

117TH CONGRESS
2D SESSION

H. R. 5721

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2022

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to improve research conducted within the Department of Veterans Affairs, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “VA Infrastructure
3 Powers Exceptional Research Act of 2021” or the
4 “VIPER Act of 2021”.

5 **SEC. 2. INAPPLICABILITY OF PAPERWORK REDUCTION**
6 **ACT.**

7 (a) IN GENERAL.—Chapter 1 of title 38, United
8 States Code, is amended by adding at the end the fol-
9 lowing new section:

10 **“§ 120. Inapplicability of Paperwork Reduction Act**

11 “Subchapter I of chapter 35 of title 44, United States
12 Code (commonly known as the ‘Paperwork Reduction
13 Act’) shall not apply to research activities of the Depart-
14 ment, including activities under subchapter V of chapter
15 73.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of such chapter is amended by adding
18 at the end the following new item:

“120. Inapplicability of Paperwork Reduction Act.”.

19 **SEC. 3. RESEARCH AND DEVELOPMENT.**

20 (a) OFFICE OF RESEARCH AND DEVELOPMENT.—
21 Chapter 73 of title 38, United States Code, is amended
22 by adding at the end the following new subchapter:

4 “(a) OFFICE OF RESEARCH AND DEVELOPMENT.—
5 There is in the Veterans Health Administration an Office
6 of Research and Development (in this section referred to
7 as the ‘Office’).

12 “(c) CHIEF RESEARCH AND DEVELOPMENT OFFI-
13 CER.—The head of the Office is the Chief Research and
14 Development Officer.

19 **“§ 7382. Research personnel**

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1 ter 33 of such title (commonly referred to as the ‘Intergov-
2 ernmental Personnel Act Mobility Program’).

3 “(b) OUTSIDE EARNED INCOME FOR RESEARCH FOR
4 THE DEPARTMENT.—(1) Compensation from a nonprofit
5 corporation established under subchapter IV of this chap-
6 ter, or a university affiliated with the Department, may
7 be paid, without regard to section 209 of title 18, to an
8 employee described in paragraph (2), for research con-
9 ducted pursuant to section 7303 of this title if—

10 “(A) the research has been approved in accord-
11 ance with procedures prescribed by the Under Sec-
12 retary for Health;

13 “(B) the employee conducts research under the
14 supervision of personnel of the Department; and

15 “(C) the Secretary agreed to the terms of such
16 compensation in writing.

17 “(2) An employee described in this subsection is an
18 employee who has an appointment within the Department,
19 whether with or without compensation, and without regard
20 to the source of such compensation.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 at the beginning of such chapter is amended by adding
23 at the end the following:

“SUBCHAPTER V—RESEARCH AND DEVELOPMENT

“7381. Office of Research and Development.

“7382. Research personnel.”.

1 **SEC. 4. EXPANSION OF HIRING AUTHORITIES FOR CERTAIN**
2 **CLASSES OF RESEARCH OCCUPATIONS.**

3 Section 7401(3) of title 38, United States Code, is
4 amended by inserting “statisticians, economists,
5 informaticists, data scientists, and” after “blind rehabili-
6 tation outpatient specialists,”.

Passed the House of Representatives November 17,
2022.

Attest: CHERYL L. JOHNSON,
Clerk.