

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7173

To amend the Public Health Service Act to ensure scientific integrity in the activities of the National Institutes of Health and prevent the diversion of funds to politically driven activities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2026

Ms. DEGETTE (for herself, Ms. NORTON, Ms. McCLELLAN, Mrs. DINGELL, Mr. DAVIS of Illinois, Mr. CARTER of Louisiana, Mr. JOHNSON of Georgia, Ms. TLAIB, Ms. JOHNSON of Texas, Ms. OCASIO-CORTEZ, Mr. MULLIN, Mr. AMO, Ms. CASTOR of Florida, Mr. CARSON, Ms. KELLY of Illinois, Mrs. WATSON COLEMAN, Ms. VELÁZQUEZ, Mr. LANDSMAN, Mrs. McCLAIN DELANEY, Ms. MORRISON, Ms. LEE of Pennsylvania, Ms. ELFRETH, Mr. HARDER of California, Mr. COHEN, Ms. McCOLLUM, Ms. DELBENE, Ms. MATSUI, Mr. THANEDAR, Ms. DEXTER, Mrs. TRAHAN, Ms. SCHRIER, Ms. CLARKE of New York, Mr. CASTEN, Ms. PETERSEN, and Ms. SIMON) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to ensure scientific integrity in the activities of the National Institutes of Health and prevent the diversion of funds to politically driven activities, 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 “Follow the Science  
3 Act”.

4 **SEC. 2. POLITICAL APPOINTEE DEFINED.**

5 Section 2 of the Public Health Service Act (42 U.S.C.  
6 201 et seq.) is amended by adding at the end the fol-  
7 lowing:

8 “(r) The term ‘political employee’—

9 “(1) means any individual occupying—

10 “(A) a position described under sections  
11 5312 through 5316 of title 5, United States  
12 Code (relating to the Executive Schedule);

13 “(B) a position under a noncareer appoint-  
14 ment (as that term is defined under section  
15 3132(a) of such title) in the Senior Executive  
16 Service;

17 “(C) a position in the executive branch of  
18 the Government of a confidential or policy-de-  
19 termining character under schedule C of sub-  
20 part C of part 213 of title 5, Code of Federal  
21 Regulations;

22 “(D) a position in schedule G of the ex-  
23 cepted service (established by Executive Order  
24 14317 titled ‘Creating Schedule G in the Ex-  
25 cepted Service’); or

1           “(E) any other position that has been ex-  
2           cepted from the competitive service by reason of  
3           the confidential, policy-determining, policy-mak-  
4           ing, or policy-advocating character of the posi-  
5           tion; and

6           “(2) includes any individual acting on behalf of  
7           an individual described in paragraph (1).”.

8 **SEC. 3. PROHIBITION ON PARTICIPATION BY POLITICAL**  
9 **APPOINTEES IN NIH ACTIVITIES.**

10          Section 401 of the Public Health Service Act (42  
11 U.S.C. 281) is amended—

12           (1) by redesignating subsections (g) and (h) as  
13           subsections (h) and (i), respectively; and

14           (2) by inserting after subsection (f) the fol-  
15           lowing:

16           “(g) PROHIBITION ON PARTICIPATION BY POLITICAL  
17 APPOINTEES IN NIH ACTIVITIES.—

18           “(1) IN GENERAL.—Except for the Director of  
19           NIH, the Director of the National Cancer Institute,  
20           and the Director of the Advanced Research Projects  
21           Agency for Health, no political employee may—

22           “(A) be employed by the National Insti-  
23           tutes of Health; or

24           “(B) participate in the implementation of  
25           general policies respecting the management and

1 operation of programs and activities within the  
2 National Institutes of Health.

3 “(2) EXCEPTION.—Paragraph (1)(B) shall not  
4 apply to the participation of a political employee in  
5 an activity carried out by the National Institutes of  
6 Health if—

7 “(A) the political employee is employed by  
8 a Federal department or agency other than the  
9 National Institutes of Health; and

10 “(B) the participation is specifically re-  
11 quired under this title.

