

Public Law 95-99
95th Congress

An Act

To authorize appropriations for activities of the National Science Foundation, and for other purposes.

Aug. 15, 1977
[H.R. 4991]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Science Foundation Authorization Act, Fiscal Year 1978".

SEC. 2. (a) There is authorized to be appropriated to the National Science Foundation \$879,350,000 for the fiscal year 1978.

(b) Funds authorized under subsection (a) shall be available for the following categories:

- (1) Mathematical and Physical Sciences and Engineering, \$246,500,000.
- (2) Astronomical, Atmospheric, Earth, and Ocean Sciences, \$210,500,000.
- (3) United States Antarctic Research Program, \$47,475,000.
- (4) Biological, Behavioral, and Social Sciences, \$142,500,000.
- (5) Basic Research Stability Grants, \$4,500,000, or 2 per centum of the funds available for categories (1), (2), and (4) of this subsection, whichever is less.
- (6) Science Education Programs, \$83,300,000.
- (7) Research Applied to National Needs, \$75,850,000.
- (8) Scientific, Technological, and International Affairs, \$20,900,000.
- (9) Program Development and Management, \$47,825,000.

SEC. 3. (a) Notwithstanding any other provision of this or any other Act, of the total amount authorized under section 2(b) (6)—

- (1) \$11,900,000 shall be available for Graduate Fellowships;
- (2) \$1,200,000 shall be available for the program "Continuing Education for Scientists and Engineers";
- (3) \$3,000,000 shall be available for the program "Resource Center for Science and Engineering";
- (4) \$2,500,000 shall be available for the program "Minorities, Women, and the Handicapped in Science";
- (5) \$1,800,000 shall be available for the program "Science for Citizens";
- (6) \$2,600,000 shall be available for the program "Public Understanding of Science";
- (7) \$1,400,000 shall be available for the program "Ethics and Values in Science and Technology";
- (8) \$500,000 shall be available for a comprehensive assessment of science education in two-year colleges;
- (9) \$14,500,000 shall be available for the program "Comprehensive Assistance to Undergraduate Science Education"; and
- (10) \$6,000,000 shall be available for the program "Pre-College Teacher Development".

(b) Notwithstanding any other provision of this or any other Act, \$4,000,000 shall be available for the program "Policy Research and Analysis" authorized under section 2(b) (8).

National Science
Foundation
Authorization
Act, Fiscal year
1978.
42 USC 1861
note.

Urban and
human services
problems.

(c) Of the appropriations made pursuant to section 2(b) (7), not less than 25 per centum shall be available for "Applied Social Research" and for "Policy-related Scientific Research" directed toward increasing the cost-effectiveness of policies and programs dealing with urban and human service problems at the Federal, State, and local government levels, including use of such funds to identify, analyze, and contribute knowledge to improve productivity in the public sector, to identify, analyze, and evaluate more effective, efficient, and equitable ways of delivering human services, and to develop the data base and analytical techniques required for improving applied research on municipal systems and human service delivery.

Cooperative
research projects.

SEC. 4. (a) From funds authorized under section 2(b) (1), (2), and (4) the National Science Foundation is authorized to increase support for cooperative research projects involving researchers from the industrial and academic sectors.

Small business
concerns.

(b) Notwithstanding any other provision of this or any other Act, not less than 12.5 per centum of the amount provided under section 2(b) (7) shall be available for small business concerns.

Bilateral and
multilateral
research
programs.

(c) In the use of the funds made available pursuant to section 2(b) (8) for "International Cooperative Scientific Activities", emphasis shall be placed on bilateral and multilateral research and exchange programs, particularly programs involving Western Europe and neighboring countries in the Western Hemisphere. The Director of the National Science Foundation shall consult with the Director of the Office of Science and Technology Policy, the Secretary of State, and other appropriate officials to assure that the programs carried out under this subsection are consistent with the international scientific and foreign policy objectives of the United States.

Science and
technology.
42 USC 1862
note.

