

non-profit organizations (or consortia of such institutions or organizations) to carry out a comprehensive national initiative to facilitate the development of networks and partnerships to build on and scale up effective practices in broadening participation in STEM studies and careers of groups historically underrepresented in such studies and careers.

**(b) Change of name**

The initiative under subsection (a) shall be known as the “Eddie Bernice Johnson Inclusion across the Nation of Communities of Learners of Underrepresented Discoverers in Engineering and Science Initiative” or the “Eddie Bernice Johnson INCLUDES Initiative”.

(Pub. L. 117–167, div. B, title III, §10323, Aug. 9, 2022, 136 Stat. 1539.)

**§ 19013. Broadening participation on major facilities awards**

The Director shall require organizations seeking a cooperative agreement for the management of the operations and maintenance of a Foundation project to demonstrate prior experience and current capabilities in or to have a plan for employing best practices in broadening participation in science and engineering and ensure implementation of such practices is considered in oversight of the award.

(Pub. L. 117–167, div. B, title III, §10324, Aug. 9, 2022, 136 Stat. 1539.)

**§ 19014. Expanding geographic and institutional diversity in research**

**(a) Continuing support for EPSCoR**

**(1) Sense of Congress**

It is the sense of Congress that—

(A) because maintaining the Nation’s scientific and economic leadership requires the participation of talented individuals nationwide, EPSCoR investments into State research and education capacities are in the Federal interest and should be sustained;

(B) EPSCoR should maintain its experimental component by supporting innovative methods for improving research capacity and competitiveness; and

(C) the Director should carry out this subsection while maintaining or increasing proposal success rates at emerging research institutions throughout the United States and without precluding access to awards for such institutions.

**(2) Omitted**

**(3) Geographic diversity and inclusion**

**(A) In general**

To the maximum extent practicable, not less than—

- (i) 15.5 percent in fiscal year 2023,
- (ii) 16 percent in fiscal year 2024,
- (iii) 16.5 percent in fiscal year 2025,
- (iv) 17 percent in fiscal year 2026,
- (v) 18 percent in fiscal year 2027,
- (vi) 19 percent in fiscal year 2028, and
- (vii) 20 percent in fiscal year 2029,

of the amounts appropriated to the Foundation for research and related activities, and

science, mathematics, and engineering education and human resources programs and activities, excluding those amounts made available for polar research and operations support (and operations and maintenance of research facilities), shall be awarded to EPSCoR institutions.

**(B) Scholarships**

To the maximum extent practicable, not less than—

- (i) 16 percent in fiscal year 2023,
- (ii) 18 percent in fiscal year 2024, and
- (iii) 20 percent in each of fiscal years 2025 through 2029,

of the amounts appropriated to the Foundation for scholarships (including at community colleges), graduate fellowships and traineeships, and postdoctoral awards shall be used to support EPSCoR institutions.

**(C) Considerations**

The Director shall consider prioritizing funding and activities that enable sustainable growth in the competitiveness of EPSCoR jurisdictions, including—

(i) infrastructure investments to build research capacity in EPSCoR jurisdictions;

(ii) scholarships, fellowships, and traineeships within new and existing programs, to promote the development of sustainable research and academic personnel;

(iii) partnerships between eligible organizations in EPSCoR and non-EPSCoR jurisdictions, to develop administrative, grant management, and proposal writing capabilities in EPSCoR jurisdictions;

(iv) capacity building activities for emerging research institutions, historically Black colleges and universities, Tribal Colleges or Universities, and minority serving institutions, consistent with this section and section 19183 of this title; and

(v) leveraging the Partnerships for Innovation program, as well as the Foundation coordination role in the Department of Commerce technology and innovation hub program under section 3722a of title 15 as added by section 10621, to build sustainable innovation ecosystems in EPSCoR jurisdictions.

**(D) Merit review**

The Director shall achieve the percentages specified in this paragraph to the maximum extent practicable, consistent with the National Science Foundation merit review process.

**(E) Consortia**

In the case of an award to a consortium, the Director may count the entire award toward meeting the funding requirements of subparagraph (A) if the lead entity of the consortium is located in an EPSCoR institution<sup>1</sup>

**(F) Annual reporting**

Beginning with the fiscal year 2023, the Director shall submit to Congress a report describing—

<sup>1</sup> So in original. Probably should be followed by a period.