12 “(3) RULE OF CONSTRUCTION.—Nothing in  
13 this subsection shall be construed to affect the re-  
14 quirements of section 406 or 492.”

15 **SEC. 4. PROHIBITION ON PARTICIPATION BY POLITICAL**  
16 **EMPLOYEES IN NIH GRANTS, CONTRACTS,**  
17 **COOPERATIVE AGREEMENTS, OTHER TRANS-**  
18 **ACTIONS, AND OTHER FUNDING ARRANGE-**  
19 **MENTS.**

20 (a) IN GENERAL.—Section 402 of the Public Health  
21 Service Act (42 U.S.C. 282) is amended by adding at the  
22 end the following:

23 “(p) PROHIBITION ON PARTICIPATION BY POLITICAL  
24 EMPLOYEES IN NIH GRANTS, CONTRACTS, COOPERATIVE

1 AGREEMENTS, OTHER TRANSACTIONS, AND OTHER  
2 FUNDING ARRANGEMENTS.—

3           “(1) IN GENERAL.—The Secretary, acting  
4           through the Director of NIH, shall ensure that no  
5           political employee participates in the solicitation, re-  
6           view, scoring, selection, or awarding of grants, con-  
7           tracts, cooperative agreements, other transactions,  
8           or other funding arrangements made by the Na-  
9           tional Institutes of Health or the Advanced Research  
10          Projects Agency for Health.

11          “(2) RULE OF CONSTRUCTION.—Nothing in  
12          this subsection shall be construed to affect the re-  
13          quirements of section 406 or section 492.”.

14          (b) REPORT TO CONGRESS.—Not later than 30 days  
15          after the date of enactment of this Act, the Director of  
16          the National Institutes of Health shall submit to Congress  
17          a report containing an accounting of the participation of  
18          political employees in the activities described in section  
19          402(p)(1) of the Public Health Service Act (as added by  
20          subsection (a) of this section) during the period beginning  
21          on January 20, 2021, and ending on the date of enact-  
22          ment of this Act.

1 **SEC. 5. IMPLEMENTATION OF NIH GRANTS, CONTRACTS,**  
2 **COOPERATIVE AGREEMENTS, AND OTHER**  
3 **TRANSACTIONS.**

4 Section 402 of the Public Health Service Act (42  
5 U.S.C. 282) is amended by adding at the end the fol-  
6 lowing:

7 “(p) PROHIBITION ON CERTAIN PROJECT CAN-  
8 CELLATIONS.—

9 “(1) IN GENERAL.—Notwithstanding any other  
10 provision of law, including section 200.340(a)(4) of  
11 title 2, Code of Federal Regulations (or any suc-  
12 cessor regulation), the Secretary, acting through the  
13 Director of NIH, shall not cancel, delay, or suspend  
14 any covered agreement, including through use of the  
15 Payment Management System (or any successor sys-  
16 tem), unless the Secretary, acting through the Direc-  
17 tor—

18 “(A) issues written findings of financial  
19 mismanagement, research fraud, debarment, or  
20 malfeasance with respect to the covered agree-  
21 ment; and

22 “(B) not later than 30 days after the date  
23 of the cancellation or suspension, submits to the  
24 Committee on Energy and Commerce of the  
25 House of Representatives and the Committee  
26 on Health, Education, Labor, and Pensions of

1           the Senate notice of the cancellation or suspen-  
2           sion, including a copy of such written findings.

3           “(2) TERMS AND CONDITIONS.—The implemen-  
4           tation of a covered agreement under subsection (a)  
5           shall be—

6                   “(A) in accordance with the terms and  
7                   conditions of the covered agreement; and

8                   “(B) for the full period specified in the  
9                   covered agreement.

10           “(3) COVERED AGREEMENT DEFINED.—In this  
11           subsection, the term ‘covered agreement’ means any  
12           grant, contract, cooperative agreement, or other  
13           transaction.”.

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