foundation, including an individual on assignment under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.).

**(b) Justifications**

The Deputy Director of the Foundation shall submit annually to the appropriate committees of Congress written justification for each rotator employed under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.), or other rotator employed, by the Foundation that year that is paid at a rate that exceeds the maximum rate of pay for the Senior Executive Service, including, if applicable, the level of adjustment for the certified Senior Executive Service Performance Appraisal System.

**(c) Report**

Not later than 1 year after January 6, 2017, the Director of the Foundation shall submit to the appropriate committees of Congress a report on the Foundation’s efforts to control costs associated with employing rotators, including the results of and participation in the Foundation’s cost-sharing pilot program and the Foundation’s progress in responding to the findings and implementing the recommendations of the Office of Inspector General of the Foundation related to the employment of rotators.

(Pub. L. 114-329, title I, §111, Jan. 6, 2017, 130 Stat. 2992.)

REFERENCES IN TEXT

The Intergovernmental Personnel Act of 1970, referred to in subsecs. (a) and (b), is Pub. L. 91-648, Jan. 5, 1971, 84 Stat. 1909, which is classified principally to chapter 62 (§4701 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4701 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.

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-4. Brain Research through Advancing Innovative Neurotechnologies Initiative**

**(a) In general**

The Foundation shall support research activities related to the interagency Brain Research

through Advancing Innovative Neurotechnologies Initiative.

**(b) Sense of Congress**

It is the sense of Congress that the Foundation should work in conjunction with the Interagency Working Group on Neuroscience established by the National Science and Technology Council, Committee on Science to determine how to use the data infrastructure of the Foundation and other applicable Federal science agencies to help neuroscientists collect, standardize, manage, and analyze the large amounts of data that result from research attempting to understand how the brain functions.

(Pub. L. 114-329, title I, §117, Jan. 6, 2017, 130 Stat. 2995.)

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

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-5. Programs to expand STEM opportunities**

**(a) Findings**

Congress makes the following findings:

(1) Economic projections by the Bureau of Labor Statistics indicate that by 2018, there could be 2,400,000 unfilled STEM jobs.

(2) Women represent slightly more than half the United States population, and projections indicate that 54 percent of the population will be a member of a racial or ethnic minority group by 2050.

(3) Despite representing half the population, women comprise only about 30 percent of STEM workers according to a 2015 report by the National Center for Science and Engineering Statistics.

(4) A 2014 National Center for Education Statistics study found that underrepresented populations leave the STEM fields at higher rates than their counterparts.

(5) The representation of women in STEM drops significantly at the faculty level. Overall, women hold only 25 percent of all tenured and tenure-track positions and 17 percent of full professor positions in STEM fields in our Nation's universities and 4-year colleges.

(6) Black and Hispanic faculty together hold about 6.5 percent of all tenured and tenure-track positions and 5 percent of full professor positions.

(7) Many of the numbers in the American Indian or Alaskan Native and Native Hawaiian or Other Pacific Islander categories for different faculty ranks were too small for the Foundation to report publicly without potentially compromising confidential information about the individuals being surveyed.

**(b) Sense of Congress**

It is the sense of Congress that—

(1) it is critical to our Nation's economic leadership and global competitiveness that the

United States educate, train, and retain more scientists, engineers, and computer scientists;

(2) there is currently a disconnect between the availability of and growing demand for STEM-skilled workers;

(3) historically, underrepresented populations are the largest untapped STEM talent pools in the United States; and

(4) given the shifting demographic landscape, the United States should encourage full participation of individuals from underrepresented populations in STEM fields.

**(c) Reaffirmation**

The Director of the Foundation shall continue to support programs designed to broaden participation of underrepresented populations in STEM fields.

**(d) Grants to broaden participation**

**(1) In general**

The Director of the Foundation shall award grants on a competitive, merit-reviewed basis, to eligible entities to increase the participation of underrepresented populations in STEM fields, including individuals identified in section 1885a or section 1885b of this title.

**(2) Center of excellence**

**(A) In general**

Grants awarded under this subsection may include grants for the establishment of a Center of Excellence to collect, maintain, and disseminate information to increase participation of underrepresented populations in STEM fields.

**(B) Purpose**

The purpose of a Center of Excellence under this subsection is to promote diversity in STEM fields by building on the success of the INCLUDES programs, providing technical assistance, maintaining best practices, and providing related training at federally funded academic institutions.

**(e) Accountability and dissemination**

**(1) Evaluation**

**(A) In general**

Not later than 5 years after January 6, 2017, the Director of the Foundation shall evaluate the grants provided under this section.

**(B) Requirements**

In conducting the evaluation under subparagraph (A), the Director shall—

(i) use a common set of benchmarks and assessment tools to identify best practices and materials developed or demonstrated by the research; and

(ii) to the extent practicable, combine the research resulting from the grant activity under subsection (e) with the current research on serving underrepresented students in grades kindergarten through 8.

**(2) Report on evaluations**

Not later than 180 days after the completion of the evaluation under paragraph (1), the Director of the Foundation shall submit to the appropriate committees of Congress and make