SEC. 5. (a) From the funds authorized under the program "Science and Society", the National Science Foundation is authorized to provide support which is designed to—

(1) improve public understanding of public policy issues involving science and technology;

(2) facilitate the participation of qualified scientists and engineers and of undergraduate and graduate students in public activities aimed at the resolution of public policy issues having significant scientific and technical aspects; and

(3) assist nonprofit, citizens, and bona fide public interest groups to acquire necessary scientific and technical expertise in order to improve their comprehension of scientific and technical aspects of public policy issues.

(b) Awards made pursuant to this section shall, to the extent feasible, include support for—

(1) qualified scientists and engineers to work on public policy issues with significant scientific and technical components in conjunction with units of State and local government, nonprofit organizations, or bona fide public interest groups;

(2) internship programs for science and engineering undergraduate or graduate students to work on public policy issues with significant scientific and technical components in conjunction with units of State and local government, nonprofit organizations, or bona fide public interest groups as part of their academic training;

(3) forums, conferences, and workshops on public policy issues with significant scientific and technical components;

(4) training in the presentation of scientific and technical studies in a manner which (A) improves public understanding of

the ways in which science and technology influence contemporary life, (B) improves public access to the results of scientific and technical research, (C) encourages and facilitates interaction between laypersons and scientists on public issues with important scientific and technological components, and (D) increases public knowledge and understanding of the ethical and value implications of scientific and technological developments;

(5) new and existing programs using radio or television to increase public understanding of public policy issues with significant scientific and technical components; and

(6) bona fide public interest groups to acquire necessary scientific and technical expertise relating to the scientific and technical aspects of public policy issues and to enable such groups to bring together in appropriate forums experts whose research has been directed to the resolution of such issues.

SEC. 6. (a) The National Science Foundation shall establish a Resource Center for Science and Engineering to be located at an educational institution which—

Resource Center
for Science and
Engineering.
Establishment.
42 USC 1884.

(1) enrolls substantial numbers of minority students, students from low-income families, or both;

(2) is geographically located near one or more population centers of low-income families or minority groups;

(3) demonstrates a commitment to encouraging and assisting minority students or students from low-income families, or both; and

(4) has an existing or developing capacity to offer doctoral programs in science and engineering.

(b) The Center established under this section shall—

(1) support basic research and the acquisition of necessary research facilities and equipment;

(2) serve as a regional resource in science and engineering for the community which the Center serves; and

(3) develop joint educational programs with nearby pre-college and undergraduate institutions which enroll a substantial number of minority students or students from low-income families.

SEC. 7. In addition to such sums as are authorized by section 2, not to exceed \$4,900,000 is authorized to be appropriated for the fiscal year 1978 for expenses of the National Science Foundation incurred outside the United States to be paid for in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

Foreign
currencies.

SEC. 8. Appropriations made pursuant to this Act may be used, but not to exceed \$5,000, for official consultation, representation, or other extraordinary expenses upon the approval or authority of the Director of the National Science Foundation, and his determination shall be final and conclusive upon the accounting officers of the Government.

Extraordinary
expenses.

SEC. 9. The National Science Foundation is directed to issue instructions to grantees for pre-college curriculum projects covering the protection of pre-college students and procedures for involving such students in pre-college education research and development, pilot-testing, evaluation, and revision of experimental and innovative pre-college curriculum projects funded by the Foundation. These instructions shall require such grantees to obtain written approval of the school board or comparable authority responsible for the schools prior to the involvement of such students.

Pre-college
curriculum
projects.
42 USC 1869b.

Financial or other
interest
statements.
42 USC 1873a.

Availability to
public.
Penalty.

Standards,
publication.

Report to
Congress.

Funds, transfer,
limitation.

Report to
Speaker of the
House, President
of the Senate, and
congressional
committees.

SEC. 10. (a) (1) Each officer or employee of the National Science Foundation who performs a decisionmaking function in the handling of any application or proposal for a grant from or contract with the Foundation shall provide a written statement for the record identifying (in accordance with the standards promulgated under subsection (b)) any financial interest or other relevant interest he or she has in the person submitting the application or proposal and any academic affiliation he or she has with that person. If the application or proposal results in an award, the statement shall be made available to the public.

(2) The Director shall remove or take other appropriate disciplinary action against any employee who knowingly violates the requirements of this subsection.

(b) (1) Within 60 days after the date of the enactment of this Act, the Director of the National Science Foundation shall publish—

(A) proposed standards to implement the requirements of subsection (a), designed to minimize conflicts of interest and to assure that the appropriate files of the Foundation relating to any grant or contract referred to in such subsection contain a statement of any financial or other relevant interest which any of the officers and employees involved may have in the person or institution applying for or proposing the grant or contract as well as any academic affiliation which any of such officers and employees may have with such person or institution; and

(B) proposed standards appropriately requiring identification of any conflicts of interest by peer reviewers.

(2) Within 120 days after the date of the enactment of this Act, the Director shall promulgate the standards published under paragraph (1), with such modifications as the Director may deem appropriate; and such standards shall take effect upon their promulgation.

(c) The Director shall report annually to the Congress on the administration and enforcement of this section.

(d) If the President issues an Executive order that requires financial disclosure by officers and employees of Federal agencies generally, only so much of this section as relates to peer reviewers and to academic affiliations of officers and employees shall remain effective.

SEC. 11. Appropriations made pursuant to this Act shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in the Acts making such appropriations.

SEC. 12. No funds may be transferred from any particular category listed in section 2 to any other category or categories listed in such section if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, and no funds may be transferred to any particular category listed in section 2 from any other category or categories listed in such section if the total of the funds so transferred to that particular category would exceed 10 per centum thereof, unless—

(1) a period of thirty legislative days has passed after the Director of the National Science Foundation or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Technology of the House of Representatives and to the Committee on Human Resources of the Senate a written report containing a full and complete statement concerning the nature of the transfer and the reason therefor, or

(2) each such committee before the expiration of such period has transmitted to the Director written notice to the effect that such committee has no objection to the proposed action.

SEC. 13. Notwithstanding any other provision of this or any other Act, the Director of the National Science Foundation shall keep the Committee on Science and Technology of the House of Representatives and the Committee on Human Resources of the Senate fully and currently informed with respect to all of the activities of the National Science Foundation.

SEC. 14. (a) Section 3(e) of the National Science Foundation Act of 1950 (42 U.S.C. 1862(e)) is amended by striking out "one of the objectives" and inserting in lieu thereof "an objective".

(b) Section 4 of such Act (42 U.S.C. 1863) is amended by adding at the end thereof the following new subsection:

"(j) The Board shall render an annual report to the President, for submission to the Congress on or before March 31 in each year. Such report shall deal essentially, though not necessarily exclusively, with policy issues or matters which affect the Foundation or with which the Board in its official role as the policymaking body of the Foundation is concerned."

(c) Section 14(d) of such Act (42 U.S.C. 1873(d)) is amended to read as follows:

"(d) The members of the Board and the members of each special commission shall receive compensation for each day engaged in the business of the Foundation at a rate fixed by the Chairman but not exceeding the rate specified for the daily rate for GS-18 of the General Schedule under section 5332 of title 5, United States Code, and shall be allowed travel expenses as authorized by section 5703 of title 5, United States Code."

Approved August 15, 1977.

Notice to congressional committees.

42 USC 1882.

Report to President, submittal to Congress.

Compensation.

5 USC 5332 note.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 95-98 (Comm. on Science and Technology) and No. 95-504 (Comm. of Conference).

SENATE REPORTS: No. 95-92 (Comm. on Human Resources) and 95-93 accompanying S. 855 (Comm. on Human Resources).

CONGRESSIONAL RECORD, Vol. 123 (1977):

Mar. 24, considered and passed House.

May 5, considered and passed Senate, amended, in lieu of S. 855.

Aug. 4, House agreed to conference report.

Aug. 5, Senate agreed to conference report.